

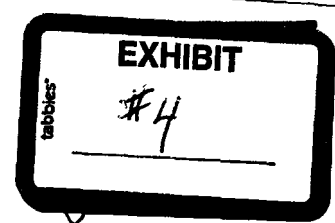
FILE NAME: American Cyanamid (AMCY)

DATE: 1998

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DOCUMENT DESCRIPTION: Legal - Response to Interrogatories

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10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO

13 IN RE: COMPLEX ASBESTOS) CASE NO. 967546
14 LITIGATION)
15)
16) DEFENDANT AMERICAN CYANAMID
17) COMPANY'S RESPONSE TO STANDARD
18) INTERROGATORIES TO ALL
19) DEFENDANTS

20 American Cyanamid Company ("Cyanamid") responds to the Standard Interrogatories
21 to all Defendants pursuant to San Francisco Revised General Order No. 129, as follows:

22 PRELIMINARY STATEMENT

23 After reasonable search and diligent inquiry, defendant has made a good faith effort to
24 respond to these interrogatories based on information presently available. Defendant reserves
25 the right to amend these interrogatory answers at any time additional information become
26 available in the future.

27 INTERROGATORY NO. 1:

28 IDENTIFY the person verifying these answers on YOUR behalf.

RESPONSE:

Timothy T. Slater, Esq., who may be contacted through counsel for Cyanamid.

INTERROGATORY NO. 2:

State the date of first employment with YOU, and the dates and titles of each job

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ss.:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 333 S. Grand Avenue, Suite 3400, Los Angeles, California 90071-3193.

On October 16, 1998, I served on interested parties in said action the within:

**DEFENDANT AMERICAN CYANAMID COMPANY'S FURTHER
RESPONSE TO CERTAIN STANDARD INTERROGATORIES TO ALL
DEFENDANTS**

by placing a true copy thereof enclosed in sealed envelope(s) addressed as stated below:

Francine Curtis, Esq.
Brayton Harley Curtis
222 Rush Landing Road
P.O. Box 2109
Novato, California 94948

Berry & Berry
Station D
P.O. Box 70250
Oakland, California 94612-0250

and depositing such envelope(s) in this firm's pick-up box for collection and mailing by placing them in a postal box in my work area.

I am "readily familiar" with this firm's practice of collection and processing correspondence, pleadings and other documents for mailing. Under that practice such papers are deposited in the U.S. postal service on that same day I place them in the postal box in my work area in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than 1 day after the stated date of deposit for mailing set forth in an affidavit for proof of service.

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

Executed on the 16th day of October, 1998, at Los Angeles, California.

Teri French
Teri French

1 position the person verifying these interrogatories has held while employed by YOU.

2 **RESPONSE:**

3 On or about November 22, 1994, Timothy Slater was given the assignment of
4 Assistant Secretary to American Cyanamid Company.

5 **INTERROGATORY NO. 3:**

6 State whether or not YOU are a corporation, and if so, state:

7 A. YOUR correct corporate name;

8 B. YOUR state of incorporation;

9 C. The date of YOUR incorporation;

10 D. The address of YOUR principal place of business;

11 E. Whether or not YOU have ever held a certificate of authority to do business in
12 the State of California, and if so, the inclusive dates of any certificate;

13 F. If YOU are wholly owned or the majority interest of YOUR company is owned
14 by another business entity, state the entity's name and principal place of business;

15 G. Whether YOU have any business offices in California, and, if so, YOUR
16 principal place of business in California.

17 **RESPONSE:**

18 Yes.

19 A. American Cyanamid Company

20 B. Maine

21 C. 1907

22 D. Five Giralda Farms

23 Madison, New Jersey

24 E. Authorized to do business in California on March 6, 1940

25 F. American Home Products

26 Five Giralda Farms

27 Madison, New Jersey

28 G. With respect to the subject time frame, no.

1 **INTERROGATORY NO. 4:**

2 Have YOU ever been identified, known, or done business under any other name in the
3 State of California?

4 **RESPONSE:**

5 With respect to the subject time frame, no.

6 **INTERROGATORY NO. 5:**

7 If your answer to Interrogatory No. 4 is in the affirmative, please state such name or
8 names and the time period during which THIS DEFENDANT was so known or identified.

9 **RESPONSE:**

10 Not applicable.

11 **INTERROGATORY NO. 6:**

12 If YOU are not a corporation, what is YOUR business structure (partnership, joint
13 venture, sole proprietorship, etc.).

14 **RESPONSE:**

15 Defendant is a corporation.

16 **INTERROGATORY NO. 7:**

17 If YOU are not a corporation, please IDENTIFY all persons or other entities with an
18 ownership interest in YOU.

19 **RESPONSE:**

20 Defendant is a corporation.

21 **INTERROGATORY NO. 8:**

22 If you are not a corporation, please state the following:

23 A. The address where the HISTORICAL RECORDS of THIS DEFENDANT are
24 currently located; and

25 B. The name, job title and current address of the Custodian for THIS
26 DEFENDANT'S HISTORICAL RECORDS.

27 As used herein, "HISTORICAL RECORDS" shall include all DOCUMENTS relating
28 to the formation of THIS DEFENDANT, all minutes of partners', general partners', or other

1 owners' meetings, and all DOCUMENTS relating to THIS DEFENDANT'S merger with,
2 acquisition of or purchase, or sale of or by any other COMPANY.

3 **RESPONSE:**

4 Defendant is a corporation.

5 **INTERROGATORY NO. 9:**

6 IDENTIFY YOUR custodian of Business Records.

7 **RESPONSE:**

8 Timothy Slater, Esq., Assistant Secretary for Cyanamid may be contacted through
9 counsel for Cyanamid.

10 **INTERROGATORY NO. 10:**

11 IDENTIFY the person or persons most knowledgeable about:

12 A. YOUR acquisition of RAW ASBESTOS and/or ASBESTOS-CONTAINING
13 PRODUCTS;

14 B. YOUR use of RAW ASBESTOS and/or ASBESTOS-CONTAINING
15 PRODUCTS;

16 C. YOUR contracting with others to do work involving use or handling of RAW
17 ASBESTOS or ASBESTOS-CONTAINING PRODUCTS.

18 **RESPONSE:**

19 A. Robert Stevens of Cytec Engineered Materials, Inc., who may be contacted
20 through counsel for Cyanamid.

21 B. Robert Stevens of Cytec Engineered Materials, Inc., who may be contacted
22 through counsel for Cyanamid.

23 C. Cyanamid did not contract with others to "use or handle" the asbestos in their
24 manufacture of asbestos-containing products.

25 **INTERROGATORY NO. 11:**

26 For DEFENDANTS involved in the MARKETING of ASBESTOS-CONTAINING
27 PRODUCTS, state the IDENTITY of physicians, medical directors and/or industrial
28 hygienists employed by YOU during the time frame or prior to the time YOU discontinued

1 the market of such products. All other DEFENDANTS need only respond as to medical
2 directors and/or industrial hygienists or physicians employed in the area of employee health
3 and safety. PREMISES owners and domestic corporations need only respond as to the United
4 States.

5 **RESPONSE:**

6 Richard J. Leswing, Desmond B. Pearce, Joseph C. Caporossi, Willard R. Karn,
7 Michael Utidjian, Nick Yin and Lisa Westenberger, all of whom may be contacted through
8 counsel for Cyanamid.

9 **INTERROGATORY NO. 12:**

10 Has any employee of THIS DEFENDANT testified by deposition or at trial on behalf
11 of THIS DEFENDANT in a third-party case, in which THIS DEFENDANT was a party,
12 wherein the plaintiff has alleged an asbestos-related injury? If so, for each such third-party
13 case (except that Premises Defendants and Contractor Defendants need answer only with
14 respect to cases relating to sites within the GEOGRAPHIC AREA) please state:

- 15 A. The caption and case number;
16 B. The court filing including state and county;
17 C. The date of deposition or trial testimony;
18 D. The name and address of plaintiffs' counsel of record;
19 E. The name and address of the court reporter.

20 **RESPONSE:**

- 21 12. A. Dr. Richard Leswing;
22 B. Buechler v. H.W. Porter, et al., Case No.: L-28448-80
23 C. New Jersey;
24 D. January 27, 1982;
25 E. Unknown.
26 F. Seymore Schulman, 10 Gurley Road, Nixon, New Jersey 08817.
27 12. A. Dr. Richard Leswing;
28 B. Case No.: L-25364-91

- 1 C. New Jersey;
2 D. November 22, 1982;
3 E. Unknown.
4 F. Middlesex Reporting, 11 River Drive, Marlboro, New Jersey 07746.
5 12. A. Mr. Bernard Goodwin;
6 B. Buechler v. H.W. Porter, et al., Case No.: L-28448-80
7 C. New Jersey;
8 D. April 18, 1982;
9 E. Unknown.
10 F. Cittone Associates, 1697 Oak Tree Road, Edison, New Jersey 08820.
11 12. A. Daras Knowlton;
12 B. Bartushak v. American Cyanamid, et al., Case No.: L-2834-81
13 C. New Jersey;
14 D. June 14, 1984;
15 E. Unknown.
16 F. Middlesex Reporting, 11 River Drive, Marlboro, New Jersey 07746.
17 12. A. Robert Hollender;
18 B. Bartushak v. American Cyanamid, et al., Case No.: L-2834-81
19 C. New Jersey;
20 D. June 14, 1984;
21 E. Unknown.
22 F. Middlesex Reporting, 11 River Drive, Marlboro, New Jersey 07746.
23 12. A. Floyd H. Powell;
24 B. Buechler v. H.W. Porter, et al., Case No.: L-28448-80
25 C. New Jersey;
26 D. March 8, 1982;
27 E. Unknown.
28 F. Cittone Associates, 1697 Oak Tree Road, Edison, New Jersey 08820.

12. A. Desmond B. Pearce;
B. Hovan v. American Cyanamid, et al., Case No.: L-28448-80
C. New Jersey;
D. April 18, 1983;
E. Unknown.
F. Cittone Associates, 1697 Oak Tree Road, Edison, New Jersey 08820.

INTERROGATORY NO. 13:

For each of the following, please state whether, at any time within the time frame or until such time as any defendant which had been engaged in MARKETING RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS discontinued the MARKETING of such products, THIS DEFENDANT was a member or paid dues for any representative of THIS DEFENDANT (excluding faculty members of educational institutes) to be a member of the following:

- A. American Conference of Governmental Industrial Hygienists;
B. American Industrial Hygiene Association;
C. American Petroleum Institute;
D. American Railroad Association;
E. Asbestos Cement Producers Association;
F. Asbestos Information Association (AIA) (please answer through date of your answers);
G. Asbestos Information Association/North America (AIA/NA) (please answer through date of your answers);
H. Asbestos Textile Institute (ATI);
I. Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF);
J. Industrial Mineral Insulation Manufacturers Institute;
K. Magnesia Insulation Manufacturers' Association;
L. Magnesia Silica Insulation Manufacturers Association;
M. Mineral Wood Institute;

- 1 N. National Insulation Manufacturers Association (NIMA);
2 O. National Safety Council;
3 P. New York Academy of Sciences;
4 Q. Quebec Asbestos Mining Association (QAMA);
5 R. Refractories Institute;
6 S. Safe Building Alliance (please answer through date of your answers);
7 T. Thermal Insulation Manufacturers Association (TIMA);
8 U. U.S. Maritime Commission;
9 V. IDENTIFY any other organizations, associations or groups of manufacturers,
10 miners, distributors, importers, labelers, suppliers, and/or sellers of ASBESTOS-
11 CONTAINING PRODUCTS of which THIS DEFENDANT was a member;
12 W. IDENTIFY any such representative of THIS DEFENDANT.

13 **RESPONSE:**

14 Based upon a reasonable inquiry and diligent search, defendant responds as follows:

- 15 A. American Conference of Governmental Industrial Hygienists -- No.
16 B. American Industrial Hygiene Association -- Yes.
17 C. American Petroleum Institute -- No.
18 D. American Railroad Association -- No.
19 E. Asbestos Cement Producers Association -- No.
20 F. Asbestos Information Association (AIA) -- No.
21 G. Asbestos Information Association/North America (AIA/NA) -- No.
22 H. Asbestos Textile Institute (ATI) -- No.
23 I. Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF) -- No.
24 J. Industrial Mineral Insulation Manufacturers Institute -- No.
25 K. Magnesia Insulation Manufacturers' Association -- No.
26 L. Magnesia Silica Insulation Manufacturers Association -- No.
27 M. Mineral Wood Institute -- No.
28 N. National Insulation Manufacturers Association (NIMA) -- No.

- 1 O. National Safety Council -- Yes.
2 P. New York Academy of Sciences -- Yes.
3 Q. Quebec Asbestos Mining Association (QAMA) -- No.
4 R. Refractories Institute -- No.
5 S. Safe Building Alliance -- No.
6 T. Thermal Insulation Manufacturers Association (TIMA) -- No.
7 U. U.S. Maritime Commission -- No.
8 V. Defendant is unaware of any other such memberships responsive to this
9 category.
10 W. Based upon defendant's understanding of the term "representative", defendant
11 responds as follows: None.

12 **INTERROGATORY NO. 14:**

13 For each organization, association or other entity identified in YOUR respond to
14 Interrogatory No. 13, please state:

- 15 A. The dates during which THIS DEFENDANT was a member;
16 B. The name(s) of any publication(s) received by THIS DEFENDANT from such
17 association or organization;
18 C. The name of any committee or subcommittee of which THIS DEFENDANT
19 was a member, and the dates of such committee or subcommittee membership.

20 **RESPONSE:**

21 Upon a reasonable and good faith effort to obtain the requested information in order to
22 respond to this interrogatory, defendant states that it is unable to respond to the extent that
23 this interrogatory seeks information dating back to 1930. The only information reasonably
24 available to defendant dates back to 1965.

25 Subject to the above limitations and objections, this responding party states as follows:

- 26 A. National Safety Council 1988-1991
27 American Industrial Hygiene Association from 1965
28

1 New York Academy of Sciences 1991

2 B. Upon a reasonable and good faith effort to obtain the requested information,
3 defendant states that it does not maintain any record of any publications it may
4 have received. Based upon available information, this defendant states as
5 follows: "Recommended Procedures for Sampling and Counting Asbestos
6 Fibers" from the American Industrial Hygiene Association; "Recent Advances
7 in Odor", Annals of the New York Academy of Sciences, V 116, Art. 2, p.
8 357-746, July 30, 1964; Recombinant DNA Technology I", Annals of the New
9 York Academy of Sciences, V 646, December 27, 1991; "Macromolecular
10 Structure and Specificity", Annals of the New York Academy of Sciences, V
11 439, 1985, Missing - not found, "Accident Prevention Manual for Industrial
12 Operations", 2nd ed. 1951, "Supervisors Safety Manual", 3rd ed. 1967,
13 "Accident Prevention Manual for Industrial Operations", 6th ed. 1951,
14 "Company Product Safety and Product Loss Prevention Program - Guidelines
15 of Management", 1967.

16 C. Not applicable.

17 **INTERROGATORY NO. 15:**

18 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS containing results
19 or conclusions of any studies and/or tests conducted by Bonsib for Standard Oil of New
20 Jersey relating to asbestos exposure in the work place or the human health consequences of
21 exposure to asbestos? If so:

22 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
23 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
24 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
25 they may be made the subject of a request for production of documents.

26 B. State the date upon which THIS DEFENDANT first received such
27 DOCUMENTS;

28 C. State the IDENTITY of the custodian of such DOCUMENTS;

1 D. This interrogatory does not apply to DOCUMENTS contained in a library
2 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the
3 general public.

4 **RESPONSE:**

5 In an effort to respond to this interrogatory, defendant conducted a reasonable and
6 good faith search. Based upon that search, defendant responds as follows: No, discovery is
7 continuing.

8 **INTERROGATORY NO. 16:**

9 Had THIS DEFENDANT prior to 1973 received a copy or any portion of any studies
10 and/or tests conducted by any insurance company, including but not limited to Metropolitan
11 Life Insurance Company and Aetna Insurance relating to asbestos exposure in the work place
12 or the human health consequences of exposure to asbestos? If so:

13 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
14 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
15 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
16 they may be made the subject of a request for production of documents;

17 B. State the date upon which THIS DEFENDANT first received such
18 DOCUMENTS;

19 C. State the IDENTITY of the custodian of such DOCUMENTS;

20 D. This interrogatory does not apply to DOCUMENTS contained in a library
21 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the
22 general public.

23 **RESPONSE:**

24 In an effort to respond to this interrogatory, defendant conducted a reasonable and
25 good faith search. Based upon the search conducted to date, defendant responds as follows:
26 No, discovery is continuing.

27 **INTERROGATORY NO. 17:**

28 Had THIS DEFENDANT prior to 1973 received any DOCUMENT'S containing

1 results or conclusions of any studies and/or tests conducted by any laboratory, including but
2 not limited to, the Saranac Laboratory relating to asbestos exposure in the work place or the
3 human health consequences of exposure to asbestos? If so:

4 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
5 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
6 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
7 they may be made the subject of a request for production of documents;

8 B. State the date upon which THIS DEFENDANT first received such
9 DOCUMENTS;

10 C. State the IDENTITY of the custodian of such DOCUMENTS.

11 D. This interrogatory does not apply to DOCUMENTS contained in a library
12 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the
13 general public

14 RESPONSE:

15 In an effort to respond to this interrogatory, defendant conducted a reasonable and
16 good faith search. Based upon the search conducted to date, defendant responds as follows:
17 Unknown. Discovery is continuing.

18 INTERROGATORY NO. 18:

19 Had THIS DEFENDANT (except for a defendant that is an educational institution)
20 prior to 1973 ever maintained a library (or libraries) which contained books, articles,
21 periodicals, journals, and/or reference materials that related to the subjects of asbestos,
22 industrial hygiene, medicine, safety and/or occupational disease. If so, state:

23 A. The date each such library was established;

24 B. The location of each such library;

25 C. The IDENTITY of each librarian or other person in charge of such library.

1 **RESPONSE:**

2 Defendant responds as follows: Yes. Defendant has maintained libraries. However,
3 the precise materials contained therein and whether they relate to the above-referenced
4 subjects are unknown.

5 A. Various dates;

6 B. Pearl River, New York; Stamford, Connecticut; Wayne, New Jersey; New
7 York, New York; Princeton, New Jersey; Bound Brook, New Jersey.

8 C. Dr. Layne Johnson (Pearl River, New York); Ms. Martha Reiter (Stamford,
9 Connecticut); Ms. Marie Sparks (last librarian at Wayne, New Jersey); Unknown (New
10 York); Dr. David Saari (Princeton, New Jersey); Ms. Joan Gallagher (through 1982 at Bound
11 Brook, New Jersey).

12 **INTERROGATORY NO. 19:**

13 With the exception of OSHA compliance, had THIS DEFENDANT (except for a
14 defendant that is an educational institution) prior to 1980 exchanged DOCUMENTS or
15 communicated with any person or other COMPANY expressly regarding the results of tests
16 and/or studies relating to asbestos exposure in the work place or the human health
17 consequences of exposure to asbestos? If so, state:

18 A. Each person or COMPANY with whom the information was exchanged or to
19 whom it was communicated;

20 B. The date(s) of any such exchanges or communications;

21 C. The IDENTITY of the custodian of such DOCUMENTS.

22 **RESPONSE:**

23 No.

24 **INTERROGATORY NO. 20:**

25 Has any employee or designee of THIS DEFENDANT testified as a representative of
26 THIS DEFENDANT before the Occupational Safety and Health Administration, the National
27 Institute of Occupational Safety and Health, or any committee or subcommittee of the United
28

1 ~~State~~ Congress relating to asbestos exposure in the work place or the human health
2 consequences of exposure to asbestos? If so, please state:

- 3 A. The entity before whom such testimony was given;
4 B. The date(s) and location(s) of such testimony;
5 C. The IDENTITY of the individual(s) who so testified;
6 D. Whether any DOCUMENTS were presented to the entity before which
7 testimony was given;
8 E. Whether copies of DOCUMENTS presented were retained by THIS
9 DEFENDANT and, if so, state the IDENTITY of the custodian of such DOCUMENTS.

10 RESPONSE:

11 No.

12 INTERROGATORY NO. 21:

13 Has THIS DEFENDANT (except for a defendant that is an educational institution)
14 conducted, or caused to be conducted, tests, and/or studies of ambient asbestos dust created
15 during the manufacture, processing and/or assembling for sale of ASBESTOS-CONTAINING
16 PRODUCTS? If so, state:

- 17 A. Each manufacturing facility, including location and address, at which any such
18 test and/or study was conducted;
19 B. The date of each such test and/or study;
20 C. The individual(s) or entity conducting each such test and/or study;
21 D. Whether THIS DEFENDANT has any DOCUMENTS containing the results
22 and/or conclusions of each such study;
23 E. The IDENTITY of the custodian of such DOCUMENTS.

24 RESPONSE:

25 No.

26 INTERROGATORY NO. 22:

27 Has THIS DEFENDANT (except for a defendant that is an educational institution)
28 conducted, or caused to be conducted, any tests and/or studies on ambient asbestos dust levels

1 at any location or job site where ASBESTOS-CONTAINING PRODUCTS were installed,
2 utilized or removed? If so, for the first 5 tests and/or studies, state:

3 A. The location, including name and address, at which each such test and/or study
4 was conducted;

5 B. The individual(s) or entity conducting each such test and/or study;

6 C. The date of each such test and/or study.

7 D. Whether THIS DEFENDANT has any DOCUMENTS containing the results
8 and/or conclusions of each such test and/or study;

9 E. The IDENTITY of the custodian of such DOCUMENTS.

10 **RESPONSE:**

11 Based upon a diligent search and reasonable inquiry, including inquiry to other
12 persons, in an effort to respond to this interrogatory, defendant responds as follows:

13 (a) Havre de Grace, Maryland;

14 (b) Fred W. Farwell, D.W. Davis, B. Wilcox, John A. Reffner, and C. Garland;

15 (c) Farwell, 8/23/72; Davis, 4/25/74; Wilcox, 7/27/78, JAR, 5/18/79; Garland,
16 7/15/80

17 (d) Yes, to some extent.

18 (e) Dickson, Carlson & Campillo.

19 **INTERROGATORY NO. 23:**

20 Did THIS DEFENDANT (except for a defendant that is an educational institution)
21 have any laboratory or other similar type of facility anywhere in the United States at which
22 it conducted, or caused to be conducted, any tests and/or studies of ASBESTOS-
23 CONTAINING PRODUCTS or RAW ASBESTOS relating to the health consequences of
24 asbestos or the dust generated by any use of asbestos or ASBESTOS-CONTAINING
25 PRODUCTS. If so, state:

26 A. The location, including name and address, at which each test and/or study was
27 conducted;

28 B. The individual(s) or entity conducting each such test and/or study;

1 C. The date of each such test and/or study;

2 D. Whether THIS DOCUMENT has any DOCUMENTS containing the results
3 and/or conclusions of each such test and/or study;

4 E. The IDENTITY of the custodian of such DOCUMENTS.

5 **RESPONSE:**

6 Based upon a diligent search and reasonable inquiry, defendant responds that it is
7 unaware of any such studies relating to the health consequences of asbestos.

8 **INTERROGATORY NO. 24:**

9 Has THIS DEFENDANT made available to its employees a medical examination
10 program to determine the absence or presence of asbestos-related disease? If so, state:

11 A. Whether chest x-rays or pulmonary function tests were part of such program(s);

12 B. Whether participation in any such program was a mandatory condition of
13 employment or was voluntary;

14 C. Whether THIS DEFENDANT has DOCUMENTS of such program(s);

15 D. The IDENTITY of the custodian of such DOCUMENTS.

16 **RESPONSE:**

17 No. However, defendant's corporate policy required physical examinations for pre-
18 employment. Also, annual and bi-annual physical examinations and chest x-rays were
19 recommended. Defendant's policy is set forth in a Cyanamid general order dated March 5,
20 1969, a copy of which is maintained by Cyanamid's counsel.

21 **INTERROGATORY NO. 25:**

22 Prior to 1973, did any person file a Workers' Compensation claim for asbestos-related
23 injury against THIS DEFENDANT or against any Workers' Compensation insurance carrier
24 which provided coverage for THIS DEFENDANT? If so, state the total number of such
25 claims and, for the first 20 such claims state:

26 A. The date of such claim;

27 B. The name of the claimant;

28 C. The case number;

1 D. The court in which the claim was filed;

2 E. The IDENTITY of THIS DEFENDANT's custodian of DOCUMENTS
3 evidencing such claims.

4 **RESPONSE:**

5 Upon a diligent search and reasonable inquiry, defendant states that it has no records
6 of any such claim prior to 1973.

7 **INTERROGATORY NO. 26:**

8 Does THIS DEFENDANT have insurance available to cover judgment(s) entered
9 against it in asbestos-related personal injury lawsuits? If so, state:

10 A. The name and principal place of business of any insurance carrier who has
11 issued such policy of insurance;

12 B. The number and effective date of each policy;

13 C. The amount(s) of coverage of each policy;

14 D. The applicable dates of coverage.

15 **RESPONSE:**

16 Defendant has previously produced a voluminous and detailed summary of its
17 insurance coverage from 1955 to 1986. Defendant further states that based upon a diligent
18 search and reasonable inquiry, in an effort to respond to this interrogatory, defendant
19 determined that records no longer exist with respect to American Cyanamid's insurance .
20 coverage from 1930 to 1954, and therefore defendant has no information that would enable
21 defendant to respond.

22 **INTERROGATORY NO. 27:**

23 State whether YOU have controlled, purchased, or in any way acquired any controlling
24 interest in any corporation or business entity which has mined, manufactured, produced,
25 processed, compounded, sold, supplied, distributed and/or otherwise placed RAW ASBESTOS
26 or ASBESTOS-CONTAINING PRODUCTS in the stream of commerce. If so, state:

27 A. The name and address of said corporation or business entity;

28 B. The dates YOU controlled, purchased or acquired any interest; and

1 C. The nature of the business as it pertains to asbestos.

2 **RESPONSE:**

3 A. Bloomingdale Rubber Company, Havre de Grace, Maryland; BASF plant,
4 Anaheim, California

5 B. May 17, 1963; July 9, 1993;

6 C. Aerospace industry.

7 **INTERROGATORY NO. 28:**

8 State whether THIS DEFENDANT, between 1930 and 1985, has ever engaged in the
9 following activities with regard to RAW ASBESTOS, and if so, state the inclusive dates of
10 such activity;

11 A. Mining;

12 B. Milling;

13 C. Supply;

14 D. Importing;

15 E. Processing;

16 F. Distribution;

17 G. Marketing;

18 H. Sale;

19 I. Brokering.

20 **RESPONSE:**

21 No.

22 **INTERROGATORY NO. 29:**

23 If YOUR answer to any of subparts of Interrogatory 28 regarding RAW ASBESTOS is
24 in the affirmative, state:

25 A. The trade, brand name, and/or generic name of such RAW ASBESTOS milled
26 or MARKETING in any form or quantity between 1930 and 1985;

27 B. The date(s) such RAW ASBESTOS was first placed on the market, including
28 the date(s) such RAW ASBESTOS was first marketed:

1. On an experimental basis;
 2. On a test basis;
 3. For sale;
- C. The date(s) such RAW ASBESTOS:
1. Ceased to be produced; or
 2. Was recalled from the market, if ever.
- D. A description of the chemical composition of such RAW ASBESTOS, including the type and/or grade of asbestos;
- E. A description of the physical appearance and nature of such RAW ASBESTOS, including any color coding, distinctive marking and/or logo on the packaging or container;
- F. A detailed description of the intended use of such RAW ASBESTOS, including any temperature limits for each such use;
- G. Whether such RAW ASBESTOS was on the U.S. Government's "Qualified Products List," and if so, the inclusive dates it was on such list;
- H. IDENTIFY to whom such RAW ASBESTOS has, at any time, been sold. As to each such, state:
- I. Whether any of THIS DEFENDANT's RAW ASBESTOS has, at any time, been sold, shipped, or otherwise distributed, used on installed to or at any COMPANY (including power company or utility), governmental agency or entity, shipyard, distributor, refinery, contractor, supplier, PREMISE owner or occupant, ship owner, or other PREMISE or site in the GEOGRAPHIC AREA and whether any of THIS DEFENDANT's RAW ASBESTOS has at any time, been sold to any manufacturer, or manufacturing facility, of ASBESTOS-CONTAINING PRODUCTS. If so, state:
 1. The names of each such COMPANY, governmental agency or entity, shipyard, distributor, supplier, manufacturer or refinery;
 2. The inclusive dates of each such sale, and the amount (quantity) and the trade brand name of such RAW ASBESTOS sold;
 3. The manner of shipment (e.g., boat, rail, etc.);

1 4. Whether you have any records indicating any such sale or shipm
2 if so, the name, address and job classification of each person who currently has possession of
3 such records;

4 5. Either (1) attach all DOCUMENTS evidencing the information sought in
5 this Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
6 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
7 they may be made the subject of a request for production of documents.

8 **RESPONSE:**

9 Not applicable.

10 **INTERROGATORY NO. 30:**

11 Between 1930 and 1985, did YOU ever engage in any of the activities listed below
12 with regard to ASBESTOS-CONTAINING PRODUCTS? If so, state the inclusive dates of
13 such activity:

- 14 A. Supply;
- 15 B. Importing;
- 16 C. Distribution;
- 17 D. Marketing;
- 18 E. Sale;
- 19 F. Labeling;
- 20 G. Manufacturing;
- 21 H. Brokering.

22 **RESPONSE:**

- 23 A. Yes; beginning in 1963.
- 24 B. No.
- 25 C. Yes; beginning in 1963.
- 26 D. Yes; beginning in 1963.
- 27 E. Yes; beginning in 1963.
- 28 F. Yes; beginning in 1963.

1 G. Yes; beginning in 1963.

2 H. No.

3 INTERROGATORY NO. 31:

4 If your answer to any subpart of Interrogatory No. 31 regarding "ASBESTOS-
5 CONTAINING PRODUCTS" is in the affirmative, state:

6 A. The trade, brand name, and/or generic name of each such ASBESTOS-
7 CONTAINING PRODUCT MARKETED in any form or quantity between 1930 and 1985;

8 B. The date(s) each such ASBESTOS-CONTAINING PRODUCT was first placed
9 on the market, including the date(s) each such ASBESTOS-CONTAINING PRODUCT was
10 first MARKETED:

11 1. On an experimental basis;

12 2. On a test basis; or

13 3. For sale.

14 C. The date(s) each such ASBESTOS-CONTAINING PRODUCT:

15 1. Ceased to be produced; or

16 2. Was recalled from the market, if ever.

17 D. A detailed description of the chemical composition of each such ASBESTOS-
18 CONTAINING PRODUCT, including the type and/or grade of asbestos and/or asbestos fiber
19 contained in each such product and the quantitative percentage of asbestos or asbestos fiber in
20 each such product, and all non-asbestos components of the ASBESTOS-CONTAINING
21 PRODUCT, and if the chemical composition changed over time, the inclusive dates of each
22 formulation;

23 E. A description of the physical appearance and nature of each such
24 ASBESTOS-CONTAINING PRODUCT, including any color coding, distinctive marking
25 and/or logo, either on the product or on the packaging;

26 F. A detailed description of the intended use of each such ASBESTOS-
27 CONTAINING PRODUCT, including any temperature limits for each such use;

28 G. Whether any such ASBESTOS-CONTAINING PRODUCT was on the U.S.

1 Government's "Qualified Products List," and if so, the inclusive dates it was on such list;

2 H. The name and address of the supplier of the RAW ASBESTOS used in each
3 such product and the time period of such supply;.

4 I. Whether any of THIS DEFENDANT'S RAW ASBESTOS OR ASBESTOS-
5 CONTAINING PRODUCTS have, at any time, been sold, shipped, or otherwise distributed
6 to any COMPANY (including power company or utility), governmental agency or entity,
7 shipyard, distributor, refinery, contractor, supplier, manufacturer, PREMISE owner or
8 occupant, ship owner, or other PREMISE or site in the GEOGRAPHIC AREA. If so, state:

9 1. The names of each such COMPANY, governmental agency or entity,
10 shipyard, distributor, supplier, manufacturer, refinery, contractor, PREMISE owner or
11 occupant, ship owner, PREMISE or site;

12 RESPONSE:

13 A. Defendant states that it has conducted an exhaustive search in an effort to
14 respond to this interrogatory, however, should documents evidencing additional asbestos-
15 containing products be located, defendant reserves the right to update this response. Please
16 see Exhibit "A" attached hereto.

17 B. 1. Based upon defendant's understanding of the term "experimental basis,"
18 defendant states as follows: Only upon customer request, defendant would
19 distribute certain of its products on a trial basis. Such products are identifiable
20 by the "x" in their designation. Upon a diligent search and reasonable inquiry,
21 this defendant has determined that with respect to the defined geographical area
22 and during the time period in question, defendant distributed 2 quarts of BXR-
23 34B-53, and 40 square feet of FXM-34.

24 2. Based upon defendant's understanding of the term "test basis," defendant
25 states as follows: Only upon customer request, defendant would distribute
26 certain of its products on a trial basis. Such products are identifiable by the
27 "x" in their designation. Upon a diligent search and reasonable inquiry, this
28 defendant has determined that with respect to the defined geographical area and

1 during the time period in question, defendant distributed 2 quarts of BXR-34B-
2 53, and 40 square feet of FXM-34.

3 3. Please see Exhibit "A" attached hereto.

4 C. Please see Exhibit "A" attached hereto.

5 D. Please see Exhibit "A" attached hereto.

6 E. Please see Exhibit "A" attached hereto.

7 F. Please see Exhibit "A" attached hereto.

8 G. 1. BR 92; Since October 1991.

9 H. Based upon a diligent search and reasonable inquiry in an effort to comply with
10 this interrogatory, defendant has located the following information: Asbestos
11 Corporation Limited, Thetford Mines, Quebec, Canada; Carey Canadian Mines
12 Ltd., P.O. Box 190 East Broughton Station P., Quebec, Canada GON 1H0;
13 Johns - Manville Corp. and Subsidiaries, P.O. Box 5108, Denver, Colorado
14 80217; Union Carbide Corporation (in and about September 1976) 4625 Royal
15 Avenue, Niagara Falls, New York 14302; Calidria Asbestos, 500 Sugar Mill
16 Road, Suite 180A, Atlanta, Georgia 30338; Avibest Department FMC
17 Corporation (in and about April, 1969) Box 8, Princeton, New Jersey 08540.

18 I. The sales records of American Cyanamid Company have previously been
19 produced to Brayton, Harley, Curtis and copies of the records were made at that time.
20 Consequently, plaintiff is already in possession of all existing documents that would be
21 responsive to this interrogatory. Defendant represents that all of the documents were
22 retrieved as a result of an exhaustive search, however, should additional documents be
23 located, defendant reserves the right to update this response.

24 **INTERROGATORY NO. 32 (PREMISES DEFENDANTS ONLY):**

25 Did YOU install, remove, or handle or contract to have others install, remove, or
26 handle RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS at any PREMISES in
27 the GEOGRAPHIC AREA which PREMISES is at issue as to YOU in San Francisco Superior
28 Court asbestos litigation as of the date of your answers to these interrogatories? If so:

- 1 A. **IDENTIFY the PREMISES.**
- 2 B. **For each of the PREMISES:**
- 3 1. State the nature of your ownership or possessory interest;
- 4 2. State the inclusive date of that interest;
- 5 3. **IDENTIFY** the party from whom that interest was acquired;
- 6 4. **IDENTIFY** the party, if any, to whom that interest was transferred.
- 7 C. **IDENTIFY every contract to which YOU were a party or of which you have**
- 8 **knowledge wherein the performance of such contract involved the installation, removal,**
- 9 **disturbing or handling of any RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS**
- 10 **at YOUR PREMISES. For each contract:**
- 11 1. **IDENTIFY** the parties to the contract;
- 12 2. Provide a general description and specific location of the work to be
- 13 **performed by each party to the contract;**
- 14 3. **IDENTIFY** and describe the **NATURE** of the **RAW ASBESTOS** or
- 15 **ASBESTOS-CONTAINING PRODUCTS** installed, disturbed or handled in the performance
- 16 **of the contract;**
- 17 4. State the dates of the contract and the dates of performance;
- 18 D. **Except as provided in response to subpart (c), has any work over than routine**
- 19 **maintenance been done on or to the PREMISES that involved the installation, removal,**
- 20 **disturbing or handling of RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS? If**
- 21 **so, for each such instance:**
- 22 1. State the inclusive dates of the work;
- 23 2. Provide a general description and specific location of the work;
- 24 3. State whether the work was done by **YOU** and/or **YOUR** employees;
- 25 4. **IDENTIFY** and describe the **NATURE** of the **RAW ASBESTOS** or
- 26 **ASBESTOS-CONTAINING PRODUCTS** installed, removal, handled or disturbed;
- 27 5. **IDENTIFY** from which the **RAW ASBESTOS** or **ASBESTOS-**
- 28 **CONTAINING PRODUCTS** were acquired.

1 **E. Has any asbestos abatement effort been made at the Premises? If so, for each**
2 **such effort:**

- 3 1. IDENTIFY who did the work;
4 2. State the inclusive dates thereof;
5 3. State whether samples were taken, and, if the same still exist,
6 IDENTIFY the custodian of the samples;
7 4. State whether any material was tested, and, if so, what were the results
8 of each test;
9 5. IDENTIFY each test result with sufficient particularity for purposes of a
10 request for production of documents, or, in the alternative, attach a copy to YOUR answers to
11 these interrogatories.

12 **F. Except for insurance coverage litigation, have you filed suit against, or**
13 **otherwise sought to recover from, any person or entity for some or all of the cost of asbestos**
14 **abatement or for the property damage allegedly caused by the presence of RAW ASBESTOS**
15 **or ASBESTOS-CONTAINING PRODUCTS on the PREMISES identified in response to**
16 **subpart (A) above? If so:**

- 17 1. IDENTIFY the person or entity against whom YOU have filed suit or
18 otherwise sought to recover;
19 2. If YOU have filed suit, -state the court in which the action was filed,
20 the date on which it was filed, IDENTIFY all Plaintiffs and Defendants and their counsel of
21 record;
22 3. State whether or not the case has been resolved, and, if so, what was
23 the status or disposition.

24 **G. Either (1) attach all DOCUMENTS evidencing the information sought in this**
25 **Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks**
26 **containing such data, or (3) describe such DOCUMENTS with sufficient particularity that**
27 **they may be made the subject of a request for production of documents.**

28 **H. IDENTIFY the person(s) presently most knowledgeable about the information**

1 sought in this interrogatory or its subparts.

2 **RESPONSE:**

3 Defendant is not a premises defendant for any premises in the "Geographic Area."

4 **INTERROGATORY NO. 33 (CONTRACTOR DEFENDANTS ONLY):**

5 At any time between 1930 and 1985, did YOU hold a contractor's license in the State
6 of California? If so,

7 A. IDENTIFY each license by type, date and number;

8 B. If on the date of your answers YOU are a defendant in four or more asbestos
9 actions in San Francisco Superior Court, IDENTIFY each job or contract that YOU
10 performed (directly or through one or more subcontractors) during this time period for work
11 in any PREMISES which is a issue as to YOU on such date, and in any PREMISES of
12 50,000 square feet or more in the GEOGRAPHIC AREA which job or contract involved
13 installation, removal, disturbing or handling RAW ASBESTOS or ASBESTOS--
14 CONTAINING PRODUCTS. (Alternatively, at your option, you may IDENTIFY each job or
15 contract YOU performed (directly or through one or more subcontractors) during this time
16 frame for all work, or for all work in PREMISES of 50,000 square feet or more, in the
17 GEOGRAPHIC AREA.) As to each job or contract:

18 1. IDENTIFY the location (including name of ship, if applicable) where
19 the job or work was performed;

20 2. State the date of the contract or the inclusive dates of the work;

21 3. IDENTIFY the person or entity with whom you contracted;

22 4. State your job or contract number.

23 C. If on the date of your answers you are not a defendant in four or more
24 asbestos actions in San Francisco Superior Court, IDENTIFY each job or contract that YOU
25 performed (directly or through one or more subcontractors) during this time period for work
26 in any PREMISES which is at issue as to YOU on such date. As to each such job or
27 contract:

28 1. IDENTIFY the location (including name of ship, if applicable) where

- 1 the job or work was performed;
- 2 2. State the date of the contract or the inclusive dates of the work;
- 3 3. IDENTIFY the person or entity with whom you contracted;
- 4 4. State your job or contract number.

5 **RESPONSE:**

6 Defendant is not a Contractor Defendant.

7 **INTERROGATORY NO. 34:**

8 Did any of the distributors identified in your Answer to Interrogatory Nos. 29 and 31
9 above an exclusive distributorship? If so, state the relevant time period.

10 **RESPONSE:**

11 Not applicable.

12 **INTERROGATORY NO. 35:**

13 If THIS DEFENDANT entered into any agreements for the rebranding of any
14 ASBESTOS-CONTAINING PRODUCTS by THIS DEFENDANT for resale or distribution
15 by another person or entity, describe each agreement's terms and the parties to said
16 agreement, the duration of the agreement, and name of each product(s) and/or material(s)
17 covered by each such agreement.

18 **RESPONSE:**

19 Defendant did not enter into any agreements for rebranding of any asbestos-containing
20 products.

21 **INTERROGATORY NO. 36:**

22 If THIS DEFENDANT entered into any agreements for the rebranding of
23 ASBESTOS-CONTAINING PRODUCTS manufactured, sold, supplied or distributed by
24 another person or entity for resale or distribution by YOU, describe each of the agreements
25 and the parties to said agreement, the terms, the duration, and the names of each product(s)
26 and/or material(s) covered by each such agreement.

27 **RESPONSE:**

28 Not applicable.

1 **INTERROGATORY NO. 37:**

2 As to RAW ASBESTOS and to each such ASBESTOS-CONTAINING PRODUCT
3 listed in YOUR responses to Interrogatories Nos. 29 and 31 did DEFENDANT warn of the
4 health hazards of asbestos? If so, state for each such warning:

5 A. The content, size, color, and location; whether the warning appeared on the
6 material and/or on the container, and/or was placed on a tag; whether the warning was
7 included in contracts; whether the warning was included in advertising or other promotional
8 materials;

9 B. State whether you have any photographs thereof;

10 C. The inclusive dates on which you used each such warning;

11 D. State all changes you made in such warnings and the dates of such changes; and

12 E. Identify the person most knowledgeable about your warnings and warning
13 policy.

14 **RESPONSE:**

15 Based upon a diligent search and reasonable inquiry and pursuant to CCP § 2030(f)(2),
16 defendant states that it previously produced documents responsive to this request and therefore
17 this information is already available to plaintiff.

18 **INTERROGATORY NO. 38:**

19 With respect to each of YOUR ASBESTOS-CONTAINING PRODUCTS, state
20 whether THIS DEFENDANT's name, a trademark, logos, color coding, or other identifying
21 markings ever appeared on the actual product itself. If so, IDENTIFY each such product,
22 state when the practice to place such identifying markings upon the product was begun and
23 when it ended, if applicable, and describe in detail the pertinent marking(s) and the purpose,
24 if any, of such markings.

25 **RESPONSE:**

26 All of defendant's products are labeled to include the following information: Product
27 name, company name, date of manufacture, batch and warnings. The films have a label on
28 the core on which the film is wound and on the bag containing the adhesive and on the box in

1 which the bagged adhesive is shipped. The foams are packaged in boxes in which 25 to 40
2 sheets are placed; the sheets are sealed in a vapor barrier bag within the box and labels are
3 placed on each sheet, on the vapor barrier bag and on the box.

4 **INTERROGATORY NO. 39:**

5 Between the years 1930 and 1985, did THIS DEFENDANT purchase or otherwise
6 acquire any ASBESTOS-CONTAINING PRODUCT lines from another person or entity? If
7 so, state for each such purpose:

- 8 A. Date of purchase or acquisition;
9 B. Terms of purchase or acquisition agreement;
10 C. Either (1) attach all DOCUMENTS evidencing said acquisition; or (2) attach
11 disks containing such data, or (3) describe such DOCUMENTS with sufficient particularity
12 that they may be made the subject of a request for production of documents;
13 D. Trade, brand, and/or generic name of each such product line so acquired;
14 E. Name of the person or entity from which YOU purchased or acquired each
15 such ASBESTOS-CONTAINING PRODUCT line; and
16 F. Location of any manufacturing facilities so acquired, and the type of
17 ASBESTOS-CONTAINING PRODUCTS manufactured therein

18 **RESPONSE:**

19 Yes.

- 20 A. May 17, 1963;
21 B. Cyanamid acquired all of Bloomingdale's assets, property, business and good
22 will based upon Bloomingdale's representation and warranties respecting the entity.
23 C. BR 34, BR 92 Adhesive, and BR-34B-18.
24 D. Bloomingdale Rubber Company
25 E. Havre de Grace, Maryland

26 **INTERROGATORY NO. 40:**

27 Between the years 1930 and 1985, did THIS DEFENDANT sell any ASBESTOS-
28 CONTAINING PRODUCT line to another person or entity? If so, state for each such sale:

- 1 A. Date of sale;
- 2 B. Terms of sales agreement;
- 3 C. Either (1) attach all DOCUMENTS evidencing said sale, or (2) attach disks
- 4 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
- 5 they may be made the subject of a request for production of documents.
- 6 D. Trade, brand, and/or generic name of each such product line sold;
- 7 E. Name of person or entity to whom you sold each such ASBESTOS-
- 8 CONTAINING PRODUCTS line;
- 9 F. Location of any manufacturing facilities so sold, and the type of ASBESTOS-
- 10 CONTAINING PRODUCTS manufactured therein.

11 **RESPONSE:**

12 No.

13 **INTERROGATORY NO. 41:**

14 IDENTIFY all brochures, pamphlets, catalogs or other advertising relating to

15 ASBESTOS-CONTAINING PRODUCTS and/or RAW ASBESTOS which THIS

16 DEFENDANT manufactured, sold, distributed, or supplied from the year 1930 to 1985. For

17 each such document, state:

- 18 A. A description of the document;
- 19 B. The year it was printed;
- 20 C. The period of time in which it was used;
- 21 D. The purpose of such document;
- 22 E. Whether the documents or copies of said documents presently exist;
- 23 F. If said documents or copies still exist, where they are located; and
- 24 G. The IDENTITY of the custodian of such documents.

25 **RESPONSE:**

26 Based upon a diligent search and reasonable inquiry and pursuant to CCP § 2030(f)(2),

27 defendant states that it previously produced documents responsive to this request and therefore

28 this information is already available to plaintiff.

1 **INTERROGATORY NO. 42:**

2 State if YOU have or had within YOUR corporate or other business structure any
3 CONTRACT UNITS.

4 **RESPONSE:**

5 No.

6 **INTERROGATORY NO. 43:**

7 State whether or not any of YOUR CONTRACT UNITS installed and/or removed
8 RAW ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS in the GEOGRAPHIC
9 AREA at any time between 1930 and 1985. If so:

10 A. State the business addresses and name of the CONTRACT UNIT;

11 B. State the inclusive periods of time the CONTRACT UNITS were working in
12 the GEOGRAPHIC AREA;

13 C. State the name and address of each job site within the GEOGRAPHIC AREA
14 and the dates the CONTRACT UNIT worked at those job sites, and, IDENTIFY the RAW
15 ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS installed or removed on each
16 occasion;

17 D. Either (1) attach all DOCUMENTS evidencing the information sought in this
18 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
19 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
20 they may be made the subject of a request for production of documents.

21 **RESPONSE:**

22 Not applicable.

23 **INTERROGATORY NO. 44:**

24 When do YOU contend that THIS DEFENDANT first became aware that there is an
25 association between asbestos exposure and disease in human beings?

26 **RESPONSE:**

27 Based upon a reasonable and good faith effort to obtain information in order to
28 respond to this interrogatory, defendant states that it is unable to respond. Due to the

1 historical nature of this interrogatory, neither the documents nor the individuals, upon
2 which/whom defendant would rely in order to respond, are still available.

3 **INTERROGATORY NO. 45:**

4 How do YOU contend that THIS DEFENDANT first became aware that there is an
5 association between asbestos exposure and disease in human beings.

6 **RESPONSE:**

7 Based upon a reasonable and good faith effort to obtain information in order to
8 respond to this interrogatory, defendant states that it is unable to respond. Due to the
9 historical nature of this interrogatory, neither the documents nor the individuals, upon
10 which/whom defendant would rely in order to respond, are still available.

11 **INTERROGATORY NO. 46:**

12 Either (1) attach all DOCUMENTS evidencing the information upon which YOUR
13 contentions in YOUR answers to Interrogatories No. 44 and 45 are based, or (2) attach disks
14 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
15 they may be made the subject of a request for production of documents.

16 **RESPONSE:**

17 No documents were identified. Therefore, this interrogatory is not applicable.

18 **INTERROGATORY NO. 47:**

19 When did THIS DEFENDANT first warn its employees that exposure to asbestos
20 could be hazardous to human health? State:

- 21 A. Whether the first such warning was written or oral;
22 B. Whether copies of DOCUMENTS containing such warning exist;
23 C. The IDENTITY of the custodian of such DOCUMENTS;
24 D. The content of the warning.

25 **RESPONSE:**

26 Upon a reasonable and good faith effort to obtain information in order to respond to
27 this interrogatory, defendant states that it is unable to fully respond as to the "first instance"
28 as any documents which may be responsive to this request no longer exist.

1 Based upon information currently available, defendant responds as follows:

2 A. Unknown.

3 B. No.

4 C. Not applicable.

5 D. Defendant is unable to respond to this interrogatory. As set forth above, any
6 documents which may be responsive to this request no longer exist.

7 **INTERROGATORY NO. 48:**

8 Did THIS DEFENDANT ever issue a written COMPANY policy discontinuing
9 warning its employees that exposure to asbestos could be hazardous to human health? If so:

10 A. Provide the date;

11 B. Describe the circumstances; and

12 C. Either (1) attach all DOCUMENTS evidencing the information sought in this
13 interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
14 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
15 they may be made the subject of a request for production of documents.

16 **RESPONSE:**

17 Based upon a diligent search and reasonable inquiry in an effort to respond to this
18 interrogatory, defendant states that it never issued such a "written company policy."

19 **INTERROGATORY NO. 49:**

20 Did THIS DEFENDANT provide any Independent Contractor or Subcontractor within
21 the GEOGRAPHIC AREA with a written warning that exposure to asbestos could be
22 hazardous to human health.

23 **RESPONSE:**

24 After a diligent search, defendant has not located any records of providing such
25 warning within the Geographic Area for the subject time period.

26 **INTERROGATORY NO. 50:**

27 Has THIS DEFENDANT been cited for or otherwise charged by a public agency with
28 a violation in the GEOGRAPHIC AREA of any statute, ordinance, safety order, regulation,

1 or law pertaining to asbestos exposure? For each occasion, IDENTIFY:

2 A. The code section, safety order, statute, or regulation for which THIS
3 DEFENDANT had been cited or otherwise charged;

4 B. The date(s) thereof;

5 C. The agency or other governmental unit which issued the citation or otherwise
6 charged YOU;

7 D. All persons known to YOU with information relevant to the incident;

8 E. What was the ultimate resolution.

9 **RESPONSE:**

10 No.

11 **INTERROGATORY NO. 51:**

12 If THIS DEFENDANT has ever owned or operated a railroad, state:

13 A. The IDENTITY of each such railroad, including the name(s) of such railroad
14 during the time period of YOUR ownership and/or operation, the principal place of business
15 of such railroad and the dates of YOUR ownership and/or operation;

16 B. The geographic area of operation of such railroad;

17 C. The name(s) of such railroad prior to YOUR ownership and/or operation;

18 D. The IDENTITY of the person or entity from whom YOU purchased your
19 ownership or operating interest, and the date of such purchase;

20 E. The IDENTITY of the person or entity to whom YOU sold your ownership or
21 operating interest, and the date of such sale;

22 F. Whether copies of DOCUMENT evidencing your ownership/operation and/or
23 sale exist;

24 G. The IDENTITY of the Custodian of such DOCUMENTS;

25 H. To the extent that information has not been given in answers to Interrogatory
26 Nos. 32 and 33, the information requested in Interrogatory Nos. 32 and 33, for each |
27 railroad owned or operated by YOU.

1 **RESPONSE:**

2 Not applicable.

3 **INTERROGATORY NO. 52:**

4 If DEFENDANT has ever owned or operated a shipyard, state:

5 A. The IDENTITY of each such shipyard, including the name(s) of such shipyard
6 during the time period of YOUR ownership and/or operation, the place of business of such
7 shipyard and the dates of YOUR ownership and/or operation;

8 B. The name(s) of such shipyard prior to YOUR ownership and/or operation;

9 C. The IDENTITY of the person or entity to whom YOU sold your ownership or
10 operating interest, and the date of such sale;

11 D. Whether copies of DOCUMENTS evidencing your ownership/operation and/or
12 sale exist;

13 E. Whether any representative of THIS DEFENDANT attended the Maritime
14 Commission Conference in December 1942 in Chicago, Illinois? If so, IDENTIFY any such
15 representative of THIS DEFENDANT.

16 F. The IDENTITY of the Custodian of such DOCUMENTS.

17 G. To the extent that information has not been given in answers to Interrogatory
18 No. 32, the information requested in Interrogatory No. 32, for each shipyard owned or
19 operated by YOU

20 **RESPONSE:**

21 Not applicable.

22 **INTERROGATORY NO. 53:**

23 At any time between 1930 and 1985, did you import, export, ship, transship or
24 otherwise transport RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS into, out
25 of or through any port in the GEOGRAPHIC AREA? If so, for each occasion:

26 A. IDENTIFY and describe the NATURE and amount of RAW ASBESTOS
27 and/or ASBESTOS-CONTAINING PRODUCTS;

28 B. IDENTIFY the ship of ships (including the owners and operators thereof) onto

1 or from which the RAW ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS were
2 loaded, unloaded; or transshipped;

3 C. State the dates, port and pier involved for each occasion;

4 D. Either (1) attach all DOCUMENTS evidencing the information sought in this
5 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
6 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that
7 they may be made the subject of a request for production of documents.

8 **RESPONSE:**

9 No.

10 DATED: December 16, 1997

DICKSON, CARLSON & CAMPILLO

11
12 By 

13 Mark S. Geraghty
14 Mimi M. Lee
15 Attorneys for Defendant,
16 AMERICAN CYANAMID COMPANY
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RESPONSE TO INTERROGATORY NO. 10(b) THROUGH (D)

Product	Market Intro.	Date Discontinued	Chemical Description	Physical Description	Use/Service Temperature
BR 34B-18 Paste Adhesive	In or about 1964	In or about 1994	Polyamic-ester solution	Olive drab colored paste	Priming of metal substrates; -67 to 550°F
FM34B-18 Adhesive Film/	In or about 1964	In or about 1994	Polyamic-ester solution	Olive colored film, approx. 0.015 in thick	Bonding of aluminum and titanium; -67 to 550°F
FM 37 Adhesive Foam	In or about 1965	Active	Epoxy	Light brown sheet 0.25 to 0.05 in. thick	Bonding or filling of aluminum honeycomb core; -67 to 350°F
FM 39 Adhesive Foam	In or about 19__	In or about 1988	Epoxy	Light gray sheet, 0.05 to 0.1 in. thick, between release paper	Bonding or filling of aluminum honeycomb core; -67 to 350°F
FM 40 Adhesive Foam	In or about 1966	Active	Epoxy	Light brown sheet 0.25 to 0.05 in. thick, between release paper	Splicing of aluminum honeycomb core; -67 to 350°F
FM 41 Adhesive Foam	In or about 1969	Active	Epoxy	Light gray sheet, 0.05 to 0.1 in. thick, between release paper	Splicing of aluminum honeycomb core; -67 to 350°F
FM 43 Extrudable Paste/Foam	In or about 1972	Active	Epoxy	Silver-gray paste	Edge filling and splicing of aluminum honeycomb core; -67 to 250°F
BR 92 Paste Adhesive (Mil Spec. MMMA132)	In or about 1976	In or about 1994	Epoxy	Light green paste	General purpose paste adhesive for metal or composites; -67 to 300°F

Product	Market Intro.	Date Discontinued	Chemical Description	Physical Description	Use/Service Temperature
FM 150-2 Adhesive Film/BD150-2F	In or about 1969	Active	Epoxy	Off-white film, 0.009 in thick, between release paper and polyethylene film	Adhesive bonding of aluminum substrates
FM 350 Adhesive Film	In or about 1982	In or about 1989	Epoxy	Gray film, 0.008 to 0.012 in thick with nylon carrier and sandwiched between release paper and polyethylene	Adhesive bonding of aluminum and/or composite substrates
FM 400 Adhesive Film	In or about 1969	Active	Epoxy	Gray film, 0.008 to 0.012 in thick with nylon carrier and sandwiched between release paper and polyethylene	Adhesive bonding of aluminum or titanium substrates
FM 404 Adhesive Foam	In or about 1971	In or about 1989	Epoxy	Light gray sheet, 0.05 to 0.1 in. thick, between release paper	Splicing of aluminum honeycomb core
Aluminum Honeycomb core with Asbestos-containing core splice	In or about 1986	In or about 1991	Chromium treated aluminum foil bonded with a mod. epoxy into a cellular matrix adhesive	Metallic honeycomb shaded structure	Structural component of aircraft
AS401 A & B	In or about 1970	In or about 1978	Epoxy	Brownish red paste	Unavailable

Product	Market Intro.	Date Discontinued	Chemical Description	Physical Description	Use/Service Temperature
BD 5200	In or about 1969	Inactive - Date unknown at this time.	Unavailable	Unavailable	Unavailable
BD 8000	In or about 1970	In or about 1978	Adhesive	Non-tacky solid	Unavailable
BR34	In or about 1965	In or about 1978	Adhesive	Olive Drab	Unavailable
FM 166	Unknown at this time.	Inactive-Date unknown at this time.	Unavailable	Unavailable	Unavailable
FM 175	Unknown at this time.	Inactive-Date unknown at this time.	Unavailable	Unavailable	Unavailable
FM 33	In or about 1971	Inactive-Date unknown at this time.	Epoxy	Light grey unsupported sheet form - protected by easily stripable release paper sizes ranging between 0.6mm-6.35mm	Splicing bonding of aluminum or non-metallic honeycomb
FM 34	In or about 1965	In or about 1978	Polyimide adhesive	Olive drab on a 112 glass cloth	Bonding metal-to-metal and sandwich composite structures requiring long time exposures up to 600°F (315°C) and short time exposures to 800°F (425°C)

Product	Market Intro.	Date Discontinued	Chemical Description	Physical Description	Use/Service Temperature
FM 400-6 Adhesive Film	In or about 1979	In or about 1971	Epoxy	Gray-moderately tacky unsupported film	Engine sound abatement work
FM 401	In or about 1969	Inactive - Date unknown at this time.	Adhasive film	Tacky film	Unavailable
FM 405	In or about 1978	In or about 1971	Adhesive film	Grey Film	As a structural thermosetting adhesive foam for splicing. honeycomb core
FM 42 Foam	In or about 1972	In or about 1987	Unavailable	Unavailable	Unavailable
FM 44	In or about 1973	In or about 1989	Unavailable	Unavailable	Unavailable
HT430	In or about 1963	In or about 1964	Epoxy phenolic	Unavailable	Load bearing for sandwich

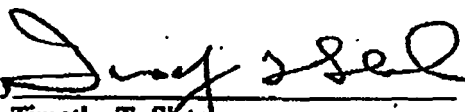
VERIFICATION

STATE OF NEW JERSEY)
) ss.
COUNTY OF MORRIS)

I am an Assistant Secretary of American Cyanamid Company and am authorized to make this verification for and on its behalf and I make this verification for that reason. The foregoing **DEFENDANT AMERICAN CYANAMID COMPANY'S RESPONSE TO STANDARD INTERROGATORIES TO ALL DEFENDANTS** was compiled by authorized representatives and counsel for American Cyanamid Company upon whom I have relied entirely for their completeness, truth and accuracy. On that ground I am informed and believe that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on the 7th day of December, 1997 at Madison, New Jersey.

By 
Timothy T. Slate

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

)
) ss.:
)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 120 Broadway, Suite 300, Santa Monica, California 90407-2122.

On December 16, 1997, I served on interested parties in said action the within:

**DEFENDANT AMERICAN CYANAMID COMPANY'S RESPONSE TO
STANDARD INTERROGATORIES TO ALL DEFENDANTS**

by placing a true copy thereof enclosed in sealed envelope(s) addressed as follows:

Francine S. Curtis, Esq.
Brayton Harley Curtis
222 Rush Landing Road
P.O. Box 2109
Novato, CA 94948

and depositing such envelope(s) in this firm's pick-up box for collection and mailing by placing them in a postal box in my work area.

I am "readily familiar" with this firm's practice of collection and processing correspondence, pleadings and other documents for mailing. Under that practice such papers are deposited in the U.S. postal service on that same day I place them in the postal box in my work area in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than 1 day after the stated date of deposit for mailing set forth in an affidavit for proof of service.

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

Executed on the 16th day of December, 1997, at Santa Monica, California.


Teri French

1 Mark S. Geraghty (State Bar No. 79043)
2 Mini M. Lee (State Bar No. 155803)
3 THIBLEN, REID & PRIEST LLP
333 S. Grand Avenue, Suite 3400
Los Angeles, California 90071-3193
4 (213) 621-9800

PLAINTIFF'S EXHIBIT

ACC-42

5 Attorneys for Defendant,
6 AMERICAN CYANAMID COMPANY

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN FRANCISCO

10
11 CASE NO. 967546

12 IN RE: COMPLEX ASBESTOS
13 LITIGATION

DEFENDANT AMERICAN CYANAMID
COMPANY'S FURTHER RESPONSE TO
CERTAIN STANDARD
INTERROGATORIES TO ALL
DEFENDANTS

14
15 American Cyanamid Company ("Cyanamid") hereby further responds to certain Standard
16 Interrogatories to all Defendants pursuant to San Francisco Revised General Order No. 129.

17 PRELIMINARY STATEMENT

18 After a reasonable search and diligent inquiry, defendant has made a good faith effort to
19 respond to these interrogatories based on information presently available. Defendant reserves the
20 right to amend these interrogatory answers at any time additional information may become
21 available in the future.

22 FURTHER RESPONSE TO INTERROGATORY NO. 1:

23 Timothy T. Slater, Esq., American Home Products Corporation, Five Giralda Farm,
24 Madison, New Jersey 07940.

25 FURTHER RESPONSE TO INTERROGATORY NO. 9:

26 Timothy T. Slater, Esq., American Home Products Corporation, Five Giralda Farm,
27 Madison, New Jersey 07940.

28
THIBLEN, REID &
PRIEST LLP
ATTORNEYS AT LAW
LOS ANGELES, CALIFORNIA

DOCS_LA/108021

1 **FURTHER RESPONSE TO INTERROGATORY NO. 10:**

2 A. Robert Stevens, Cytec Engineered Materials, Inc., 1300 Revolution Street, Havre
3 de Grace, Maryland 20178

4 B. Robert Stevens, Cytec Engineered Materials, Inc., 1300 Revolution Street, Havre
5 de Grace, Maryland 20178

6 **FURTHER RESPONSE TO INTERROGATORY NO. 11:**

7 Richard J. Leswing, former Medical Director, Nine Village Road, Southington,
8 Connecticut 06489;

9 Desmond B. Pearce, former Safety Manager, 106 Hickory Circle, Hampstead, North
10 Carolina 28443;

11 Joseph C. Caporossi, Director of Safety, Health and Product Regulatory Compliance, Five
12 Garret Mountain Plaza, West Paterson, New Jersey 07424;

13 Willard R. Karn, former physician, 12411 Carlton Oaks, Timball, Texas 77375;

14 Michael Utidjian, former Medical Director, Seven Butternut Drive, Wayne, New Jersey
15 07470;

16 Nick Yin, former Industrial Hygienist, Four Bryce Way, Morris Plains, New Jersey
17 07950;

18 Lisa Westenberger-Page, former Industrial Hygienist, 315 Kensington Drive, Ridgewood,
19 New Jersey.

20 **FURTHER RESPONSE TO INTERROGATORY NO. 13:**

21 Based upon a diligent search and reasonable inquiry, defendants responds as follows:

22 None.

23 **FURTHER RESPONSE TO INTERROGATORY NO. 18:**

24 A. Bound Brook, New Jersey -- 1916

25 A. Pearl River, New York -- 1930

26 A. Stamford, Connecticut -- 1936

27 A. New York, New York -- 1937

28 A. Princeton, New Jersey -- 1947

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A. Wayne, New Jersey -- 1951

A. Milton, Florida -- 1958; Based on a diligent search and reasonable inquiry, the identity of any librarian(s) is unknown.

FURTHER RESPONSE TO INTERROGATORY NO. 30:

A. 1963-1985.

B. No.

C. 1963-1985

D. 1963-1985

E. 1963-1985

F. 1963-1985

G. 1963-1985

H. No.

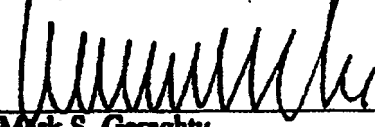
FURTHER RESPONSE TO INTERROGATORY NO. 31:

Please see Exhibit "A" attached hereto.

DATED: October 8, 1998

THELEN, REID & PRIEST LLP

By


Mark S. Geraghty
Mimi M. Lee
Attorneys for Defendant,
AMERICAN CYANAMID COMPANY

ASBESTOS-CONTAINING PRODUCTS
LISTED IN EXHIBIT A OF GENERAL ORDER INTERROGATORIES

With
PERCENTAGES of ASBESTOS FIBER
In Re Asbestos Litigation

ASBESTOS-CONTAINING PRODUCT NAME (ACP)	PERCENTAGE OF ASBESTOS FIBERS
BR-34B-18 Paste Adhesive	5.0%
FM-34B-18 Adhesive Film	4.8%
FM-37 Adhesive Foam	8.60%
FM-39 Adhesive Foam	1.8%
FM-40 Adhesive Foam	8.9%
FM-41 Adhesive Foam	2.5%
FM-43 Extrudable Paste/Foam	1.95%
BR-92 Paste Adhesive	4.8%
FM-150-2 Adhesive Film (BD-150-2F)	<2.0%
FM-350 Adhesive Film	1.0%
FM-400 Adhesive Film	<1.0%
FM-404 Adhesive Foam	1.5%
Aluminum Honeycomb Core w/ asbestos-containing core splice	0.1%-to-2.27%
AS-401 A&B	1.0%
BD-5200	0.9%
BD-8000	<10.0%
BR-34	3.0%
FM-166	0.7%
FXM-175	4.9%
FM-33	4.61%

Exhibit A

FM-34	3.0%
FM-400-6 Adhesive Film	2.0% and 2.21%
FM-401	<5.0%
FM-405	3.0%
FM-42 Foam	2.0%
FM-44	2.9%
HT-430 Type I (Part B)	26.8%
HT-430 Type I (Part A)	0.7%
HT-430 Mixed	8.2%
HT-430 Type II	14.7%

(06/29/98)gjb

VERIFICATION

STATE OF NEW JERSEY)
) ss.
COUNTY OF MORRIS)

I, Timothy T. Slater, an Assistant Secretary of American Cyanamid Company, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. DEFENDANT AMERICAN CYANAMID COMPANY'S FURTHER RESPONSE TO CERTAIN STANDARD INTERROGATORIES TO ALL DEFENDANTS in the matter entitled Complex Asbestos Litigation Mason, Todd v. Asbestos Defendants (ENV) have been prepared by others upon whom I have relied entirely for their truthfulness, accuracy and completeness. These responses are limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of these responses. American Cyanamid Company reserves the right to change or supplement said responses, or to apply for relief to permit insertion of unintentionally omitted matter.

I declare under penalty of perjury under the laws of the State of New Jersey that the foregoing is true and correct.

Executed on the 30th day of September, 1998, at Madison, New Jersey.

By: [Signature]
Timothy T. Slater

Sworn to and subscribed before me
this 30th day of September, 1998

[Signature]
Notary Public, New Jersey

MAUREEN A. STEARN
NOTARY PUBLIC OF NEW JERSEY

My commission expires: My Commission Expires Nov. 30, 1998