

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OLAGE BOYD and	:	NO. 91-CV-3800
DOROTHY BOYD, h/w	:	
	:	
v.	:	
	:	
A.P. GREEN INDUSTRIES, et al	:	<u>ASBESTOS CASE</u>

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL SECTION: TRIAL DIVISION

OLAGE BOYD and	:	JUNE TERM, 1991
DOROTHY BOYD, h/w	:	
	:	
v.	:	NO. 3834
	:	
A.P. GREEN INDUSTRIES, et al	:	<u>ASBESTOS CASE</u>

RESPONSES OF DEFENDANT BONDEX INTERNATIONAL, INC.,
TO PLAINTIFFS' INTERROGATORIES

The defendant Bondex International, Inc. hereby responds to plaintiffs' interrogatories.

This defendant reserves the right to amend or supplement its responses if it finds that inadvertent omissions or errors have been made or if additional or more accurate information becomes available.

1. Did Bondex itself, not Reardon manufacture SX - All Purpose joint cement with asbestos prior to the acquisition of Reardon by Bondex?

RESPONSE: No.

2. In what year did Bondex acquire the Reardon Company?

RESPONSE: Bondex acquired all of the manufacturing facilities of Reardon in 1972.

3. Did Bondex manufacture, sell or distribute asbestos-containing SX All - Purpose Joint Cement prior to the acquisition of Reardon?

RESPONSE: No.

4. Was there a distribution agreement between Reardon and Bondex in which Reardon manufactured and Bondex distributed asbestos-containing joint cements under the name Bondex?

RESPONSE: No.

5. During what years, if any did this arrangement exist?

RESPONSE: Not applicable.

6. Did Bondex itself, not Reardon ever manufacture Bondex Premium Joint Compound prior to the acquisition of Reardon?

RESPONSE: No.

7. Did Bondex manufacture any asbestos-containing products such as cement or tape or spray or roofing products not listed in

its answers to interrogatories in William Turner CA 89-5260?
(attached)

RESPONSE: This defendant objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, this defendant will make every effort to provide such information regarding any products to which plaintiff contends he was exposed.

8. Which of the Bondex-Reardon products were sprayed on and which were troweled on to surfaces?

RESPONSE: This defendant objects to this Interrogatory on the grounds that it is vague, overly broad, unduly burdensome, and seeks information which is irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, this defendant will make every effort to provide such information regarding any products to which plaintiff contends he was exposed.

9. What were the asbestos-containing products Registration number of Bondex that had registration numbers 206, 202, 632, 095 (see answer #10 in Turner). (attached)

RESPONSE: This defendant objects to this Interrogatory on the grounds that it is vague, unintelligible, overly broad, unduly burdensome, and seeks information which is irrelevant, immaterial,

and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, this defendant will make every effort to provide such information regarding any products to which plaintiff contends he was exposed.

10. Did Bondex manufacture asbestos-containing roof coatings? (Note reference to that product in answer to interrogatories #37 in Turner).

RESPONSE: Defendant objects to this Interrogatory on the grounds that it is wholly irrelevant, immaterial and would not lead to the discovery of admissible evidence. There is no contention that plaintiff was exposed to any such product and to require this defendant to produce such information would be burdensome, expensive, and constitute harassment. To require defendant to provide plaintiff with information regarding products to which he was not exposed cannot be relevant to his claim.

11. During what years did Bondex manufacture asbestos roof coating?

RESPONSE: This defendant objects to this Interrogatory for the reasons set forth in response to Interrogatory No. 10.

12. Did Bondex manufacture that product prior to the acquisition of Reardon or were roof coatings only Reardon products prior to that acquisition?

RESPONSE: This defendant objects to this Interrogatory for the reasons set forth in response to Interrogatory No. 10.

13. Have any Bondex employees ever been deposed in any asbestos cases?

RESPONSE: No.

14. If the answer to #13 is yes, please forward copies of said deposition or depositions.

RESPONSE: Not applicable.

15. What asbestos products of Bondex would, in your opinion, Mr. Boyd have been exposed?

RESPONSE: None.

16. In what year did Reardon start manufacturing asbestos products?

RESPONSE: Unknown.

FOX, ROTHSCHILD, O'BRIEN & FRANKEL

By Steven R. Waxman
Steven R. Waxman

By Timothy J. McCuen
Timothy J. McCuen

2000 Market Street, 10th Floor
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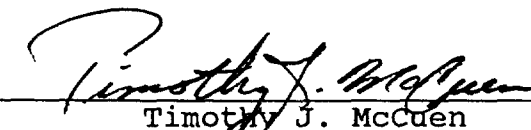
Attorneys for Defendant
Bondex International, Inc.

September 27, 1991.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Responses of Defendant Bondex Industries, Inc. to Plaintiffs' Interrogatories have been served upon the following attorney of record, by mailing a copy of the same to him, in the United States Mail, first-class postage prepaid, addressed to him at his office as shown below this 27TH day of September, 1991.

Robert E. Paul, Esquire
Paul, Reich & Myers
1411 Walnut Street, Suite 500
Philadelphia, Pennsylvania 19102

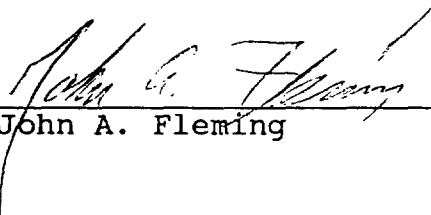

Timothy J. McCuen
FOX, ROTHSCHILD, O'BRIEN & FRANKEL
2000 Market Street, 10th Floor
Philadelphia, Pennsylvania 19103

Attorneys for Defendant
Bondex International, Inc.

STATE OF MISSOURI
CITY OF ST. LOUIS

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PERSONALLY APPEARED before me John A. Fleming, who being duly sworn according to law, deposes and says that he is the Treasurer of Bondex International, Inc.; that he is authorized to make this affidavit on its behalf; that the information necessary to prepare the within Responses of Defendant Bondex International, Inc. to Plaintiffs' Interrogatories has come from his personal knowledge as well as from others and from the records of Bondex International, Inc.; that he does not necessarily have personal knowledge of all of the facts stated, but believes the same to be true and correct to the best of his knowledge, information and belief.



John A. Fleming

September 26, 1991
SWORN TO and subscribed before
me this *EVELYN CAROL LARKIN*, Notary Public, 1991
STATE OF MISSOURI, ST. LOUIS COUNTY
MY COMMISSION EXPIRES OCT. 29, 1994

(L.S.)

Notary Public for Missouri
My Commission Expires: _____

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September 30, 1991

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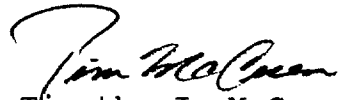
Re: Boyd v. Bondex International, Inc., et al.
U.S.D.C.; E.D.Pa.; No. 91-CV-3800;
CCP; Philadelphia County; June Term, 1991; No. 3834

Dear Mr. Paul:

I am enclosing with this letter the Responses of Defendant Bondex International, Inc. to Plaintiffs' Interrogatories.

Thank you for your attention to this matter.

Very truly yours,


Timothy J. McCuen

TJM/cas
Enclosure