

(d) The purpose for the recall.

ANSWER:

Defendant objects to Interrogatory No. 53 to the extent it inquires of "predecessor companies" without identifying or defining such. Moreover, the interrogatory calls for a legal conclusion as to what companies are "predecessors" without setting forth a factual or legal foundation for such an opinion. Further, the interrogatory is overly broad, general and global in that it is not limited in time, not limited to reasons for recall having to do with exposure to asbestos fibers, and not limited to those products listed in response to Interrogatory No. 6. Further, the interrogatory seeks information which is neither relevant nor material to any issue in this case and is not reasonably calculated to lead to the discovery of admissible evidence at the trial of this lawsuit. Finally, the interrogatory is argumentative. Subject to and without waiving the foregoing objections, no. GM has not recalled an asbestos-containing brake lining or clutch facing for any reason related to its asbestos content.

54. Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

Defendant objects to Interrogatory No. 54 because it is duplicative of other interrogatories, specifically Interrogatory No. 52. Further, the interrogatory is not limited to those products listed in response to Interrogatory No. 6 and is, therefore, overly broad, general and global. Moreover, the interrogatory seeks information which is neither relevant nor material to any issue in this case and is not reasonably calculated to lead to the discovery of admissible evidence at the trial of this lawsuit. Subject to and without waiving the foregoing objections, asbestos-containing friction has different characteristics than non-asbestos friction products and, therefore, one is not a substitute for another.

55. Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.