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OK002.ASB
03/22/88IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk

IN RE:

ASBESTOS PERSONAL INJURY CASES

NO. M-1417
ASB-79**DEFENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO
MASTER INTERROGATORIES TO DEFENDANTS****PRELIMINARY STATEMENT**

Some of the events which may be relevant to the matters inquired about by Plaintiffs' Interrogatories apparently occurred more than thirty-five years ago. In addition, effective April 30, 1958, Owens-Illinois, Inc. disposed of the business involved in this action by way of sale of that business to Owens-Corning Fiberglas Corporation. Since that time, Owens-Illinois, Inc. has not engaged in any such business. It does not now and it has not since that sale manufactured, distributed or sold any asbestos-containing products. As a result of the foregoing factors, many of the individuals who might have had personal knowledge of the matters to which plaintiffs' interrogatories relate are deceased, or are otherwise unavailable to Owens-Illinois, Inc., and investigations to date indicate that at least some documents which relate to matters inquired about by these interrogatories may have been transferred to Owens-Corning Fiberglas Corporation with the transfer of the business in question in 1958. Owens-Illinois, Inc. is engaged in a continuing investigation in an attempt to locate, confirm the transfer of, or confirm the absence of, such documents and is also engaged in a continuing investigation into the matters inquired about in these interrogatories. Unless otherwise stated in an answer to a

Q. 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 Oklahoma.

A. 2. Owens-Illinois Glass Company was incorporated in the State of Ohio in 1929. Owens-Illinois Glass Company changed its name to Owens-Illinois, Inc. on April 28, 1965. Due to corporate restructuring in 1987, this defendant is now a Delaware corporation. The address of the principal place of business is One SeaGate, Toledo, Ohio 43666. This defendant's agent for service of process is: The Corporation Company, 735 First National Bldg., Oklahoma City, Oklahoma 73102.

Q. 3. Has defendant or any of its subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers?

A. 3. No. This defendant has never engaged in the business of mining or selling asbestos fibers.

Q. 4. Has defendant or any of its subsidiary companies at any time engaged in the manufacture and sale of products containing asbestos fibers?

A. 4. Yes. Owens-Illinois Glass Company began limited pilot plant operations involving the production of "Kaylo" asbestos-containing products in 1943. It began the manufacture of commercial quantities of "Kaylo" asbestos-containing products in about 1948 and continued such manufacture until about April 30, 1958.

asbestos-containing products in 1958 and does not have information sufficient to further answer this interrogatory.

Q. 38. Has defendant or any of its subsidiary companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials? If so, state, as to each such agreement:

(a) The name of the company manufacturing the asbestos products under the agreement.

(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 the transaction.

(e) The purchaser of the products.

A. 38. This defendant ceased the manufacture, sale and distribution of asbestos-containing thermal insulation products in 1958. This defendant states that in 1953 it entered into a "Sales Agreement" under which it agreed to sell certain amounts of its asbestos-containing thermal insulation products to Owens-Corning Fiberglas Corporation. Furthermore, this defendant has found information in its records which indicate that in at least 1956, it placed Owens-Corning Fiberglas Corporation's logo on some of its boxes. This defendant does not have information sufficient to further respond to this interrogatory.

Q. 39. List the name and address of each company from which you purchased asbestos materials, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

A. 39. . This defendant believes that the chrysotile which was the primary type of asbestos used in its insulation

products was imported from Canada, and that at least some of this chrysotile was purchased from Canadian Johns-Manville, Ltd. This defendant further believes that the amosite asbestos used in some of its insulation products was imported from South Africa and at least a portion of such amosite was purchased from the African and European Agencies. This defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958 and does not have information sufficient to further answer this interrogatory.

Q. 40. Does defendant or any of its subsidiaries currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 34? 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 date and parties signatory.

A. 40. Refer to Exhibit III.

Q. 41. Prior to 1968, has any person filed a claim against a Worker's Compensation carrier covering defendant or any of its subsidiaries or predecessors alleging that he/she has contracted a disease from inhaling asbestos fibers? If so, provide:

(a) A list of the claims, including each claimant's name, address and date each claim was filed, 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.