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August 29, 2008

John P. Comerford, Esq.
Lipsitz & Ponterio, LLC
135 Delaware Ave – 5th Floor
Buffalo, New York 14202-2415

Re: Kolasinski v. Eaton Corporation et al.

Dear John:

Enclosed are the discovery responses of Eaton Corporation.

Very truly yours,

GOLDBERG SEGALLA LLP

Joseph J. Welter

Cc: Daniel F. Petticord, Esq. (w/o encl.)

EXHIBIT

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SCF-EC-7000

SUPREME COURT OF THE STATE OF NEW YORK
EIGHTH JUDICIAL DISTRICT

In. Re: Eighth Judicial District
Asbestos Litigation

EIGHTH JUDICIAL DISTRICT
ASBESTOS LITIGATION

This Document Applies to:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

MICHAEL JOSEPH KOLASINSKI

Plaintiff,

vs.

EATON CORPORATION
RESPONSES TO PLAINTIFFS'
INTERROGATORIES

ACME LIQUIDATING CORP., successor in interest to
LIPE AUTOMATION CORP. f/k/a LIPE-ROLLWAY
TECHNOLOGY, INC., et al.,

Index No. 2008-405

Defendants.

EATON'S RESPONSES TO PLAINTIFFS' INTERROGATORIES

Comes now Defendant, Eaton Corporation, on behalf of its current and former business operations known as Truck Components Operations and on behalf of no other entity, and provides the following Objections and Responses to Plaintiff's Interrogatories and Requests for Production of Documents:

1. Overly Broad, Undue Burden - Scope and Time. Eaton objects to the definitions, instructions and individual requests seeking information concerning products other than those to which Plaintiff alleges exposure. Eaton objects to providing information concerning divisions or business units other than those involved with the product or products to which Plaintiff alleges exposure. Requests seeking such information are overly broad and unduly burdensome, oppressive, and not reasonably limited to scope or time. Eaton states that it has manufactured a wide array of highly engineered products for nearly a century. As such, attempting to determine every activity engaged in by every such business would be extraordinarily and unreasonably difficult. For these reasons, Eaton will only incur the burden and expense of obtaining information which pertains to products manufactured by Eaton's current and former business

operations known as Truck Components Operations.

2. Manufacturing Inquiries Are Irrelevant. Eaton further objects to every discovery request that concerns the manufacture of asbestos or asbestos-containing products because they do not apply to Eaton. Many of the discovery requests appear to be directed to a manufacturer of asbestos or an asbestos-containing product, which Eaton is not. Eaton has never mined asbestos, processed raw asbestos, nor manufactured asbestos or the asbestos-containing component of any automotive friction product. Eaton did not develop, process, design, manufacture, or produce asbestos or asbestos-containing products; thus Eaton has no information related to the design, development, processing or production of another manufacturer's products. Rather, Eaton's limited knowledge pertains to the production of transmissions, axles and brake assemblies, which, at times, incorporated asbestos-containing products manufactured by companies unrelated to Eaton. Industrial information about Eaton's manufacture of transmissions, brake and axle assemblies is not relevant to plaintiffs' claims since plaintiffs' decedent was not involved in this industrial manufacturing process.

3. Information From Third Parties. Eaton objects to these discovery requests to the extent that they seek information from or regarding third parties. These responses are limited to Eaton's knowledge about Eaton's own activities.

4. Overly Broad, Undue Burden - Lack of Records. Eaton objects that these discovery requests are overly broad, burdensome and oppressive to the extent they purport to require a search for voluminous historical records, to the extent they exist, that only tangentially relate to plaintiffs' claims, if at all. Moreover, such documents that might arguably pertain to these Requests have been lost or discarded in the normal course of business over the last several decades and are unavailable to Eaton to assist in responding to these discovery requests. In addition, before the time plaintiffs served Eaton in this action, Eaton divested the part of its business that was historically involved with the manufacture of axle and brake assemblies. Most if not all of the personnel who might have knowledge of historical business records related to brake products have either passed away or are no longer working for Eaton. In responding to these Requests, Eaton will provide good faith answers based on its continuing investigation of the documents and other information reasonably available to it.

5. Compilation or Speculation. Eaton further objects to the extent these discovery requests would require Eaton to engage in unjustly burdensome activities to extract, compile or develop information from historical documents to determine the answers to plaintiffs' Requests, particularly in regard to matters that involve historical records that are decades old and which are incomplete and sporadic, at best. Eaton objects to the extent that these Requests purport to require Eaton to guess, speculate, or conjecture about the meaning of documents or inferences that might be drawn there from.

6. Overly Broad - Geographic Scope. Eaton objects that the Requests as a whole are overbroad, burdensome and oppressive in relation to their geographic scope and that plaintiffs have not articulated claims or adduced any evidence to justify such oppressive discovery.

7. Not Likely to Lead To Admissible Evidence - Unrelated Businesses. Eaton

further objects to any demand for information that would require Eaton to conduct investigations of divisions, business operations or product lines different from and unrelated to the Eaton business operation that was involved with the products specifically identified in Plaintiffs' complaint. Such information is neither admissible nor in any way calculated to lead to the discovery of admissible evidence. In responding to these discovery requests, the term AEaton@ and all information provided by Eaton is limited to Eaton manufactured brake assemblies.

8. Vague Overly Broad and Ambiguous. Eaton objects to plaintiffs' definitions as vague, overly broad and ambiguous.

9. Confidential or Privileged Information. Eaton objects to plaintiffs' Requests to the extent that they seek confidential or proprietary information or information protected by the attorney-client privilege or work-product doctrine and the responses do not provide such information to the extent requested. With regard to confidential, trade secret or other proprietary information, Eaton reserves the right to seek an appropriate protective order for any information or documents provided in response to plaintiffs' discovery demands.

10. Voluminous. Eaton objects that the Requests are voluminous contain inordinate parts and subparts and greatly exceed the number of discovery requests permitted by law or which are reasonable and appropriate under the circumstances of this case.

11. Right to Supplement. Eaton states that its investigation into the facts and circumstances surrounding the allegations made by the Plaintiff is continuing. The information provided in these Responses is derived from the results of Eaton's investigation to date. Should additional information come to light, Eaton reserves the right to supplement these Responses as appropriate.

12. No Admission. Except for facts specifically admitted herein, no admission of any nature whatsoever is to be implied or inferred. The fact that any discovery request has been answered should not be taken as an admission or concession of the existence of any facts set forth or assumed by any discovery request, that such answer constitutes evidence of any fact set forth or assumed in the discovery request, or that the discovery request or Eaton's response thereto is admissible at trial. Any and all objections, whether or not stated herein, are reserved and may be interposed at the time of trial.

13. Impermissible Modification. Eaton objects to the definitions and instructions as impermissible modifications of controlling law.

14. Incorporation by Reference. These general objections are incorporated by reference into each Response to each Request set forth below.

RESPONSES TO SPECIFIC INTERROGATORIES

Interrogatory No. 1

State the name, address, employer and job position of the person or persons answering these interrogatories on your behalf, including each person who was consulted with, or who assisted in the answering of these interrogatories.

ANSWER:

OBJECTION. No single individual was responsible for collecting the data necessary to respond to these Interrogatories. Rather, these Responses were prepared by Eaton with the assistance of counsel. The data collected and used to respond to these Interrogatories is the result of Eaton's ongoing investigation into the circumstances surrounding Plaintiff's allegations. Roger Hobbie has verified these responses. Mr. Hobbie may be reached, when appropriate, through the offices of Eaton's counsel.

Interrogatory No. 2

With respect to the answering defendant, please state what:

- (a) the present legal name of the corporation is;
- (b) the prior names of the corporation, its predecessors, successors, or acquired entities;
- (c) state the dates of all mergers, consolidations, and/or reorganizations in which your corporation has taken part since the date of incorporation that have not been described in response to any other question are along with a description of the mergers, consolidations, and/or reorganizations.
- (d) all trade or other names under which the corporation presently does business and the nature of the business conducted under each name;
- (e) all trade or other named under which the corporation did business at any time;
- (f) the principal place of business of the defendant corporation and the acquired corporations at the time of acquisition and currently;
- (g) The place where the business records of any identified entity are maintained (both presently and prior to the present inquiry);

- (h) The name and business address of the present custodian records of defendant corporation and any prior custodian of records of defendant corporation.

ANSWER:

- A Eaton Corporation
- B OBJECTION. Overbroad. Without waiving this objection, Eaton states that from 1923 to 1932 it was known as Eaton Axle & Spring Company; from 1932 to 1966, Eaton Manufacturing Company; and from 1966 to 1972 Eaton, Yale & Towne, Inc.
- C OBJECTION. Overbroad, not calculated to lead to the discovery of relevant evidence. Without waiving this objection, Eaton states that it acquired Schuler Manufacturing in 1958
- D OBJECTION. Overbroad, not calculated to lead to the discovery of relevant evidence. Without waiving this objection, Eaton states that it manufactures products under the Eaton and Eaton Fuller name.
- E See Response to subparts B, C and D.
- F Eaton's principal place of business is in Cleveland, Ohio
- G All such documents currently in possession of Eaton Corporation have been made available for inspection and copying by Plaintiff's counsel.
- H OBJECTION. Not reasonably calculated to lead to the discovery of relevant evidence

Interrogatory No. 3

State whether there is any liability insurance which covers, or may cover, you for the instant matter and, if so, discuss:

- (a) the name and address of the insurance carrier;
- (b) the policy number, including years for each policy; and
- (c) the applicable limits of liability.

ANSWER:

OBJECTION. A summary of insurance will be provided to Plaintiff's counsel.

Interrogatory No. 4

State separately for each subpart whether the answering defendant (and any predecessor thereto) sold axles to the below listed manufactures or their predecessors or successors for inclusion as original equipment parts or replacement parts in semi-tractor trucks during the enumerated following years:

(a) Ford Motor Company:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

(b) Freightliner:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977

- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

(c) International Harvester;

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

(d) Kenworth;

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975

(vii)	1976
(viii)	1977
(ix)	1978
(x)	1979
(xi)	1980
(xii)	1981
(xiii)	1982
(xiv)	1983
(xv)	1984
(xvi)	1985
(xvii)	1986
(xviii)	1987
(xix)	1988
(xx)	1989
(xxi)	1990

(e) General Motors:

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974
(vi)	1975
(vii)	1976
(viii)	1977
(ix)	1978
(x)	1979
(xi)	1980
(xii)	1981
(xiii)	1982
(xiv)	1983
(xv)	1984
(xvi)	1985
(xvii)	1986
(xviii)	1987
(xix)	1988
(xx)	1989
(xxi)	1990

(f) Mack;

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974

(vi)	1975
(vii)	1976
(viii)	1977
(ix)	1978
(x)	1979
(xi)	1980
(xii)	1981
(xiii)	1982
(xiv)	1983
(xv)	1984
(xvi)	1985
(xvii)	1986
(xviii)	1987
(xix)	1988
(xx)	1989
(xxi)	1990

(g) Peterbilt

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974
(vi)	1975
(vii)	1976
(viii)	1977
(ix)	1978
(x)	1979
(xi)	1980
(xii)	1981
(xiii)	1982
(xiv)	1983
(xv)	1984
(xvi)	1985
(xvii)	1986
(xviii)	1987
(xix)	1988
(xx)	1989
(xxi)	1990

(h) Volvo

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974

- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

OBJECTION. Overbroad. Further objecting, Eaton states that, due to the passage of time and other factors, it is impossible to determine whether it sold axles or brake assemblies to specific manufacturers in specific years. Without waiving this objection, Eaton states that at various points during the specified time frame, it sold axles and brake assemblies to Ford, Freightliner, International Harvester, Paccar, General Motors, Mack and Volvo-White. The vast majority of Eaton's axles and brake assemblies were used as original equipment on the vehicle manufacturer's tractors.

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Ford Motor Company, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to Ford which were to be used by Ford for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978

- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term.

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to Ford, did it sell Ford wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term.

(c) Did the wheel assemblies sold by the answering defendant to Ford for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term.

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Ford for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Ford some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term. Eaton's brake assemblies did, at times incorporate asbestos containing linings manufactured by parties unrelated to Eaton. Beginning in the early 1980's, Eaton offered its customers brake assemblies incorporating non asbestos linings as made available by the lining manufacturers. Eaton believes that, except for certain specific applications relating to brake assemblies intended for military vehicles, it ceased offering brake assemblies incorporating asbestos linings in the late 1980s.

Interrogatory No. 6

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Freightliner, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to Freightliner which were to be used by Freightliner for the manufacture of semi-tractor

trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to Freightliner, did it sell Freightliner wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980

- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

(c) Did the wheel assemblies sold by the answering defendant to Freightliner for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Freightliner for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Freightliner some wheel assemblies with asbestos containing linings and some linings which were asbestos free , indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 7

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the International Harvester, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to

International Harvester which were to be used by International Harvester for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to International Harvester, did it sell International Harvester wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978

- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

- (c) Did the wheel assemblies sold by the answering defendant to International Harvester for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to International Harvester for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold International Harvester some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 8

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Kenworth, state the following with respect to the axles sold:

(a) whether the answering defendant provided wheel assemblies with the axles sold to Kenworth which were to be used by Kenworth for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

(b) If the answering defendant did not provide wheel assemblies with the axles sold to Kenworth, did it sell Kenworth wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976

- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

- (c) Did the wheel assemblies sold by the answering defendant to Kenworth for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Kenworth for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Kenworth some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 9

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the

General Motors, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to General Motors which were to be used by General Motors for the manufacture of semi-tractor trucks during the following years:

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974
(vi)	1975
(vii)	1976
(viii)	1977
(ix)	1978
(x)	1979
(xi)	1980
(xii)	1981
(xiii)	1982
(xiv)	1983
(xv)	1984
(xvi)	1985
(xvii)	1986
(xviii)	1987
(xix)	1988
(xx)	1989
(xxi)	1990

ANSWER:

See Response to Interrogatory 5(a)

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to General Motors, did it sell General Motors wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

(i)	1970
(ii)	1971
(iii)	1972
(iv)	1973
(v)	1974

- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

- (c) Did the wheel assemblies sold by the answering defendant to General Motors for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989

(xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to General Motors for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold General Motors some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 10

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Mack, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to Mack which were to be used by Mack for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to Mack, did it sell Mack wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971

- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

(c) Did the wheel assemblies sold by the answering defendant to Mack for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985

- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Mack for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Mack some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 11

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Peterbilt, state the following with respect to the axles sold:

(a) whether the answering defendant provided wheel assemblies with the axles sold to Peterbilt which were to be used by Peterbilt for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

(b) If the answering defendant did not provide wheel assemblies with the axles sold to Peterbilt, did it sell Peterbilt wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

(c) Did the wheel assemblies sold by the answering defendant to Peterbilt for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978

- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Peterbilt for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Peterbilt some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986

- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 12

If the answer to any subpart of Interrogatory No. 4 is in the affirmative with respect to the Volvo, state the following with respect to the axles sold:

- (a) whether the answering defendant provided wheel assemblies with the axles sold to Volvo which were to be used by Volvo for the manufacture of semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(a)

- (b) If the answering defendant did not provide wheel assemblies with the axles sold to Volvo, did it sell Volvo wheel assemblies separate and apart from the axles for the use with semi-tractor trucks during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(b)

- (c) Did the wheel assemblies sold by the answering defendant to Volvo for use with semi-tractor trucks come equipped with brake shoes during the following years:

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975

- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(c)

(d) State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Volvo for use on semi-tractor trucks contained asbestos or were asbestos free. If in any given year the answering defendant sold Volvo some wheel assemblies with asbestos containing linings and some linings which were asbestos free, indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972
- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983

- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory 5(d)

Interrogatory No. 13

State separately for each subpart whether the answering defendant (and any predecessor thereto) sold axles to Fruehauf (or any predecessor or successor thereto) for inclusion as original equipment parts or replacement parts in semi-trailers during the enumerated following years:

- (a) 1970
- (b) 1971
- (c) 1972
- (d) 1973
- (e) 1974
- (f) 1975
- (g) 1976
- (h) 1977
- (i) 1978
- (j) 1979
- (k) 1980
- (l) 1981
- (m) 1982
- (n) 1983
- (o) 1984
- (p) 1985
- (q) 1986
- (r) 1987
- (s) 1988
- (t) 1989
- (u) 1990

ANSWER:

OBJECTION. Overbroad. Further objecting, Eaton states that, due to the passage of time and other factors, it is impossible to determine whether it sold axles or brake assemblies to specific manufacturers in specific years. Without waiving this objection, Eaton states that at various points during the specified time frame, it sold axles and brake assemblies to Fruehauf. The vast majority of Eaton's axles and brake assemblies were used as original equipment on Fruehauf's trailers.

Interrogatory No. 14

State whether the answering defendant provided wheel assemblies with the axles sold to Fruehauf (or any predecessor or successor thereto) which were to be used by Fruehauf (or any predecessor or successor thereto) for the manufacture of semi-trailers during the following years:

- (a) 1970
- (b) 1971
- (c) 1972
- (d) 1973
- (e) 1974
- (f) 1975
- (g) 1976
- (h) 1977
- (i) 1978
- (j) 1979
- (k) 1980
- (l) 1981
- (m) 1982
- (n) 1983
- (o) 1984
- (p) 1985
- (q) 1986
- (r) 1987
- (s) 1988
- (t) 1989
- (u) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term.

Interrogatory No. 15

Did the answering defendant sell Fruehauf wheel assemblies separate and apart from the axles for the use with semi-trailers during the following years:

- (a) 1970
- (b) 1971
- (c) 1972
- (d) 1973
- (e) 1974
- (f) 1975
- (g) 1976
- (h) 1977
- (i) 1978
- (j) 1979
- (k) 1980
- (l) 1981
- (m) 1982
- (n) 1983
- (o) 1984
- (p) 1985
- (q) 1986
- (r) 1987
- (s) 1988
- (t) 1989
- (u) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term.

Interrogatory No. 16

Did the wheel assemblies sold by the answering defendant to Fruehauf for use with semi-trailers come equipped with brake shoes during the following years:

- (a) 1970
- (b) 1971
- (c) 1972

- (d) 1973
- (e) 1974
- (f) 1975
- (g) 1976
- (h) 1977
- (i) 1978
- (j) 1979
- (k) 1980
- (l) 1981
- (m) 1982
- (n) 1983
- (o) 1984
- (p) 1985
- (q) 1986
- (r) 1987
- (s) 1988
- (t) 1989
- (u) 1990

ANSWER:

OBJECTION. Vague. Without waiving this objection, Eaton states that it did not sell wheel assemblies as it understands that term. Eaton's brake assemblies did, at times incorporate asbestos containing linings manufactured by parties unrelated to Eaton. Beginning in the early 1980's, Eaton offered its customers brake assemblies incorporating non asbestos linings as made available by the lining manufacturers. Eaton believes that, except for certain specific applications relating to brake assemblies intended for military vehicles, it ceased offering brake assemblies incorporating asbestos linings in the late 1980s.

Interrogatory No. 17

State separately for each of the years enumerated, whether the linings on the brake shoes fitted on the wheel assemblies sold to Fruehauf for use on semi-trailers contained asbestos or were asbestos free. If in any given year the answering defendant sold Fruehauf some wheel assemblies with asbestos containing linings and some linings which were asbestos free , indicate for that year the percentage sold with asbestos linings.

- (i) 1970
- (ii) 1971
- (iii) 1972

- (iv) 1973
- (v) 1974
- (vi) 1975
- (vii) 1976
- (viii) 1977
- (ix) 1978
- (x) 1979
- (xi) 1980
- (xii) 1981
- (xiii) 1982
- (xiv) 1983
- (xv) 1984
- (xvi) 1985
- (xvii) 1986
- (xviii) 1987
- (xix) 1988
- (xx) 1989
- (xxi) 1990

ANSWER:

See Response to Interrogatory No. 15.

Interrogatory No. 18

Did the answering defendant or its predecessor's ever manufacture asbestos brake linings? If the answer is affirmative indicate:

- (a) the years the answering defendant manufactured asbestos brake linings;
- (b) the type of asbestos fiber used in the manufacture;
- (c) identify the mine and seller of the asbestos fiber used;
- (d) the amount of asbestos fiber per lining(indicate by weight or volume);
- (e) whether such linings were sold as linings to be affixed by the customer to a metal shoe;
- (f) whether such linings were affixed to a metal shoe by the answering defendant;
- (g) whether such linings were affixed to the metal shoe by rivets, bolts or by bonding;
- (h) whether the defendant in possession of a formula sheet for the manufacture of the linings. If so provide a specimen copy.

- (i) was any air sampling or measurement of the airborne asbestos at the facilities where the brake linings were made. If so provide copies of all records, reports and memorandum pertaining to such studies.

ANSWER:

No.

Interrogatory No. 19

Did the answering defendant ever purchase asbestos brake linings and secure them to a metal shoe at the defendant's manufacturing facilities (as opposed to purchasing a fully assembled brake shoe with the lining already attached)? If the answer is in the affirmative indicate:

- (a) whether the answering defendant ever purchased asbestos containing brake linings from Johns Manville. If so indicate:
- (i) the first year that asbestos brake linings were purchased from this supplier;
 - (ii) the last year that asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same.
 - (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.
 - (v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same.
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same.
 - (vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same.
 - (viii) set forth the type and amount of asbestos fiber per lining(indicate by weight or volume;

- (ix) did the name Johns Manville ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
- (x) set forth the color of the lining.
- (b) whether the answering defendant ever purchased asbestos containing brake linings from Abex. If so indicate:
- (i) the first year that asbestos brake linings were purchased from this supplier;
- (ii) the last year that asbestos brake linings were purchased from this supplier;
- (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same.
- (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.
- (v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same.
- (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same.
- (vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same.
- (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
- (ix) did the name Abex ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
- (x) set forth the color of the lining.
- (c) whether the answering defendant ever purchased asbestos containing brake linings from Bendix. If so indicate:
- (i) the first year that asbestos brake linings were purchased from this supplier;
- (ii) the last year that asbestos brake linings were purchased from this supplier;
- (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of

same.

(iv) whether the supplier of the asbestos brake linings ever the answering defendant ever provided this supplier with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.

(v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same.

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same.

(vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same.

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Bendix ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(d) whether the answering defendant ever purchased asbestos containing brake linings from Carlisle. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

(ii) the last year that asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for asbestos

brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Carlisle ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(e) whether the answering defendant ever purchased asbestos containing brake linings from Raybestos Manhattan. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

(ii) the last year that asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Raybestos Manhattan ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(f) whether the answering defendant ever purchased asbestos containing brake linings from Raymark. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

- (ii) the last year that asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;
 - (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;
 - (vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;
 - (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (ix) did the name Raymark ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (x) set forth the color of the lining.
- (g) whether the answering defendant ever purchased asbestos containing brake linings from Gatke. If so indicate:
- (i) the first year that asbestos brake linings were purchased from this supplier;
 - (ii) the last year that asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;
 - (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or

other written records regarding the purchase of asbestos brake linings from this provider
If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Gatke ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(h) whether the answering defendant ever purchased asbestos containing brake linings from Worldbestos. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

(ii) the last year that asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider
If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Worldbestos ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(i) whether the answering defendant ever purchased asbestos containing brake linings from H.K. Porter. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

(ii) the last year that asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name H.K. Porter ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(j) whether the answering defendant ever purchased asbestos containing brake linings from Maremont. If so indicate:

(i) the first year that asbestos brake linings were purchased from this supplier;

(ii) the last year that asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

- (v) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this supplier. If so provide a copy of same;
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;
 - (vii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;
 - (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (ix) did the name Maremont ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (x) set forth the color of the lining.
- (k) whether the answering defendant ever purchased asbestos containing brake linings from any other supplier not listed in subparagraphs (a-j). If so indicate:
- (i) the name of the supplier;
 - (ii) the first year that asbestos brake linings were purchased from this supplier;
 - (iii) the last year that asbestos brake linings were purchased from this supplier;
 - (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (v) whether the supplier of the asbestos brake linings to this answering defendant ever provided these suppliers with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (vi) is the answering defendant in possession of any contracts or agreements to buy asbestos containing brake linings from this defendant. If so provide a copy of same;
 - (vii) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider If so provide a copy of same;
 - (viii) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider If so provide a copy of same;

- (ix) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (x) did the suppliers name ever appear on the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (xi) set forth the color of the lining.
- (l) Set forth separately by year for the calendar years 1970 to 1990 the percentage of asbestos brake linings purchased from each of the suppliers set forth in response to subparagraphs (a-k).

ANSWER:

For a period of time prior to its 1998 divestiture, Eaton's axle & brake division sold brake assemblies that at times in the past included asbestos containing friction linings manufactured by third parties unrelated to Eaton. Eaton would have affixed these third party linings to Eaton's brake shoe as part of Eaton's manufacturing process. Friction linings incorporated into Eaton brake assemblies were manufactured by Abex, Carlisle, Raybestos and Worldbest. From time to time, Eaton may have purchased friction linings in small amounts from additional manufacturers on a test basis or when specifically requested by a customer. All documents within the possession of Eaton which may contain additional information relevant to this Interrogatory have been previously made available to Plaintiff's counsel.

Interrogatory No. 20

Did the answering defendant ever purchase brake shoes with an asbestos containing brake lining already affixed for use with tractor trucks or trailers. If the answer is in the affirmative indicate:

- (a) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Johns Manville. If so indicate:
 - (i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the brake shoes with asbestos brake linings. If so provide a copy of same.
 - (iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the

constituent ingredients of the asbestos brake linings. If so provide a copy of same.

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same.

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same.

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same.

(viii) set forth the type and amount of asbestos fiber per lining(indicate by weight or volume;

(ix) did the name Johns Manville ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(b) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Abex. If so indicate:

(i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the brake shoes with asbestos brake linings. If so provide a copy of same.

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same.

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same.

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same.

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Abex ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(c) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Bendix. If so indicate:

(i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with the asbestos brake linings. If so provide a copy of same.

(iv) whether the supplier of the brake shoes with asbestos brake linings ever the answering defendant ever provided this supplier with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same.

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase brake shoes with of asbestos brake linings from this provider. If so provide a copy of same.

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same.

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Bendix ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

- (x) set forth the color of the lining.
- (d) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Carlisle. If so indicate:
- (i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of the brake shoes with asbestos brake linings. If so provide a copy of same;
 - (iv) whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same;
 - (vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same;
 - (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (ix) did the name Carlisle ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
- (x) set forth the color of the lining.
- (e) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Raybestos Manhattan. If so indicate:
- (i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (ii) the last year that brake shoes with asbestos brake linings were purchased from this

supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase brake shoes with asbestos brake linings from this provider. If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Raybestos Manhattan ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(f) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Raymark. If so indicate:

(i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

- (v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;
- (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same;
- (vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same;
- (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
- (ix) did the name Raymark ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
- (x) set forth the color of the lining.
- (g) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Gatke. If so indicate:
- (i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;
- (ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;
- (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;
- (iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
- (v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;
- (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same;
- (vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same;

- (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (ix) did the name Gatke ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (x) set forth the color of the lining.
- (h) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Worldbestos. If so indicate:
- (i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;
 - (iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;
 - (iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;
 - (v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;
 - (vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider If so provide a copy of same;
 - (vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider If so provide a copy of same;
 - (viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (ix) did the name Worldbestos ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (x) set forth the color of the lining.

(i) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from H.K. Porter. If so indicate:

(i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name H.K. Porter ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(j) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from Maremont. If so indicate:

(i) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(ii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) whether the answering defendant ever provided this supplier with a specification or

formula sheet for the manufacture of brake shoes with asbestos brake linings. If so provide a copy of same;

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this supplier. If so provide a copy of same;

(vi) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider. If so provide a copy of same;

(vii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider. If so provide a copy of same;

(viii) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(ix) did the name Maremont ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;

(x) set forth the color of the lining.

(k) whether the answering defendant ever purchased brake shoes with asbestos containing brake linings from any other supplier not listed in subparagraphs (a-j). If so indicate:

(i) the name of the supplier;

(ii) the first year that brake shoes with asbestos brake linings were purchased from this supplier;

(iii) the last year that brake shoes with asbestos brake linings were purchased from this supplier;

(iv) whether the supplier of the brake shoes with asbestos brake linings ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

(v) whether the answering defendant ever provided the supplier of the brake shoes with asbestos brake linings with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same;

- (vi) is the answering defendant in possession of any contracts or agreements to buy brake shoes with asbestos containing brake linings from this defendant. If so provide a copy of same;
 - (vii) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of brake shoes with asbestos brake linings from this provider If so provide a copy of same;
 - (viii) is the defendant in possession of any blueprints or design drawings for brake shoes with asbestos brake linings from this provider If so provide a copy of same;
 - (ix) set forth the type and amount of asbestos per lining(indicate by weight or volume;
 - (x) did the suppliers name ever appear on the metal portion of the shoe or the lining itself at the time it was sold by the answering defendant. If so where on the lining did it appear and during what years;
 - (xi) set forth the color of the lining.
- (l) Set forth separately by year for the calendar years 1970 to 1990 the percentage of asbestos brake linings purchased from each of the suppliers set forth in response to subparagraphs (a-k).

ANSWER:

OBJECTION. Vague. Without waiving this objection, and based on the information currently available to Eaton, no.

Interrogatory No. 21

Did the answering defendant ever sell asbestos containing brake linings (not affixed to a brake shoe at the time of sale) for use as replacement parts on semi tractor trucks? If the answer is in the affirmative state the first and last year that asbestos containing brake linings were sold as replacement parts?

ANSWER:

No

Interrogatory No. 22

Did the answering defendant ever sell asbestos containing brake linings (not affixed to a brake

shoe at the time of sale) for use as replacement parts on semi trailer trucks to the below listed entities? If so provide the below listed information for each entity sold to:

(a) Ford Motor Company. If so state:

(i) the first and last date those asbestos containing brake linings were sold to Ford;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(b) Freightliner. If so state:

(i) the first and last date those asbestos containing brake linings were sold Freightliner;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(c) International Harvester. If so state:

(i) the first and last date those asbestos containing brake linings were sold to International Harvester;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(d) General Motors. If so state:

- (i) the first and last date those asbestos containing brake linings were sold to General Motors;
- (ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;
- (iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;
- (iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(e) Mack. If so state:

- (i) the first and last date those asbestos containing brake linings were sold to Mack;
- (ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;
- (iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;
- (iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(f) Southside Trailer Service. If so state:

- (i) the first and last date those asbestos containing brake linings were sold to Southside Trailer;
- (ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;
- (iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;
- (iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(g) Roadway Express. If so state:

- (i) the first and last date those asbestos containing brake linings were sold to

Roadway Express;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

ANSWER:

See Response to Interrogatory No. 21.

Interrogatory No. 23

Did the answering defendant ever sell brake shoes with asbestos containing brake linings for use as replacement parts on semi tractor trucks? If the answer is in the affirmative state the first and last year that asbestos containing brake linings were sold as replacement parts?

ANSWER:

A small number of Eaton's brake assemblies were sold in "re line kits" by Eaton's Original Equipment customers as replacement parts.

Interrogatory No. 24

Did the answering defendant ever sell brake shoes with an asbestos containing brake lining for use as replacement parts on semi trailer trucks to the below listed entities? If so provide the below listed information for each entity sold to:

(a) Ford Motor Company. If so state;

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Ford;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(b) Freightliner. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold Freightliner;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(c) International Harvester. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to International Harvester;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(d) General Motors. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to General Motors;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(e) Mack. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Mack;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(f) Southside Trailer Service. If so state:

(i) the first and last date those asbestos brake shoes with containing brake linings were sold to Southside Trailer;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(g) Roadway Express. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Roadway Express;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

ANSWER:

OBJECTION. Overbroad. Without waiving this objection, Eaton refers to its Response to Interrogatory No. 24. Further responding, Eaton states that it would not have sold re

line kits to either Southside Trailer or Roadway Express as sales of Eaton's brake assemblies were limited to the Original Equipment manufacturers within the Heavy Truck industry. Further responding, Eaton states that all documents within its possession which may contain information relevant to this Interrogatory have been previously made available to Plaintiff's counsel.

Interrogatory No. 25

Did the answering defendant ever sell asbestos containing brake linings (not affixed to a brake shoe at the time of sale) for use as replacement parts on semi trailers? If the answer is in the affirmative state the first and last year that asbestos containing brake linings were sold as replacement parts?

ANSWER:

No.

Interrogatory No. 26

Did the answering defendant ever sell asbestos containing brake linings (not affixed to a brake shoe at the time of sale) for use as replacement parts on semi trailers to the below listed entities?

If so provide the below listed information for each entity sold to:

(a) Fruehauf. If so state:

(i) the first and last date those asbestos containing brake linings were sold to Fruehauf;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(b) Monan. If so state:

(i) the first and last date those asbestos containing brake linings were sold to Monan;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(c) Southside Trailer Service Inc. If so state:

(i) the first and last date those asbestos containing brake linings were sold to Southside Trailer Service Inc;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(d) Roadway Express. If so state:

(i) the first and last date those asbestos containing brake linings were sold to Roadway Express;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

ANSWER:

No.

Interrogatory No. 27

Did the answering defendant ever sell brake shoes with asbestos containing brake linings for use as replacement parts on semi trailers? If the answer is in the affirmative state the first and last

year that asbestos containing brake linings were sold as replacement parts?

ANSWER:

A small number of Eaton's brake assemblies were sold in "re line kits" by Eaton's Original Equipment customers as replacement parts.

Interrogatory No. 28

Did the answering defendant ever sell brake shoes with asbestos containing brake linings for use as replacement parts on semi trailer to the below listed entities? If so provide the below listed information for each entity sold to:

(a) Fruehauf. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Fruehauf;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(b) Monan. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Monan;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(c) Southside Trailer Service Inc. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Southside Trailer Service Inc;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

(d) Roadway Express. If so state:

(i) the first and last date those brake shoes with asbestos containing brake linings were sold to Roadway Express;

(ii) is the defendant in possession of any contracts or agreements for such sales. Provide a copy of same;

(iii) is the defendant in possession of any invoices for such sales. Provide a copy of same;

(iv) is the defendant in possession of any reports, memorandum or correspondence for such sales. Provide a copy of same;

ANSWER:

OBJECTION. Overbroad. Without waiving this objection, Eaton refers to its Response to Interrogatory No. 27. Further responding, Eaton states that it would not have sold re line kits to either Southside Trailer or Roadway Express as sales of Eaton's brake assemblies were limited to the Original Equipment manufacturers within the Heavy Truck industry. Further responding, Eaton states that all documents within its possession which may contain information relevant to this Interrogatory have been previously made available to Plaintiff's counsel.

Interrogatory No. 29

Did the answering defendant ever sell asbestos containing brake linings (not affixed to a brake shoe at the time of sale) for use as replacement parts to independent parts distributors? If so state:

(a) the first and last date those asbestos containing brake linings through independent distributors;

- (b) the name and address of each independent distributor whose was located in Western New York (defined as Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, Wyoming, Monroe, Wayne, Livingston and Ontario Counties).
- (c) is the defendant in possession or control of any contracts or agreements with the independent distributors listed in response to subparagraph (b). If so provide a copy of same;
- (d) is the defendant in possession of any invoices or for such sales to independent distributors listed in response to subparagraph (b). If so provide a copy of same;
- (e) is the defendant in possession of any reports, memorandum or correspondence for the sale of such asbestos containing brake linings with the independent distributors listed in response to subparagraph (b). If so provide a copy of same

ANSWER:

No.

Interrogatory No. 30

Did the answering defendant ever sell brake shoes with asbestos containing brake linings for use as replacement parts to independent parts distributors? If so state:

- (a) the first and last date those brake shoes with asbestos containing brake linings through independent distributors:
- (b) the name and address of each independent distributor who had business offices and/or sales showrooms or sales offices located in Western New York (defined as Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, Wyoming, Monroe, Wayne, Livingston and Ontario Counties).
- (c) the name and address of each independent distributor whose sales territory included Western New York (defined as Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, Wyoming, Monroe, Wayne, Livingston and Ontario Counties).
- (d) is the defendant in possession or control of any contracts or agreements with the independent distributors listed in response to subparagraph (b). If so provide a copy of same;

- (e) is the defendant in possession of any invoices or for such sales to independent distributors listed in response to subparagraph (b). If so provide a copy of same;
- (f) is the defendant in possession of any reports, memorandum or correspondence for the sale of such brake shoes with asbestos containing brake linings to contracts or agreements with the independent distributors listed in response to subparagraph (b). If so provide a copy of same

ANSWER:

No.

Interrogatory No. 31

Did the answering defendant collect or receive used brake shoes from customers for the purpose of relining the brake shoe either by itself or through others? If the answer is in the affirmative state:

- (a) the first and last year that such used brake shoes were collected;
- (b) did the answering defendant charge any sort of deposit or give a credit for a used shoe at the time of the sale of a replacement brake shoe sale? If so during what years or time period was this the practice;
- (c) describe the system or method for the collection of used brake shoes;
- (d) did the answering defendant receive used brake shoes from Roadway Express for relining? If so during what time period? Provide all documents inclusive of invoices, memorandum, correspondence and contracts relative to same.

ANSWER:

No.

Interrogatory No. 32

Did the defendant ever reline used brake shoes at one of its facilities? If so:

- (a) indicate the name and location of the facility;
- (b) provide the years that such relining was performed with asbestos containing brake linings;

(c) indicate the source of the new asbestos brake linings which were used to replace the old (the name of all suppliers and manufacturers)

(d) indicate whether the answering defendant ever provided the supplier of the replacement brake linings with a specification or formula sheet for the manufacture of the asbestos brake linings. If so provide a copy of same.

(e) indicate whether the supplier of the asbestos brake linings ever provided the answering defendant ever with a specification or formula sheet setting forth any of the constituent ingredients of the asbestos brake linings. If so provide a copy of same.

(f) is the answering defendant in possession of any contracts or agreements for the purchase of asbestos containing brake linings from this supplier. If so provide a copy of same.

(g) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the purchase of asbestos brake linings from this provider. If so provide a copy of same.

(h) is the defendant in possession of any blueprints or design drawings for asbestos brake linings from this provider. If so provide a copy of same.

(i) set forth the type and amount of asbestos per lining(indicate by weight or volume;

(j) were the relined brake shoes sold by the answering defendant as replacement parts?

ANSWER:

OBJECTION. Vague. Without waiving this objection, no.

Interrogatory No. 33

Did the defendant ever contract with another company or entity to reline the used brake shoes it collected? If so provide the following information:

(a) indicate the name and address of the entity or company the used brake shoes were delivered or supplied to;

(b) provide the years that such used brake shoes were sent to be relined with asbestos containing brake linings;

(c) indicate the source of the new asbestos brake linings which were used to

replace the old (the name of all suppliers and manufacturers);

(d) indicate whether the answering defendant ever provided this entity with a specification or formula sheet for the manufacture or selection of the asbestos brake linings. If so provide a copy of same.

(e) indicate whether this entity ever provided the answering defendant ever with a specification or formula setting forth any of the constituent ingredients of the asbestos brake linings it was using to reline. If so provide a copy of same.

(f) is the answering defendant in possession of any contracts or agreements for the relining of brake shoes with this entity or entities. If so provide a copy of same.

(g) is the defendant in possession of any purchase orders, receipts, memorandum or other written records regarding the relining of brake shoes by this entity or entities? If so provide a copy of same.

(h) is the defendant in possession of any blueprints or design drawings for asbestos brake linings used by this entity or entities? If so provide a copy of same.

(i) set forth the type and amount of asbestos per lining(indicate by weight or volume.

ANSWER:

OBJECTION. Eaton did not collect used brake shoes. Without waiving this objection, no.

Interrogatory No. 34

Did the defendant ever issue a recall notice or recall any previously sold brake shoes or linings by solely by virtue of the fact that it had been sold with an asbestos containing lining. If so indicate when such recall took place and provide a copy of all notices.

ANSWER:

No.

Interrogatory No. 35

Did any brake shoe with an asbestos containing brake linings installed by the answering defendant as a component part of an axle ever have any labeling directly upon the brake shoe

itself that the lining contained asbestos. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging nor a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the word asbestos appeared on the brake shoe;
- (b) the part or part numbers of the brake shoes containing the word asbestos;
- (c) indicate whether the word asbestos appeared on the lining portion of the brake shoe;
- (d) indicate whether the word asbestos appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was word asbestos, printed, etched, metal stamped, on an adhesive label or string tag);
- (f) indicate the font style, size and color of the word asbestos;
- (g) whether the word asbestos was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer

ANSWER:

Eaton never imprinted the word asbestos on its brake shoes. The lining manufacturers would be in the best position to determine whether their linings ever bore an asbestos legend.

Interrogatory No. 36

Did any brake shoes with an asbestos containing brake lining installed by the answering defendant as a component part of an wheel assembly ever have any labeling directly upon the brake shoe itself that the lining contained asbestos. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging nor a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). . If so state:

- (a) the first and last date the word asbestos appeared on the brake shoe;
- (b) the part or part numbers of the brake shoes containing the word asbestos;

- (c) indicate whether the word asbestos appeared on the lining portion of the brake shoe;
- (d) indicate whether the word asbestos appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was word asbestos, printed, etched, metal stamped, on an adhesive label or string tag);
- (f) indicate the font style, size and color of the word asbestos;
- (g) whether the word asbestos was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer;
- (h) is the answering defendant in possession of any specimen photographs of a brake shoes of the type offered for sale which contains the word asbestos. If so provide a copy of same;
- (i) is the answering defendant in possession of any design drawings depicting the word asbestos on any brake shoes of the type offered for sale. If so provide a copy of same;

ANSWER:

See Response to Interrogatory No. 35

Interrogatory No. 37

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant as a replacement part ever have any labeling directly upon the brake shoe itself that it contained asbestos. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging nor a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the word asbestos appeared on the brake lining;
- (b) the part or part numbers of the brake shoes containing the word asbestos;
- (c) indicate whether the word asbestos appeared on the lining portion of the brake shoe;
- (d) indicate whether the word asbestos appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was word asbestos, printed, etched, metal stamped, on an adhesive label or string tag);

- (f) indicate the font style, size and color of the word asbestos;
- (g) whether the word asbestos was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer;
- (h) is the answering defendant in possession of any specimen photographs of a brake shoes of the type offered for sale which contains the word asbestos. If so provide a copy of same;
- (i) is the answering defendant in possession of any design drawings depicting the word asbestos on any brake shoes of the type offered for sale. If so provide a copy of same

ANSWER:

See Response to Interrogatory No. 35

Interrogatory No. 38

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant either as original equipment as part of an axle or wheel assembly or as a replacement part ever have any labeling directly upon the brake shoe itself that asbestos was potentially hazardous to human health or posed a health risk. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging nor a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the health caution or warning word asbestos appeared on the brake shoe;
- (b) the wording of each version of the health caution or warning and the dates of use;
- (c) indicate whether the health caution or warning appeared on the lining portion of the brake shoe;
- (d) indicate whether the health caution or warning appeared word asbestos appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was the health caution or warning, printed, etched, metal stamped, on an adhesive label or string tag);

- (f) indicate the font style, size and color of the health caution or warning;
- (g) whether the health caution or warning was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer.
- (h) is the answering defendant in possession of any specimen photographs of a brake shoes of the type offered for sale which had a health caution or warning. If so provide a copy of same;
- (i) is the answering defendant in possession of any design drawings depicting the health caution or warning on any brake shoes of the type offered for sale. If so provide a copy of same.

ANSWER:

See Response to Interrogatory No. 35

Interrogatory No. 39

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant either as original equipment as part of an axle or wheel assembly or as a replacement part ever have any labeling directly upon the brake shoe itself that compressed air should not be used to clean brake shoes. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging nor a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the instruction appeared on the brake shoe;
- (b) the wording of each version of the instruction and the dates of use;
- (c) indicate whether the instruction appeared on the lining portion of the brake shoe;
- (d) indicate whether the instruction appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was the instruction, printed, etched, metal stamped, on an adhesive label or string tag);
- (f) indicate the font style, size and color of the instruction;
- (g) whether the instruction was added by the answering defendant or placed by the

manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer.

- (h) is the answering defendant in possession of any specimen photographs of brake shoes of the type offered for sale which had the instruction. If so provide a copy of same;
- (i) is the answering defendant in possession of any design drawings depicting the instruction on any brake shoes of the type offered for sale. If so provide a copy of same.

ANSWER:

OBJECTION. Vague. Without waiving this objection, no.

Interrogatory No. 40

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant either as original equipment as part of an axle or wheel assembly or as a replacement part ever have any labeling directly upon the brake shoe itself that a grinding wheel should not be used to grind a brake lining. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging or a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the instruction appeared on the brake shoe;
- (b) the wording of each version of the instruction and the dates of use;
- (c) indicate whether the instruction appeared on the lining portion of the brake shoe;
- (d) indicate whether the instruction appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was the instruction, printed, etched, metal stamped, on an adhesive label or string tag);
- (f) indicate the font style, size and color of the instruction;
- (g) whether the instruction was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer.
- (h) is the answering defendant in possession of any specimen photographs of brake shoes of the type offered for sale which had the instruction. If so provide a copy of same;

- (i) is the answering defendant in possession of any design drawings depicting the instruction on any brake shoes of the type offered for sale. If so provide a copy of same.

ANSWER:

OBJECTION. Vague. Without waiving this objection, no.

Interrogatory No. 41

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant either as original equipment as part of an axle or wheel assembly or as a replacement part ever have any labeling directly upon the brake shoe itself that sand paper or emery cloth should not be used to sand a brake lining. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging or a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the instruction appeared on the brake shoe;
- (b) the wording of each version of the instruction and the dates of use;
- (c) indicate whether the instruction appeared on the lining portion of the brake shoe;
- (d) indicate whether the instruction appeared on the metal portion of the brake shoe;
- (e) set forth the method of labeling (namely was the instruction, printed, etched, metal stamped, on an adhesive label or string tag);
- (f) indicate the font style, size and color of the instruction;
- (g) whether the instruction was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer.
- (h) is the answering defendant in possession of any specimen photographs of brake shoes of the type offered for sale which had the instruction. If so provide a copy of same;
- (i) is the answering defendant in possession of any design drawings depicting the instruction on any brake shoes of the type offered for sale. If so provide a copy of same.

ANSWER:

OBJECTION. Vague. Without waiving this objection, no.

Interrogatory No. 42

Did any brake shoe with an asbestos containing brake lining sold by the answering defendant either as original equipment as part of an axle or wheel assembly or as a replacement part ever have any labeling directly upon the brake shoe itself that a dust mask or respirator should be worn when working with brake shoes. (This demand relates to the word "asbestos" directly on the brake shoe itself and not on any packaging or a separate reference in any separate manual, book, or publication that the brake lining contained asbestos). If so state:

- (a) the first and last date the instruction appeared on the brake shoe;
- (b) the wording of each version of the instruction and the dates of use;
- (c) the type of mask or respirator recommended;
- (d) under what circumstance that a mask or respirator was recommended;
- (e) indicate whether the instruction appeared on the lining portion of the brake shoe;
- (f) indicate whether the instruction appeared on the metal portion of the brake shoe;
- (g) set forth the method of labeling (namely was the instruction, printed, etched, metal stamped, on an adhesive label or string tag);
- (h) indicate the font style, size and color of the instruction;
- (i) whether the instruction was added by the answering defendant or placed by the manufacturer of the brake shoe or lining. If by the manufacturer of the brake shoe or lining set forth the name of the manufacturer.
- (j) is the answering defendant in possession of any specimen photographs of brake shoes of the type offered for sale which had the instruction. If so provide a copy of same;
- (k) is the answering defendant in possession of any design drawings depicting the instruction on any brake shoes of the type offered for sale. If so provide a copy of same.

ANSWER:

OBJECTION. Vague. Without waiving this objection, no.

Interrogatory No. 43

Did the answering defendant ship any unboxed replacement brake shoes with asbestos containing linings as replacement parts on pallets to its customers? For purposes of this interrogatory an unboxed brake shoe is defined as brake shoes on a pallet without first being placed in a separate cardboard box, plastic or paper bag. If the answer is in the affirmative state:

- (a) did any label, sticker, invoice, string tag on or with the pallet indicate that the linings of the brake shoes on the pallet contained asbestos. If yes state:
 - (i) the first and last year's such item was shipped with the pallet;
 - (ii) the specific type of item affixed to the pallet (i.e. label, sticker, invoice, string tag);
 - (iii) is the defendant in possession of a specimen copy of the labeling item or a photograph thereof. If so provide a copy.
 - (iv) provide the sum and substance of the wording of each version of the labeling item and the dates of use.
- (b) did any label, sticker, invoice, string tag on or with the pallet list a health caution or warning with respect to the asbestos in the linings of the brake shoes on the pallet. If yes state :
 - (i) state the first and last year's such item was shipped with the pallet;
 - (ii) the specific type of item affixed to the pallet (i.e. label, sticker, invoice, string tag);
 - (iii) is the defendant in possession of a specimen copy of the labeling item or a photograph thereof. If so provide a copy.
 - (iv) provide the sum and substance of the wording of each version of the labeling item and the dates of use.
- (c) did any label, sticker, invoice, string tag on or with the pallet list any instructions about the use of compressed air to clean brake shoes.. If yes state :
 - (i) state the first and last year's such item was shipped with the pallet;

- (ii) the specific type of item affixed to the pallet (i.e. label, sticker, invoice, string tag);
 - (iii) is the defendant in possession of a specimen copy of the labeling item or a photograph thereof. If so provide a copy.
 - (iv) provide the sum and substance of the wording of each version of the labeling item and the dates of use.
- (d) did any label, sticker, invoice, string tag on or with the pallet list any instructions about the use of a grinding wheel on the linings of the brake shoes. If yes state :
- (i) state the first and last year's such item was shipped with the pallet;
 - (ii) the specific type of item affixed to the pallet (i.e. label, sticker, invoice, string tag);
 - (iii) is the defendant in possession of a specimen copy of the labeling item or a photograph thereof. If so provide a copy.
 - (iv) provide the sum and substance of the wording of each version of the labeling item and the dates of use.
- (e) did any label, sticker, invoice, string tag on or with the pallet list any instructions about the use of a sandpaper or emery cloth on the linings of the brake shoes. If yes state :
- (i) state the first and last year's such item was shipped with the pallet;
 - (ii) the specific type of item affixed to the pallet (i.e. label, sticker, invoice, string tag);
 - (iii) is the defendant in possession of a specimen copy of the labeling item or a photograph thereof. If so provide a copy.
 - (iv) provide the sum and substance of the wording of each version of the labeling item and the dates of use

ANSWER:

No.

Interrogatory No. 44

Did the answering defendant sell any replacement brake shoes with asbestos containing linings in cardboard boxes? If the answer is in the affirmative state:

- (a) the color of each box and the years of use;

- (b) the color of the writing on the box and years of use;
- (c) the font type and size on the box and years of use;
- (d) did the box contain a Eaton logo and the years of use;
- (e) did any wording on a box indicate that the linings on the brake shoes contained asbestos.
 - (i) is the defendant in possession of a specimen copy of the box or a photograph thereof. If so provide a copy.
 - (ii) provide the sum and substance of the wording of each version of the labeling on the box and the dates of use.
- (f) did any wording on a box list a health caution warning with respect to the asbestos in the linings of the brake shoes. If so state :
 - (i) is the defendant in possession of a specimen copy of the box or a photograph thereof. If so provide a copy.
 - (ii) provide the sum and substance of the wording of each version of the labeling on the box and the dates of use.
- (g) did any wording on a box list any instructions about the use of compressed air to clean brake shoes. If so state :
 - (i) is the defendant in possession of a specimen copy of the box or a photograph thereof. If so provide a copy.
 - (ii) provide the sum and substance of the wording of each version of the labeling on the box and the dates of use.
- (h) did any wording on a box list any instructions about the use of a grinding wheel on the linings of the brake shoes. If so state :
 - (i) is the defendant in possession of a specimen copy of the box or a photograph thereof. If so provide a copy.
 - (ii) provide the sum and substance of the wording of each version of the labeling on the box and the dates of use.
- (i) did any wording on a box any instructions about the use of a sandpaper or emery cloth on the linings of the brake shoes.. If so state :

- (i) is the defendant in possession of a specimen copy of the box or a photograph thereof. If so provide a copy.
- (ii) provide the sum and substance of the wording of each version of the labeling on the box and the dates of use.

ANSWER:

Replacement brake assemblies were sold in a plain cardboard box sealed with white tape bearing the Eaton logo from at least the late 1970s through the 1980s. All documents which may contain information relevant to this Interrogatory have been previously produced to Plaintiff's counsel

Interrogatory No. 45

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures or other writings which indicated that exposure to any of the that asbestos in any brake shoes or linings incorporated as component parts in its axles, wheel assemblies or replacement brake shoes or linings was potentially dangerous to human health. If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;
- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (e) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Vague, overbroad, calculated to harass. Without waiving this objection, Eaton is unaware of any causal connection between the use of its axles or brake assemblies and any disease process. Further answering, Eaton is aware that during the 1970s and 1980s OSHA considered and published certain standards regarding airborne asbestos dust and that those standards were based on the possible connection between the inhalation of certain types of airborne asbestos dust at certain levels and the potential for

an increased risk of certain types of adverse health effects. Eaton further believed that based on its own experience that threshold limit values of asbestos dust exposure from brake linings were not exceeded and that there was no asbestos related health hazards related to its axle or brake products.

Interrogatory No. 46

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures or other writings which indicated that compressed air should not be used when cleaning brake shoes incorporated as component parts in its axles, wheel assemblies or replacement brake shoes or linings. If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;
- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (f) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that all documents in its possession which may contain information relevant to this Interrogatory have been previously produced to Plaintiff's counsel.

Interrogatory No. 47

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures or other writings which indicated that asbestos containing brake linings should not be ground with a grinding wheel. If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;

- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (e) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that all documents in its possession which may contain information relevant to this Interrogatory have been previously produced to Plaintiff's counsel.

Interrogatory No. 48

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures or other writings which indicated that asbestos containing brake linings should not be sanded with emery paper or sand paper: If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;
- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (g) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that all documents in its possession which may contain information relevant to this Interrogatory have been previously produced to Plaintiff's counsel.

Interrogatory No. 49

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures or other writings which indicated that a dust mask or respirator should be worn when working with or

handling asbestos containing brake linings. If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;
- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (e) specify under what circumstances a mask or respirator were recommended;
- (f) indicate the type of mask or respirator recommended
- (g) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that all documents in its possession which may contain information relevant to this Interrogatory have been previously produced to Plaintiff's counsel.

Interrogatory No. 50

Did the defendant ever publish or distribute any books, manuals, pamphlets, brochures, or other writings which indicated that exhaust ventilation equipment should be used when working with or handling asbestos containing brake linings. If the answer is in the affirmative state:

- (a) the date or dates of publication or issuance;
- (b) the titles of such publications;
- (c) to whom such publications were distributed;
- (d) the exact language of each version of the warning or caution contained in such publications and the dates of use;
- (e) specify under what circumstances a mask or respirator were recommended;
- (f) indicate the type of mask or respirator recommended
- (g) provide specimen copies of all versions of such publications.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that all documents in its possession which may contain information responsive to this Interrogatory have been previously provided to Plaintiff's counsel.

INTERROGATORY NO. 51

State whether Defendant or any of its subsidiary or predecessor companies at any time been a member of, belonged to, or participated in any trade organization or association, including but not limited to:

- (a) Society of Automotive Engineers;
- (b) The Asbestos Brake Lining Association;
- (c) The Heavy-Duty Manufactures Council
- (d) The National Safety Council;
- (e) National Insulation Manufacturers Association;
- (f) The Asbestos Textile Institute;
- (g) Industrial Hygiene Foundation;
- (h) Defense Research Institute;
- (i) any other associations or organizations comprised of the manufactures or sellers of brake shoes, brake linings, clutch facings or any other friction products;

If the answer to any subpart above is in the affirmative state:

- (i) name and address of each such association or organization.
- (ii) the dates during which defendant or any of its subsidiaries or predecessors were members.
- (iii) the names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- (iv) whether any of those publications are still in your possession, and if so provide:

- description of the publications, including the date.
- the current location of such publications.
- the custodian of such publications.
- the method or manner in which such publications are maintained.

ANSWER:

OBJECTION. Eaton does not maintain any central records which identify each of the trade or business organizations to which Eaton belonged or for which Eaton has paid dues, particularly where Eaton's participation in such organizations, if any, may have taken the form of participation at the local level by Eaton business involved with relevant product lines or operations. Further responding, Eaton states that documents which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel

INTERROGATORY NO. 52

Please state whether any surveys or studies were performed at any of the defendant's manufacturing or assembly facilities to determine the airborne release of asbestos fibers during any, cutting drilling, riveting, bolting, packaging, unpackaging or handling of asbestos containing brake linings or brake shoes with asbestos linings. If the answer is in the affirmative please state with respect to each such survey or study:

- (a) the subject matter, title and date of each study;
- (b) the date, and the name of the person authorizing the study;
- (c) the reason for the study;
- (d) the names of the persons who conducted the study;
- (e) the date the study was completed;
- (f) whether the results were published and disseminated and if so, where and to whom;
- (g) the results of the study;

- (h) if the statistical analyses were made, state the date and describe the results and assumption upon which they were based;
- (i) If in writing, identify it by date, title, indemnification number, present location and custodian. Provide a copy of such records and reports.

ANSWER:

OBJECTION. Overbroad, vague, not reasonably calculated to lead to the discovery of relevant evidence. Without waiving this objection, Eaton states that pursuant to OSHA requirements, tests for ambient asbestos dust may have been conducted at Eaton facilities involved with the assembly of brake components. Further answering, Eaton states that it is unaware of any other tests in which it participated involving ambient asbestos dust.

INTERROGATORY NO. 53

Please state whether any work place surveys or studies were performed at a test laboratory, at an actual worksite or other location to determine if there was an airborne release of asbestos fibers during the assembly or disassembly of brake shoes including but not limited to the removal of the wheel and tire cleaning with compressed air, hand sanding of brake linings, bench grinding of brake linings, removal of new shoes from packaging, attachment of hardware and springs, adjustment and replacement of the wheel and tire. If the answer is in the affirmative please state with respect to each such survey or study:

- (a) the subject matter, title and date of each study;
- (b) the date, and the name of the person authorizing the study;
- (c) the reason for the study;
- (d) the names of the persons who conducted the study;
- (e) the date the study was completed;
- (f) whether the results were published and disseminated and if so, where and to whom;
- (g) the results of the study;

- (h) if the statistical analyses were made, state the date and describe the results and assumption upon which they were based;
- (i) If in writing, identify it by date, title, indemnification number, present location and custodian. Provide a copy of such records and reports.

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that it is aware that such studies have been performed by third parties unrelated to Eaton. As far as Eaton's involvement with any such studies, Eaton incorporates herein its response to Interrogatory No. 52.

INTERROGATORY NO. 54

Please state whether any work place surveys or studies were performed at a test laboratory or at an actual worksite to determine if the effects of friction and heat on chrysotile asbestos contained in brake linings during the braking process. If the answer is in the affirmative please state with respect to each such survey or study:

- (a) the subject matter, title and date of each study;
- (b) the date, and the name of the person authorizing the study;
- (c) the reason for the study;
- (d) the names of the persons who conducted the study;
- (e) the date the study was completed;
- (f) the vehicles used in the study including but the name and model numbers of the semi tractor truck or trailer.
- (g) whether the results were published and disseminated and if so, where and to whom;
- (h) the results of the study;
- (i) if the statistical analyses were made, state the date and describe the results and assumption upon which they were based;

ANSWER:

OBJECTION. Overbroad, vague. Without waiving this objection, Eaton states that it is aware that such studies have been performed by third parties unrelated to Eaton. As far as Eaton's involvement with any such studies, Eaton incorporates herein its response to Interrogatory No. 52.

INTERROGATORY NO. 55

State whether any employee of defendant, past or present, ever made a claim for asbestos-related pleural disease, asbestosis, mesothelioma, lung cancer or any other cancer under the Occupational Disease or Workmen's Compensation with any State. If so, discuss:

- a. The date that defendant first received notice of such claim;
- b.
- c. The total number of such claims per year received to date;
- d. The total number of such claims received to date;
- e. The number of such claims for which disability benefits and/or medical expenses were paid by defendant;
- e. All persons to whom disability benefits and/or medical expenses were your defendant and the exact medical diagnosis, disease and/or condition for which such benefits/expenses were paid.

ANSWER:

Based on the information currently available to Eaton, no.

INTERROGATORY NO. 56

Whether you or any of your predecessors and/or subsidiaries maintain, from 1950 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the purchase, manufacture, marketing, sale or distribution of asbestos products including but not limited to

asbestos fiber, asbestos containing brake linings and brake shoes with asbestos containing linings. If so, discuss:

- a. The location of such documents.
- b. The name and address of the custodian of the documents.
- c. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- d. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.
- e. Whether there are any documents reflecting that your products were present at the exposure sites identified by Plaintiff.

ANSWER:

Eaton states that documents which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel

INTERROGATORY NO. 57

Identify all of the defendant's present and former executives, officers, managers, agents, servants and employees who have given testimony at deposition, trial, at administrative hearing, before congress or any congressional committee, before meetings a governmental agency, before OSHA, or before the EPA of re on the topics listed below. For each subpart identify whether such testimony was given, name of the case, the court of filing, the court docket number and date of the testimony. Provide a copy of the transcript:

- (a) the manufacture of asbestos containing brake shoes or linings;
- (b) the sale or distribution of asbestos containing brake shoes or linings;
- (c) the customers of the answering defendant;
- (d) the labeling of asbestos containing brake shoes, linings or the packaging in which they were sold or shipped;

- (e) the placement of warnings or cautions with respect to asbestos containing brake shoes or linings;
- (f) the decision, need, feasibility or desirability of discontinuing the use of asbestos containing brake shoes or linings;
- (g) forsterite and brake linings or shoes;
- (h) the custodian of business records;
- (i) the answering defendants knowledge of the historical scientific and medical knowledge of the health implications of exposure to asbestos;
- (j) as an industrial hygienist of the answering defendant relating to asbestos containing products including but not limited to brake shoes and linings;
- (k) as an manager of product safety of the answering defendant relating to asbestos containing products including but not limited to brake shoes and linings;
- (l) as a plant safety manager of product safety of the answering defendant relating to asbestos containing products including but not limited to brake shoes and linings;
- (m) as a director of Environmental Safety of the answering defendant relating to asbestos containing products including but not limited to brake shoes and linings ;
- (n) as a plant physician of the answering defendant relating to asbestos containing products including but not limited to brake shoes and linings and the health of the defendants employees;
- (o) sales personnel who were responsible for making sales calls or servicing accounts in Western New York (defined as Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, Wyoming, Monroe, Wayne, Livingston and Ontario Counties

ANSWER:

Overbroad, calculated to harass. Without waiving this objection, Eaton states that Miles Tuttle has been deposed in connection with All Simmons Cooper Litigation filed in Madison County, Illinois (Madison County 3rd Circuit Court, IL 01/18/2006) and Flora Franklin, et al v General Motors Corporation, et al. (Anderson Circuit Court, KY, Case # 04-CI-00274, 11/22/2005). John Urban and Roger Hobbie have been deposed in connection with Debbie Acceturo, et al v Abex Corporation, et al. (Middlesex County Superior Court, NJ, Case # MID-L-6601-99, Urban: 02/02/2007 and Hobbie: 06/21/2007). Roger Hobbie was deposed in connection with All Asbestos Litigation filed by Simmons Cooper (Madison County 3rd Circuit Court, IL 10/4/2007).

Eaton states that all documents within its possession which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel.

INTERROGATORY NO. 60

Did the answering defendant ever receive a Material Safety Data Sheet (MSDS) for any asbestos containing brake lining or a brake shoe with an asbestos containing brake lining which it purchased from an outside supplier? If the answer is yes provide the following:

- (a) provide the name and address of the supplier who provided the MSDS;
- (b) the date which the MSDS was first issued;
- (c) the date of all revision for the MSDS;
- (d) the sum and substance of each version of the MSDS;
- (e) provide a copy of each version of the MSDS.

ANSWER:

Eaton states that all documents within its possession which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel.

INTERROGATORY NO. 61

Did the suppliers or manufactures of asbestos containing brake linings ever supply the defendant with any warnings or cautions as to the safe handling of asbestos brakes or cautions, procedures or precautions which should be take when handling, cutting, drilling, grinding, sanding, installing or removing brake shoes or linings? If the answer is in the affirmative:

- (a) indicate the name and address of the supplier providing this information;
- (b) indicate the dates or dates which the defendant received this information;
- (c) indicate the sum and substance of the information received;
- (d) provide all writings memorializing this information including but not limited to any

INTERROGATORY NO. 58

During the period 1970 to 1991 did the answering defendant employ any sales personnel who were responsible for making sales calls or servicing accounts in Western New York (defined as Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, Wyoming, Monroe, Wayne, Livingston and Ontario Counties). If the answer is in the affirmative provide the following:

- (a) the name or names of the sales personnel;
- (b) whether such sales persons are alive and their last know address;
- (c) the individual sales territory of each such person;
- (d) whether the defendant is in possession of any invoices or contracts during this period for the sales made by such individuals;
- (e) the names of those persons assigned to any account with Roadway Express;

ANSWER:

Eaton states that all documents within its possession which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel.

INTERROGATORY NO. 59

Did the answering defendant ever issue a Material Safety Data Sheet (MSDS) for any asbestos containing brake lining or a brake shoe with an asbestos containing brake lining. If the answer is yes provide the following:

- (a) the date which the MSDS was first issued;
- (b) the date of all revision for the MSDS;
- (c) the sum and substance of each version of the MSDS;
- (d) provide a copy of each version of the MSDS.

ANSWER:

correspondence, memorandum, minutes of meetings, books, pamphlets, and other writings.

ANSWER:

Eaton states that all documents within its possession which may contain information responsive to this Interrogatory have been previously made available to Plaintiff's counsel.

INTERROGATORY NO. 62

Identify all persons, except experts, on whose testimony plaintiff intends to rely at trial. With regard to each person whom the plaintiff expects to call as an expert witness at trial, provide a copy of the witness' curriculum vitae or a summary of the witness' qualifications and state for each such expert witness

- (a) His identity;
- (b) The subject matter on which such expert is to testify;
- (c) The substance of all facts and opinions regarding which such expert is to testify;
- (d) A summary of the grounds for each opinion of such expert;
- (e) Whether the facts and opinions listed in (c) above are contained in a written report, memorandum or transcript;
- (f) Whether such expert intends to base his testimony on any book, treatise, article, study, or any other document, and if so, identify all such documents; and
- (g) Whether the witness has testified at trial or by deposition in other asbestos-related personal injury or wrongful death cases, and if so, state for each such case:
 - (i) The name and docket number;
 - (ii) The court in which each such case is or was pending; and
 - (iii) The identity of the party for whom the witness testified.

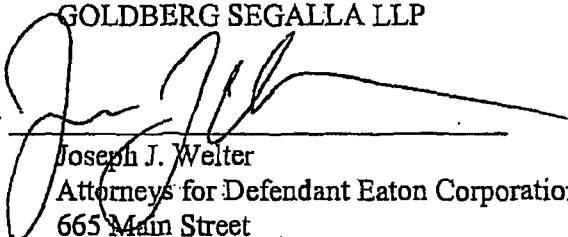
ANSWER:

Eaton is unaware of whom plaintiff intends to call at trial.

Dated: Buffalo, New York
August 29, 2008

GOLDBERG SEGALLA LLP

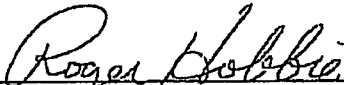
By

A handwritten signature in black ink, appearing to read 'Joe Welter', is written over a horizontal line.

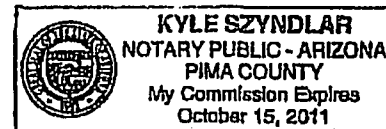
Joseph J. Welter
Attorneys for Defendant Eaton Corporation
665 Main Street
Suite 400
Buffalo, New York 14203
Tel. No. (716) 566-5400

STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

COMES NOW Roger Hobbie, and states that he is authorized to make said Answers to Interrogatories and Requests to Produce, and that said Answers are true and correct to the best of his knowledge, information and belief.



Roger Hobbie



Subscribed and sworn to me this 23 day of Aug, 2008



Notary Public

My Commission Expires: Oct 15, 2011