

**IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA**

CLYDE STANLEY PHILLIPS,)
individually and in his capacity as)
Executor of the Estate of CHRISTINNA)
PHILLIPS, Deceased,)

Plaintiff,)

v.)

GEORGIA-PACIFIC LLC, et al.,)

Defendants.)

CIVIL ACTION FILE

NO. 2012CV00804-5

**DEFENDANT HONEYWELL INTERNATIONAL INC.'S
RESPONSES TO PLAINTIFF'S FIRST REQUESTS
FOR PRODUCTION TO EACH NAMED DEFENDANT**

INTRODUCTORY STATEMENT

In 1983, Allied Corporation purchased The Bendix Corporation and on April 1, 1985, The Bendix Corporation was merged into Allied Corporation and ceased to exist as a legal entity. On September 30, 1987, Allied Corporation was merged into Allied Signal Inc. and ceased to exist as a legal entity. In 1989, Allied Signal Inc. was renamed Allied-Signal Inc. In 1993, Allied-Signal Inc. was renamed AlliedSignal Inc. On December 4, 1999, AlliedSignal Inc. merged with Honeywell Inc. and Honeywell Inc. ceased to exist as a legal entity. On December 4, 1999, AlliedSignal Inc. changed its name to Honeywell International Inc. ("Honeywell").

The Bendix Corporation was incorporated in the State of Delaware and maintained its principal place of business in the State of Michigan. Allied Corporation was incorporated in the State of New York and maintained its principal place of business in the State of New Jersey. AlliedSignal Inc. was incorporated in the State of Delaware and maintained its principal place of

business in the State of New Jersey. Honeywell is incorporated in the State of Delaware and maintains its principal place of business in the State of New Jersey.

Honeywell is the successor-in-interest to AlliedSignal Inc. which, in turn, was the successor-in-interest to The Bendix Corporation. Friction Materials LLC is the Honeywell subsidiary that continues the "Bendix" line of automotive friction products. Honeywell did not manufacture any asbestos-containing friction products in the United States after 2001. In 2009, Honeywell ceased manufacturing automotive friction products in the United States.

The Requests herein seek information for a period of 70 to 80 years. Individuals who may have had knowledge responsive to some of the Requests are, due to the passage of time, deceased, or have faded memories, or are otherwise no longer available to Honeywell. Consequently, and notwithstanding the best efforts of Honeywell, potentially responsive information may have been lost before the time litigation commenced. Honeywell has endeavored to obtain and record information from former employees of Honeywell, or its predecessors, if they were available to Honeywell through direct interviews and/or review of relevant deposition or trial testimony. In addition, Honeywell has searched its files for written or otherwise recorded materials that may contain information responsive to these Requests.

The responses to Plaintiff's Requests, therefore, are based upon: (a) information supplied by employees of The Bendix Corporation or documents in the possession of The Bendix Corporation through March 31, 1985; (b) information or documents acquired by or known to employees of the Automotive Sector of Allied Corporation from April 1, 1985, through September 29, 1987; (c) information or documents acquired by or known to employees of the Automotive Sector of AlliedSignal Inc. from September 30, 1987 to December 3, 1999; (d) information or documents acquired by or known to employees of Honeywell since December 4,

1999; and (e) deposition testimony of Mr. Joel Charm, Mr. Edward Koss and Mr. Eugene Rogers, former Bendix employees or Honeywell employees with knowledge of many of the issues raised by Plaintiff's Requests. Mr. Eugene Rogers is now deceased.

In these responses, "Honeywell" refers to: (a) The Bendix Corporation prior to April 1, 1985; (b) the Automotive Sector of Allied Corporation from April 1, 1985 to September 29, 1987; (c) the Automotive Sector of AlliedSignal Inc. from September 30, 1987 through December 4, 1999; and (d) the automotive friction materials business of Honeywell from December 4, 1999. As the context of particular questions may require, the automotive friction products manufactured by Honeywell and its predecessors will be described by reference to their registered trademark, "Bendix." Questions directed to matters of corporate identity (*e.g.*, state of incorporation, principal place of business, etc.) are answered as they apply to Honeywell.

RESPONSES TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce all documents and tangible things relied upon in answering Plaintiffs Interrogatories to Defendant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome and seeks work-product and/or information subject to the attorney-client privilege and attorney work-product doctrine. Furthermore, any requirement that Honeywell identify each document and paper reviewed in the context of this litigation is overly burdensome, expensive, oppressive and is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The information used in answering Plaintiffs' Interrogatories was assembled by authorized employees and counsel for Honeywell and was derived primarily from

an ongoing review of Honeywell's friction materials records and information located to date upon a reasonably diligent search.

REQUEST FOR PRODUCTION NO. 2:

Please produce all documents and tangible things requested to be identified in Plaintiff's Interrogatories to Defendant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

See Honeywell's objections and Response to Request for Production No. 1.

REQUEST FOR PRODUCTION NO. 3:

Please produce all documents and tangible things related to any meeting attended by any of Defendant's employees, former employees, or representatives that indicate any discussion, consideration, or information regarding asbestos. This Request for Production specifically seeks, but is not limited to: meeting agendas, minutes, notes or memoranda from any proceeding, symposium or conference, as well as from safety committees, purchasing committees or other groups within Defendant's organization.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Honeywell objects to this Request on the grounds that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Honeywell further objects to this Request on the grounds that it is overly broad and unduly burdensome since, among other things, it is not possible for Honeywell to identify every meeting ever attended by any of its employees, former employees, or representatives at any time where there was any discussion, consideration, or information regarding asbestos.

REQUEST FOR PRODUCTION NO. 4:

Please produce all documents and tangible things relating to Defendant's establishment of the medical, safety, and industrial hygiene departments. This Request for Production specifically seeks, but is not limited to, any policies, procedures or guidelines given to each such department by Defendant's management, and any programs, testing, or other actions taken by each such department regarding the hazards of asbestos or nuisance dust in general.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, see Honeywell's Response to Interrogatory No. 19.

REQUEST FOR PRODUCTION NO. 5:

Please produce all documents and tangible things relating to health or safety inspections of Defendant, by local, state or federal regulatory agencies. This Request for Production specifically seeks, but is not limited to: all documents and tangible things relating to any violations, citations, or warnings, and includes inspections for asbestos and other dust hazards, whether the inspections were of plants, distribution centers, contractors or sales-centers/dealerships

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, Honeywell has not received any violations, citations, or warnings regarding Bendix's asbestos-containing friction products.

REQUEST FOR PRODUCTION NO. 6:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant acquired any business entity which manufactured, mined, distributed, supplied, or sold asbestos-containing products.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the

discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, see Honeywell's Introductory Statement.

REQUEST FOR PRODUCTION NO. 7:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant was acquired by another entity.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Honeywell objects to this Request on the grounds that it is overly broad, vague, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and limited by these objections, Defendant Honeywell International Inc. has not been acquired by another entity, and therefore has no documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 8:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant agreed to assume tort liabilities of any third party which manufactured, mined, distributed, supplied, or sold asbestos-containing products.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Honeywell objects to this Request on the grounds that it is overly broad, vague, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 9:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant agreed to indemnify, defend or hold harmless the tort liabilities of any third party which manufactured, mined, distributed, supplied or sold asbestos-containing products.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Honeywell objects to this Request on the grounds that it is overly broad, vague, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 10:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant changed its name or form of business entity.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Honeywell objects to this Request on the grounds that it is overly broad, vague, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 11:

Please produce all documents and tangible things, received or obtained by Defendant that indicate that inhaled asbestos fibers can be hazardous to human or nonhuman health. This Request for Production specifically seeks, but is not limited to: all responsive books, articles, reports, pamphlets and manufacturer's instructions.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Honeywell objects to this Request on the grounds that it is overly broad, vague, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 12:

Please produce all documents and tangible things relating to the inventories of all Defendant's libraries, research repositories, or other archives that contain magazines, journals, books, publications or other documents related to asbestos, pneumoconiosis, or any other dust-related disease (including, but not limited to, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information etc.). This Request for Production specifically seeks, but is not limited to: all card catalogs, indices, holding lists, databases, other

record management systems, and subscription lists for periodicals such as: Journal of the American Medical Association, Industrial Medicine, Journal of Industrial Hygiene and Toxicology, National Safety News, Industrial Hygiene Foundation Digest, and Public Health Reports of the United States, as well as any Japanese or European Publications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, Honeywell did not maintain a library, research repositories or archives with documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 13:

Please produce all documents and tangible things containing information concerning the hazards of asbestos or nuisance dust in general that Defendant received at any time.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 14:

Please produce all documents and tangible things containing information concerning the hazards of asbestos or nuisance dust in general that Defendant published, distributed, or disseminated at any time.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the

discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 15:

Please produce all documents and tangible things created by any of Defendant's employees, former employees, or representatives at any time, that refer to any documents or tangible things responsive to the Request for Production immediately above.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

Honeywell objects to this Request on the ground that it is incomprehensible and, consequently, Honeywell is unable to respond to it as written.

REQUEST FOR PRODUCTION NO. 16:

Please produce all documents and tangible things relating to Defendant's document and record retention (and/or destruction) policies or procedures, including, but not limited to:

- a. any supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that refer to the stoppage, suspension or resumption of responsive policies or procedures; and
- b. policies or procedures regarding documents or records created, maintained, or stored by electronic, digital, optical and/or magnetic means (such as microfilm, microfiche, imaging, scanning, or storage on tapes, disks, CD or DVD-based media, databases, or on any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site).

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period.

REQUEST FOR PRODUCTION NO. 17:

Please produce all exhibits and demonstrative aids that Defendant plans to use at trial in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Honeywell will produce trial exhibits and demonstrative aids in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 18:

Please produce all documents and tangible things relating to communications between Defendant and any of its workers' compensation insurance carriers or any other insurance companies, made at any time, regarding asbestos-containing products, the hazards of asbestos or nuisance dust in general and any asbestos-related studies, analyses or testing conducted by any insurance carriers.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous, seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The events that occurred in plants during mass production of friction materials bear no equivalence to the conditions experienced by an individual handling finished automotive friction products in a vehicle maintenance setting. Specifically, the potential for exposure to chrysotile asbestos of individuals who work with or around finished asbestos-containing friction components in connection with vehicle maintenance activities is completely different than the potential for exposure of employees working in a friction materials plant, who may have worked in the vicinity of chrysotile asbestos fibers that had not yet been encapsulated in the resin binder matrix of a completed friction product.

REQUEST FOR PRODUCTION NO. 19:

Please produce copies of all affidavits, depositions, and trial transcripts of Defendant's employees, former employees, or representatives taken in any matter involving an alleged injury or claimed property damage, incurred at any time, due to asbestos. This Request for Production includes all affidavits, depositions, and trial relevant facts.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous, seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 20:

Please produce copies of all affidavits, depositions, and trial transcripts, in the possession of Defendant, of all experts Defendant intends to call at trial.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Honeywell will produce documents regarding its expert witnesses in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 21:

Please produce all documents and tangible things related to inventory, stock-on hand, warehousing, or other storage of asbestos or asbestos-containing products at any location owned, operated, or controlled by Defendant between 1960 and the present day.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 22:

Please produce all documents and tangible things that indicate Defendant's participation in, or funding of, any research regarding the health effects of asbestos exposure.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the

discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 23:

Please produce all documents and tangible things indicating any industrial hygiene advice, related to the hazards of asbestos that Defendant received from any insurance carrier at any time.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 24:

Please produce the personnel records of all witnesses listed in the disclosures that Defendant has made or will make in this case.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Witnesses will be disclosed in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 25:

Please produce all reports, writings (whether published or unpublished) and other documents and tangible things that were written, created and/or edited by any expert Defendant plans to call at trial, and that pertain, in any way, to the hazards of asbestos.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Honeywell will produce documents regarding its expert witnesses in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 26:

Please produce all documents and tangible things Defendant's counsel provided to any of Defendant's expert or fact witnesses as a result of the filing of this case.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Honeywell will produce documents regarding its expert witnesses in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 27:

Please produce all agreements between Defendant and any manufacturer of asbestos-containing products in which Defendant agreed to act on the manufacturer's behalf in representing, selling, or distributing the manufacturer's products.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 28:

Please produce all documents or tangible things that show in any way, how any asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time was to be altered or substantially changed after the product was sold or distributed and before reaching the consumer or user.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

Subject to and limited by these objections for the most part, Honeywell and its predecessors shipped friction materials to rebuilders, car manufacturers and original equipment assemblers. These intermediaries completed brake assemblies for sale or for use as a component

part. The friction materials shipped by Honeywell and its predecessors and used by intermediaries in this manner did not reach, nor were they expected to reach, a user or consumer without substantial change in the condition in which Honeywell and its predecessors originally sold them. In some instances, for some friction products, Honeywell and its predecessors produced complete brake assemblies for after-market sales. Brake mechanics that installed such new products would have used them in a condition substantially unchanged from when they were sold. However, owners and/or operators of vehicles and/or persons removing used brake shoes from vehicles would not have encountered Bendix brake assemblies in a condition unchanged from when they were sold.

REQUEST FOR PRODUCTION NO. 29:

Please produce all documents and tangible things that indicate, in any way, Defendant's knowledge or awareness of asbestos-free substitutes or alternatives for any product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant regardless of Defendant's belief of the viability of such substitutes or alternatives.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, see Honeywell's Response to Interrogatory No. 10.

REQUEST FOR PRODUCTION NO. 30:

Please produce all documents and tangible things relating to cost-risk analyses, cost-benefit analyses, or any other study, analysis, report, or document generated or obtained by Defendant at any time, that discusses the cost of abating, removing, replacing, or encapsulating asbestos or implementing any safeguards or engineering controls designed to protect persons from the hazards of asbestos or nuisance dust in general.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 31:

Please produce all documents and tangible things evidencing health surveys, epidemiological studies, environmental testing, air monitoring, or dust level counts conducted at any time by Defendant or at Defendant's request related to the use of Defendant's asbestos-containing products.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. The events that occurred in plants during mass production of friction materials bear no equivalence to the conditions experienced by an individual handling finished automotive friction products in a vehicle maintenance setting. Specifically, the potential for exposure to chrysotile asbestos of individuals who work with or around finished asbestos-containing friction components in connection with vehicle maintenance activities is completely different than the potential for exposure of employees working in a friction materials plant, who may have worked in the vicinity of chrysotile asbestos fibers that had not yet been encapsulated in the resin binder matrix of a completed friction product.

REQUEST FOR PRODUCTION NO. 32:

Please produce any and all documents identifying precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, exposure to, or the use of, Honeywell's asbestos-containing friction products did not, and does not, pose a health hazard. See Honeywell's Response to Interrogatory No. 5.

REQUEST FOR PRODUCTION NO. 33:

Please produce any and all advertisements, brochures, product manuals, or any other such documents relating to any asbestos containing product(s) manufactured, sold, or otherwise distributed by you.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

Honeywell objects to this Request on the grounds that it is overly broad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 34:

Please produce all documents and tangible things that indicate, in any way, each and every asbestos fiber supplier to this Defendant for any asbestos-containing product.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation. Subject to and limited by these objections, see Honeywell's Response to Interrogatory No. 2.

REQUEST FOR PRODUCTION NO. 35:

Please produce all documents and tangible things relating to Defendant's manufacture, marketing, making, research, sale, distribution, or patenting of any asbestos-containing product or other asbestos contaminant contained within your product. This Request for Production specifically seeks, but is not limited to: packaging, instructions, package inserts, warnings, advertisements, and records of safety or health testing for each such product.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 36:

Please produce all documents and tangible things that indicate, in any way, Defendant's arrangements with other entities to further distribute, market, package, label, or sell any asbestos-containing product. This request specifically seeks, but is not limited to, items such as contracts, "rebranding agreements," shipping documents, purchase orders, invoices, requisitions, and correspondence.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 37:

Please produce all documents and tangible things that indicate, in any way, how any asbestos-containing product was to be altered or substantially changed after the product was sold or distributed and before reaching the consumer or user.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

Honeywell objects to this Request on the grounds that it is overly broad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 38:

Please produce all documents and tangible things that indicate, in any way, the dust-creating potential of any asbestos-containing product manufactured, marketed, made, researched, sold, distributed, or patented by Defendant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 39:

Please produce all documents and tangible things that indicate, in any way, any research or discussion involving Defendant on the issue of degradation of asbestos into any substance Defendant maintains is not hazardous or is somehow less hazardous than asbestos. This Request for Production includes, but is not limited to, copies of all articles in Defendant's possession which would be responsive to the Interrogatory immediately above.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Honeywell objects to this Request on the ground that it is incomprehensible and, consequently, Honeywell is unable to respond to it as written.

REQUEST FOR PRODUCTION NO. 40:

Please produce all documents and tangible things that indicate, in any way, Defendant's knowledge or awareness of asbestos-free substitutes or alternatives for any product or component manufactured, marketed, made, researched, sold, distributed, or patented by Defendant regardless of Defendant's belief of the viability of such substitutes or alternatives.

RESPONSE TO REQUEST FOR PRODUCTION NO. 40:

Honeywell objects to this Request on the ground that it is virtually identical to and repetitive of Request For Production No. 29. Honeywell further objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 41:

Please produce all documents and tangible things relating to membership in or any asbestos-related communication with any trade or industry organization.

RESPONSE TO REQUEST FOR PRODUCTION NO. 41:

Honeywell objects to this Request on the grounds that it is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 42:

Please produce all documents and tangible things relating any medical or scientific consulting you have undertaken with outside experts or groups regarding the possible hazards of asbestos, including but not limited to all drafts, reports, tests, surveys, invoices, expert witnesses, and correspondence.

RESPONSE TO REQUEST FOR PRODUCTION NO. 42:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome and seeks work-product and/or information subject to the attorney-client privilege and attorney work-product doctrine. Subject to and limited by these objections, see Honeywell's Response to Request for Production No. 25.

REQUEST FOR PRODUCTION NO. 43:

Please produce all documents and tangible things relating to any asbestos-related illness suffered by any of your employees or contractors, including but not limited to workers' compensation claims of any kind, OSHA or other governmental communications and civil suits.

RESPONSE TO REQUEST FOR PRODUCTION NO. 43:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, Honeywell objects to this Request because it seeks information relating to workers' compensation claims, which is beyond the scope of discovery, inasmuch as claims made by current or former Honeywell employees are not, themselves, relevant, to any fact asserted in this case, nor is the existence of such claims or any details relating to them likely to lead to the discovery of admissible evidence in this case. Honeywell additionally objects to this Request to the extent it is not limited to workers' compensations claims asserted in the United States.

This Request seeks irrelevant information concerning lawsuits or other proceedings involving different persons, events and circumstances having no relationship to the facts of this case. The events that occurred in plants during mass production of friction materials bear no equivalence to the conditions experienced by an individual handling finished automotive friction products in a vehicle maintenance setting. Specifically, the potential for exposure to chrysotile asbestos of individuals who work with or around finished asbestos-containing friction components in connection with vehicle maintenance activities is completely different than the potential for exposure of employees working in a friction materials plant, who may have worked in the vicinity of chrysotile asbestos fibers that had not yet been encapsulated in the resin binder matrix of a completed friction product.

REQUEST FOR PRODUCTION NO. 44:

Please produce all documents or tangible things which show the presence or absence of Defendant's asbestos and/or asbestos-containing products at any worksites or locations identified in discovery where Plaintiff was present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 44:

Honeywell objects to this Request on the grounds that it is overly broad, unduly burdensome, vague, ambiguous, seeks proof of a negative, and seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period, job sites, geographic areas or friction products at issue in this litigation. Subject to and limited by these objections, upon Plaintiff's identification of a specific job site or sites at which Plaintiff claims exposure to Bendix asbestos-containing brakes and/or the specific supplier or suppliers of those brakes, Honeywell will search available sales records and customer lists for information and/or documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 45:

To the extent not previously answered in Plaintiffs Interrogatories, for each product identified by Plaintiff in written discovery responses or sworn testimony, please produce all documents and tangible things relating to cost-risk analyses, cost-benefit analyses, or any other study, analysis, report, or document generated or obtained by Defendant at any time, that discusses the cost of abating, removing, replacing, or encapsulating asbestos or implementing any safeguards or engineering controls designed to protect persons from the hazards of asbestos or nuisance dust in general.

RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

Honeywell objects to this Request on the ground that it is virtually identical to and repetitive of Request For Production No. 30. Honeywell further objects to this Request on the grounds that it is overly broad, vague, ambiguous and Seeks information that is neither relevant

nor reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period or friction products involved in this litigation.

REQUEST FOR PRODUCTION NO. 46:

Please produce any and all documents, including but not limited to, invoices, billing records, sales records, contracts, or any other like document that reflect the distribution of your product to any supply house, distributor or job site identified by Plaintiff in their Sworn Information Form, the testimony of Plaintiff or any product identification witness, discovery response or document produced by any entity in this action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

See Honeywell's objections and Response to Request for Production No. 44.

REQUEST FOR PRODUCTION NO. 47:

Please produce all documents, tangible things or items of evidence that you rely upon in asserting any claim of non-party fault in this action under the provisions of O.C.G.A. § 51-12-33.

RESPONSE TO REQUEST FOR PRODUCTION NO. 47:

Honeywell's notice of non-parties will be disclosed in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 48:

To the extent not previously answered in Plaintiff's Interrogatories, for each product identified by Plaintiff in written discovery responses or sworn testimony, please produce any and all documents identifying to precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

RESPONSE TO REQUEST FOR PRODUCTION NO. 48:

Honeywell objects to this Request on the ground that it is repetitive of Request For Production No. 32. Subject to and limited by these objections, exposure to, or the use of, Honeywell's asbestos-containing friction products did not, and does not, pose a health hazard. See Honeywell's Response to Interrogatory No. 5.

REQUEST FOR PRODUCTION NO. 49:

Please produce a copy of all written reports prepared by any expert that you expect to call as a witness at trial in this case.

RESPONSE TO REQUEST FOR PRODUCTION NO. 49:

Honeywell will produce documents regarding its expert witnesses in accordance with the Court's pretrial procedures, rules and requirements.

REQUEST FOR PRODUCTION NO. 50:

Please produce a copy of all invoices, billing, statements, checks or other proof of payment for all payments that this Defendant, or its lawyers, have ever made to each expert identified in response to Plaintiff's Interrogatory No. 13.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

Honeywell objects to this Request on the grounds that it is overly broad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and limited by these objections, Honeywell will produce documents regarding its expert witnesses in accordance with the Court's pretrial procedures, rules and requirements.

This 29th day of June, 2012.



HOLLY A. HEMPEL
Georgia Bar No. 345070
Attorney for Honeywell International Inc.

NELSON MULLINS RILEY & SCARBOROUGH LLP
201 17th Street NE, Suite 1700
Atlanta, Georgia 30363
(404) 322-6000

VERIFICATION

I, Jennifer Contegiacomo, being duly sworn, depose and state that I am an authorized agent of Honeywell International Inc. ("Honeywell"), and that I am verifying the foregoing Responses to Plaintiff's First Requests for Production for and on behalf of Honeywell as custodian of records; that I have no personal knowledge of the matters set forth therein; that I supervised the compilation of the information on which these specific Responses are based; and that the facts stated therein are based on and accurately reflect the documents and information assembled on a cumulative basis by authorized employees, agents, and counsel of Honeywell over a period of years.


JENNIFER CONTEGIACOMO

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 26TH DAY OF JUNE, 2012.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

8/6/2015

YELENA BEKKER
NOTARY PUBLIC-STATE OF NEW YORK
No. 02BE6172079
Qualified in Kings County
My Commission Expires August 06, 2015

**IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA**

CLYDE STANLEY PHILLIPS,
individually and in his capacity as
Executor of the Estate of CHRISTINNA
PHILLIPS, Deceased,

Plaintiff,

v.

GEORGIA-PACIFIC LLC, et al.,

Defendants.

CIVIL ACTION FILE

NO. 2012CV00804-5

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the within and foregoing **Defendant Honeywell International Inc.'s Responses to Plaintiff's First Requests for Production to Each Named Defendant** via electronic mail, with an offer to send by First-Class Mail, to Plaintiff's counsel listed below and to all known defense counsel of record in this matter:

Robert C. Buck
Buck Law Firm
Suite 940
1050 Crown Point Parkway
Atlanta, Georgia 30338

This 29th day of June, 2012.



HOLLY A. HEMPEL
Georgia Bar No. 345070
Attorney for Honeywell International Inc.

NELSON MULLINS RILEY & SCARBOROUGH LLP
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