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EXHIBIT G

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

7/16/04
Rose
File

IN RE: ALL ASBESTOS LITIGATION)
FILED BY THE SIMMONS FIRM, LLC)

Plaintiffs,)

v.)

A.W. CHESTERTON, et al.,)

Defendants.)

PACCAR INC'S ANSWERS TO PLAINTIFFS' INTERROGATORIES

TO: Plaintiffs, by and through their attorneys of record, The Simmons Firm, LLC

PACCAR INC, one of the Defendants in the above-referenced cause of action, provides its Objections and/or Responses to Plaintiffs' Interrogatories.

PRELIMINARY STATEMENT

These responses are provided only for those products to which Plaintiff has alleged exposure. These responses are based on an ongoing review of PACCAR's documents and information obtained from ongoing discussions with various PACCAR personnel. Much of the information requested dates back many years and is difficult or impossible to reconstruct or retrieve. Therefore, PACCAR reserves the right to amend these responses if more information becomes available. No single employee, officer or agent of PACCAR has direct knowledge of the documents necessary to supply each and every answer. The person signing these Answers to Interrogatories does so to satisfy whatever requirements may exist under the applicable rules. The person does not, however, have direct knowledge regarding any specific answer, but is informed that the review of the documents and discussion referred to above support the answers based on the information as of the date of the signature.

GENERAL OBJECTIONS

PACCAR objects to Plaintiff's interrogatories to the extent that they seek information concerning products other than those products to which Plaintiff has alleged exposure and, therefore, seek information which is wholly irrelevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

PACCAR objects to the Plaintiff's interrogatories to the extent that they seek "corporate knowledge" as it is impossible for PACCAR to set forth the collective knowledge of all of its past or present employees. PACCAR reserves the right to revise, correct, supplement and/or amend its answers to provide information discovered subsequent to the answers contained herein. PACCAR asserts the following objections and incorporates each by reference into each and every answer to Plaintiff's interrogatories set forth herein:

(a) PACCAR asserts the right to object on the grounds of competency, privilege, relevancy, materiality, or any other proper ground, to the use of any said answers for any purpose, in whole or in part, in any subsequent step or proceeding in this action or any other action.

(b) PACCAR asserts the right to object on any other ground, to other interrogatories or other discovery procedures involving or relating to the subject matter of the interrogatories answered herein.

(c) PACCAR asserts the right to at any time revise, correct, supplement, or clarify any of the answers or objections set forth herein.

PACCAR objects to the instructions and definitions as outlined in the Plaintiff's interrogatories as overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. PACCAR further objects to the instructions and definitions as set forth by the Plaintiff in that the definitions contain meanings and defined terms consistent with the Plaintiff's, and not this Defendant's, interpretation of these defined terms and/or phrases.

PACCAR objects to the Plaintiff's interrogatories to the extent that they involve matters outside of the geographical area at issue in this litigation, and limits its answers to said area, and specifically to those job sites identified by Plaintiff and/or workers in this case.

Further, these interrogatories ask PACCAR to disclose information, most of which may no longer exist or may not be readily available, which is unrelated to the claimed work sites, the products allegedly used or to which exposure is alleged, the locations at which any PACCAR product was allegedly used, the conditions under which the products were allegedly used, the time period during which any PACCAR product was allegedly in use at any alleged work sites, or the time periods during which exposure to a PACCAR product allegedly occurred. Thus, these interrogatories are overly broad in time, scope and location, seek information which is neither material nor relevant to the issues in this litigation, or are otherwise not reasonably calculated to lead to the discovery of admissible evidence.

These interrogatories are oppressive and burdensome, and would require PACCAR to undertake a massive and extraordinary document search, the results of which would have little to no demonstrable bearing on this matter in light of the alleged exposure.

These interrogatories are not susceptible to a response because they request information which dates back many years and is now virtually impossible for PACCAR to reconstruct or

retrieve in its entirety.

PACCAR objects to these interrogatories because they were propounded to harass and coerce a settlement despite the lack or complete absence of verifiable product information, and the lack of evidence of injury as a result of alleged exposure to, or use of, any product which PACCAR may or may not have manufactured.

PACCAR objects to these interrogatories because they are propounded for an additional improper purpose, namely as a "fishing expedition" for the purposes of obtaining information that may be taken out of context by Plaintiff's counsel to create allegations against PACCAR where none may legitimately exist.

PACCAR reserves the right to assert additional objections and to clarify, amend, or modify these answers at any time, as deemed necessary and appropriate by PACCAR. PACCAR reserves the right to object to the use of these answers at trial or any other proceeding as deemed necessary and appropriate by PACCAR.

PACCAR objects to these Interrogatories to the extent that Plaintiff has failed to identify with specificity the PACCAR product(s) allegedly used by or around Plaintiff at any of his work sites.

PACCAR objects to these interrogatories as overly broad in that they seek information from entities other than itself or its predecessors. PACCAR over the course of its long history has owned several businesses which are not involved in the instant litigation. Therefore, PACCAR makes all responses to these interrogatories, and all references in the interrogatories to your company, are assumed to refer to PACCAR truck divisions Peterbilt Motors Company and/or Kenworth Truck Company only.

PACCAR objects to the Plaintiff's discovery requests to the extent they seek production of any information constituting a trade secret, confidential financial data or other confidential research, development, or commercial information.

PACCAR objects on the basis that these interrogatories are argumentative in that they assume the PACCAR products which may have contained asbestos create a health hazard, which PACCAR denies.

PACCAR objects to these interrogatories on the basis that they are vague and ambiguous. Interrogatories relating to certain diseases fail to provide facts relating to amount of exposure, duration of exposure, fiber type in exposure, and latency period.

PACCAR objects to these interrogatories on the basis that they are overly broad, unduly burdensome, harassing and not calculated to the discovery of relevant and material evidence, in that they are not confined to the products to which Plaintiff claims exposure. The interrogatories

are overly broad in that they tend to group together all of the defendants.

Without waiving any of the foregoing objections, PACCAR states as follows:

ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person answering these interrogatories on behalf of Defendant.

ANSWER:

PACCAR with the assistance of its counsel.

INTERROGATORY NO. 2:

Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that Plaintiff may rely upon these answers as the truthful and complete answers made on behalf of Defendant? List any and all such sources of information relied upon[.]

ANSWER:

Yes. The following responses are based upon the information that is presently known and reasonably available to PACCAR. PACCAR believes that these responses are accurate as of the date made. However, many of the matters inquired about in the discovery request took place decades ago. Due to the passage of time, information may be incomplete or no longer available. Nevertheless, PACCAR has endeavored to investigate all relevant facts and circumstances. The following answers are based upon that investigation. PACCAR cannot, however, exclude the possibility that continued investigation may reveal more information. PACCAR's investigation into the matters inquired into in the discovery requests continues. The investigation is dependent upon locating knowledgeable individuals and relevant documents and information on an ongoing basis. No finite completion date can be placed upon those efforts. PACCAR has made a reasonable effort to answer the discovery requests to the best of its present knowledge, information and belief.

INTERROGATORY NO. 3:

State the following concerning this Defendant:

- (a) Full and correct name;
- (b) The form in which Defendant presently conducts business (i.e. corporation, partnership, proprietorship, etc.);
- (c) Identify any and all predecessors and related companies as defined above;
- (d) Any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted in each form;
- (e) Any and all names by which Defendant has been known or has conducted business, at any time, and the date(s) during which Defendant has been known by and/or conducted business, under each such name;

- (f) Defendant's principal place of business;
- (g) Defendant's present state of incorporation or state in which Defendant is registered as a partnership, association, etc., whichever is applicable; if Defendant has, at any time, been incorporated or registered in a different state, identify which state and when;
- (h) Most recent date of incorporation or reincorporation, and any and all prior date(s) of incorporation or reincorporation;
- (i) Whether this Defendant is authorized to transact business in the State of Illinois and, if so, the date such authority was first issued and last renewed;
- (j) If this Defendant has an agent, representative or place of business in Illinois, identify such agent, representative, or place of business; and,
- (k) If this Defendant has an agent for service in the State of Illinois, identify the registered agent.

ANSWER:

- a) PACCAR Inc
- b) Corporation
- c) PACCAR will produce an exhibit with information from 1930 to 1980 at a mutually convenient time and place.
- d) It has conducted business as a corporation since 1924.
- e) See c) above.
- f) 777-106th Avenue, Bellevue, Washington 98004
- g) Delaware
- h) 1971
- i) Yes.
- j) See answer to subpart k).
- k) The Prentice-Hall Corp System, Inc, 33 North LaSalle Street, Chicago, Illinois 60602

INTERROGATORY NO. 4:

Has Defendant been sued under its correct legal name? If not, state the correct legal name of Defendant and provide the information requested in No. 3 above concerning the defendant as correctly named.

ANSWER:

Yes.

INTERROGATORY NO. 5:

Identify any and all persons or entities which own, or at any time have owned, more than a ten percent (10%) interest in this Defendant, and for each such person or entity identified, state the date(s) during which said person or entity owned more than a ten percent (10%) interest in Defendant and the specific type and amount of interest owned. [This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

PACCAR is a public company and any entity owning more than 10% of its stock is public information. From at least 1979 to 1996, proxy statements indicated that the Back of America had an investment in PACCAR that exceeded 10% of PACCAR's outstanding shares. PACCAR has wholly owned subsidiaries which are listed in its annual report.

INTERROGATORY NO. 6:

Identify any and all companies, businesses, corporations, and/or joint ventures in which this Defendant owns, or at any time has owned, more than a ten percent (10%) interest [and which engaged in the design, manufacture, selling, distributing, applying, installing, or relabeling of products containing asbestos]. [This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

PACCAR's business units are listed in its annual reports. In its long history, PACCAR acquired, sold, or otherwise disposed of several business units which are not involved in this instant litigation. PACCAR will produce an exhibit with information from 1930 to 1980 at a mutually convenient time and place.

INTERROGATORY NO. 7:

With respect to each corporation, company, business or joint venture identified in response to Interrogatory No. 6 state:

- (a) The type of business, conducted by such related company;
- (b) The past and present business relationship(s) between said related company and Defendant;
- (c) The nature of the products or services which Defendant has sold to, or purchased from, said related company;
- (d) Whether or not said related company advertises or has advertised products or services supplied by Defendant;
- (e) Whether or not said related company sells or has sold Defendant's products or services within the State of Illinois and, if so, the approximate value of those sales from 1930 to date;
- (f) Whether or not said related company pays taxes of any type to the State of Illinois or to any political subdivision thereof and, if so, the type of taxes paid;
- (g) Whether or not Defendant controls or has controlled, directly or indirectly, in whole or in part, said related company's advertising; and,
- (h) The identity of any past or present officer or director of Defendant who, at any time, served as an officer or director of said related company.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

See answer to interrogatory number 6. PACCAR sold class 8 vehicles in Illinois.

PACCAR pays payroll taxes, sales and use tax, real property, and income tax.

INTERROGATORY NO. 8:

List all directors and officers of Defendant from 1940 to date and for each state all positions held and the date(s) during which each position was held. [This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

A listing will be generated and produced at a mutually convenient time and place.

INTERROGATORY NO. 9:

State whether any of Defendants' present or former officers or directors ever served (whether before, during or after becoming Defendants' officer or director) as an officer or director of any other company, corporation or business which manufactured, sold or distributed asbestos or asbestos-containing products and, if so, please:

- (a) Identify each officer and director of Defendant, who served as such other company's officer or director; and
- (b) Identify each company, corporation or business for which each such officer or director served, each position held by such officer or director for such other company, corporation or business, and the time periods each position was held.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

Information regarding officers and directors can be found on Proxy Statements. A Proxy Statement for a requested year will be produced at a mutually convenient time and place.

INTERROGATORY NO. 10:

Has Defendant ever acquired, through purchase, reorganization or merger, another company, corporation or business which manufactured, sold, processed, distributed or contracted to apply, asbestos and/or asbestos-containing products?

ANSWER:

Any companies which may be responsive to this interrogatory are listed in answer to interrogatory number 3(c). Please also see answer to interrogatory number 2.

INTERROGATORY NO. 11:

If the answer to Interrogatory No. 10 is "Yes," with respect to each such predecessor:

- (a) State its full and correct name;
- (b) State its principal place of business;
- (c) State its State of incorporation;
- (d) State its date and manner of acquisition by Defendant;
- (e) Whether this predecessor was, at any time, authorized to transact business in the

- State of Illinois; and
- (f) Identify any and all documents referring to, relating to or reflecting the acquisition.

ANSWER:

See answers to interrogatory numbers 3(c) and 10.

INTERROGATORY NO. 12:

Has Defendant ever acquired from another corporation, company, or business, by any means other than those specified in Interrogatory No. 10, assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products?

ANSWER:

See answer to interrogatory number 10.

INTERROGATORY NO. 13:

If the answer to Interrogatory No. 12 is "Yes," with respect to each such acquisition:

- (a) State the full and correct name of the company from which such assets or rights were acquired;
- (b) State the principal place of business of the company from which said assets or rights were acquired;
- (c) Describe the assets or rights acquired, including the specific asbestos-containing products to which said assets or rights related; and
- (d) Identify any and all documents referring to, relating to or reflecting the transaction.

ANSWER:

See answer to interrogatory number 10.

INTERROGATORY NO. 14:

Other than any transaction identified in response to Interrogatories Nos. 10-13, has this Defendant ever been involved, in any capacity, including but not limited to, seller, transferor, grantor, franchisor, licensor, buyer, transferee, grantee, franchisee or subject of the transaction, in any transaction, of any kind, concerning any of the following:

- (a) the purchase/sale or transfer of ownership of a company, corporation or business which manufactured, sold, processed, distributed or contracted to apply asbestos and/or asbestos-containing products; or
- (b) the purchase/sale or transfer of ownership of the assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products; or
- (c) the purchase/sale or transfer of liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

ANSWER:

See answer to interrogatory number 10.

INTERROGATORY NO. 15:

If the answer to any sub-part of Interrogatory No. 14 is "Yes," with respect to each such transaction:

- (a) Identify all parties to the transaction;
- (b) Identify the subject matter of the transaction;
- (c) State the date of the transaction; and,
- (d) Identify any and all documents, referring to, relating to or reflecting the transaction.

ANSWER:

See answer to interrogatory number 10.

INTERROGATORY NO. 16:

State the first and last dates on which any asbestos-containing product was manufactured by:

- (a) Defendant;
- (b) each and every predecessor; and,
- (c) each and every related company.

ANSWER:

PACCAR, over the course of its long history, has owned several businesses which are not involved in the instant litigation and whose products are not at issue in this litigation. PACCAR makes this response in reference to PACCAR truck divisions Peterbilt Motors Company and/or Kenworth Truck Company. PACCAR did not manufacture or use asbestos-containing products as that term is commonly used in asbestos litigation. PACCAR did sell heavy-duty trucks and replacement parts which incorporated brake linings, clutch discs, and other components. Some heavy duty trucks for some domestic applications may have at certain times contained asbestos in component parts. However, those components were purchased from other manufacturers and incorporated onto PACCAR trucks. PACCAR does not know the first date this occurred. To the best of our knowledge, and based upon review of present documents, some heavy duty trucks for some applications may have contained asbestos containing products up to 1990. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 17:

State the first and last dates on which any asbestos-containing product was specified, sold, distributed, applied and/or installed within the United States by:

- (a) Defendant;
- (b) each and every predecessor; and,
- (c) each and every related company.

ANSWER:

Please see answer to interrogatory number 16.

INTERROGATORY NO. 18:

State the last date on which Defendant or any related company specified, sold, distributed, applied and/or installed any asbestos-containing product outside the United States and identify by brand or trade name the products so specified, sold, distributed, applied and/or installed.

ANSWER:

Please see answer to interrogatory number 16.

INTERROGATORY NO. 19:

Identify by full and complete trade name, any and all asbestos-containing products as defined above, which this Defendant, any related company, or any predecessor(s) has, at any time:

- (a) Designed;
- (b) Manufactured;
- (c) Processed;
- (d) Sold;
- (e) Distributed;
- (f) Applied;
- (g) Installed;
- (h) Patented;
- (i) Specified; or
- (j) Re-labeled.

ANSWER:

Please see answer to interrogatory numbers 16.

INTERROGATORY NO. 20:

With respect to each asbestos-containing product listed for each subpart of Interrogatory No. 19:

- (a) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or relabeled such product;
- (b) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product; and,
- (c) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product.

ANSWER:

Please see answer to interrogatory number 16.

INTERROGATORY NO. 21:

Were any of the products, which were listed in response to Interrogatory No. 19 as having been specified, sold, distributed, applied or installed by Defendant, its predecessor or related company(ies), purchased from another company and relabelled for sale or distribution by Defendant, its predecessors or related companies? If so, identify those products, and with respect to each:

- (a) Identify the company from which Defendant, its predecessor or related company purchased the product; and,
- (b) Identify the company which manufactured the product; and,
- (c) State the date(s) during which said re-labeled product was sold, distributed or applied.

ANSWER:

PACCAR assembled its own trucks and did not relabel its trucks.

INTERROGATORY NO. 22:

Has this Defendant, at any time, applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products? If so:

- (a) State the date(s) on which or during which Defendant applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;
- (b) Identify any and all sites within the State of Illinois at which Defendant applied, installed or contracted to apply or install asbestos-containing products, and for each such site:
 - (i) State whether the products you applied, installed or contracted to apply or install were included as part of the project's contract price or whether you applied the products that were provided at the worksite;
 - (ii) Identify by manufacturer and trade name each and every asbestos containing product applied or installed;
 - (iii) State the date(s) during which said application or installation took place;
 - (iv) Identify the employee(s) of Defendant who was (were) in charge of the job;
 - (v) Identify the person or entity for which the products were applied or installed; and
 - (vi) Identify all documents relating to such contract, application or installation.

ANSWER:

PACCAR has not applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products as that terminology is commonly used in asbestos litigation. Please also see answer to interrogatory number 19.

INTERROGATORY NO. 23:

Has this Defendant, any predecessor or any related company, ever engaged in the business of mining asbestos? If so:

- (a) Identify which company(ies) whether (Defendant, predecessor or related company) engaged in said business;
- (b) State the date(s) during which each said company engaged in such business;
- (c) State each and every location at which such mining was done;
- (d) Identify each and every officer, employee and/or agent of said company who, at any time, was in charge of each mining operation; and,
- (e) Identify each and every entity, if any, to which said company sold the asbestos which was mined.

ANSWER:

No.

INTERROGATORY NO. 24:

Has this Defendant, any predecessor or any related company ever purchased and resold raw asbestos? If so, with respect to each such purchase and resale:

- (a) State the date(s) of the transaction;
- (b) Identify any and all parties from which the raw asbestos was purchased; and,
- (c) Identify any and all parties to which the raw asbestos was sold.

ANSWER:

No.

INTERROGATORY NO. 25:

Identify each and every source from which Defendant, any predecessor or related company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any predecessor or related company, to manufacture or process any product listed in response to Interrogatory No. 19.

ANSWER:

PACCAR did not manufacture or use asbestos-containing products as that term is commonly used in asbestos litigation. PACCAR did sell heavy-duty trucks and replacement parts which incorporated brake linings, clutch discs, and other components, some of which may have at certain times contained asbestos. PACCAR did not obtain raw asbestos to manufacture or process any product. Suppliers of component parts may have included Eaton Corp., Timken Axle Co., Rockwell International Corp., American Brake Block (Abex), Raybestos, Carlisle, Allied Signal / Bendix Automotive, Horton Industries, Valeo Clutches, Lipe-Rollaway Bearing Co., Spicer Clutches, Rockford Powertrain, Inc., Chicago Rawhide, Stemco Inc., Cummins Inc., Detroit Diesel, and Caterpillar. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.

INTERROGATORY NO. 26:

Is Defendant or any related company, as of the date of answering these interrogatories, still manufacturing, specifying, selling, distributing, applying or installing any asbestos-containing product? If so, give the brand/trade names of such products, type and percentage of asbestos in such product, and the date on which Defendant or any related company first manufactured, specified, sold, distributed, applied or installed said products.

ANSWER:

No.

INTERROGATORY NO. 27:

With respect to each and every product listed in response to Interrogatory No. 19, provide a full and complete description of the package in which the product was sold, including, but not limited to, type of package, size, color and writings thereon.

ANSWER:

Heavy duty trucks assembled by PACCAR's truck divisions were not sold with any type of packaging.

INTERROGATORY NO. 28:

For each subpart below, state whether or not, to Defendant's knowledge, any items as described therein presently exist and, if so, identify any and all such existing items and state the present location of each:

- (a) any product listed in response to Interrogatory No. 19, including, but not limited to, any sample, part or piece thereof;
- (b) any package of the type in which any or all of the products listed in response to Interrogatory No. 19 were or would have been sold, including, but not limited to, any partial package;
- (c) any catalogue, brochure, sales literature or like item referring to, relating to or reflecting any or all of the products listed in response to Interrogatory No. 19;
- (d) any picture, drawing, photograph or like representation of the items described in subparts (a), (b) and/or (c) of this Interrogatory.

ANSWER:

- a) Countless numbers of PACCAR's trucks are on the road today. It is impossible to state the present location of each.
- b) See answer to interrogatory number 27.
- c-d) PACCAR will make available for inspection copies of various brochures.

INTERROGATORY NO. 29:

Did Defendant, any related company or any predecessor ever stamp or otherwise place (including affixing tags or labels) a company name, initials, or any identifying logo on any of the products listed in response to Interrogatory No. 19?

ANSWER:

Yes.

INTERROGATORY NO. 30:

If your answer to Interrogatory No. 29 is "Yes," identify each and every such product upon which such name, initials or identifying logo appeared and for each such product identified:

- (a) Describe each and every name, initials or identifying logo appearing on said product, at any time, by stating the wording, lettering, symbols, size, color and manner in which it was stamped, placed or affixed to said product;
- (b) State the date(s) during which each such name, initials, or identifying logo appeared on said product; and
- (c) Identify any and all documents referring to, relating to or reflecting the stamping, placing or affixing of names, initials or logos to said product, including, but not limited to, any pictures, photographs or like representations of such names, initials or logos

ANSWER:

- (a) Trucks assembled by PACCAR's Kenworth division bore the letters "KW" or "Kenworth." Trucks assembled by PACCAR's Peterbilt division bore the word "Peterbilt."
- (b) Continuously.
- (c) There are too many documents to list which are responsive to this interrogatory subpart. PACCAR will make available representative documents which reflect the logos.

INTERROGATORY NO. 31:

Was each of the asbestos-containing products listed in response to Interrogatory No. 19 generally expected to reach, or was each packaged to reach, the consumer or user, without substantial change in the condition in which it was sold?

ANSWER:

PACCAR's over the road trucks were generally expected to reach the initial purchaser without substantial change. Substantial changes may occur after delivery to the initial purchaser. In some cases, only the heavy duty truck chassis was provided to a dealer, and the truck was completed by a third party who added specific equipment to the chassis as specified by the customer.

INTERROGATORY NO. 32:

If your answer to Interrogatory No. 31 is "No" with respect to any product(s), explain in what manner Defendant claims said product(s) were altered or substantially changed after sale or distribution and before reaching the consumer or user.

ANSWER:

See answer to interrogatory number 31.

INTERROGATORY NO. 33:

With respect to each product listed in response to Interrogatory No. 19, state whether, based upon the material, contents, the method of manufacturing, and the method of application, such product could generally be applied or installed without liberating asbestos fibers?

ANSWER:

Component parts were incorporated onto heavy-duty trucks without liberating asbestos fibers in excess of government standards.

INTERROGATORY NO. 34:

With respect to each product listed in response to original Interrogatory number 19, could it be expected or anticipated that the product might have to be removed, stripped or replaced at any time after application or installation?

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 35:

Identify each person who participated in the design and/or preparation of manufacturing specifications for each product listed in response to Interrogatory No. 19.

ANSWER:

PACCAR's trucks were and are designed through an evolutionary process over the decades. There would be several thousands of individuals that had a role in the design and manufacture of PACCAR trucks. With respect to component parts on heavy duty trucks, as the components were purchased from other manufacturers and incorporated onto PACCAR heavy duty trucks, those specific manufacturers may be able to identify their employees who designed a component part.

INTERROGATORY NO. 36:

Identify any and all documents, including, but not limited to, written memoranda, specifications, blueprints, formulas, patterns and designs, referring to, relating to or reflecting the design, preparation, application and/or installation of each product listed in response to Interrogatory No. 19.

ANSWER:

There are thousands of documents associated with the design and manufacture of PACCAR products. Upon further specificity, PACCAR will respond to this interrogatory. Furthermore, design documents regarding component parts are in the possession of the component part manufacturers.

INTERROGATORY NO. 37:

With respect to each product listed in response to Interrogatory No. 19, state:

- (a) The type of asbestos contained in the product as it was first manufactured;
- (b) The percentage of asbestos contained in the product as it was first manufactured;
- (c) Any modification to the product which altered the percentage or type of asbestos in the product and the dates of such modification;
- (d) The source of asbestos in each product;
- (e) The color, physical characteristics, and appearance of each product;
- (f) Any and all other names under which the product was sold, at any time;
- (g) The number and date of each patent or patent application for each product;
- (h) If the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person(s) who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;
- (i) If the product is no longer produced, all reasons it was discontinued, the identity of the person(s) who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production; and
- (j) The reasons why asbestos was used as an ingredient in each such product.

ANSWER:

- (a) Unknown. The supplier of the component parts would have this information.
- (b) Unknown. The supplier of the component parts would have this information.
- (c) During the 1980s and up to 1990, PACCAR's truck divisions modified the trucks by no longer using asbestos containing component parts. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.
- (d) PACCAR acquired any asbestos containing component parts from suppliers.
- (e) PACCAR's trucks had the physical characteristics of trucks. The trucks came in various colors with custom features.
- (f) Any names responsive to this interrogatory subpart are listed in response to interrogatory numbers 3 and 30.
- (g) PACCAR did not patent an entire truck. PACCAR may hold patents, but without specificity, PACCAR cannot respond further.
- (h) PACCAR's trucks continue to be produced. As suppliers were able meet customers' needs and vehicle safety requirements without component parts that included asbestos, PACCAR used non-asbestos component parts.
- (i) Not applicable, heavy duty trucks continue to be used.
- (j) Unknown. The supplier of the component parts would have this information.

INTERROGATORY NO. 38:

Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufactured or processed asbestos-containing products, or processed raw

asbestos. For each such facility identified:

- (a) State the date(s) which said facility was owned and/or operated by Defendant, any predecessor or any related company;
- (b) State the date(s) during which asbestos-containing products and/or raw asbestos were manufactured or processed, at said facility; and,
- (c) Identify each person serving as the manager or supervisor of said facility during any time which the facility has been owned and/or operated by Defendant, any predecessor or any related company, and state the date(s) of the tenure as manager or supervisor for each.

ANSWER:

This defendant did not and does not manufacture or process asbestos-containing products, or process raw asbestos as those terms are commonly defined in asbestos litigation. PACCAR will provide a listing of facilities where specific products were assembled upon a specific request identifying those products. Further stating, PACCAR's heavy duty trucks were assembled in various locations. With respect to the United States: Kenworth has had a plant in Seattle, Washington, since PACCAR purchased it in 1945; in 1964, Kenworth opened a plant in Kansas City, Missouri which closed in 1986; in 1974, KW opened a plant in Chillicothe, Ohio; in 1993, Kenworth opened another plant in Renton, Washington; the plants in Chillicothe and Renton are still open; with respect to Peterbilt, Peterbilt opened a plant in Newark, California, in 1960 which closed in 1986, in Madison, Tennessee, in 1969, and in Denton, Texas in 1980.

INTERROGATORY NO. 39:

Identify any and all entities to which the defendant, any predecessor or related company, sold, distributed or otherwise provided any type of asbestos-containing product, including but not limited to, the products listed in response to original Interrogatory number 19, and which the defendant has any reason whatsoever to suspect, believe, think or otherwise conclude that said asbestos-containing product was installed, applied, stored, or anyway made use of at any site identified in the interrogatory answers of any plaintiff with a claim against this defendant, at any site located in Madison County, Illinois, or at any site within a 200 mile radius of Madison County, Illinois.

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 40:

Identify any and all persons known by you to have any knowledge concerning the manufacture, sale, distribution, possession, application, installation or use of the products listed in response to Interrogatory No. 19.

ANSWER:

There are thousands of employees, former employees, customers, and dealers who have

knowledge of some aspect of the trucks and products manufactured and sold by PACCAR. With further specificity, PACCAR will attempt to respond.

INTERROGATORY NO. 41:

Has Defendant, any predecessor or any related company, at any time, designed, manufactured, processed, sold, distributed, supplied, applied, installed or contracted to apply or install any product which contained vermiculite?

ANSWER:

PACCAR has information that a component that may have been installed in PACCAR vehicles may at certain times have contained vermiculite. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 42:

If your answer to Interrogatory No. 41 is "Yes," identify by brand/trade name any and all such products which contained vermiculite and for each:

- (a) State the date(s) during which said product contained vermiculite;
- (b) State, in percentage terms, the amount of vermiculite contained in the product;
- (c) Identify the source of the vermiculite used in the product;
- (d) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (e) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (f) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (g) State whether any sample, part or piece of such product is still in existence; and
- (h) Identify all documents relating to such product, including but not limited to any package, brochure, catalog, picture, photograph or like representation of the product or packaging.

ANSWER:

Please see answer to interrogatory number 37. PACCAR has limited information and its investigation is continuing. PACCAR is in possession of a MSDS apparently provided by Arvin Meritor in 2000. The MSDS is from FERODO America. It is dated December 17, 1996, and describes the component ingredients of a brake lining. It indicates that the product contains less than 8% vermiculite. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 43:

With respect to the products listed in response to Interrogatory Nos. 19 and 42, did Defendant, any predecessor or related company or the manufacturer of the products ever conduct tests of any kind on any or all of said products concerning possible or potential health hazards involved in its use or in the use of materials contained therein?

ANSWER:

PACCAR did not manufacture or use asbestos-containing products as that term is commonly used in asbestos litigation. PACCAR did sell heavy-duty trucks and parts which incorporated brake linings, clutch discs, and other components, some of which may have at certain times contained asbestos. However, these components were purchased from other manufacturers and incorporated onto PACCAR vehicles. Neither PACCAR, nor anyone acting on behalf of PACCAR, ever conducted any such counts or related tests at any outside job-sites. Air-monitoring was performed on PACCAR employees, including those handling certain component parts which were incorporated into PACCAR vehicles.

INTERROGATORY NO. 44:

If your answer to Interrogatory No. 43 is "Yes," with respect to each product test:

- (a) State the location where the test was performed;
- (b) Identify each and every individual who conducted or participated in said test;
- (c) Describe the results of said test;
- (d) State the date or dates upon which said test was conducted;
- (e) Identify any and all documents referring to, relating to or reflecting said test or the results thereof; and
- (f) Identify each and every individual who received a copy of any document referring to, relating to or reflecting the results of said test.

ANSWER:

PACCAR, over the course of its long history, has owned several businesses which are not involved in the instant litigation and whose products are not at issue in this litigation. PACCAR makes this response in reference to PACCAR truck divisions Peterbilt Motors Company and/or Kenworth Truck Company. PACCAR did not manufacture or use asbestos-containing products as that term is commonly used in asbestos litigation. PACCAR did sell heavy-duty trucks and replacement parts which incorporated brake linings, clutch discs, and other components. Some heavy duty trucks for some domestic applications may have at certain times contained asbestos in component parts. However, those components were purchased from other manufacturers and incorporated onto PACCAR trucks. Air-monitoring was conducted only within PACCAR facilities and has taken place in PACCAR facilities since the 1970's. PACCAR would have taken the appropriate action based on the findings of air-monitoring within its facilities. With respect to persons working with or around the components listed in answer to interrogatory number 19, the following air-monitoring took place:

- February 5, 1985 - industrial hygienists performing air- monitoring within the axle department of PACCAR's Seattle, Washington, facility found an asbestos fiber count well below permissible levels;

- April 22, 1986 - industrial hygienists performing air- monitoring within an area of PACCAR's Denton, Texas, facility where there were brake shoes, no asbestos fibers detected; and
 - March 2, 1987 - industrial hygienists performing air- monitoring within the axle department of PACCAR's Seattle, Washington, facility where persons were assembling and installing brakes and found an airborne fiber concentration of 0.005 f/cc of air.
- PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.

INTERROGATORY NO. 45:

Did any person, including but not limited to, an officer, agent or employee of Defendant, any predecessor or related company recommend any design changes as a result of any test referenced in your response to the preceding interrogatory?

ANSWER:

PACCAR has no record of any design change recommendations as a result of the air-monitoring findings.

INTERROGATORY NO. 46:

If your answer to Interrogatory No. 45 is "Yes," with respect to each such recommended design change:

- (a) State the product or products involved;
- (b) State the test or tests involved;
- (c) State the nature of the change recommended;
- (d) Identify the person(s) making the recommendation;
- (e) State the nature and effective date of any change made; and
- (f) Identify each and every person who participated in the decision to make or not make the recommended design change.

ANSWER:

Not applicable.

INTERROGATORY NO. 47:

Identify any and all persons employed by Defendant, its predecessor or related company at any time from 1940 to date as an industrial hygienist or in a similar position.

ANSWER:

David J. Bissonnette
Robert Schumacher
Steve Miller

INTERROGATORY NO. 48:

Identify any and all persons or entities, other than the employees listed above, which

provided industrial hygienic or similar services or information to, or for the benefit of, this Defendant, at any time from 1940 to date, including, but not limited to, employees of, or anyone retained by, any predecessor or related company.

ANSWER:

PACCAR has many facilities, and various entities have provided PACCAR with industrial hygiene or similar services. If Plaintiff identifies a specific facility, PACCAR will provide the requested information.

INTERROGATORY NO. 49:

Does Defendant have, or has Defendant, any predecessor or any related company ever had, a Research Department? If so:

- (a) State when such department was established, and whether or not such department has operated continuously since being established;
- (b) State how much Defendant, its predecessor and/or related company expended each year on research; and
- (c) State the percentage of said expenditure which was for research concerning the health affects of asbestos;
- (d) Identify the person(s) in charge of such department throughout its existence; and
- (e) Identify the person(s) in charge of any asbestos-related research conducted by such department throughout the years.

ANSWER:

No, PACCAR does not have a department entitled "Research Department."

INTERROGATORY NO. 50:

Did Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, maintain a medical and/or scientific library at any time from 1940 to the present? If so:

- (a) State the dates such library existed;
- (b) State the number of volumes maintained therein;
- (c) State the number of employees, part-time or full-time, assigned to the maintenance of said library; and
- (d) Identify the person(s) within the corporate structure to whom said library employees reported throughout the existence of the library.

ANSWER:

PACCAR did not maintain a specific medical and/or scientific library. PACCAR has a Corporate Library which is a general reference library established in 1974. One employee staffs the library and reports to a planning manager. PACCAR also has a Technical Center Library which was established around 1985 and contains technical and regulatory materials related to its products. Three employees staff the library. They currently report to the administrative manager.

INTERROGATORY NO. 51:

Identify any and all scientific or medical periodicals to which Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof subscribed from 1940 to the present and for each periodical state the dates of such subscriptions.

ANSWER:

PACCAR has no record of a subscription to medical journals.

INTERROGATORY NO. 52:

Has Defendant, any predecessor or any related company, at any time since 1940:

- (a) been a member of a medical and/or scientific library or library association?
- (b) been a member of any organization or association which maintained a medical and/or scientific library?
- (c) been a member of any organization or association through which members obtained the use of, or access to, a medical and/or scientific library?

ANSWER:

- (a) No.
- (b) PACCAR does not know what organizations maintained what types of libraries.
- (c) See answer to subpart (b) above.

INTERROGATORY NO. 53:

If your answer to any subpart of Interrogatory No. 52 is "Yes":

- (a) Identify the library(ies) involved and state the years during which Defendant, its predecessor or related company was a member of, or otherwise had use of or access to said library; and
- (b) If applicable, identify the organization or association through which Defendant, its predecessor or related company, obtained the use of or access to, such library(ies).

ANSWER:

Not applicable.

INTERROGATORY NO. 54:

Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to, any insurance company, at any time, conducted any industrial hygiene surveys concerning any product identified in response to Interrogatory No. 19, including, but not limited to, surveys concerning the manufacture, processing, application, installation, use and/or removal of said products?

ANSWER:

Please see answers to interrogatory numbers 43, 44, and 131.

INTERROGATORY NO. 55:

If your answer to Interrogatory No. 54 is "Yes," with respect to each such survey:

- (a) Identify the product(s) which was used in the survey;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said survey;
- (c) State the date(s) of said survey;
- (d) Describe the methodology, results and conclusions of said survey;
- (e) Identify any and all documents referring to, relating to, or reflecting said survey or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom such document may have been sent.

ANSWER:

Please see answers to interrogatory numbers 43, 44, and 131.

INTERROGATORY NO. 56:

Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof; including but not limited to any insurance company, at any time, gone into any area where any product identified in response to Interrogatory Nos. 19 and 42 was being manufactured, used, applied or installed to perform a dust level count or similar test?

ANSWER:

Please see answers to interrogatory numbers 43, 44, and 131.

INTERROGATORY NO. 57:

If your answer to Interrogatory No. 56 is "Yes," identify each such count or test performed, by stating when and where it was conducted, and with respect to each count or test so identified:

- (a) Identify the product being manufactured, used, applied or installed;
- (b) Identify each and every person who conducted, participated in conducting, or analyzed the results of; said count or test;
- (c) State the purpose of said count or test;
- (d) State what, if any, actions were taken in response to the results of said count or test; and
- (e) Identify any and all documents referring to, relating to or reflecting said count or test, including, but not limited to, any actions taken in response to the results of such count or test.

ANSWER:

Please see answers to interrogatory numbers 43, 44, and 131.

INTERROGATORY NO. 58:

Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof; at any time, conducted any study(ies), of any kind, concerning the effects of the inhalation of asbestos dust or asbestos fibers on one using or being exposed to asbestos or any

asbestos-containing product, including, but not limited to, those identified in response to Interrogatory Nos. 19 and 42?

ANSWER:

No.

INTERROGATORY NO. 59:

If your answer to Interrogatory No. 58 is "Yes," with respect to each such study:

- (a) Describe the nature of said study, including, but not limited to, the purpose and objectives of the study, the product(s) involved, the date(s) conducted, the methodology employed and the results reached, both raw data and conclusions;
- (b) Identify any and all entities and/or persons conducting said study or participating in the conducting of said study;
- (c) Identify any and all documents referring to, relating to or reflecting said study, including but not limited to reports (both interim and final), notes, memoranda, work papers, data compilations and surveys;
- (d) Identify any and all directors, officers, agents or employees of Defendant who participated in the decision to have the study conducted; and,
- (e) Identify any and all entities and/or persons who received a copy of any document referring to, relating to or reflecting the results or conclusions reached.

ANSWER:

Not applicable.

INTERROGATORY NO. 60:

Did Defendant, its predecessor or related company, take any action as a result of any study or studies set forth in response to Interrogatory Nos. 56 and 58? If so, identify each and every study which resulted in some action being taken, and:

- (a) Describe the actions taken, including the effective date of said actions;
- (b) Identify any and all persons, including, but not limited to, directors, officers, agents and employees of Defendant who participated in the decision to undertake said actions; and
- (c) Identify any and all documents referring to, relating to or reflecting said actions, or any subsequent modification or discussion of the same.

ANSWER:

Please see answers to interrogatory numbers 56 and 58.

INTERROGATORY NO. 61:

Has Defendant, any predecessor, or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies) designed to minimize or eliminate the inhalation of asbestos dust and fibers by those using, handling or exposed to any product listed in response to Interrogatory Nos. 19 and 42?

ANSWER:

No.

INTERROGATORY NO. 62:

If your answer to Interrogatory No. 61 is "Yes," with respect to each such study:

- (a) Identify the product involved;
- (b) Identify the person(s) and/or entity(ies) conducting said study;
- (c) State the date said study began and the date on which it was completed;
- (d) Identify any and all persons, including, but not limited to, directors, officers, agents or employees of Defendant, who participated in the decision to have said study conducted;
- (e) Describe the nature of said study;
- (f) Describe the nature of any action to eliminate or minimize inhalation of asbestos dust or asbestos fibers undertaken as a result of said study;
- (g) Identify any and all documents referring to, relating to or reflecting said study or the results thereof; and,
- (h) Identify any and all persons receiving a copy of any document referring to, relating to or reflecting the results or conclusions of said study.

ANSWER:

Not applicable.

INTERROGATORY NO. 63:

Did Defendant, any related company, or any predecessor at any time, give to persons, who would be applying and/or removing any of the products listed in response to Interrogatory Nos. 19 and 42, any instructions or guidelines concerning precautions, warnings, procedures, and/or methods to use, in order to safely apply or remove such products? If so, describe such instructions, state to whom they were given, state the dates they were given, and describe the manner in which they were given.

ANSWER:

Please see answer to interrogatory number 72.

INTERROGATORY NO. 64:

Did Defendant, any predecessor or any related company, at any time, place any warning signs or labels on the containers in which any of the products listed in response to Interrogatory Nos. 19 and 42 were packaged?

ANSWER:

PACCAR's heavy duty trucks did not have a container.

INTERROGATORY NO. 65:

If your answer to Interrogatory No. 64 is "Yes," identify each and every product upon

which such a warning was placed, and with respect to each such product identified:

- (a) State the date on which any order directing that a warning be placed on said product first issued;
- (b) Identify any and all persons participating in the decision to issue that order;
- (c) State the first date on which such warning was actually placed on said product;
- (d) State the first date on which such product accompanied by such warning was first sold, distributed or installed;
- (e) State the exact wording of this first warning;
- (f) State the exact location and size of this first warning as it appeared on said product;
- (g) Identify any and all persons who participated in any phase of the drafting or design of said first warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the warning;
- (h) State why you placed such warning on said product, including, but not limited to, whether you placed such warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and
- (i) Identify any and all documents referring to, relating to or reflecting, said warning, its drafting, and/or the decision to place the warning on said product, including, but not limited to, any communication as described in subpart (h) of this Interrogatory.

ANSWER:

Not applicable.

INTERROGATORY NO. 66:

With respect to each product identified in response to Interrogatory No. 65 as having been accompanied by a warning, state whether, subsequent to the first warning described above, any different warning was ever placed upon said product. Any alteration, change or modification in the language, wording, capitalization, punctuation, style of type or printing, size, color, or location on the package or container, of the warning constitutes a different warning.

ANSWER:

Not applicable.

INTERROGATORY NO. 67:

With respect to each different warning which accompanied each product listed in response to Interrogatory No. 65:

- (a) State the date on which any order directing that such different warning be placed on said product first issued;
- (b) Identify any and all persons participating in the decision to issue that order;

- (c) State the first date on which such different warning was actually placed on said product;
- (d) State the first date on which such product accompanied by such different warning was sold, distributed or installed;
- (e) Describe, with specificity, any and all changes, modifications, or differences between the different warning and the prior warnings(s);
- (f) Identify any and all persons who participated in any phase of the drafting or design of such different warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the different warning;
- (g) State why you placed such different warning on said product, including, but not limited to, whether you placed such different warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and
- (h) Identify any and all documents referring to, relating to or reflecting, said different warning, its drafting, and/or the decision to place the different warning on said product.

ANSWER:

Not applicable.

INTERROGATORY NO. 68:

Prior to the date on which Defendant first directed that a warning accompany any product identified in response to Interrogatory Nos. 19 and 42, did any person, firm, organization or other entity, within or without your employ, suggest, recommend, counsel, advise, or otherwise indicate in any manner, that a warning should accompany any or all such products or asbestos-containing products generally?

ANSWER:

No. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 69:

If your answer to Interrogatory No. 68 is "Yes," with respect to each such suggestion, recommendation, counseling, advice or other indication:

- (a) Identify the person(s) and/or entity(ies) giving the same;
- (b) State the date(s) on which the same was given;
- (c) Identify any and all persons receiving notice of the same;
- (d) Describe what, if any, action Defendant took in response to or upon the same; and,
- (e) Identify any and all documents referring to, relating to or reflecting the same, or any action taken thereon or in response thereto.

ANSWER:

Not applicable.

INTERROGATORY NO. 70:

Did Defendant, any predecessor, or any related company ever place any warning directly upon any of the products listed in response to Interrogatory Nos. 19 and 42?

ANSWER:

PACCAR did not place any asbestos related warning directly upon its heavy duty trucks. However, please see answer to interrogatory number 72.

INTERROGATORY NO. 71:

If your answer to Interrogatory No. 70 is "Yes," identify each and every product upon which such a warning was placed and for each such product identified:

- (a) State, verbatim, each and every warning which ever appeared on said product;
- (b) State the size, color and location of each such warning and describe the manner in which it was placed upon the product;
- (c) State the dates on which each such warning first and last appeared in said product; and,
- (d) Identify any and all documents referring to, relating to or reflecting the placing of any warning directly upon said products, including, but not limited to, decisions not to place such a warning.

ANSWER:

Not applicable.

INTERROGATORY NO. 72:

Did any warning of any type concerning the products listed in response to Interrogatory Nos. 19 and 42 ever appear in any sales literature or other materials distributed or provided by Defendant, any predecessor or any related company, to the purchasers, consumers and/or users of such products?

ANSWER:

PACCAR did not manufacture or use asbestos containing products as that term is commonly used in asbestos litigation. PACCAR did sell heavy-duty trucks which incorporated brake linings, clutch discs, and other components, some of which may have at certain times contained asbestos. However, these components were purchased from other manufacturers and incorporated onto PACCAR vehicles. PACCAR did not alter the numbers or other markings present on products that may have contained asbestos which were purchased from other manufacturers and incorporated onto PACCAR vehicles. The Brake section of a Peterbilt maintenance manual dated April 1987 included asbestos-related warnings. This maintenance manual would have been available. In addition, various brake-related maintenance manuals, published by the brake manufacturers contained warnings. PACCAR's investigation continues

and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 73:

If your answer to Interrogatory No. 72 is "Yes," identify each and every item of sales literature or other materials in which such a warning appeared, and for each item so identified:

- (a) State the date on which said item was first provided to distributors, sellers, purchasers, consumers or users;
- (b) List the products discussed in the literature;
- (c) Identify any and all other sales literature concerning the products listed in response to Interrogatory Nos. 19 and 42 which was provided to distributors, sellers, purchasers, consumers or users after the above date and which contained no warning.

ANSWER:

Please see answer to interrogatory number 72.

INTERROGATORY NO. 74:

Does Defendant or any related company have any of the following in its possession, custody or control:

- (a) any package, container, label or item of sales literature which Defendant claims constitutes or contains any warning which ever accompanies any product listed in response to Interrogatory Nos. 19 and 42?
- (b) any picture, photograph or like reproductive representation of any item described in subpart (a)?

ANSWER:

Copies of items described in answer to interrogatory number 72 are available for inspection at a mutually agreeable location and time.

INTERROGATORY NO. 75:

State the year that Defendant or any predecessor(s) was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust, promulgated by the American Conference of Governmental Industrial Hygienists, and identify the specific person(s) receiving such advise, and any and all documents communicating such advise.

ANSWER:

Unknown. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 76:

State whether such threshold limit values or maximum allowable concentrations referred

to in Interrogatory No. 75 involved TOTAL dust or just asbestos dust?

ANSWER:

See answer to interrogatory number 75.

INTERROGATORY NO. 77:

Describe, in detail, any and all tests, if any, conducted by Defendant, any predecessor or any related company, or anyone acting on behalf thereof, concerning the quantity, quality or threshold limit values of asbestos dust or particles to which applicators or consumers of asbestos-containing products were exposed while using any product identified in response to Interrogatory Nos. 19 and 42, including:

- (a) The product being used;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said test;
- (c) State the date(s) of said test;
- (d) Describe the methodology, results and conclusions of said test;
- (e) Identify any and all documents referring to, relating or reflecting said test or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom any document referring to, relating to or reflecting the results or conclusions of said test was sent.

ANSWER:

The consumers of PACCAR's heavy duty trucks were truck owners and operators. PACCAR did not perform any tests concerning the levels of asbestos dust to which these persons may be exposed.

INTERROGATORY NO. 78:

Did Defendant, any predecessor or any related company, at any time, directly advise the owners or management employees of any worksite in which it sold or applied any product listed in response to Interrogatory Nos. 19 and 42, of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist? If so, state the date or dates that you so advised each such owner or employees, the manner in which you advised such owner or employee and the name of each such owner or employee.

ANSWER:

PACCAR has no record of providing such advice. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 79:

State the date on which any official of Defendant or its predecessor(s) 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:

PACCAR asserts that it is unknown and impossible to determine when any employee, officer, or director with PACCAR first received knowledge, information, or understanding of any health conditions that could be related to certain types and uses of asbestos generally. PACCAR generally learned of health hazards related to certain types and uses of asbestos when they were identified in OSHA regulations. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 80:

With respect to each disease set forth in Interrogatory No. 79:

- (a) Identify the official who first obtained the knowledge, notice, information or understanding to which the interrogatory refers;
- (b) Identify any and all documents referring to, relating to or reflecting such knowledge, notice, information or understanding; and,
- (c) Describe what, if any, action said official, Defendant, any predecessor or any related company took in response to such knowledge, notice, information or understanding.

ANSWER:

Please see answer to interrogatory number 79.

INTERROGATORY NO. 81:

[D]oes Defendant possess knowledge or information concerning, a causal connection between exposure to asbestos or asbestos-containing products and:

- (a) pleural disease?
- (b) asbestosis?
- (c) lung cancer?
- (d) mesothelioma?
- (e) other cancer?

ANSWER:

Please see answer to interrogatory number 79.

INTERROGATORY NO. 82:

For each subpart of Interrogatory No. 81 to which you answered "Yes

- (a) Describe when and how Defendant first obtained knowledge, or information concerning such connection;

- (b) If such knowledge or information was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting, any and all persons attending, and any and all documents referring to, relating to or reflecting the meeting;
- (c) If knowledge was obtained from medical or scientific studies, or work, published or unpublished, identify the same.

ANSWER:

Please see answer to interrogatory number 79.

INTERROGATORY NO. 83:

With regard to any knowledge or information obtained subsequent to that identified in your answer to Interrogatory No. 82 (a), identify any and all documents or communications (oral and/or written) concerning the causal connection between exposure to asbestos-containing or asbestos products and any disease, which were sent to, or received by, Defendant, and identify any and all persons conveying and/or receiving such communications.

ANSWER:

Please see answer to interrogatory number 79.

INTERROGATORY NO. 84:

As to any knowledge or information referred to in Interrogatories 79-83, did Defendant, at any time, educate or inform its employees, distributors, purchasers or any persons working in the vicinity where any asbestos-containing product was being applied or installed as to the hazards known to Defendant or about which Defendant had information, and as to the safety precautions necessary to guard against cancer and other diseases arising from the use and handling of the products identified in response to Interrogatory No. 19?

ANSWER:

Please see answers to interrogatory numbers 63 and 72. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 85:

If your answer to Interrogatory No. 84 is "Yes," identify each such occasion on which Defendant so educated or informed its employees, distributors or purchasers, as follows:

- (a) Identify the persons or parties which you educated or informed;
- (b) State when, where and in what manner they were educated or informed;
- (c) Identify any and all documents referring to, relating to or reflecting the communication or other dissemination of such information; and
- (d) Identify any and all persons who so educated or informed said employees, distributors, purchasers or persons working in the vicinity of application or who participated in the same in any way, including, but not limited to, assembling,

drafting, writing, rewriting, preparing or conveying such information in any format.

ANSWER:

Please see answer to interrogatory number 84. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 86:

Did Defendant or any predecessor entity perform, direct to be performed, finance in whole or in part, sponsor in whole or in part or receive the results of, any studies or tests concerning the relationship between asbestos exposure and asbestosis, cancer and/or mesothelioma?

ANSWER:

Please see answer to interrogatory number 87.

INTERROGATORY NO. 87:

If your answer to Interrogatory No. 86 is "Yes," with respect to each such study or test:

- (a) State the nature of the involvement (performed, directed it to be performed, financed, sponsored, received results, etc.);
- (b) State when, where and at what intervals said study was performed;
- (c) Identify any and all persons, firms or entities which performed said study;
- (d) Identify any and all documents referring to, relating or reflecting said study or the results thereof and
- (e) State all means by which the results of said study were disseminated including, if applicable, publication; and identify any and all persons who received said results and any and all publications in which said results appeared.

ANSWER:

David Bissonnette, PACCAR's industrial hygienist, received a report dated 1978 titled "Estimates of the Fraction of Cancer in the United States Related to Occupational Factors." PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 88:

Did Defendant at any time during the period that the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, sold, applied or installed, inform any purchaser or user of said products that such products could cause cancer, asbestosis, and/or other serious diseases?

ANSWER:

Yes. Please see answers to interrogatory numbers 63 and 72.

INTERROGATORY NO. 89:

Did Defendant, any predecessor or any related company, or any workers' compensation insurance carrier thereof, ever have any claims for lung diseases or death from lung disease, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or exposure to asbestos-containing products?

ANSWER:

Yes.

INTERROGATORY NO. 90:

If your answer to original Interrogatory number 89 was a yes, please provide the following information for each and every employee of the defendant, predecessor or related company with such a claim. If the claimant was a non-employee, please provide the information for the first 100 cases of which the defendant had notice.

- (a) Identify the claimant;
- (b) Identify the entity against which the claim was filed;
- (c) State the date upon which the claim was filed;
- (d) List the locations(s) at which claimant was exposed to asbestos;
- (e) Identify each and every board, administrative body, commission or court which handled or reviewed said claim and state the state the style and cause number applicable to said claim before each such body;
- (f) Identify the disease alleged by claimant;
- (g) State the final disposition of the claim including any and all benefits paid, and the entity making such payments;
- (h) If different from the date on which the claim was filed, state the date on which defendant first had notice of the claim; and
- (i) Identify any and all documents referring to, relating to or reflecting said claim.

ANSWER:

PACCAR's Kenworth and Peterbilt divisions have located three workers compensation claims alleging lung disease. It has limited information on them. The information it has is as follows:

Albert Luperine vs. Peterbilt Motors/PACCAR Inc Peterbilt Newark Plant, California. WCAB No.: SF0 0370-237 Claim No.: 100 940 001. The Judge in the case issued an Order of Dismissal and found that the record did not sufficiently establish that Mr. Luperine was exposed to asbestos. We believe this claim was filed in the early 1990s.

Florence Igne (Alfred M. Igne, deceased) vs. PACCAR Inc., Peterbilt Newark Plant, California. WCAB No.: SF0 0416949, Claim No.: 6018003391. Parties to the claim settled; PACCAR's payment was \$500. We believe this claim was filed in the late 1990s.

Jerald Ogan v. Kenworth Truck Co., Chillicothe, Ohio factory. Claim filed June 5, 2002; Industrial Commission of Ohio; Claim #00-821905; mesothelioma. The Judge denied the claim based on insufficient evidence of exposure to asbestos at Kenworth and lack of medical evidence relating the death to any exposure. This determination was upheld on appeal. No payment made.

PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained. PACCAR objects to this interrogatory to the extent it requests information on former related companies that did not produce vehicles with friction components. Inquiries concerning products that were produced with different materials under different conditions in the past are not reasonably calculated to lead to discoverable evidence regarding the alleged health hazards of friction products.

INTERROGATORY NO. 91:

How many past or present employees of Defendant, its predecessors or related companies are known by you [who claim] to be suffering from, to have suffered from, or to have suffered deaths caused by:

- (a) asbestosis?
- (b) lung cancer?
- (c) mesothelioma?

ANSWER:

PACCAR does not maintain statistics of this type for its past or present employees. The three individuals identified in answer to interrogatory number 90 claimed mesothelioma or lung cancer disease. Identification of an illness or cause of death of employees are employee medical records maintained by various third party providers of health, life, and disability benefits.

INTERROGATORY NO. 92:

For each employee [who claims he/she] referenced in your answer to Interrogatory No. 91, state the date that Defendant first knew, or had notice or information, that such past or present employee was suffering, or had suffered from:

- (a) asbestosis;
- (b) lung cancer;
- (c) mesothelioma.

ANSWER:

Please see answer to interrogatory number 90.

INTERROGATORY NO. 93:

Identify any and all material safety data sheets concerning the products listed in response to Interrogatory Nos. 19 and 42 prepared, at any time, by, or on behalf of, Defendant, any predecessor or any related company.

ANSWER:

PACCAR does not prepare material safety data sheets for its heavy duty trucks.

INTERROGATORY NO. 94:

Identify any and all trade organizations, associations, or other entities, including but not limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial

Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers Assn. (NIMA), National Insulation Contractors Assn. (NICA), National Safety Council (NSC), American Ceramics Society (ACS), National Building Materials Distributors Assn. (NIA), Sprayed Mineral Fiber Manufacturers Assn. (SMFMA), Thermal Insulation Manufacturers Assn. (TIMA), Quebec Asbestos Mining Assn. (QAMA), to which Defendant, any predecessor or any related company has belonged or in which any or all of the same have participated since 1925, and state the applicable dates of such membership or participation.

ANSWER:

PACCAR's records of trade association memberships are not complete. It was a member of the National Safety Council from 8/1/44-7/19/96. It was a member of the Motor Vehicle Manufacturers Association for several years. It may have had memberships in other trade associations related to its principal business. Dave Bissonnette, PACCAR's Manager of Industrial Hygiene and Safety, states that he belonged to the American Industrial Hygiene Association from 1974-1980, the American Board of Industrial Hygienists, and the American Society of Safety Engineers. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 95:

Identify any and all persons attending, on behalf of Defendant, any predecessor or any related company, any meetings, seminars or symposiums held by the trade organizations, associations, or other entities identified in response to Interrogatory No. 94. [This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

Unknown. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.

INTERROGATORY NO. 96:

Did any officer, employee, agent or representative of Defendant, of any predecessor, or of any related company, serve, at any time, as:

- (a) an officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (b) a member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (c) the chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (d) the representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 94 to any other trade organization, association or entity, including, but not limited to, A.T.I., I.H.F., N.I.M.A., A.I.A., N.I.C.A., T.I.M.A., Q.A.M.A., N.A.C., N.S.C., A.C.S., N.B.M.D.A., N.I.A., S.M.F.M.A.?

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

PACCAR has no record that any employee served as an officer, committee member or liaison of the organizations identified. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.

INTERROGATORY NO. 97:

For each subpart of Interrogatory No. 96 to which your answer is "Yes," identify each and every person serving in such capacity and:

- (a) state the trade organization, association or entity for which such service was rendered;
- (b) specify the capacity of service, including identifying any specific committee, subcommittee or other trade organizations, associations or entities involved; and,
- (c) state the applicable dates of service.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

Not applicable.

INTERROGATORY NO. 98:

Identify any and all documents which Defendant, its predecessor(s) or any related company submitted to, or received from, the organizations listed in response to Interrogatory Nos. 94 and/or 97:

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; and/or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

PACCAR has located a 1980 newsletter from the National Safety Council, styled "Automotive, Tooling, Metalworking and Associated Industrials Newsletter." PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 99:

Identify any and all documents including, but not limited to, minutes, bulletins or reports, created by, or on behalf of, any trade organization, association or entity listed in response to

Interrogatory No. 94 and/or 97 or any committee, subcommittee or subgroup thereof;

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

See answer to interrogatory number 98.

INTERROGATORY NO. 100:

Identify any and all documents including, but not limited to, minutes, bulletins or reports, received by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97, or any committee, subcommittee or subgroup thereof;

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

Please see answer to interrogatory number 98.

INTERROGATORY NO. 101:

Identify any and all agreements, oral or written, between or among Defendant, any of the other defendants in this lawsuit, any organization, association or other entity including, but not limited to, those identified in your answer to Interrogatory No. 94 and/or any medical or scientific foundations, relating to the standardization of:

- (a) Specifications for asbestos cloth products;
- (b) Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos cement;
- (c) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (d) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- (e) Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products;
- (f) Medical programs to be offered or sponsored by defendant.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

None.

INTERROGATORY NO. 102:

Did Defendant, any predecessor or related company, direct to be performed, sponsor in whole or in part, finance in whole or in part, receive the results of, or become aware of, any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human health?

ANSWER:

No.

INTERROGATORY NO. 103:

If your answer to Interrogatory No. 102 is "Yes":

- (a) Identify any and all documents received by Defendant, its predecessor(s), or a related company referring to, relating to or reflecting any findings or results of those studies or tests, and state the date upon which each was first received;
- (b) Identify any and all communications (oral or written), between Defendant, its predecessor(s) or a related company and Saranac personnel, including but not limited to Gent W.H. Schepers, M.D.;
- (c) Identify any and all documents referring to, relating to or reflecting the Saranac studies received or submitted by Defendant, its predecessor(s) or a related company either directly, through related or predecessor companies, through other companies, or through any trade associations, organizations or other entities; and
- (d) Identify any and all documents referring to, relating to or reflecting recommendations or findings of such studies relating to:
- (e) Adequacy or inadequacy of threshold limit values;
- (f) Substitution of materials other than asbestos to be used in the insulation process.

ANSWER:

Not applicable.

INTERROGATORY NO. 104:

With respect to each subject listed below, state whether said subject was, at any time, discussed at a meeting of the board of directors of Defendant, any predecessor or any related company:

- (a) The sale and/or marketing of any asbestos-containing product, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42;
- (b) The health hazards resulting from exposure to asbestos, including, but not limited to, exposure resulting from the use, application or removal of asbestos-containing

- products;
- (c) The placement or possible placement of warning labels on asbestos-containing products or their packages, or in sales literature, therefore including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42; and
 - (d) Any test, survey, study or similar matter concerning asbestos or asbestos-containing products, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER:

PACCAR did not manufacture or use asbestos-containing products as that term is commonly used in asbestos litigation. ~~PACCAR did sell heavy-duty trucks and replacement parts which incorporated brake linings, clutch discs, and other components.~~ Further stating, PACCAR has no record of having discussed the items listed at its board of director meetings.

INTERROGATORY NO. 105

If your answer to any one or more of the subparts of Interrogatory No. 104 is "Yes," then with respect to each subpart for which you answered "Yes":

- (a) Identify each and every board meeting at which said subject was discussed by stating the date(s) on which, and the location(s) at which, each meeting was held;
- (b) Identify any and all persons present at each such meeting; and,
- (c) Identify any and all documents, including, but not limited to, minutes, referring to, relating to, or reflecting each such meeting.

ANSWER:

Not applicable.

INTERROGATORY NO. 106:

Identify any and all seminars, symposiums, conferences or like gatherings attended by any officer, agent or representative of Defendant, any predecessor or any related company, at which the subject of asbestos, the health hazards of asbestos exposure, or the placement or providing of warnings was discussed.

ANSWER:

In 1976, Assistant Professor Peter A. Breyse of the University of Washington School of Public Health and Community Medicine, presented a session on asbestos health hazards based on the studies of Dr. Irving Sellikoff at Mt. Sinai Health Center for PACCAR Safety and Health staff.

In the 1990s, PACCAR participated in a local stakeholders meeting concerning air pollution in the Puget Sound area. Asbestos may have been referenced during a meeting.

In 2001, PACCAR attended a seminar on asbestos litigation.

PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 107:

Identify any and all documents, including, but not limited to, notes, reports, minutes or bulletins, which refer to, relate to or reflect any meeting identified in response to Interrogatory No. 106.

ANSWER:

PACCAR has a copy of a handout from 1977 titled "Safety and Health Presentation for Senior Management, August 4-5, 1977, Future Trends in Occupational Safety and Health" that may have been presented. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 108:

With respect to each job site within 200 miles of Madison County and/or identified by any plaintiff (who has asserted claims against this defendant) (i) identify any and all documents referring to, relating to or reflecting the purchase, sale, delivery, use, application or ordering, of any of the products listed in response to Interrogatory Nos. 19 and 42 by, for, to or at said site; and, (ii) identify any and all persons known by Defendant to have knowledge concerning the same:

ANSWER:

Upon the tender of specific information regarding a specific plaintiff's job sites, PACCAR will respond to this interrogatory.

INTERROGATORY NO. 109:

Identify any and all parties, located within a 200 mile radius of Madison County, Illinois, including, but not limited to, distributors, suppliers or contractors, known by you to have purchased, received, sold, distributed, applied or otherwise used, at any time, any or all of the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER:

Kenworth and Peterbilt dealerships in Illinois and Missouri have purchased PACCAR vehicles for resale to customers.

INTERROGATORY NO. 110:

Other than cases identified in Interrogatory numbers 89 and 90, has defendant, any predecessor or any related company, ever appeared as a party in any lawsuit involving a claim or claims based upon allegations of property damage or seeking recovery of the costs of abatement from the use, application, installation or presence of asbestos or asbestos-containing products?

ANSWER:

No.

INTERROGATORY NO. 111:

If your answer to Interrogatory No. 110 is "Yes," identify each such lawsuit as follows:

- (a) Identify the plaintiff(s);
- (b) Identify all other defendants;
- (c) State when and where the case was filed;
- (d) Identify each court in which the case was heard or is pending, including appeals, and state the style and cause number of the case in each court; and,
- (e) State the current status of the case if it remains pending or, if the case has been disposed of, state the final disposition.

ANSWER:

Not applicable.

INTERROGATORY NO. 112:

In any lawsuit, as described in Interrogatory numbers 89, 90, 110 and 111, has Defendant been subject to sanctions, a contempt citation or similar action for failing, or refusing to comply with, any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery?

ANSWER:

No.

INTERROGATORY NO. 113:

If your answer to Interrogatory No. 112 is "Yes," with respect to each such occasion described:

- (a) Identify the lawsuit involved, the court which imposed the sanctions or issued the contempt citation, and any other court which reviewed the same;
- (b) Describe the violation for which sanctions or contempt was imposed;
- (c) If the violation involved the failure or refusal to produce any document(s), identify any and all such documents;
- (d) If the violation involved any failure to truthfully answer or to respond to interrogatories, identify any and all such interrogatories and your response thereto, including the person answering on your behalf;
- (e) State the present status or final disposition of the matter, which ever is applicable; and,
- (f) Identify any and all documents referring to, relating to or reflecting said matter, including, but not limited to, pleadings, exhibits and court orders.

ANSWER:

Not applicable.

INTERROGATORY NO. 114:

In any lawsuit involving a claim or claims based upon allegations of injury, impairment, disease or death allegedly caused by exposure to asbestos, has any document or conversation as

to which the defendant, any predecessor or related company, asserted the attorney/client privilege been held by any court to be not privileged on the basis of the crime/fraud exception?

ANSWER:

No.

INTERROGATORY NO. 115:

If your answer to Interrogatory No. 114 is "Yes," identify any and all such documents or conversations described, and with respect to each:

- (a) Identify all persons whose actions were held to constitute a crime or fraud;
- (b) State the current status of the court's determination, and,
- (c) State whether you assert the privilege with respect to disclosing the document or conversation in this case.

ANSWER:

Not applicable.

INTERROGATORY NO. 116:

Identify any and all expert witnesses who have testified on behalf of the defendant, any predecessor or related company, in the last ten years in any lawsuits involving a claim or claims based upon allegations of injury, impairment, disease or death caused by exposure to asbestos, or a claim or claims based upon allegations of property damage from the use, application, installation or presence of asbestos or asbestos-containing products, or issues of insurance coverage for any claims of personal injury or property damage arising out of the exposure to, use of, application of, installation of, or presence of asbestos or asbestos-containing products.

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 117:

Identify any and all present or former directors, officers, employees, or agents of defendant, any predecessor or related company, who have testified in any manner whatsoever including a discovery or evidence deposition, or in a trial, in the last 20 years on behalf of or against the defendant, any predecessor, or related company, in any lawsuits involving a claim or claims based upon allegations of personal injury or property damage caused by exposure to, the use of, the application of, the installation of, or the presence of any asbestos or asbestos-containing product, other than persons who testified as plaintiffs in their own cases. Specifically included within the scope of this request are any suits involving the issue of insurance coverage for claims of personal injury or property damage resulting from the exposure to, the use, application, installation or presence of asbestos or asbestos-containing products.

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 118:

Identify any and all present or former directors, officers, employees, or agents of the defendant, any predecessor or any related company, other than persons appearing as adverse parties, who have testified against the defendant, any predecessor, or any related company in the last 20 years, in any proceeding involving the subject of asbestos, including, but not limited to, workers' compensation hearings, or any hearing before any governmental body.

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 119:

With respect to your answers to Interrogatory numbers 116, 117, and 118, identify any and all documents, including, but not limited to, transcripts or notes of testimony, referring to, relating to or reflecting the testimony of such expert witnesses or employees, directors, officers, or agents.

ANSWER:

This interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.

INTERROGATORY NO. 120:

[Has Defendant, any predecessor or any related company, ever been cited, warned, fined, or sanctioned for, any violation of a federal or state statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal or state governmental entity, which violation concerned asbestos in any way?] [This interrogatory was redrafted and limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

Upon information presently known, PACCAR is not aware of having been cited, warned, fined, or sanctioned for, any violation of a federal or state statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal or state governmental entity, which violation concerned asbestos in any way, between 1930 and 1980. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 121:

If your answer to Interrogatory No. 120 is "Yes," with respect to each such violation:

- (a) Identify the governmental entity issuing the citation, warning, fine, sanction or write-up;

- (b) State the date of the citation, warning, fine, sanction or write-up;
- (c) Describe the violation and state the date(s) during which it occurred;
- (d) Identify the statute, law, rule, ordinance, code or order to which the violation related;
- (e) State what, if any, specific fine, penalty, or sanction was imposed;
- (f) State the date in which and the manner in which said violation was corrected;
- (g) Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and,
- (h) Identify any and all documents referring to, relating to or reflecting said violation.

~~[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]~~

ANSWER:

Not applicable.

INTERROGATORY NO. 122:

[Has any federal or state government entity, at any time, conducted any inspection, test or survey concerning asbestos or asbestos exposure at any facility where the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, processed, applied, used or removed?] [This interrogatory was redrafted and limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

As a facility owner, certain of PACCAR's buildings and facilities underwent asbestos abatement during renovation. Certain governmental agencies may have been inspected with respect to compliance with the abatement regulations. Such projects are unrelated to PACCAR's vehicle manufacturing operations or to the allegations of plaintiff. Please also see answer to interrogatory number 121.

INTERROGATORY NO. 123:

If your answer to Interrogatory No. 122 is "Yes," then with respect to each such inspection, test or survey:

- (a) Identify the governmental entity conducting the same;
- (b) State the date(s) on which the same was conducted;
- (c) Describe the nature of the inspection, test or survey including, but not limited to, the results or conclusions thereof; and,
- (d) Identify any and all documents referring to, relating to or reflecting the same.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

See answer to interrogatory number 122.

INTERROGATORY NO.124:

Identify:

- (a) Any expert whom you intend to call as a witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify;
- (d) A summary of the grounds for each opinion;
- (e) The address of such person and field of expertise;
- (f) Identify and produce each treatise, article or text upon which the expert will rely in testifying.

ANSWER:

Unknown at this time. PACCAR reserves the right to retain and disclose testifying experts, including the materials they relied upon, consistent with court rules and orders.

INTERROGATORY NO. 125:

Are there any policies of insurance which provide, or might provide, coverage on behalf of Defendant, any predecessor or any related company for the injuries alleged in Plaintiffs' complaints?

ANSWER:

Yes.

INTERROGATORY NO. 126:

If your answer to Interrogatory No. 125 is "Yes," identify each such policy of insurance as follows:

- (a) Identify the insurer(s);
- (b) Identify the insured(s);
- (c) State the date on which the policy was first purchased and the date on which the policy expired or was terminated;
- (d) Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and
- (e) State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.

ANSWER:

The Court, pursuant to Order dated April 14, 2000, entered a protective order providing that The Simmons Firm shall utilize the information provided only in the prosecution of their cases now filed or to be filed by them in the future and shall not disseminate or otherwise disclose the information contained in those answers outside of The Simmons Firm without prior Court order. Further stating, this information is lengthy. PACCAR will produce specific information upon a specific request which includes a time period.

INTERROGATORY NO. 127:

With respect to each policy described in response to Interrogatory No. 126, state:

- (a) the dollar amount of coverage which remains unexpended; and
- (b) whether any dispute exists between insurer and insured with respect to coverage.

[Pursuant to Court Order dated April 14, 2000, interrogatory question number 127(b) is limited in scope to any litigation disputes between insurer and insured with respect to coverage.]

ANSWER:

Please see answer to interrogatory number 126.

INTERROGATORY NO. 128:

~~Other than the policies of insurance described in response to Interrogatory No. 126, do~~
there exist any agreements providing for the benefit of Defendant, any predecessor or any related company, complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees?

ANSWER:

The Court, pursuant to Order dated April 14, 2000, entered a protective order providing that The Simmons Firm shall utilize the information provided only in the prosecution of their cases now filed or to be filed by them in the future and shall not disseminate or otherwise disclose the information contained in those answers outside of The Simmons Firm without prior Court order. Further stating, no.

INTERROGATORY NO. 129:

If your answer to Interrogatory No. 128 is "Yes," for each such agreement:

- (a) Identify all parties to the agreement and state the capacity of each such party (i.e. indemnitor, indemnitee, etc.);
- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

ANSWER:

The Court, pursuant to Order dated April 14, 2000, entered a protective order providing that The Simmons Firm shall utilize the information provided only in the prosecution of their cases now filed or to be filed by them in the future and shall not disseminate or otherwise disclose the information contained in those answers outside of The Simmons Firm without prior Court order. Further stating, not applicable.

INTERROGATORY NO. 130:

Was this Defendant ever allowed to use the trademark or logo of any other company, including but not limited to, its predecessor or related company, on any products Defendant sold,

distributed or installed, and if so please state:

- (a) The trademark or logo used by you;
- (b) The company allowing such use of its trademark or logo;
- (c) The time period such use was allowed;
- (d) Whether such use was by written, verbal or implied agreement;
- (e) Each and every product such trademark or logo was placed upon;
- (f) Identify all documents which refer to, relate to or reflect the use of such trademark or logo.

[Pursuant to Court Order dated April 14, 2000, interrogatory question number 130 is limited in scope to any asbestos containing product.]

ANSWER:

Yes. Please see answers to interrogatory numbers 3(c) and 30.

INTERROGATORY NO. 131:

From 1940 to present, state whether Defendant and/or any predecessor or related company ever provided workers' compensation, health, accident and disability and/or life insurance coverage for its employees, and if so:

- (a) Identify each insurance carrier which provided workers' compensation, health, accident and disability and/or life insurance coverage to your employees and the dates such coverage was provided by each such carrier;
- (b) State whether such insurance carrier(s) ever conducted any dust counts or studies, industrial hygiene surveys or other tests relating to any asbestos-containing products that Defendant's employees may have been working with or around; and,
- (c) If your response to subpart (b) hereof is in the affirmative, please indicate the date of each such count, study, survey or other test and identify all documents relating thereto.

[This interrogatory was limited in time to the period 1930 to 1980 by the Court pursuant to Order dated April 14, 2000.]

ANSWER:

- (a) [Subpart (a) of this interrogatory was withdrawn by the Plaintiff or stricken by the Court pursuant to Order dated April 14, 2000.] Further stating, yes. This information is voluminous. PACCAR also observes that its employees are not plaintiffs, and have not been exposed to asbestos in excess of prescribed levels in the assembly of its trucks. Further stating, PACCAR's facilities and its insurers for those facilities are located in various locations throughout the United States. Finally, the requested time period covers a 50 year period. Upon a specific request for a time period and location, PACCAR will attempt to locate the specific information.
- (b) Yes.
- (c) In April 1986, Employers Insurance of Texas analyzed a dust sample for asbestos. The sample was collected on pallets and the floor around brake shoes. No

asbestos was detected. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is obtained.

INTERROGATORY NO. 132:

Other than cases identified in Interrogatories 89, 90, 110 and 111, has defendant, any predecessor or any related company, ever appeared as a party in any lawsuit involving a claim or claims based upon issues of insurance for any claim of personal injury, property damage or cost of abatement arising out of the exposure to, use of, application of, installation of or presence of asbestos or asbestos-containing products?

ANSWER:

No. PACCAR's investigation continues and PACCAR reserves the right to supplement and modify this answer as more information is learned.

INTERROGATORY NO. 133:

If your answer to Interrogatories 89, 90, 110 and 111 is "yes", identify each such lawsuit as follows:

- (a) Identify all plaintiff(s);
- (b) Identify all defendant(s);
- (c) State when and where the case was filed;
- (d) Identify each court in which the case was heard or is pending, including appeals, and state the style and cause number of the case in each court; and
- (e) State the current status of the case if it remains pending or, if the case has been disposed of, state the final disposition.

ANSWER:

Not Applicable.

INTERROGATORY NUMBER 134:

Is the defendant, any predecessor or related company, claiming any document responsive to any interrogatory or any request for production filed by The Simmons Firm as being protected 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.

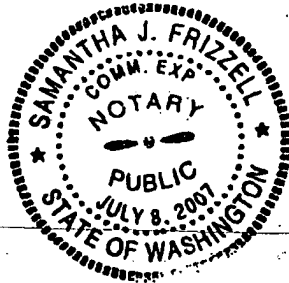
ANSWER:

To the extent that any documents for which PACCAR seeks to make a claim of privilege, a log will be provided.

STATE OF ILLINOIS)
COUNTY OF MADISON) SS.

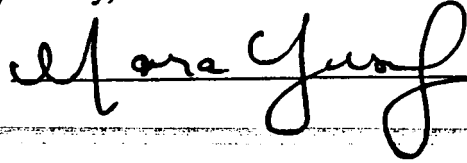
Bob Morrison
Bob Morrison

Subscribed and
Notary Public



PROOF OF SERVICE

The undersigned states that a copy of PACCAR INC.'s Answers to Plaintiffs' Interrogatories and Certificate of Service was served on the party as below addressed by hand delivery of the same on this 16th day of July, 2004.

_____

Mr. Ted Gianaris, Esq.
Mr. Joe Kusmierczak, Esq.
SimmonsCooper LLC
707 Berkshire Blvd.
East Alton, Illinois 62024
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Steven A. Hart, Esq.
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Chicago, Illinois 60611
Attorneys for Defendant

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

FILED

2004 JUL 16 AM 9:43

CLERK OF CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS LITIGATION
FILED BY THE SIMMONSCOOPER
FIRM, LLC.,

Plaintiffs,

vs.

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

Defendants.

CERTIFICATE OF SERVICE

Mr. Ted Gianaris, Esq.
Mr. Joe Kusmierczak, Esq.
SimmonsCooper LLC
707 Berkshire Blvd.
East Alton, Illinois 62024

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD., Maura Yusof, hereby states that

copies of Defendant, PACCAR INC.'s Answers to Plaintiffs' Interrogatories and this Certificate of

Service were submitted to the above-named attorney(s) via HAND DELIVERY on the

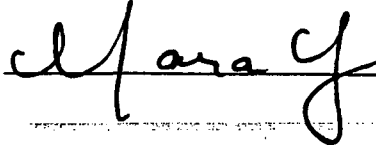
16th day of July, 2004.

Maura Yusof
Maura Yusof, Esq.

Steven A. Hart, Esq.
Jason L. Kennedy, Esq.
Nicholas A. Caputo, Esq.
Sanjay Shivpuri, Esq.
Maura Yusof, Esq.
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Chicago, Illinois 60611
(312) 645-7800

PROOF OF SERVICE

The undersigned states that a copy of PACCAR INC.'s Answers to Plaintiffs' Interrogatories and Certificate of Service was served on the party as below addressed by hand delivery of the same on this 16th day of July, 2004.

_____

Mr. Ted Gianaris, Esq.
Mr. Joe Kusmierczak, Esq.
SimmonsCooper LLC
707 Berkshire Blvd.
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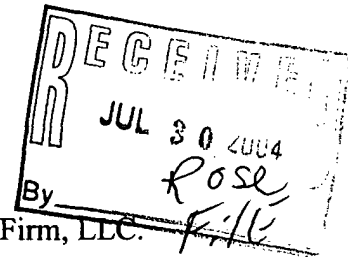
Segal McCambridge Singer & Mahoney

Nicholas A. Caputo
Direct (312) 645 7901
Ncaputo@smsm.com

July 29, 2004

VIA FEDERAL EXPRESS

Mr. Joe Kusmierczak
SimmonsCooper LLC
707 Berkshire Blvd.
East Alton, Illinois 62024



Re: All Asbestos Litigation Filed by the SimmonsCooper Firm, LLC.

Dear Mr. Kusmierczak:

Per the request of your associate Mr. Jackstadt, I am forwarding a copy of Paccar Inc.'s Discovery Responses. As was the topic of our conversation and emails this afternoon, we had previously provided this discovery to your firm by way of hand delivery at the July 16, 2004 court hearing. Nevertheless, we are happy to provide you with this additional copy until you can put your finger on the original.

As always, do not hesitate to contact me with any questions or concerns at any time.

Very truly yours,

A handwritten signature in black ink that reads 'Nicholas A. Caputo'.

Nicholas A. Caputo

Cc: Eric D. Jackstadt (w/o encl.)
Ted Gianaris (w/o encl.)
Steve Hart

X:\ASBESTOS\++Illinois\Madison Co\Simmons Firm\2004 Trial Groups\Ltr to Joe Kusmierczak re all asb litigation encl discovery responses.doc