

design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- (a) A description of each such document.
- (b) The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Further objecting, the interrogatory is overly broad given the parameters and subject matter of this case. Further objecting, the information sought is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence as it relates to Dana. Subject to and without waiving objections, in February, 1969, less than eighteen months after acquiring the stock of Smith & Kanzler Company, Dana sold the stock of Smith & Kanzler Company to Philip Carey Corporation (Ohio) ("Carey (Ohio)"). At that time Smith & Kanzler Company's business records either remained with Smith & Kanzler Company or were passed to Carey (Ohio). Because Dana merely owned the stock of Smith & Kanzler Company for less than eighteen months and because Dana does not have possession of Smith & Kanzler Company's records, Dana does not have custody and control of documents, if any, sought by this interrogatory that were generated during or relate to the relevant time period described above.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- (a) The names of the products tested and the date of each test.
- (b) The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- (c) The results of the tests.

ANSWER:

See responses to Interrogatories 3 - 6, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not know whether before Smith & Kanzler