

MAY 29 1992

BARON & BUDD

IN RE: ALL ASBESTOS-RELATED & IN THE DISTRICT COURT OF
PERSONAL INJURY OR &
DEATH CASES FILED OR TO & DALLAS COUNTY, TEXAS
BE FILED IN DALLAS &
COUNTY, TEXAS & 160TH JUDICIAL DISTRICT

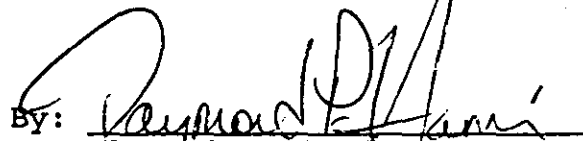
GARLOCK INC'S ANSWERS TO MASTER SET OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS IN ALL
ASBESTOS-RELATED PERSONAL INJURY OR DEATH
CASES FILED BY BARON & BUDD, P.C. OR TO BE
FILED BY BARON & BUDD, P.C. IN DALLAS COUNTY

TO: Plaintiffs, by and through their counsel of record, Russell W.
Budd, Baron & Budd, A Professional Corporation, The Centrum,
3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

Comes Now, Defendant Garlock Inc and files this its answers to
Plaintiffs' Master Set of Interrogatories and Request for
Production of Documents, in all asbestos related personal injury or
death cases filed by Baron & Budd, P.C., or to be filed by Baron
& Budd, P.C., in Dallas County pursuant to Rule 168 of the Texas
Rules of Civil Procedure.

Respectfully Submitted,

CONANT WHITTENBURG WHITTENBURG &
SCHACHTER

By: 

A.B. Conant, Jr.
State Bar No. 04655000
Raymond P. Harris, Jr.
State Bar No. 09088050

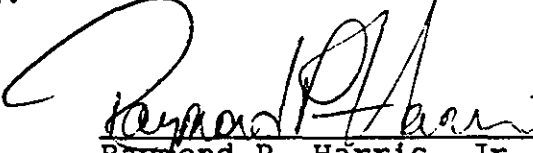
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ATTORNEYS FOR GARLOCK INC



CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Defendant Garlock Inc's Answers to Plaintiffs' Master Set of Interrogatories and Request for Production of Documents was sent by certified mail, return receipt requested, to counsel for Plaintiffs and by regular mail to all counsel of record on the 28th day of May, 1992.



Raymond P. Harris, Jr.

GENERAL OBJECTIONS

1. The interrogatories request information going back many years and Garlock has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. The answers given are based on the present facts known or believed by Garlock at the time of its answer.
2. The interrogatories are overly broad, burdensome, and in places, vague and ambiguous. In addition, the interrogatories are not sufficiently limited in time and use terms which do not refer to products manufactured by Garlock.
3. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing insulation products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any interrogatory referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that questions referring to insulation products are thus not applicable to Garlock.
4. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing building products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any interrogatory referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that questions referring to building products are thus not applicable to Garlock.
5. The interrogatories themselves are overly broad in that they tend to bunch together all of the defendants. There has never been any evidence or reason to believe that Garlock products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Garlock denies that the use of, or exposure to, its asbestos-containing products poses any health hazard. Furthermore, the plaintiff's alleged problems are not related to Garlock products.

INTERROGATORIES

INTERROGATORY NO.1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or job held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that information used to answer these interrogatories was gathered from answers to interrogatories previously filed in this and other jurisdictions over the last several years and involved obtaining and confirming information from many present and former employees. The names of the individuals who provided information include: Clayton M. Jewett, formerly Manager of Marketing - Gasket Products, Garlock Inc, P. O. Box 3401, Incline Village, Nevada 89450, Roy L. Whittaker, Director, Engineering, Industrial Packing, Garlock Inc, 1666 Division Street, Palmyra, New York 14522 and Richard W. Watson, Paralegal and Patent Agent, 1666 Division Street, Palmyra, New York 14522. Garlock objects to the remainder of the interrogatory on the grounds that it is unduly burdensome, unnecessary and harassing.

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

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ANSWER:

Defendant's legal name is Garlock Inc (no punctuation). Garlock Inc is an Ohio corporation with offices located at 430 Park Avenue, New York, New York 10022 and a principal manufacturing facility and sales office at 1666 Division Street, Palmyra, New York 14522. Garlock has been registered to do business in the state of Texas.

INTERROGATORY NO.3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER:

Garlock has never mined, supplied, distributed, marketed and/or sold raw asbestos fibers to others.

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

See answer to interrogatory No. 4.

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- b. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.

- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that since at least as early as 1907, it has produced and sold asbestos-containing gasketing and packing products. Garlock is not, and has never been a manufacturer or seller of asbestos-containing thermal insulation materials as that term is commonly used and understood in this litigation. All of its products, both those containing asbestos and those containing no asbestos, have always been sold under the GARLOCK name. In addition, the Calipers and Scale trademark was used with all of its products from about 1900 until approximately 1968. A number of secondary trademarks have also been used over the years. Principal marks which have been used in connection with asbestos-containing products, as well as non-asbestos-containing products, have been BELMONT, GUARDIAN, CHEVRON, LATTICE BRAID, PALMYRA and PAPERPAK.

The specific products which Garlock has and does manufacture are asbestos gasket and asbestos sheet (from which the purchaser cuts gaskets). Garlock asbestos sheet is a mixture of asbestos fibers, curing agents, reinforcing fillers and elastomers (natural rubber or synthetic polymers having the elastic qualities of rubber). Asbestos fibers are machine blended with the rest of the mixture until they are thoroughly coated.

The entire compound is then heated and rolled into sheets and is continually compressed to form a tough, impermeable, homogeneous material that looks like linoleum.

Other gasket materials were made from woven, long fiber, asbestos yarn impregnated and encased in a rubberized coating. Other gaskets have had asbestos encased by layers of metal or encapsulated with a P.T.F.E. (polytetrafluoroethylene) resin envelope. Garlock asbestos packing materials consisted of woven asbestos encapsulated in either elastomeric compounds or metal foils and/or impregnated with lubricants.

Garlock gasket materials are primarily used for static sealing of steam line flanges, cylinder heads of engines, compressors and refrigeration equipment, fluid conduits, etc. Garlock packing materials are primarily used for dynamic sealing of machinery.

Finished compressed asbestos sheet is either cut into gaskets by Garlock or sold for use by others in cutting gaskets. Garlock's flexible and durable gasketing material is handled, installed and removed in all intended applications without releasing meaningful quantities, if any, of asbestos fibers into the air. Garlock's compressed asbestos sheets and gaskets are treated with an anti-stick releasing agent which reduces any tendency of the gaskets to adhere to pipe flanges during removal and replacement. This anti-stick agent facilitates the removal of old gaskets without generating dust. Other Garlock products come in specific sizes for application and do not generally require modification before or during application or use. Garlock objects to portions of this interrogatory until such time as proper orders are entered concerning the production of proprietary information. Notwithstanding and without waiving the foregoing objections, Garlock states that from 95% to 98% of its asbestos-containing products have been made only with chrysotile asbestos fibers and that the remaining 2% to 5% of such products were made with

crocidolite asbestos fiber. Depending upon the type of product involved, the percentage of asbestos contained in these products has ranged from about 10% to about 85%.

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials or any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible evidence and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that the design and/or development of new products and the improvement of existing Garlock products has been the responsibility of the technical staff involved in each particular project. Any records which remain in the possession of Garlock would be in the custody of, or available to, the Garlock engineering management staff.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such

as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this litigation are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any evidence or reason to believe that Garlock asbestos-containing products pose a health hazard, potential or otherwise to persons using said products. Garlock products pose no health hazard, potential or otherwise to persons using such products.

INTERROGATORY NO. 9:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

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ANSWER:

Not applicable.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

Not applicable.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazard resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products testes and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.

- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products from the market as a result of these tests.

ANSWER:

See answer to interrogatory No. 8.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

Not applicable.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatory No. 10 or 13? If the answer is affirmative, state:

- A. The names of the products changed or modified.

- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

Not applicable.

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.
- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.

- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objections, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products poses any health hazard, or any significant possibility of inhalation of asbestos fibers. The asbestos fibers in Garlock products are encapsulated or otherwise retained, and, therefore, fall within the exception provided in the OSHA regulations requiring warnings on asbestos products and materials. Nevertheless, Garlock places the warning set forth in section 1910.1001, paragraph 2(ii) of the OSHA regulations on its asbestos-containing products. The warning reads: "CAUTION: Contains Asbestos fibers. Avoid creating dust. Breathing Asbestos dust may cause serious bodily harm." This warning has been present on all Garlock asbestos-containing products and/or the product packaging since late 1977.

A similar warning notice has been contained in product literature published since 1977 that describes one or more asbestos-containing products.

INTERROGATORY NO. 15:

Before 1970, had you received notice any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has

or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any to its predecessors or subsidiaries before 1970? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.
- E. The names and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is unduly burdensome, irrelevant to any issue in these cases and is not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that they had no such notices.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this

case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has, from time to time, sold some of its products for resale under other labels. Some of these products contained asbestos, others contained no asbestos. Garlock has no record, knowledge or recollection of any written distribution or sales agreement concerning such products. There is no reason to believe that such products are germane to this litigation.

INTERROGATORY NO. 17:

Did you or nay of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what areas.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, does not call for relevant evidence and is not calculated to lead to the discovery of admissible evidence and the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that most of its product sales were on a direct basis until the mid-1960's. At that time, the decision was made to utilize distributors for sales to maintenance and repair customers and after a

conversion period of several years, the majority of Garlock product sales are made through distributors. Garlock has continued to sell directly to original equipment manufacturers who use Garlock products in making their products. Garlock does not have records of its direct sales prior to the utilization of distributors nor of sales by its distributors to specific customers.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

Garlock has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research. Garlock has had six part-time plant physicians since 1920. They are as follows:

<u>Name</u>	<u>Dates of Service</u>
Dr. C. C. Nesbitt (deceased)	8/30/20 - 8/ 1/56
Dr. J. D. Bramer (deceased)	8/ 1/56 - 7/24/72
Dr. K. K. Kapur 1269 Pittsford Palmyra Road Macedon, New York 14502	10/23/72 - 8/14/79
Dr. William G. Fallon 602 7th Street Liverpool, New York 13088	10/31/79 - 3/ 1/88

Dr. B. Maureen Merritt
P. O. Box 477
Celoron, New York 14720

9/15/88 - 8/28/90

Dr. Tillman F. Farley
Garlock Inc
1666 Division Street
Palmyra, New York 14522

10/9/90 to Present

All of these physicians served on a part-time basis and were at Garlock primarily for incoming employee physicals, treatment of minor injuries, etc. Any existing records, reports or memoranda written by any of these physicians and pertaining to Garlock are in the hospital records which are all maintained by patient name at Garlock.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

This defendant is aware of literature concerning asbestos fiber and opinions that excessive exposure to asbestos dust may be hazardous to one's health. This defendant does not know of or have in its possession any books,

pamphlets, memoranda or other written materials of any kind or character which present any evidence or which would otherwise indicate that Garlock asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock objects to making a general review of literature having no relevance to Garlock asbestos-containing products on the grounds that to do so would put defendant in the position of doing the plaintiff's work.

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos composed of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, if so:
 1. A description of the publications, including the date.
 2. The current location of each publications.
 3. The custodian of such publications.
 4. The method or manner in which such publications are

maintained.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad. Notwithstanding and without waiving the foregoing objection, Garlock states that it has been a member of five organizations which may have dealt with asbestos-containing products:

1. The Fluid Sealing Association (formerly Mechanical Packing Association), 2017 Walnut Street, Philadelphia, Pennsylvania 19103 (member from 1933 to present).
2. Asbestos Textile Institute, Inc., P.O. Box 471, 131 North York Road, Willow Grove, Pennsylvania 19090 (member from approximately 1966 to 1979 - Garlock acknowledges that a review of ATI minutes discloses an earlier membership period during the 1940's, but Garlock has no other record or information as to such period.)
3. Asbestos Information Association of North America, 1975 K Street, Washington, D.C. 20006 (member from approximately 1974 to 1980).
4. American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103 (member from 1945 to present).
5. National Safety Council, 444 North Michigan Avenue, Chicago, Illinois 60611 (member from 1922 to present).

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared

for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that the vast majority of its asbestos-containing sealing products have been designed, made and sold by its facilities in Palmyra, New York, now identified as the Garlock Mechanical Packing Division.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER:

Garlock objects to this interrogatory as being overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

Notwithstanding and without waiving the foregoing objections, Garlock states that over the years it has prepared hundreds of writings, instruction sheets, brochures and the like regarding its products. The majority of said writings have long since been discarded. All existing writings (several file cabinets full) are available for inspection and copying at Garlock Inc, 1666 Division Street, Palmyra, New York 14522.

INTERROGATORY NO. 23:

Have any written or printed materials or instruction of any kind or character been prepared by Defendant or any of its subsidiaries or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendants' products or those of its subsidiaries or predecessors.
- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

See answer to interrogatory No. 22.

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of

coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states product liability insurance coverage for Garlock has been available under various policies, including the following primary policies:

<u>Carrier</u>	<u>Year</u>
Travelers Insurance Company	1951 - 1961
Employers Mutual of Wausau	1961 - 1976
Aetna Life and Casualty Company	1975 - 1986
National Union	1986 - Present

The full amount of coverage available under such policies is subject to differing views between the insured and the insurers.

(Note: National Union coverage excludes asbestos-containing products.)

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.

- C. Who within the company first discovered, recognized or understood and/or of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

Garlock objects to this interrogatory on the grounds that it calls for an expert medical opinion which Garlock is not qualified to give. Notwithstanding and without waiving the foregoing objection, some Garlock personnel have been aware for a number of years that excessive exposure to asbestos dust may be hazardous to one's health. Garlock is unable to pinpoint when or how such personnel first became aware of the possible health hazard. However, there has never been any evidence or reason to believe that Garlock products, through normal use, have caused or contributed to any hazardous condition, potential or otherwise, since they are bonded and/or encapsulated.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.

- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- d. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

See answer to interrogatory No. 25.

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.

- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER:

See answer to interrogatory No. 25.

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.

- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

See answer to interrogatory No. 25.

INTERROGATORY NO. 29:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers.
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- D. Who within the company or its subsidiary or predecessor first discovered that adverse consequences or effects of asbestos exposure.

- E. What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.

ANSWER:

See answer to interrogatory No. 25.

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of asbestos fiber.

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos materials or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and burdensome. Notwithstanding and without waiving the foregoing objections, Garlock states that it does not have records which would indicate when it started and/or stopped using any particular type or style of packaging. For probably at least 50 years, the dominant colors of our packaging materials have been yellow, red and black. Sometimes black has predominated, and at other times, yellow has been the dominant color. However, the three colors have usually been used together.

The form in which Garlock asbestos-containing products are shipped varies, depending upon the size and configuration of each item, the number of items called for by the customer's order and the customer's own desires. Among the containers used are burlap bags, cardboard boxes and wooden crates. In addition, asbestos sheet is occasionally shipped flat on wooden pallets.

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock has no record, knowledge or recollection of any such agreement relative to any of its asbestos-containing products.

INTERROGATORY NO. 33:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and irrelevant. Notwithstanding and without waiving the foregoing objections, Garlock states that its principal suppliers of raw asbestos have been Lake Asbestos of Quebec, Johns-Manville and Bell Asbestos Mines.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER:

Not applicable.

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- a. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

Garlock objects to this interrogatory on the grounds that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a

Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left the Garlock facilities.

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazard or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock has no record, knowledge or recollection of any such minutes relative to any of its asbestos-containing products.

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- B. The names and address of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warnings labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this

case are those to which plaintiff alleges to have been exposed. See also answers to interrogatories No. 3 and No. 6.

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacturing, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that it does not maintain separate compilations of sales records for its asbestos-containing products or for sales in specific states or sub-divisions thereof.

Such older records as still exist are retained in Palmyra in 40" x 40" x 40" cardboard boxes, each containing several cartons of records. These records will be made available to plaintiff for inspection and

copying at plaintiff's expense and upon appropriate prior arrangements. It is believed that the oldest such records generally date from approximately 1978.

INTERROGATORY NO. 39:

May you call company representative as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

A list of witnesses which Garlock expects to call at trial will be supplied when that determination is made.

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;

GARLOCK INC'S ANSWERS TO MASTER SET OF
INTERROGATORIES AND REQUEST FOR PRODUCTION
OF DOCUMENTS IN ALL ASBESTOS-RELATED PERSONAL
INJURY OR DEATH CASES FILED BY BARON & BUDD,
P.C. OR TO BE FILED BY BARON & BUDD,
P.C. IN DALLAS COUNTY

- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER:

In past years, Garlock acquired four subsidiary companies which made and/or sold at least some asbestos-containing products. Those companies were the Belmont Packing & Rubber Company, Crandall Packing Company, Dealers' Steam Packing Company and U.S. Gasket Company. The only asbestos-containing products of which Garlock is aware that were made and/or sold by these companies were sealing products substantially equivalent to similar such products made and sold by Garlock. The Belmont Packing & Rubber Company was located in Philadelphia, Pennsylvania; Crandall Packing Company and Dealers' Steam Packing Company were located in Palmyra, New York and U.S. Gasket Company was located in Camden, New Jersey. Ultimately, each of the four subsidiaries was merged or otherwise absorbed into Garlock, including all assets and liabilities. As far as Garlock is aware, all business records of these former subsidiaries were destroyed many years ago in accordance with Garlock's long-standing record retention and destruction program. It is probable that old corporate minute books still exist, but Garlock would not expect them to contain any information pertinent to this litigation. In June, 1987, Garlock Inc acquired The Anchor Packing Company of Philadelphia, Pennsylvania which has sold asbestos-containing gaskets, gasket materials and packing.

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

Yes. However, Garlock does sell gasket sheets and other packing materials that may be cut to proper size by the user or pre-cut by Garlock or by others.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welder, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that pipefitters and mechanics were/are foreseeable users of Garlock gaskets and packing products which contain fully encapsulated asbestos fibers.

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used,

then specify in detail what year or years your are referring to and the specific products you are referring to and year involved.

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of asbestos fiber.

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

Garlock gaskets and packing products which contain fully encapsulated asbestos fibers may have to be removed or replaced at some time after installation, and same is a foreseeable use.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products

were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of asbestos fiber.

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

See answer to interrogatory No. 45.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

A. Name of the person or firm conducting such studies;

- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER:

See answer to interrogatory No. 45.

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that a Research and Development Department existed during most of the 1960's. The exact dates of its formation and

termination are not available. A new Research and Development Department was established early in 1984 and functioned for approximately two years. In both instances, the Department worked on the development of new and/or improved products and processes. The Department never conducted any medical research.

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER:

See answer to interrogatory No. 18.

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

See answer to interrogatory No. 14.

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names or such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

See answer to interrogatory No. 6.

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that introduction, distribution, improvement, modification and discontinuance of styles of all kinds has been a continuing process at Garlock. Over the years, Garlock has discontinued the manufacture and sale of numerous styles of asbestos-containing products. The reasons were basically economic in that the market for the particular product was such that the manufacture and sale was not profitable. Also, as new and better products have been introduced, older products have become obsolete and unprofitable.

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER:

No. Since the asbestos-containing products of Garlock are bonded and/or coated and/or encapsulated in elastomers and/or treated in such other manner as to prevent the emission of meaningful levels, if any, of asbestos dust and fiber when used in the manner for which they are intended, no such recall would have been necessary.

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this

case are those to which plaintiff alleges to have been exposed. See also answer to interrogatory No. 52.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 56:

Did you company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of

asbestos fiber.

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. They year in which Defendants or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 58:

Were the threshold limit value or maximum allowable concentrations inquired about in Interrogatory No. 63 for total dust, and not asbestos dust alone?

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any evidence or reason to believe that Garlock products pose any health hazard, potential or otherwise, to persons using said products. Garlock products pose no health hazard, potential or otherwise, to persons using such products. Garlock has had the following studies conducted for it by industrial hygienists: "The Actual Occupational Exposure to Airborne Asbestos Released by Garlock Spiral Wound, Braided and Encapsulated Gaskets" by Carl A. Mangold, CIH (December 1982); "The Actual Contribution of Garlock Asbestos Gasket Materials to the Occupational Exposure to Asbestos Workers" by Carl A. Mangold, CIH (October 1982); "Asbestos Fibers in the Ambient Air in the Greater San Francisco Area": by Carl A. Mangold, CIH (March 1983); "Ambient Asbestos Fiber Levels in the Metropolitan Areas of Norfolk-Portsmouth-Newport News, Virginia" by Joseph D. Wendlick, CIH (December 1983); "The Actual Contribution of Asbestos Fiber Exposure During Gasket Removal from Pipe Flanges Aboard Ship" by Carl A. Mangold, CIH (November 1983); "The Actual Release of

Asbestos Fibers from New, Used and Flanged Garlock Inc Asbestos Gasket Materials" by Carl A. Mangold, CIH (September 1985); "Occupational Exposures During Processing, Handling, Installation and Removal of Garlock Asbestos-Containing Gaskets" by Martin R. Bennett and Richard L. Hatfield (June 1985); "Garlock Inc Gasket Materials -A Comparison of the Tyndall Phenomena to the Actual Concentration of Asbestos Fibers in the Breathing Zone of Workers" by Carl A. Mangold, CIH (July 1986); "The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets" by Carl A. Mangold, CIH (January 1989) - Eight separate subdivisions titled as follows: Cutting Gaskets with a Circular Cutter; Gasket Cutting with Hand Shears; Gasket Cutting with Ball Pien (sic) Hammer; Scribing of Gasket Materials; Opening of Old Flanges and Removal of Asbestos Gaskets; Flange Face Scraping with Putty Knife; Hand Wire Brushing of Asbestos Gasket Residual from Flanges; Power Wire Brushing of Flange Faces.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;

ANSWER:

- (b) The subject matter on which the expert is expected to testify;

ANSWER:

- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;

ANSWER:

- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;

ANSWER:

- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;

ANSWER:

- (f) Describe in detail the education and work history of, and identify any books, treaties, articles, published and unpublished reports, studies or other scholarly works authored by an individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER:

A list of expert witnesses which Garlock expects to call at trial will be supplied when that determination is made.

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.

ANSWER:

- (b) each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;

ANSWER:

- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;

ANSWER:

- (e) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and seeks work product and privileged communications. Discovery continues.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

A list of exhibits which Garlock expects to present at trial will be supplied when that determination is made.

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER:

Unknown.

AMENDED INTERROGATORY NO. 63:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels", published in January, 1946 in the Journal of Industrial Hygiene & Toxicology, and authored by W. Fleischer and P. Drinker, et al ("the Fleischer-Drinker Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. please produce all documents generated by Defendant which discuss or in any way reference the "Fleischer-Drinker" study prior to 1968;
- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Fleischer-Drinker Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impact to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in

Interrogatory No. 63 (a) above;

- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Fleischer-Drinker report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

Unknown.

INTERROGATORY NO. 64:

When, if ever, did defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W.C. Dreessen ("the Dreessen Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. please provide all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;
- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;

- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

Unknown.

REQUEST FOR PRODUCTION

GENERAL OBJECTIONS

1. The Requests seek information going back many years and Garlock has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. The answers given are based on the present facts known or believed by Garlock at the time of its answer.
2. The Requests are overly broad, burdensome, and in places, vague and ambiguous. In addition, the Requests are not sufficiently limited in time and use terms which do not refer to products manufactured by Garlock.
3. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing insulation products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any Request referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that Requests referring to insulation products are thus not applicable to Garlock.
4. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing building products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any Request referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that Requests referring to building products are thus not applicable to Garlock.
5. The Requests themselves are overly broad in that they tend to bunch together all of the defendants. There has never been any evidence or reason to believe that Garlock products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Garlock denies that the use of, or exposure to, its asbestos-containing products poses any health hazard.

Furthermore, the plaintiff's alleged problems are not related to Garlock products.

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

See answer to interrogatory No. 4.

REQUEST FOR PRODUCTION NO. 2:

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

Garlock objects to this Request on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing object, please see answer to interrogatory No. 40.

(sg)buddrog.ans

GARLOCK INC

BY

Donald E. O'Keefe
Donald E. O'Keefe

Its Assistant Secretary

STATE OF NEW YORK
COUNTY OF NEW YORK

I hereby certify that I am authorized to respond to these interrogatories on behalf of Garlock Inc in my capacity as Assistant Secretary and that to the extent that I am personally familiar with the information set forth in the answers, I certify that the answers are correct, and to the extent that I am not personally familiar with the information provided in the said answers, I certify that the information is correct to the best of my information and belief based on my investigation of these matters.

Donald E. O'Keefe
DONALD E. O'KEEFE

Sworn to and subscribed before me this
26th day of May, 1992

Veronica McCartan

NOTARY PUBLIC

State of New York

VERONICA McCARTAN
Notary Public, State of New York
No. 31-7794225
Qualified in New York County
Commission Expires August 31, 1992

My commission expires