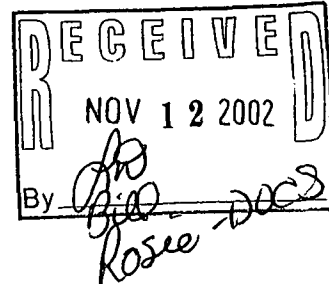


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IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS LITIGATION)
FILED BY THE SIMMONS FIRM, LLC,)
)
Plaintiffs)
)
vs.)
)
A.W. CHESTERTON, et al.,)
)
Defendants.)



**DEFENDANT KELSEY-HAYES COMPANY'S ANSWERS TO PLAINTIFF'S
INTERROGATORIES**

GENERAL OBJECTIONS

1. Kelsey-Hayes Company ("Kelsey-Hayes") objects generally to plaintiffs' interrogatories to the extent that they are intended for purposes other than use in the Standiford case, the only asbestos case filed by the Simmons Firm, LLC, in this judicial circuit in which Kelsey-Hayes has been served.

2. Kelsey-Hayes objects generally to plaintiffs' interrogatories to the extent that they call for the disclosure of attorney-client privileged communications or attorney work product.

3. Kelsey-Hayes objects generally to plaintiffs' interrogatories to the extent that they call for Kelsey-Hayes to generate or create data or records not already compiled or maintained.

4. Kelsey-Hayes objects generally to the definitions contained in plaintiffs' interrogatories to the extent that they require Kelsey-Hayes to respond beyond the scope of the Illinois Rules of Civil Procedure. Kelsey-Hayes further objects generally to the definitions in that while the interrogatories address the "facility[ies] in question," that term is not defined, and in fact is reserved for later definition in plaintiffs' own instructions. Most of the interrogatories thus cannot be answered at this time. Without waiving this objection for any interrogatory, Kelsey-Hayes will limit its responses to the Kelsey-Hayes facility at Kingsway, Ohio, the sole Kelsey-Hayes facility plaintiff Standiford is ever known to have visited.

5. General Disclaimer: These answers to interrogatories are given to the best of the ability of the present Kelsey-Hayes Company. They provide information collected from numerous sources and people for the designated period of time. No single person associated with Kelsey-Hayes has knowledge necessary to supply every answer requested by these interrogatories and a number of individuals who might have had personal knowledge of the matters addressed by these interrogatories are either deceased or are no longer employees of Kelsey-Hayes. Kelsey-Hayes continues its ongoing investigation to locate information regarding the subject matter of these

SCF-ALLF-10895

INTERROGATORY NO. 87:

Did you and/or any predecessor/related entity, at any time, provide to anyone, any warning, caution, notification, guidelines, practices, advice, recommendation and/or like information/communication concerning the hazards of asbestos, the association between asbestos and asbestos-related diseases (specifically, cancer and/or mesothelioma), TLVs, recommended practices for working with and/or around asbestos/asbestos-containing materials/products, and/or any risk/precaution relating to asbestos? If so:

- (a) describe the content of each such information/communication (including differences and changes thereto);
- (b) state the date(s) on which and/or during which said information/communication was composed and identify any and all persons participating in composing it;
- (c) state the date(s) during which said information/communication was disseminate/used and identify the persons and/or groups to whom it was disseminated/directed;
- (d) describe the reasons for the information/communication;
- (e) identify any and all meetings/discussions relating to the subject, including, but not limited to, prior discussions concerning whether or not to issue such information/communication; and,
- (f) identify any and all documents referring to, relating to, and/or reflecting said information/communication and/or any discussion and/or dissemination thereof.

ANSWER:

(a) Beginning in the late 1970's Kelsey-Hayes began attaching tags to skids and pallets of brake assemblies made with asbestos containing friction materials to be delivered to the OEM's identifying the assemblies as containing asbestos. Kelsey-Hayes believes that the text of the tags read: "Danger – Contains asbestos fibers. Avoid creating dust. Cancer and lung disease hazard." At the same time, Kelsey-Hayes also began putting warnings on aftermarket brake kits made with asbestos-containing friction materials. On brake kit boxes the warning is believed to have read: "Caution: Contains Asbestos Fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily harm."

(b) The dates on which the warnings began to appear are described in response to subpart (a) above. Kelsey-Hayes has no knowledge or information regarding how the warnings were composed or who participated in composing them.

(c) The warnings were included from the late 1970's until the use of asbestos-containing friction materials was discontinued.

(d) Warnings on skids and pallets of brake assemblies were included upon request from the OEM's, who designated the friction material to be included in the brake assemblies for their vehicles.

(e) Kelsey-Hayes has no information about whatever meetings or discussions were conducted concerning putting warnings on skids and pallets of brake assemblies.

(f) Kelsey-Hayes at this time is unaware of any documents that refer to meetings or discussions concerning putting warnings on skids and pallets of brake assemblies. However, Kelsey-Hayes is continuing to investigate this question and will supplement this response as appropriate.

INTERROGATORY NO. 88:

State the date on which any official of you and/or any predecessor/related entity first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

- (a) Pleural disease;
- (b) Asbestosis;
- (c) Mesothelioma;
- (d) Lung cancer;
- (e) Any other forms of cancer.

ANSWER: Kelsey-Hayes objects to the interrogatory because it assumes there is an established link to certain disease processes which link Kelsey-Hayes denies. Without waiving the objection, Kelsey-Hayes became aware of the hazards of friable asbestos fibers as that information was released by the government and became known to the population in general. The specific date is unknown. However, the United States Department of Labor issued regulations regarding friable asbestos as of January 1, 1972, in the CFR under Title 29, Part 9000, in which it was implicit that the government asserted such an association at certain levels of exposure. Kelsey-Hayes has no knowledge that encapsulated fibers may be hazardous.

INTERROGATORY NO. 89:

With respect to each disease set forth in Interrogatory No. 89:

from disclosure because of a privilege claimed for any reason? If yes, please list each document being claimed as protected from disclosure in a privilege log providing the date of the document, the identity of the author, what individual or entity the document was addressed to, the identity of any individuals or entities provided copies of the document, a brief description of the nature of the document, and the particular privilege claimed as shielding the document from disclosure.

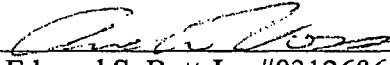
ANSWER: At this time, Kelsey-Hayes has not asserted a privilege with respect to any documents. However, if at a later time plaintiff narrows objectionably vague and overbroad interrogatories, Kelsey-Hayes reserves the right to assert any and all privileges with respect to documents that might be included within the requested information.

Dated: November __, 2002

Respectfully submitted,

GREENSFELDER, HEMKER & GALE, P.C.

By


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Attorneys for Kelsey Hayes

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed this 8 day of November, 2002 to John Simmons, Esq., and Ted. N. Gianaris, Attorneys for Plaintiff, 301 Evans Avenue, Suite 300, Wood River, IL 62095 and to the Central Records Depository at 203 W. High Street, Edwardsville, IL 62025 by regular U.S. Mail with postage prepaid.



VERIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF WAYNE)

The undersigned, being duly sworn on oath, states that she is a representative of Kelsey-Hayes Company, is authorized to execute the answers for this defendant, and that the answers given are true to the best of the company's knowledge and belief.

Beverly Berry

The signator is known to me and acknowledged the foregoing instrument this ____ day of November, 2002.

Notary Public
Wayne County, Michigan

My Commission expires: _____

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

FERRIS C. STANDIFORD,

Plaintiff,

v.

A.W. CHESTERTON, INC., et al.,

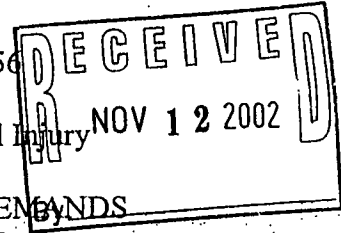
Defendants.

Cause No. 02-1-656

Asbestos Personal Injury

DEFENDANT DEMANDS

TRIAL BY JURY



NOTICE OF MAILING FOR FILING

Please take notice that I have on the 8 day of November, 2002 mailed Defendant Kelsey-Hayes Company's Answers to Plaintiff's Interrogatories. Copies of which are being sent with this notice to the Plaintiff's attorney and the Central Records Depository. A copy will be sent to the attorney for any other party upon request.

Respectfully Submitted

GREENSFELDER, HEMKER & GALE, P.C.

COPY

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