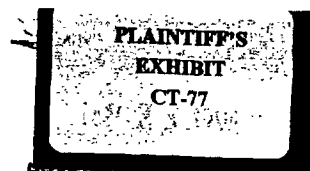


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HAND OVERNIGHT MAIL

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JAN 23 1996

BRAYTON HARLEY CURTIS
HAND OVERNIGHT MAIL

CT-77

1 WILLIAM J. SAYERS, ESQ. (Bar No. 078038)
2 FARAH NICOL, ESQ. (Bar No. 162293)
3 HAIGHT, BROWN & BONESTEEL
1620 26TH STREET, SUITE 4000 NORTH
4 SANTA MONICA, CA 90404-4038
(310) 449-6000

5 Attorneys for Defendants
6 The Center for Claims Resolution Defendants, including A.P.
7 GREEN INDUSTRIES, INC.; ARMSTRONG WORLD
8 INDUSTRIES, INC.; CERTAINTEED CORPORATION;
9 FLEXITALLIC, INC.; GAF CORPORATION; ASBESTOS
10 CLAIMS MANAGEMENT CORPORATION (Formerly
National Gypsum Company); QUIGLEY COMPANY, INC.;
11 T&N, PLC; UNION CARBIDE CHEMICALS AND
12 PLASTICS COMPANY, INC. (Formerly Union Carbide
13 Corporation), and UNITED STATES GYPSUM COMPANY

14 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 IN AND FOR THE COUNTY OF ORANGE

16 SHIBLEY ABBISS, et al.,

17 Plaintiffs,

18 vs.

19 A.H. VOSS COMPANY, et al.,

20 Defendants.

CASE NO. 717108

DEFENDANT CERTAINTEED
CORPORATION'S
SUPPLEMENTAL RESPONSES
TO PLAINTIFFS' STANDARD
INTERROGATORIES

(FIRST SET)

21 PROPOUNDING PARTY: PLAINTIFFS

22 RESPONDING PARTY: Defendant, CERTAINTEED CORPORATION

23 SET NO.: ONE

24 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

25 Defendant CERTAINTEED CORPORATION (hereinafter "Certainteed"),
26 pursuant to the California Code of Civil Procedure, supplements its responses to
27 Plaintiffs' Standard Interrogatories (First Set) ("the Interrogatories") subject to the
28

1 objections, reservations and conditions set forth in its initial responses to Plaintiffs'

2 Interrogatories, as follows:

3 **RESPONSE TO INTERROGATORY NO. 15:**

4 (h) CertainTeed's initial response was responsive to the question,
5 which asked for "The mining or milling concern from which
6 the raw asbestos fiber [incorporated into CertainTeed's
7 asbestos-bearing products] was obtained." CertainTeed's
8 initial response identified those companies to the extent
9 known, and accordingly, no supplemental response can be
10 provided.

11 **RESPONSE TO INTERROGATORY NO. 16:**

12 CertainTeed's initial response was responsive to the question (no products other
13 than asbestos-cement pipe have been so altered). Accordingly, no supplemental response
14 can be provided.

15 **RESPONSE TO INTERROGATORY NO. 17:**

16 As noted in CertainTeed's initial response to Interrogatory No. 16, the chemical
17 composition of asbestos-cement pipe "may" have been changed. Said initial response also
18 explained the nature of and reasons for the alteration. CertainTeed has no information
19 pertaining to the dates of any such alteration.

20 **RESPONSE TO INTERROGATORY NO. 28:**

21 Asbestos-cement pipe was the only asbestos-containing product made or sold by
22 CertainTeed which ever contained any warning, etc. on the product or its packaging (see
23 initial response to Interrogatory No. 28). Accordingly, no supplemental information can
24 be provided.

25 **RESPONSE TO INTERROGATORY NO. 29:**

26 See supplemental answer above to Interrogatory No. 28.
27
28

1 **RESPONSE TO INTERROGATORY NO. 31:**

2 CertainTeed does not have any information in its possession pertaining to the
3 workers' compensation claim filed in December 1972 to which reference is made in the
4 initial response to Interrogatory No. 30 (CertainTeed's present records of such claims go
5 back only to 1978).

6 **RESPONSE TO INTERROGATORY NO. 44:**

7 Dr. Goodman is deceased. Dr. Mellon's address is CertainTeed Corporation, 750
8 East Swedesford Road, Valley Forge, Pennsylvania 19482-0101.

9 **RESPONSE TO INTERROGATORY NO. 47:**

10 CertainTeed reasserts its objection to this interrogatory. The burden of attempting
11 to ascertain which physicians were retained by CertainTeed for the purpose of evaluating,
12 diagnosing or treating pulmonary problems would require CertainTeed to investigate all
13 of the cases handled by all such doctors in order to determine which cases involved
14 pulmonary complaints or problems. Such a task would be overwhelming, if not
15 impossible to perform.

16 **RESPONSE TO INTERROGATORY NO. 48:**

17 CertainTeed reasserts its objection to providing "the complete and precise duties
18 and responsibilities" of the industrial hygienists. Such a request would require a time
19 consuming and burdensome effort which in turn would provide details which could not
20 possibly be relevant to this litigation.

21 **RESPONSE TO INTERROGATORY NO. 50:**

22 As noted in CertainTeed's initial response to Interrogatory No. 50, the corporate
23 library no longer exists. Accordingly, CertainTeed is unable to supplement the initial
24 response.

25 **RESPONSE TO INTERROGATORY NO. 51:**

26 CertainTeed's initial response was responsive to the question.
27
28

1 **RESPONSE TO INTERROGATORY NO. 52:**

2 With respect to those organizations cited in CertainTeed's initial response to
3 Interrogatory No. 51, CertainTeed presumes that it would have received copies of minutes
4 of some such meetings within one year of such meetings. However, as noted in its initial
5 response to Interrogatory No. 52, it has no way of confirming this presumption.

6 **RESPONSE TO INTERROGATORY NO. 57:**

7 See supplemental answer above to Interrogatory No. 50.

8 **RESPONSE TO INTERROGATORY NO. 58:**

9 See supplemental answer above to Interrogatory No. 28.

10 **RESPONSE TO INTERROGATORY NO. 60:**

11 See supplemental answer above to Interrogatory No. 50.

12 **RESPONSE TO INTERROGATORY NO. 65:**

13 See supplemental answer above to Interrogatory No. 50.

14 **RESPONSE TO INTERROGATORY NO. 66:**

15 See supplemental answer above to Interrogatory No. 50.

16 **RESPONSE TO INTERROGATORY NO. 70:**

17 The information requested is unrecorded, and thus unknown, and accordingly, no
18 supplemental information can be provided.

19 **RESPONSE TO INTERROGATORY NO. 71:**

20 The source of any such information is unrecorded and thus unknown, and the only
21 manner in which to attempt to obtain information concerning this inquiry would be to
22 question every person who ever worked for this company between 1930 and 1978. Such
23 an effort would be overwhelming, if not impossible to perform. Accordingly, CertainTeed
24 reasserts its initial objection.

25 **RESPONSE TO INTERROGATORY NO. 72:**

26 The source of any such information is unrecorded and thus unknown, and the only
27 manner in which to attempt to obtain information concerning this inquiry would be to
28 question every person who ever worked for this company between 1930 and 1978. Such

1 an effort would be overwhelming, if not impossible to perform. Accordingly, CertainTeed
2 reasserts its initial response.

3 **RESPONSE TO INTERROGATORY NO. 74:**

4 See supplemental answer above to Interrogatory No. 71.

5 **RESPONSE TO INTERROGATORY NO. 75:**

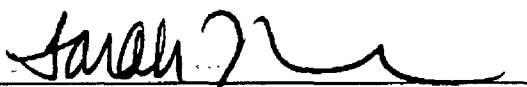
6 The two specialty insulation products for the railway industry were the only
7 asbestos-insulation products with which CertainTeed had a nexus (see initial response to
8 Interrogatory No. 15). Accordingly, no supplemental response can be provided.

9 **RESPONSE TO INTERROGATORY NO. 77:**

10 CertainTeed does not have a copy of the testimony or a copy of the recorded
11 testimony. Accordingly, no supplemental information can be provided.

12
13 DATED: January 18, 1996

HAIGHT, BROWN & BONESTEEL

14
15 By 

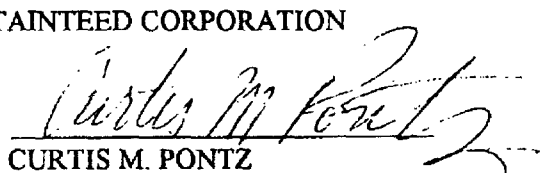
16 William J. Sayers
17 Farah Nicol
18 Attorneys for Defendants and Cross-
19 Complainants, A.P. GREEN
20 INDUSTRIES, INC.; ARMSTRONG
21 WORLD INDUSTRIES, INC.;
22 CERTAINTEED CORPORATION;
23 FLEXITALLIC, INC.; GAF CORPO-
24 RATION; ASBESTOS CLAIMS
25 MANAGEMENT CORPORATION
26 (Formerly National Gypsum Company);
27 QUIGLEY COMPANY, INC.; T&N,
28 PLC; UNION CARBIDE CHEMICALS
AND PLASTICS COMPANY (Formerly
Union Carbide Corporation); and,
UNITED STATES GYPSUM
COMPANY

VERIFICATION

CURTIS M. PONTZ, being duly sworn according to law, deposes and says that he is Associate General Counsel and Assistant Secretary of CertainTeed Corporation and is duly authorized to make this Verification on its behalf and that the facts set forth in the foregoing supplemental responses to Plaintiffs' Standard Interrogatories (First Set) are true and correct to the best of his knowledge, information and belief.

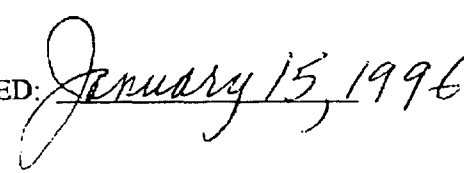
CERTAINTEED CORPORATION

BY:


CURTIS M. PONTZ

Associate General Counsel and Assistant Secretary

DATED:

January 15, 1996

1 **PROOF OF SERVICE BY MAIL**

2 STATE OF CALIFORNIA
3 }
4 COUNTY OF LOS ANGELES }

ss.

5 I am employed in the County of Los Angeles, State of California. I am
6 over the age of 18 and not a party to the within action; my business address is 1620 26th
Street, Suite 4000 North, Santa Monica, California 90406.

7 On January 19, 1996, I served the within:

8 **CERTAINTIED CORPORATION'S SUPPLEMENTAL RESPONSES TO**
9 **PLAINTIFFS' STANDARD INTERROGATORIES (FIRST SET)**

10 ☒

by placing the true copies thereof enclosed in sealed envelopes addressed
as stated on the attached mailing list:

11 ☐

12 by placing a true copies thereof enclosed in sealed envelopes addressed as
follows:

13 **BRAYTON HARLEY CURTIS**
14 999 Grant Avenue
15 P.O. Box 2109
16 Novato, California 94948

17 Jerry Neil Paul, Esq.
18 **LAW OFFICES OF JERRY NEIL PAUL**
19 16830 Ventura Boulevard, Suite 500
20 Encino, California 91346

21 I am "readily familiar" with this firm's practice of collection and processing
22 correspondence for mailing. Under that practice it would be deposited with U.S. postal
23 service on that same day in the ordinary course of business. I am aware that on motion
24 of party served, service is presumed invalid if postal cancellation date or postage meter
25 date is more than 1 day after date of deposit for mailing in affidavit.

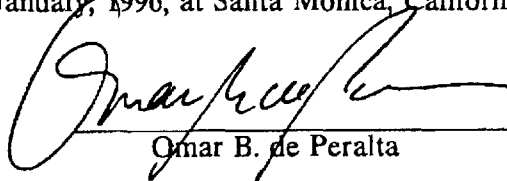
26 ☒

27 (State) I declare under penalty of perjury under the laws of the State
28 of California that the above is true and correct.

(Federal) ☐

I declare that I am employed in the office of a member of
the bar of this court at whose direction the service was made.

Executed on the 19th day of January, 1996, at Santa Monica, California.


Omar B. de Peralta

17340
DEFDOC/CERT