

- (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:

Defendant objects to Interrogatory No. 64 to the extent it inquires of "predecessor companies" without identifying or defining such. Moreover, the interrogatory calls for a legal conclusion as to what companies are "predecessors" without setting forth a factual or legal foundation for such an opinion. Further, the interrogatory seeks information which is neither relevant nor material to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence at the trial of this case. The interrogatory also imposes an undue burden upon Defendant by requiring it to determine when any one of hundreds of thousands of current and past employees situated around the country first saw this article. Finally, the interrogatory seeks information which is protected by the attorney work product, investigative and third-party communication privileges set forth in Rule 166b of the Texas Rules of Civil Procedure. Subject to and without waiving the foregoing objections, a reference to the Dreessen article was made in an Industrial Hygiene Department report written in late 1939 or 1940. A copy will be made available for inspection and copying. It is not known when the article was received.