

ABEX CORPORATION

Summary of Interrogatories:
Kane v. Johns-Manville Corp., et al.
Case No. C 258 940
Superior Court of the State of California
County of Los Angeles

- 1916 American Brake Shoe and Foundry Co.
Incorporated in Delaware in 1916
- 1926 American Brake Materials Corp.
Incorporated by American Brake Shoe & Foundry Co.
- 1933 American Brake Materials Corp.
Changed name to American Brakeblok Corp.
- 1937 American Brakeblok Corp. merges with
American Brake Shoe and Foundry Co.
and became a division of American Brake Shoe & Foundry
Co.
- 1943 American Brake & Shoe Foundry Co. changed name to
American Brake Shoe Company
- 1966 American Brake Shoe Company changed name to ABEX Corp.
- 1965 Abex International, S.A., incorporated in Switzerland;
corporate headquarters in Geneva.

Abex manufactured products containing asbestos fibers:

From 1926 to 1927 in Lancaster, New York
From 1926 to 1959 in Detroit, Michigan
From 1947 to Present in Winchester, Virginia
From 1957 to 1977 in Chicago, Illinois (railroad)
From 1974 to Present in Salisbury, North Carolina

Asbestos purchased from:

Asbestos Corp., Ltd.
Thetford Mines
Quebec, Canada

Bell Asbestos Mines, Ltd.
Thetford Mines
Quebec, Canada

Lake Asbestos
Black Lake
Quebec, Canada

Johns-Manville Corp.
Quebec, Canada

Vermont Asbestos Group, Inc.
Hyde Park, Vermont

Warnings - mid-1972 and mid-1974

American Brake Materials	1930 to 1971
Brakeblock	1936 to 1971
American Brakeblock	1938 to present
Abex	1941 to present
Brake Shoe	1943 to present
Esline	1965 to present
Stopper	1966 to present
American Eagle	1974 to 1980
Crossing Guard	1975 to present
Protector	1975 to present
121 Super Brakes	1975 to present

Private names:

Paccar, Trailmobile, Great Dane, Mac Truck

Above products contained 25-65% chrysotile asbestos by weight

Asbestos products were shipped in kraft or corrugated cardboard boxes. Could be preprinted or plain color with labels affixed. Printed material contained the particular trade name and/or logo as applicable as well as a cautionary phrase regarding asbestos.

In 1936 American Brake Shoe & Foundry agreed to contribute monies to a study to be conducted by Dr. LeRoy Gardner at Saranac Laboratory, Saranac Lake, New York.

In 1973 American Brake Shoe & Foundry Com apparently committed \$250.00 per annum for three years by way of contribution.

Chief Medical Officers:

1941 to 1961: Lloyd E. Hamlin (Dec'd)
1961 to 1976: Charles C. Blackwell, Jr., MD.
1976 to 1982: Frederick W. Knoch, M.D. (Dec'd)
1983 to present: Dennis Egnatz, M.D.

Medical Directors reported to Corporate Vice President of Personnel & Industrial Relations from 1944 to 1981

Medical Directors reported to Corporate Vice President of Human Resources from 1981

Plant Physicians:

Harvey E. Melton, M.D. - Friction Products in Winchester, VA
Harold H. Newman - Friction Products in Salisbury, N.C.
from 1975 to 1980
John M. Blount Friction Products in Salisbury, N.C. from
1980 to present
R.D. Phillips - Railroad Products, Chicago, Illinois

Industrial Hygienists

J.B. Littlefield - 1941-45
H.J. Webert - 1943-54
R.H. Anderson - 1945-46
H.J. Gotmer - 1946-1966
W.A. Hamlin - 1948 - 1948
A. Edwards - 1949-54
R.A. Myles - 1951-51
D. Carlson - 1952-1955
J.S. Holtaway - 1955-66
J.T. Siedlecki - 1955-60
J. B. Mahoney - 1961-66
N. J. Merczak - 1967-1970
S. Gotceitas - 1969-70
F. L. Stanley - 1970-71
F. T. Szum - 1971-75
M. D. Gidley - 1972-76
K. J. Krotz - 1974-77
W. P. Osen - 1975-76
T. Antonson - 1976-1977
C. H. Borcharding - 1976-77
L. G. Wessa - 1977
J. B. Mahoney - 1977-78
R. H. Carpenter-Vance - 1978-80
E. L. Miller - 1979

Memberships in Health Organizations

1950 - Dr. Hamlin, Medical Director, attended the Industrial Hygiene Foundation meeting and held a position on the IHF Committee for a three year term beginning in 1952. Herbert J. Weber attended meetings as early as 1945. No one attended the 1955 IHF meeting in Pittsburgh and transcription of these meeting were never sent to Abex.

Abex became aware of articles published by W.C. Dressen establishing tlv's for airborne asbestos particles, not fibers, in 1972.

Does not provide respirators, but face masks have been made available since early 1970s.

Brake linings and brake assemblies were sold as follows:

50% to all Chrysler Corp. passengers cars from 1950 through 1960.

10% of rear brakes to Chevrolet passengers cars from August 1952 to July 1954.

100% of all models of Cadillac passenger cars from August 1955 to July 1965; and 50% (rears only) from August, 12956 to July, 1983.

25% to Buick on all power-braked equipment cars from June, 1956 to August, 1957

100% to Chevrolet 3/4 ton trucks (-20 models) from August 1969 to Jly 1980; 50% (rears only) from August 1970 to June, 1978

Claims and Insurance info attached as exhibit

July 13, 1984 (/s/)

LAW OFFICES
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Attorneys for Defendant
ABEX CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

RECEIVED
JUL 14 1984

11	LAWRENCE KANE,	)	CASE NO. C 258 940
12		)	GREENE, O'REILLY, AGNEW & BROILLET
12	Plaintiff,	)	RESPONSES TO INTERROGATORIES
13		)	PROPOUNDED TO DEFENDANT, ABEX
13		)	CORPORATION, BY PLAINTIFF
14	vs.	)	
14		)	(First Set)
15	JOHNS-MANVILLE CORPORATION,	)	
15	a corporation, et al.,	)	
16		)	
16	Defendants.	)	
17		)	
17		)	
18	<u>AND ALL RELATED CASES.</u>	)	

TO PLAINTIFF AND TO HIS ATTORNEYS OF RECORD, GREENE,
O'REILLY, AGNEW & BROILLET:

Defendant ABEX CORPORATION, whose investigation and discov-
ery are not complete, and whose responses are to be without
prejudice to producing at the time of trial, any subsequently
discovered facts, witnesses and/or evidence, responds to the
plaintiff's First Set of Interrogatories as follows.

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1 INTERROGATORY NO. 1:

2 State the name, present address, and capacity of title of
3 the individual signing these Interrogatories on behalf of the
4 answering defendant.

5 RESPONSE:

6 A. H. Casey, Jr., Abex Corporation, Six Landmark Square,
7 Stamford, Connecticut 06904, is verifying the answers to inter-
8 rogatories.

9 INTERROGATORY NO. 2:

10 Please state the address of your principal place of business
11 and whether you have assumed the assets and/or liabilities of any
12 predecessor corporation or entity. Answer these Interrogatories
13 for each such acquired company which manufactured products con-
14 taining asbestos.

15 RESPONSE:

16 OBJECTION. Interrogatory No. 2 is objected to on the
17 grounds that it is overly broad, vague, ambiguous and unintelli-
18 gible. Without waiving said objection, and in the spirit of
19 liberal discovery, defendant responds that the American Brake
20 Shoe and Foundry Company, a Delaware Corporation, was incorpo-
21 rated in 1916. In 1926, The American Brake Shoe and Foundry
22 Company caused to be incorporated a New York Corporation entitled
23 American Brake Materials Corporation. In 1933, American Brake
24 Materials Corporation changed its name to American Brakeblok
25 Corporation. In 1937, American Brakeblok Corporation merged with
26 the American Brake Shoe and Foundry Company and was thereafter
operated as the American Brakeblok Division of that company.

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1 In 1943, The American Brake Shoe and Foundry Company changed
2 its name to American Brake Shoe Company. In 1966, American Brake
3 Shoe Company changed its name to Abex Corporation.

4 INTERROGATORY NO. 3:

5 Has defendant, at any time from 1930 to the present, engaged
6 in the manufacture of products containing asbestos fibers?

7 RESPONSE:

8 Yes.

9 INTERROGATORY NO. 4:

10 If the answer to Interrogatory No. 3 is yes, please state:

11 (a) Where the asbestos-containing product [sic] were
12 manufactured;

13 (b) How long the defendant has manufactured and/or
14 distributed asbestos-containing materials;

15 (c) Whether defendant has supplied manufactured asbes-
16 tos materials to any other defendant herein since 1930;

17 (d) The dates of the transactions referred to in sub-
18 section (c);

19 (e) The compensation paid for the manufactured asbes-
20 tos materials;

21 (f) Whether any warnings, cautions, caveats or direc-
22 tions accompanied the materials referred to in (c); and

23 (g) The date the warnings, cautions, caveats or direc-
24 tions referred to in (f) first appeared.

25 RESPONSE:

26 (a) 1926-1927, Lancaster, New York
1926-1959, 4600 Merritt Avenue, Detroit, Michigan
1947-Present, Winchester, Virginia

1 1957-1977, Chicago, Illinois; (Railroad Products
2 Division)

3 1974-Present, Salisbury, North Carolina.

4 (b) Please refer to response to subpart (a), above.

5 (c) OBJECTION. Subpart (c) is objected to on the
6 grounds that the subject interrogatories are propounded under the
7 case caption of Lawrence Kane V. Johns-Manville Corporation,
8 etc., et al. "And All Related Cases." This defendant does not
9 know what the phrase "other defendants" refers to and it cer-
10 tainly does not know the identity of "all defendants" in all
11 actions maintained by the plaintiff firm. Without waiving said
12 objection, and in the spirit of liberal discovery, this defendant
13 will respond that it has sold friction materials to various vehi-
14 cle manufacturers and others.

15 (d) OBJECTION. Subpart (d) is objected to on the
16 grounds that it is overly broad, burdensome, vexatious and har-
17 assing. The burden and expense to this defendant to compile the
18 information sought is not outweighed by the questionable evi-
19 dentiary value of the information sought. Further, the inter-
20 rogatory in its present form requests a compilation or abstract
21 of records which does not exist. Finally, sales records re-
22 specting such information have been maintained only since 1976 by
23 Abex Corporation.

24 (e) OBJECTION. Subpart (e) to Interrogatory No. 4 is
25 objected to on the grounds it is vague, ambiguous and unintelli-
26 gible with respect to the term "compensation paid."

(f) OBJECTION. Subpart (f) is objected to on the
grounds that it is vague, ambiguous and unintelligible with

1 respect to the terms "warnings," "cautions," "caveats" or "direc-
2 tions." Without waiving said objection, and in the spirit of
3 liberal discovery, this defendant will respond that with respect
4 to cautions concerning asbestos, all asbestos-containing products
5 manufactured, distributed or supplied by this defendant since
6 1972, did have warning labels complying with the OSHA mandate.

7 (g) Please refer to objection and response contained
8 in subpart (f).

9 INTERROGATORY NO. 5:

10 If the answer to Interrogatory No. 3 is no, please
11 state:

12 (a) From what sources has defendant obtained asbes-
13 tos-containing products since 1930?

14 (b) Whether any warnings, cautions, caveats or direc-
15 tions accompanied the material referred to in (a);

16 (c) The nature and extent of said warnings, cautions,
17 caveats or directions accompanying said asbestos materials;

18 (d) Approximately what date said warnings, cautions,
19 caveats or directions first appears [sic] on the manufactured
20 asbestos materials.

21 RESPONSE:

22 Not applicable.

23 INTERROGATORY NO. 6:

24 Has defendant, at any time from 1930 to the present, engaged
25 in the mining and/or milling of material containing asbestos
26 fibers?

27 RESPONSE:

28 No.

1 INTERROGATORY NO. 7:

2 If the answer to Interrogatory No. 6 is yes, please state:

3 (a) Where the asbestos was mined and milled;

4 (b) How long the defendant has mined and milled asbes-
5 tos;

6 (c) Whether the defendant has supplied this mined
7 and/or milled asbestos to any defendant herein since 1930;

8 (d) The date of each transactions [sic];

9 (e) The dollar and tonnage amount of each sale;

10 (f) Whether any warnings, cautions, caveats or direc-
11 tions accompanied the materials referred to in (c); and

12 (g) The dates any warnings, cautions, caveats or di-
13 rections referred to in subsection (f) first accompanied defen-
14 dant's asbestos-containing products.

15 RESPONSE:

16 Not applicable.

17 INTERROGATORY NO. 8:

18 If your answer to Interrogatory No. 6 is no, please state:

19 (a) From what sources has defendant obtained mined
20 asbestos since 1930?

21 (b) Have any warnings, cautions, caveats or directions
22 accompanied the material referred to in (a);

23 (c) The nature and extent of the warnings, cautions,
24 caveats or directions referred to in (b);

25 (d) Approximately what date said warnings, cautions,
26 caveats or directions first appeared on the mined asbestos.

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1 RESPONSE:

2 (a) Asbestos Corporation, Ltd., Thetford Mines, Que-
3 bec, Canada; Bell Asbestos Mines, Ltd., Thetford Mines, Quebec,
4 Canada; Lake Asbestos, Black Lake, Quebec, Canada; Johns-
5 Manville Corporation, Quebec, Canada; and Vermont Asbestos Group,
6 Inc., Hyde Park, Vermont;

7 (b) Yes.

8 (c) and (d) Defendant does not have records which
9 reflect such information; however, it presently recalls that it
10 believes cautionary warnings did accompany asbestos purchased
11 from the Canadian Mines beginning in mid-1972 and from Vermont
12 Asbestos Group beginning in mid-1974. Current cautionary
13 instructions are as follows:

14 Bell Asbestos Mines, Ltd: WARNING. Contains asbestos fibers.
15 Avoid creating dust. Breathing asbestos dust may cause cancer and
16 other fatal diseases. Smoking greatly increases the lung cancer
17 risk. [Note: The cautionary instruction also appears in
18 French.]

19 Asbestos Corporation, Ltd.: CAUTION. Contains asbestos fibers.
20 Avoid creating dust. Breathing asbestos dust may cause serious
21 bodily harm. [Note: The cautionary instruction also appears in
22 French.]

23 Johns-Manville Corporation: CAUTION. Contains asbestos fibers.
24 Avoid creating dust. Breathing asbestos dust may cause serious
25 bodily harm. Smoking greatly increases the risk of serious
26 bodily harm. [Note: The cautionary instruction also appears in
27 five other languages.]

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1 INTERROGATORY NO. 9:

2 Has defendant, at any time from 1930 to the present, engaged
3 in the processing, marketing and/or sale of products containing
4 asbestos fibers?

5 RESPONSE:

6 Yes.

7 INTERROGATORY NO. 10:

8 If the answer to Interrogatory No. 3, No. 6 or No. 9 is
9 affirmative, please state as to each affirmative answer:

10 (a) The trade or brand name of each product mined,
11 manufactured, and/or marketed;

12 (b) The dates each product was placed on the market;

13 (c) The dates each product was withdrawn from the
14 market;

15 (d) A description of the chemical composition of each
16 product, including the type of asbestos contained in each such
17 product (i.e., amosite, chrysotile, crocidolite) and the quanti-
18 tative percentage of asbestos in each product;

19 (e) A description of the physical appearance of each
20 product;

21 (f) A detailed description of the intended uses of
22 each product;

23 (g) The name of the manufacturers of each product;

24 (h) The mining or milling concern from which the raw
25 asbestos was obtained.

26 RESPONSE:

27 (a), (b) and (c):
28 ///

	<u>TRADEMARK</u>	<u>YEAR OF REG. OR FIRST USE</u>	<u>CURRENT STATUS</u>
3	American Brake Materials	1930	Abandoned 1971
4	Brakeblok	1936	Abandoned 1971
5	American Brakeblok	1938	Active
6	Abex	1941	Active
7	Brake Snoc	1943	Active
8	Esline	1965	Active
9	Stopper	1966	Active
10	American Eagle	1974	Abandoned 1980
11	Crossing Guard	1975	Active
12	Protector	1975	Active
13	121 Super Brakes	1975	Active

14 Additionally, there were private brand names applied to
15 certain products, such as Paccar, Trailmobile, Great Dane, Mac
16 Truck, and possibly others.

17 (d) OBJECTION. Subpart (d) to Interrogatory No. 10 is
18 objected to on the grounds that it is overly broad, burdensome,
19 and requests information which is proprietary in nature. Further,
20 the interrogatory seeks information which is not reasonably cal-
21 culated to lead to the discovery of admissible evidence. Without
22 waiving said objection, and in the spirit of liberal discovery,
23 defendant responds that the friction materials, referenced above,
24 contained chrysotile asbestos, 25-65% by weight, depending on the
25 product.

26 (e) OBJECTION. Subpart (e) to Interrogatory No. 10 is
27 objected to on the grounds that it is overly broad, vague, am-
28 biguous, unintelligible, burdensome and seeks information which

1 is not reasonably calculated to lead to the discovery of admissi-
2 ble evidence. Without waiving said objection, and in the spirit
3 of liberal discovery, defendant responds that the products were
4 of various shapes and sizes, with colors ranging from tan to
5 black.

6 (f) Defendant incorporates its objection to subpart
7 (e), supra. Without waiving said objection, and in the spirit
8 of liberal discovery, defendant responds that generally the
9 intended use was to provide a means for braking.

10 (g) OBJECTION. Subpart (g) is objected to on the
11 grounds it is vague, ambiguous, unintelligible, overly broad,
12 burdensome and vexatious.

13 (h) OBJECTION. Subpart (h) is objected to on the
14 grounds that it is overly broad, burdensome, vexatious and har-
15 assing and seeks a compilation of records which does not exist.

16 INTERROGATORY NO. 11:

17 Does defendant hold the rights to any patent pertaining to
18 the products listed in the preceding Interrogatory?

19 RESPONSE:

20 Yes.

21 INTERROGATORY NO. 12:

22 If the answer to the preceding Interrogatory is affirmative,
23 please state:

- 24 (a) The number of each patent;
25 (b) The date each patent was issued;
26 (c) The number of each patent application that is
27 pending.

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1 RESPONSE:

2 (a) and (b) The following are unexpired patents (as of
3 October, 1983) covering friction products containing asbestos:

4 U.S. PATENT ISSUE

5 <u>NO.</u>	<u>DATE</u>	<u>INVENTORS</u>	<u>TITLE</u>
6 3,334,163	08/01/67	R.H. Gilbert	Method of molding 7 friction elements
8 3,448,071	06/03/69	E.C. Keller	Brake Pad
9 3,477,983	11/11/69	E.C. Keller	Friction elements
10 3,492,262	01/27/70	A.M. Griffith	Friction elements
11 3,505,446	04/07/70	A.M. Griffith	Friction elements
12 3,673,276	06/27/72	E.C. Keller	Friction elements
13		R.E. Spokes	
14 3,751,330	08/07/73	R.H. Gilbert	Railroad Brake Shoes
15 3,998,573	12/21/76	R.H. Gilbert	The Manufacture of
16		A.M. Griffith	friction elements

17 (c) As of October, 1983, there were no patent
18 applications on file assigned to Abex Corporation covering
19 products containing asbestos.

20 INTERROGATORY NO. 13:

21 Have any of the products listed in Interrogatory No. 10
22 above been altered in chemical composition, asbestos type or
23 content since first being marketed?

24 RESPONSE:

25 There has been no difference in the use of chrysotile
26 asbestos. There may have been changes in phenolic resins and
27 fillers.

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1 INTERROGATORY NO. 14:

2 If the answer to Interrogatory No. 13 is affirmative, please
3 state:

- 4 (a) The trade name of each product;
5 (b) The date each product was altered;
6 (c) The nature of the alteration;
7 (d) The reason for the alteration.

8 RESPONSE:

9 OBJECTION. Interrogatory No. 14 is objected to on the
10 grounds that it is overly broad, burdensome and requests informa-
11 tion which is proprietary in nature. Further, the burden and
12 expense to this defendant to compile the information sought is
13 not outweighed by the questionable evidentiary value of the in-
14 formation sought.

15 INTERROGATORY NO. 15:

16 Do any written materials of any kind or character exist
17 relating to the testing of said products?

18 RESPONSE:

19 OBJECTION. Interrogatory No. 15 is objected to on the
20 grounds that it is overly broad, burdensome, vexatious, harass-
21 ing, vague, ambiguous and unintelligible. The burden and expense
22 to this responding defendant to compile the requested information
23 is not outweighed by the questionable evidentiary value of the
24 information sought.

25 INTERROGATORY NO. 16:

26 Did defendant make any design changes as a result of the
27 tests referred to in Interrogatory No. 15?

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1 RESPONSE:

2 Not applicable by virtue of the objection interposed in
3 response to Interrogatory No. 15.

4 INTERROGATORY NO. 17:

5 If the answer to Interrogatory No. 16 is affirmative, please
6 state:

7 (a) The nature of the change made;

8 (b) The name, address, and job classification of each
9 person ordering the change in design.

10 RESPONSE:

11 Not applicable by virtue of the objection interposed in
12 response to Interrogatory Nos. 15 and 16.

13 INTERROGATORY NO. 18:

14 Has defendant, at any time since 1930, published and/or
15 distributed any brochures, sales literature, pamphlets, or other
16 written materials of any kind that contain any warnings, cau-
17 tions, caveats or directions concerning the possibility of injury
18 resulting from the use of the products listed in Interrogatory
19 No. 10, above? If so, identify each brochure, sales literature,
20 pamphlet or other written material and the date of publication
21 and distribution.

22 RESPONSE:

23 Yes. Since 1972, all asbestos-containing products were
24 accompanied by warning labels affixed to the package in which the
25 product was contained. Additionally, documents falling within
26 the scope of this interrogatory were produced by defendant at the
27 deposition of Charles Mallory in Washington, D.C. on June 11,
1984.

1 INTERROGATORY NO. 19:

2 Has defendant received notice (excluding Workers' Com-
3 pensation claims) of any person claiming injuries sustained as a
4 result of exposure to asbestos-containing products manufactured,
5 sold or distributed by it?

6 RESPONSE:

7 Yes.

8 INTERROGATORY NO. 20:

9 If answer to Interrogatory No. 19 is affirmative, please
10 state:

11 (a) The names of all parties involved in the
12 claim(s);

13 (b) The date defendant received notice of each
14 claim(s);

15 (c) The injuries allegedly sustained by each claimant;

16 (d) The court in which each claim was made.

17 RESPONSE:

18 Please see attached Exhibit "A" for listing of cases.

19 INTERROGATORY NO. 21:

20 Does defendant have any records indicating that any of its
21 asbestos-containing products were sold or distributed to any of
22 the defendants named herein?

23 RESPONSE:

24 OBJECTION. Interrogatory No. 21 is objected to on the
25 grounds set forth in response to Interrogatory No. 4(c), supra.
26 The interrogatory is further objected to on the grounds that it
is overly broad, burdensome and oppressive. Without waiving said
objection, and in the spirit of liberal discovery, this defendant

1 responds that it has records regarding sales dating back to 1976,
2 but no summary, compilation or abstract currently exists. Defen-
3 dant is in the process of attempting to abstract the sales re-
4 cords which do exist, which it contemplates will be accomplished
5 by late 1984.

6 INTERROGATORY NO. 22:

7 If the answer to Interrogatory No. 21 is affirmative, please
8 state:

- 9 (a) The name, address and job classification of each
10 individual who currently has possession of such
11 records;
- 12 (b) The names of each defendant named herein to whom
13 your products have been sold or distributed;
- 14 (c) The dates of each such sale;
- 15 (d) The amount and type of materials sold or distrib-
16 uted;
- 17 (e) Whether defendant manufactured asbestos-containing
18 products for any other business entity but placed
19 labels or logos not belonging to said defendant on said
20 products; and
- 21 (f) If response to (e) above is in the affirmative,
22 list each such business entity referred to said subsec-
23 tion (sic).

24 RESPONSE:

25 OBJECTION. Interrogatory No. 22 is objected to on the
26 grounds set forth in response to Interrogatory No. 21. The in-
27 terrogatory is further objected to on the grounds that it seeks a
28 compilation or abstract of records which does not exist.

1 INTERROGATORY NO. 23:

2 Does defendant have policies of insurance that cover the
3 claims that have been made by plaintiff herein?

4 RESPONSE:

5 OBJECTION. Interrogatory No. 23 is objected to on the
6 grounds that this defendant does not know to whom the term
7 "plaintiff herein" applies, inasmuch as these interrogatories
8 have been sent under the case caption of Lawrence Kane v.
9 Johns-Manville, etc., et al., "And All Related Cases." Without
10 waiving said objection, and in the spirit of liberal discovery,
11 defendant refers the plaintiff to Exhibit "I" attached to these
12 responses to Interrogatories for a listing of all applicable
13 insurance carriers and corresponding coverage limits.

14 INTERROGATORY NO. 24:

15 If response to Interrogatory No. 23 is affirmative, please
16 list the name of each insurance carrier referred to in the pre-
17 ceding interrogatory, the amount of such coverage, and the effec-
18 tive dates of each policy?

19 RESPONSE:

20 Please refer to response to Interrogatory No. 23.

21 INTERROGATORY NO. 25:

22 Is there any dispute as to insurance coverage with respect
23 to claims made by plaintiff?

24 RESPONSE:

25 Please see objection to Interrogatory Nos. 23 and 24, supra.
26 Without waiving said objection, and in the spirit of liberal
27 discovery, defendant responds that Abex Corporation is litigating
coverage issues with its insurance carriers, Maryland Casualty

1 Insurance Company, Liberty Mutual Insurance Company, and The
2 Travellers Insurance Company.

3 INTERROGATORY NO. 26:

4 Does defendant possess knowledge which would enable asbes-
5 tos-containing products to be manufactured or treated so as to
6 eliminate potential health hazards to workers using said prod-
7 ucts?

8 RESPONSE:

9 OBJECTION. Interrogatory No. 26 is objected to on the
10 grounds that it is overly broad, vague, ambiguous and unintelli-
11 gible.

12 INTERROGATORY NO. 27:

13 Please describe in detail the type of packages in which
14 defendant has sold or distributed asbestos-containing material,
15 listing the dates each type of package was used, and a descrip-
16 tion of any printed material or trademarks that appeared thereon.

17 RESPONSE:

18 OBJECTION. Interrogatory No. 27 is objected to on the
19 grounds that it is overly broad, vague, ambiguous, oppressive,
20 harassing, and seeks information which is not reasonably calcu-
21 lated to lead to the discovery of admissible evidence. Further,
22 the interrogatory as framed would require this defendant to pro-
23 vide a detailed description of each and every type of package it
24 used for each and every one of its products manufactured for
25 several decades. Without waiving said objection, and in the
26 spirit of liberal discovery, this defendant will respond that
27 generally, its asbestos-containing products were shipped in
kraft or corrugated cardboard boxes. These boxes may be

1 pre-printed or of plain color with labels affixed. The printed
2 material includes the particular trade name and/or logo as appli-
3 cable, as well as a cautionary phrase regarding asbestos.

4 INTERROGATORY NO. 28:

5 Did defendant receive any reports or communications from any
6 insurance carrier with regard to the hazards incident to the use
7 of asbestos-containing products? If so, please state the name of
8 the person(s) who has possession of said reports, the location of
9 the reports and a summary of the contents of the reports, includ-
10 ing the name of each insurance company, its address, and the
11 agent delivering such information.

12 RESPONSE:

13 OBJECTION. Interrogatory No. 28 is objected to on the
14 grounds that it is overly broad, vague, ambiguous, and seeks
15 information which is subject to the attorney-client privilege
16 and/or attorney work product privilege as it might relate to
17 matters in litigation or matters relating to the contemplation of
18 litigation.

19 INTERROGATORY NO. 29:

20 Has any other defendant named herein ever furnished the
21 answering defendant with information as to the state of medical
22 knowledge regarding the connection between asbestos exposure and
23 the development of pulmonary diseases, including cancer and
24 asbestosis?

25 RESPONSE:

26 OBJECTION. Defendant incorporates its objection to Inter-
rogatory No. 4(c), supra, as though set forth in full herein.

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1 INTERROGATORY NO. 30:

2 If the answer to the preceding interrogatory is in the af-
3 firmative, please state:

4 (a) The nature and content of the information referred
5 to in the preceding interrogatory;

6 (b) When the defendant was furnished the information;

7 (c) From whom the defendant received the information.

8 RESPONSE:

9 Not applicable.

10 INTERROGATORY NO. 31:

11 Has any other defendant herein furnished the answering de-
12 fendant with the results of any research, tests, medical studies
13 or experiments regarding any connection between asbestos exposure
14 and the development of pulmonary disease, including lung cancer
15 and asbestosis, since 1930?

16 RESPONSE:

17 Defendant incorporates its objection set forth in response
18 to Interrogatory No. 4(c), supra.

19 INTERROGATORY NO. 32:

20 If the answer to the preceding interrogatory is in the af-
21 firmative, please state:

22 (a) When the defendant received the above-described
23 information;

24 (b) From whom the defendant received the information;

25 (c) Describe the nature and content of each document
26 or communication.

27 RESPONSE:

28 Not applicable.

1 INTERROGATORY NO. 33:

2 Please state if the defendant ever conducted, sponsored or
3 contributed financially to any research or studies to determine
4 if the inhalation of asbestos fibers may be harmful. If so,
5 please state:

6 (a) By whom the research was conducted;

7 (b) The dates the research study was conducted;

8 (c) The results of the research or study.

9 RESPONSE:

10 OBJECTION. Interrogatory No. 33 is objected to on the
11 grounds that it is overly broad, vague and ambiguous. Without
12 waiving said objection, and in the spirit of liberal discovery,
13 defendant responds that it appears that in or about 1936, Ameri-
14 can Brake Shoe and Foundry Company agreed to contribute monies to
15 a study to be conducted by Dr. LeRoy Gardner at Saranac Labora-
16 tory, Saranac Lake, New York, and in 1973, American Brake Shoe
17 and Foundry Company apparently committed \$250 per annum for three
18 years by way of contribution.

19 INTERROGATORY NO. 34:

20 Please state the names, addresses, dates of employment and
21 official title of the defendant's chief medical officers from
22 1930 until the present.

23 RESPONSE:

24 (1) 1941 to 1961: Lloyd E. Hamlin, M.D. (Deceased);

25 (2) 1961 to 1976: Charles C. Blackwell, Jr., M.D., 4911
26 East Doubletree Ranch Road, Paradise Valley, Arizona 85253;

27 (3) 1976 to 1982: Frederick W. Knoch, M.D. (Deceased);

28 ///

1 (4) 1983 to date: Dennis Egnatz, M.D., 121 Lakewood
2 Circle, Burr Ridge, Illinois 60521.

3 INTERROGATORY NO. 35:

4 Please state the name, address, title and dates of employ-
5 ment of the immediate superior(s) of the individuals identified
6 in the preceding interrogatory.

7 RESPONSE:

8 From 1944 to February, 1981, the Medical Director reported
9 to the corporate Vice President of Personnel and Industrial Rela-
10 tions. From 1981 to the present, the Medical Director has re-
11 ported to the corporate Vice President of Human Resources.

12 INTERROGATORY NO. 36:

13 Please describe in detail the duties and responsibilities of
14 the defendant's chief medical officer.

15 RESPONSE:

16 The Medical Director directs company-wide employee health
17 and safety programs. He provides guidance to corporate manage-
18 ment. The Medical Director's position is administrative and his
19 responsibilities include employee health, safety, industrial
20 hygiene, loss prevention, and employee assistance. He directly
21 supervises a staff of non-medical personnel and functionally
22 supervises occupational health nurses throughout the company. He
23 also approves the appointment of, and coordinates the activities
24 of, independent medical practitioners conducting physical exami-
25 nations or providing medical care locally.

26 INTERROGATORY NO. 37:

27 Please state the names and addresses of all physicians em-
28 ployed, retained or otherwise engaged by the defendant at any of

1 defendant's asbestos-containing mechanical parts for the years
2 1930 to 1972.

3 RESPONSE:

4 Based upon information available at this time, defendant
5 responds that it does not believe so.

6 INTERROGATORY NO. 110:

7 Please list the names and addresses of all insurance carri-
8 ers which provided Workers' Compensation coverage for occupa-
9 tional diseases for defendant's employees, including automobile
10 repair employees, between the years of 1930 and 1972.

11 RESPONSE:

12 OBJECTION. Interrogatory No. 110 is objected to on the
13 grounds that it is overly broad, burdensome and oppressive. The
14 burden and expense to this defendant to compile the information
15 sought is not outweighed by the questionable probative value of
16 the information sought. The information requested is not rele-
17 vant and not reasonably calculated to lead to the discovery of
18 admissible evidence.

19 INTERROGATORY NO. 111:

20 At any time during the period 1948 to 1978, has defendant
21 manufactured automobile undercoat sealer? If so, please state:

22 (a) The trade or brand name(s) under which the
23 undercoat sealer was marketed;

24 (b) The years during which the undercoat sealer, under
25 each trade or brand name, was manufactured;

26 (c) The dates each product listed in (a) was withdrawn
27 from the market;

28 ///

1 its facilities from the years 1930 until the present time.

2 RESPONSE:

3 OBJECTION. Interrogatory No. 37 is objected to on the
4 grounds that it is overly broad, burdensome, and oppressive.
5 Without waiving said objection, and in the spirit of liberal
6 discovery, this defendant responds that the following are plant
7 physicians for those plants which use or have used asbestos in
8 the recent past:

9 (1) Friction Products Division, Winchester, Virginia:

10 Harvey E. Melton, M.D., 522 Amherst Street, Winchester, Virginia
11 22601. Dr. Melton has been plant physician for many years;

12 (2) Friction Products Division, Salisbury, North Carolina:

13 Harold H. Newman, M.D., 516 Mocksville Avenue, Salisbury, North
14 Carolina 28144; Dr. Newman was the plant physician from 1975 to
15 1980. John M. Blount, M.D., 1927 West Innes, Salisbury, North
16 Carolina 28144, has been the plant physician from 1980 to the
17 present;

18 (3) Railroad Products Division, Chicago, Illinois: R. D.
19 Phillips, M.D., Zayas Clinic, 4206 West 26th Street, Chicago,
20 Illinois 60623.

21 INTERROGATORY NO. 38:

22 Please list the names and addresses of all persons employed
23 by defendant from 1930 until the present time who functioned as
24 industrial hygienists. (As contemplated by these Interroga-
25 tories, an industrial hygienist is one that performs engineering
26 or health studies to identify and evaluate potential occupational
health hazards and suggests methods of dealing with same.) In-
clude in your answer to the foregoing:

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(a) The facility or office to which the individuals were assigned;

(b) A detailed description of their duties and responsibilities.

RESPONSE:

(a) (1)	1941-1945	J. B. Littlefield
	1943-1954	H. J. Webert
	1945-1946	R. H. Anderson
	1946-1966	H. J. Gotmer
	1948-1948	W. A. Hamlin
	1949-1954	A. Edwards
	1951-1951	R. A. Myles
	1952-1955	D. Carlson
	1955-1966	J. S. Holtaway

The above were located at 2501 South Blue Island Avenue in Chicago, Illinois.

(2)	1955-1960	J. T. Siedlecki
	1961-1966	J. B. Mahoney
	1967-1974	C. H. Borchherding
	1967-1970	N. J. Merczak
	1969-1970	S. Gotceitas
	1970-1971	F. L. Stanley
	1972-1975	F. T. Szum
	1972-1976	M. D. Gidley
	1974-1977	K. J. Krotz
	1975-1976	W. P. Osen
	1976-1977	T. Antonson
	1976-1977	C. H. Borchherding

1	1977-	L. G. Wessa
2	1977-1978	J. B. Mahoney
3	1978-1980	R. H. Carpenter-
4		Vance
5	1979-	E. L. Miller

6 The above were located at 4550 West 26th Street,
 7 Chicago, Illinois.

8 (b) Duties and Responsibilities:

9 (1) Manager Industrial Hygiene: Solve industrial
 10 health problems by recognizing, evaluating, and
 11 controlling health hazards in all of the Abex
 12 plants. Provide the corporation's medical direc-
 13 tor with up-to-date knowledge concerning the
 14 health history of employees' jobs as to assure
 15 that workers are either properly placed in jobs
 16 according to physical capacities, or help corre-
 17 late a worker's disease or complaint with the
 18 known potential hazard of his/her job.

19 (2) Industrial Hygienist: To identify and evalu-
 20 ate, by air sampling and observation, the poten-
 21 tial and/or real occupational disease exposures
 22 present in Abex plants, inform local and divi-
 23 sional management of these exposures, and recom-
 24 mend control measures for their elimination or
 25 reduction with the ultimate goal to protect the
 26 health and well-being of present and future work
 27 forces at their place of employment.

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 28

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 SINGER & COSTANZO
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 213 388-9441

1 INTERROGATORY NO. 39:

2 Please state if the defendant's medical officers or indus-
3 trial hygienists ever made any recommendations and/or suggestions
4 to the defendant pertaining to the risks or hazards to persons
5 involved in the manufacturing or use of products containing as-
6 bestos? If so, please state:

7 (a) Where were such recommendations and/or suggestions
8 made?

9 (b) To whom were such recommendations and/or sugges-
10 tions made?

11 (c) By whom were these recommendations and/or sugges-
12 tions made?

13 (d) The substance of the recommendations and/or sug-
14 gestions made.

15 RESPONSE:

16 OBJECTION. Interrogatory No. 39 is objected to on the
17 grounds that it is overly broad, burdensome, oppressive, harass-
18 ing and seeks information which is not reasonably calculated to
19 lead to the discovery of admissible evidence.

20 INTERROGATORY NO. 40:

21 Please state the names of trade association periodicals to
22 which defendant subscribed from 1930 to 1972.

23 RESPONSE:

24 OBJECTION. Interrogatory No. 40 is objected to on the
25 grounds that it is overly broad, burdensome, oppressive, harass-
26 ing and seeks information which is not reasonably calculated to
27 lead to the discovery of admissible evidence.

28 ///

1 INTERROGATORY NO. 41:

2 Please state the names of all organizations, groups,
3 inter-company or industrial organizations that defendant has been
4 a member of which conducted studies or research on the relation-
5 ship between exposure to asbestos or asbestos-containing products
6 and asbestosis and lung cancer from 1930 to 1972.

7 RESPONSE:

8 OBJECTION. Defendant refers the plaintiff to the objection
9 set forth in response to Interrogatory No. 40, supra, and incor-
10 porates the same by reference herein as though fully set forth.

11 INTERROGATORY NO. 42:

12 Please state the name, address and amount spent or contrib-
13 uted by the defendant annually from 1930 until 1972 for research
14 specifically directed to the relationship between exposure to
15 asbestos-containing products and asbestosis, lung cancer or any
16 other pulmonary disease.

17 RESPONSE:

18 OBJECTION. Defendant refers the plaintiff to the objection
19 set forth in Response to Interrogatory No. 40, supra, and incor-
20 porates the same by reference herein as though fully set forth.

21 INTERROGATORY NO. 43:

22 Please state the name, address and amount annually contrib-
23 uted by the defendant from 1930 to 1972 to any independent medi-
24 cal research group or groups studying the relationship between
25 exposure to asbestos and pulmonary disease.

26 RESPONSE:

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1 OBJECTION. Defendant refers the plaintiff to the objection
2 set forth in Response to Interrogatory No. 40, supra, and incor-
3 porates the same by reference herein as though fully set forth.
4 Without waiving said objection and, in the spirit of liberal
5 discovery, defendant responds that it appears that in or about
6 1936, American Brake Shoe and Foundry Company agreed to contribute
7 monies to a study to be conducted by Dr. LeRoy Gardner at Saranac
8 Laboratory, Saranac Lake, New York, and in 1937, American
9 Brake Shoe and Foundry Company committed \$250 per annum for three
10 years by way of contribution.

11 INTERROGATORY NO. 44:

12 Please state whether the defendant had a department, divi-
13 sion or section devoted to scientific and/or medical research
14 during the period from 1930 until the present time.

15 RESPONSE:

16 OBJECTION. Interrogatory No. 44 is objected to on the
17 grounds that it is overly broad, vague, ambiguous and unintelli-
18 gible. Without waiving said objection and, in the spirit of
19 liberal discovery, this defendant will respond that it did not
20 have a department, division or section specifically devoted to
21 medical research during the indicated time period.

22 INTERROGATORY NO. 45:

23 Please state the scientific or medical periodicals to which
24 the defendant, its medical department or industrial hygiene divi-
25 sion subscribed during the period between 1930 and 1972 specify-
26 ing the date said subscriptions were begun.

27 RESPONSE:

OBJECTION. Defendant refers the plaintiff to the objection

1 set forth in Response to Interrogatory No. 40, supra, and incor-
2 porates the same by reference herein as though fully set forth.

3 INTERROGATORY NO. 46:

4 Please state whether any of the distributors of defendant's
5 asbestos-containing products were provided with any special in-
6 structions, oral or written, in regard to utilizing said products
7 in a manner so as to avoid exposing workers to dust. If so,
8 please state:

- 9 (a) When these instructions were given;
10 (b) By whom these instructions were given;
11 (c) Whether the instructions oral or written;
12 (d) The precise content of the instructions;
13 (e) If the instructions were written, please attach a
14 copy of the instructions.

15 RESPONSE:

16 OBJECTION. Interrogatory No. 46 is objected to on the
17 grounds that it is overly broad, vague and ambiguous.

18 INTERROGATORY NO. 47:

19 Please state whether any employee of the defendant has ever
20 made a claim for asbestosis under the Occupational Disease or
21 Workers' Compensation Statute of any state. If so, include in
22 your answer:

- 23 (a) The date that the defendant first received notice
24 of any claim for asbestosis under the Occupational Disease or
25 Workers' Compensation Statute of any state and state [sic]; and
26 (b) The total number of claims filed for the years
27 1930 to 1972.

28 ///

1 RESPONSE:

2 (a) One claim was made on 3/3/80 and one on 8/11/82,
3 for alleged asbestos related injuries.

4 (b) No claims for asbestosis were filed during the
5 years 1930 to 1972.

6 INTERROGATORY NO. 48:

7 Has the defendant ever been a member of the Asbestos Textile
8 Institute ("ATI")? If so, please list the years of membership.

9 RESPONSE:

10 No.

11 INTERROGATORY NO. 49:

12 Please state whether any representative, agent or employee
13 of the defendant corporation was a member of the Air Hygiene
14 Committee of the ATI. If so, please include in your answer a
15 list of the years of membership.

16 RESPONSE:

17 Not to our knowledge.

18 INTERROGATORY NO. 50:

19 Please state whether any representative, agent or employee
20 ever attended any meetings of the Air Hygiene Committee of the
21 ATI.

22 RESPONSE:

23 OBJECTION. Interrogatory No. 50 is objected to on the
24 grounds that it is overly broad, vague and ambiguous. Without
25 waiving said objection, and in the spirit of liberal discovery,
26 defendant responds that it does not believe so.

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1 INTERROGATORY NO. 51:

2 Please state whether the defendant received copies of tran-
3 scribed minutes of any committee meetings, general meetings or
4 Board of Director meetings of the ATI and the date said tran-
5 scripts were received.

6 RESPONSE:

7 No.

8 INTERROGATORY NO. 52:

9 Has the defendant ever been a member of the Industrial Hy-
10 giene Foundation ("IHF") or the Industrial Health Foundation. If
11 so, please state the years of membership.

12 RESPONSE:

13 At this time, there is no direct evidence that Abex Corpora-
14 tion was a member of the Industrial Hygiene Foundation or Indus-
15 trial Health Foundation. In 1950, Dr. Hamlin, Medical Director,
16 did attend the Industrial Hygiene Foundation meeting and held a
17 position on the Industrial Hygiene Foundation Medical Committee
18 for a three-year term beginning in 1952. The Industrial
19 Hygienist, Herbert J. Weber, attended Industrial Hygiene
20 Foundation meetings as early as 1945.

21 INTERROGATORY NO. 53:

22 Please state the name, address and telephone number of any
23 representative, agent or employee of the defendant who was in
24 attendance at the twentieth annual meeting of the IHF in
25 November, 1955, in Pittsburgh, Pennsylvania.

26 RESPONSE:

27 None, to our knowledge.

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1 INTERROGATORY NO. 51:

2 Please state whether the defendant received copies of tran-
3 scribed minutes of any committee meetings, general meetings or
4 Board of Director meetings of the ATI and the date said tran-
5 scripts were received.

6 RESPONSE:

7 No.

8 INTERROGATORY NO. 52:

9 Has the defendant ever been a member of the Industrial Hy-
10 giene Foundation ("IHF") or the Industrial Health Foundation. If
11 so, please state the years of membership.

12 RESPONSE:

13 At this time, there is no direct evidence that Abex Corpora-
14 tion was a member of the Industrial Hygiene Foundation or Indus-
15 trial Health Foundation. In 1950, Dr. Hamlin, Medical Director,
16 did attend the Industrial Hygiene Foundation meeting and held a
17 position on the Industrial Hygiene Foundation Medical Committee
18 for a three-year term beginning in 1952. The Industrial
19 Hygienist, Herbert J. Weber, attended Industrial Hygiene
20 Foundation meetings as early as 1945.

21 INTERROGATORY NO. 53:

22 Please state the name, address and telephone number of any
23 representative, agent or employee of the defendant who was in
24 attendance at the twentieth annual meeting of the IHF in
25 November, 1955, in Pittsburgh, Pennsylvania.

26 RESPONSE:

27 None, to our knowledge.

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1 INTERROGATORY NO. 54:

2 Please state whether defendant ever received the Industrial
3 Hygiene Digest published monthly by the IHF. If so, please list
4 the dates of receipt of said publication.

5 RESPONSE:

6 There are no records of Abex Corporation having received the
7 Industrial Hygiene Digest.

8 INTERROGATORY NO. 55:

9 Please state whether defendant ever requested officials at
10 the IHF to:

11 (a) Perform a search of the medical literature to
12 determine whether there existed any reported cases of workers
13 with asbestosis and/or lung cancer discussing the potential haz-
14 ards incident to use of asbestos-containing products;

15 (b) Perform any studies or research into potential
16 health hazards incident to the use of asbestos-containing prod-
17 ucts;

18 (c) Review governmental publications of Great Britain
19 to determine whether any research was conducted by the British
20 Government into potential health hazards associated with the use
21 of products containing asbestos;

22 (d) Review governmental publications of Great Britain
23 to determine whether the Chief Inspector of Factories or any
24 other British Government agency had issued any regulations or
25 published any findings relative to potential health hazards inci-
26 dent to the use of products containing asbestos.

27 RESPONSE:

Not to our knowledge.

1 INTERROGATORY NO. 56:

2 Has the defendant sponsored, since 1930, any meetings, semi-
3 nars, conferences, or conventions where the subject of occupa-
4 tional health and/or exposure to asbestos was discussed?

5 RESPONSE:

6 OBJECTION. Interrogatory No. 56 is objected to on the
7 grounds that it is overly broad, vague, ambiguous, burdensome and
8 seeks information not reasonably calculated to lead to the dis-
9 covery of admissible evidence. Without waiving said objection
10 and, in the spirit of liberal discovery, defendant will respond
11 that it does hold safety meetings at its plants.

12 INTERROGATORY NO. 57:

13 If the answer to Interrogatory No. 56 is in the affirmative,
14 please state:

15 (a) The date and place of such meeting, seminar, con-
16 ference or convention;

17 (b) The name and address of the speakers.

18 RESPONSE:

19 OBJECTION. Interrogatory No. 57 is objected to on the
20 grounds set forth in response to Interrogatory No. 56, which
21 objection is incorporated herein as though fully set forth.

22 INTERROGATORY NO. 58:

23 Has the defendant ever warned any labor union or its repre-
24 sentative of the potential health hazards associated with the use
25 of products containing asbestos?

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1 RESPONSE:

2 OBJECTION. Interrogatory No. 58 is objected to on the
3 grounds that it is overly broad, vague, ambiguous and unintelli-
4 gible.

5 INTERROGATORY NO. 59:

6 If the answer to the preceding Interrogatory is in the af-
7 firmative, state:

8 (a) The name of the union and/or its representative;

9 (b) The date and place of said warning;

10 (c) The content and nature of said warning;

11 (d) The individual giving said warning.

12 RESPONSE:

13 Not applicable.

14 INTERROGATORY NO. 60:

15 Has the defendant at any time give [sic] any advice, publi-
16 cation, warning, order, directive, requirement or recommendation,
17 written or oral, including by U.S. mail, which purported to ad-
18 vise the users of its asbestos-containing products of the poten-
19 tial health hazards associated with exposure to the asbestos
20 contents of said products.

21 RESPONSE:

22 OBJECTION. Interrogatory No. 60 is objected to on the
23 grounds that it is overly broad, vague, ambiguous, burdensome,
24 oppressive and harassing.

25 INTERROGATORY NO. 61:

26 State whether defendant has subscribed to or received copies
27 of the Asbestos Worker magazine. If so, please state the dates
of sbuscription or receipt of this magazine.

1 RESPONSE:

2 No.

3 INTERROGATORY NO. 62:

4 Please state whether defendant ever subscribed to the Asbes-
5 tos magazine and list the dates of subscription.

6 RESPONSE:

7 No.

8 INTERROGATORY NO. 63:

9 Please identify all booklets, manuals, journals and publica-
10 tions provided to the recipients of any asbestos-containing prod-
11 ucts manufactured, sold or distributed by defendant regarding the
12 proper use and application of products. Include in your answer
13 the dates said information was provided.

14 RESPONSE:

15 OBJECTION. Interrogatory No. 63 is objected to on the
16 grounds that it is overly broad, vague, ambiguous, burdensome and
17 seeks information which is not reasonably calculated to lead to
18 the discovery of admissible evidence.

19 INTERROGATORY NO. 64:

20 Please identify and describe in detail all tests and experi-
21 ments conducted by defendant to determine whether or not asbestos
22 contained within its asbestos-containing products would become
23 airborne with normal use. Include in your answer the dates,
24 results and conclusions of each test and/or experiment.

25 RESPONSE:

26 OBJECTION. Interrogatory No. 64 is objected to on the
27 grounds that it is overly broad, vague, ambiguous and
28 unintelligible.

1 INTERROGATORY NO. 65:

2 At any time prior to 1972 were any tests or studies con-
3 ducted or sponsored by defendant to determine:

4 (a) The level of airborne dust or fiber concentration
5 incident to:

6 (i) Arching, sanding, clipping, grinding or bev-
7 eling defendant's asbestos-containing products;

8 (ii) Placing the products on/in motor vehicles and
9 other machinery requiring such products;

10 (iii) Tearing down the product during repair and
11 maintenance functions;

12 (b) Whether long-term (5 years or more) exposure to
13 products containing asbestos below 5 million particles per cubic
14 foot (mppcf) might cause asbestosis or expose the user of said
15 product to an increased statistical risk of developing:

16 (i) Bronchogenic cancer;

17 (ii) Mesothelioma (pleural or peritoneal);

18 (iii) Gastrointestinal cancer;

19 (iv) Asbestosis.

20 RESPONSE:

21 No.

22 INTERROGATORY NO. 66:

23 Was the concentration of the airborne asbestos fibers prior
24 to 1972 at job sites at which defendant's asbestos-containing
25 products were used within the prescribed threshold limit values?
26 If so, state the source of the information and the date said
27 information was obtained.

28 ///

1 RESPONSE:

2 OBJECTION. Interrogatory No. 66 is objected to on the
3 grounds that it is overly broad, vague, ambiguous and unintelli-
4 gible, particularly with reference to the terms "threshold limit
5 values" and "job sites".

6 INTERROGATORY NO. 67:

7 Please state the date and source from which defendant re-
8 ceived its first notice of threshold limit values ("TLV") per-
9 taining to the concentration of airborne asbestos fibers.

10 RESPONSE:

11 December 7, 1971, 29 CFR 1910.93a. NIOSH Occupational Expo-
12 sure to Asbestos, page V-9, regarding prescribed TLVs.

13 INTERROGATORY NO. 68:

14 Describe what action was taken by defendant prior to 1972,
15 to determine whether the concentration of airborne asbestos fi-
16 bers during normal use, application or repair of its asbes-
17 tos-containing products was below the TLV. Include in your
18 answer the date the above-described actions were taken by defen-
19 dant.

20 RESPONSE:

21 OBJECTION. Interrogatory No. 68 is objected to on the
22 grounds that it is overly broad, vague, ambiguous and unintelli-
23 gible.

24 INTERROGATORY NO. 69:

25 Describe the manner in which defendant recommended that its
26 asbestos-containing products be cut, ground, sawed, beveled,
27 fabricated; mixed and/or prepared for use since 1930 by its us-
28 ers.

1 RESPONSE:

2 OBJECTION. Interrogatory No. 69 is objected to on the
3 grounds that it is overly broad, vague, ambiguous and unintelli-
4 gible. Without waiving said objection, and in the spirit of
5 liberal discovery, defendant refers the plaintiff to Exhibit "C"
6 appended to these answers to interrogatories.

7 INTERROGATORY NO. 70:

8 Please state the manner in which the asbestos-containing
9 products manufactured by defendant were arched since 1930.

10 RESPONSE:

11 OBJECTION. Interrogatory No. 70 is objected to on the
12 grounds that it is overly broad, vague, ambiguous and unintelli-
13 gible with respect to the use of the undefined word "arched."
14 Additionally, the interrogatory calls for information which is
15 not reasonably calculated to lead to the discovery of admissible
16 evidence.

17 INTERROGATORY NO. 71:

18 Is defendant aware of articles authored by W. C. Dressen in
19 Public Health Bulletin No. 241 of 1938, establishing threshold
20 limit values for airborne asbestos fibers? If so, when did de-
21 fendant first learn of the above-mentioned article?

22 RESPONSE:

23 Articles by W. C. Dressen established threshold limit values
24 for airborne asbestos particles, not specifically fibers. ABEX
25 became aware of the articles published in the "Criteria for a
26 Recommended Standard Occupational Exposure to Asbestos" from the
27 U.S. Department of Health, Education, and Welfare, Public Health

///

1 Service, Health Services and Mental Health Administration, Na-
2 tional Institute for Occupational Safety and Health, 1972.

3 INTERROGATORY NO. 72:

4 Please state when defendant obtained any information con-
5 cerning the likelihood of asbestos being hazardous to one's
6 health. Include in your answer how defendant first obtained this
7 information.

8 RESPONSE:

9 OBJECTION. Interrogatory No. 72 is objected to on the
10 grounds that it is overly broad, vague, ambiguous and unintelli-
11 gible.

12 INTERROGATORY NO. 73:

13 Please state whether or not defendant ever maintained a
14 library or collection of medical information pertaining to ef-
15 fects of asbestos upon human health. If so, please state:

16 (a) The location of said library or collection;

17 (b) The person(s) who maintained it;

18 (c) The bibliography of medical articles, materials,
19 and other reports that are or were a part of said library on said
20 subject, including journals, publications, reports and all memo-
21 randa published and received by defendant since 1930.

22 RESPONSE:

23 OBJECTION. Interrogatory No. 73 is objected to on the
24 grounds that it is overly broad, burdensome, and oppressive and
25 seeks information which is not reasonably calculated to lead to
26 the discovery of admissible evidence. Without waiving said ob-
jection, and in the spirit of liberal discovery, defendant will
respond that there are several books in the medical director's

1 library regarding asbestos, pneumoconioses and dust control, as
2 well as a general information file on asbestos.

3 INTERROGATORY NO. 74:

4 Please state whether or not any governmental agency has ever
5 written letters of warning to defendant pertaining to the likeli-
6 hood of injury to persons being exposed to asbestos and asbes-
7 tos-containing products.

8 RESPONSE:

9 OBJECTION. Interrogatory No. 74 is objected to on the
10 grounds that it is overly broad, vague, ambiguous and unintelli-
11 gible, and seeks information not reasonably calculated to lead to
12 the discovery of admissible evidence.

13 INTERROGATORY NO. 75:

14 If the answer to the preceding interrogatory is affirmative,
15 please state the name and address of the agency, the date of the
16 letters of warning and who possesses a copy of said documents?

17 RESPONSE:

18 Not applicable.

19 INTERROGATORY NO. 76:

20 Please state the date defendant received information per-
21 taining to the association between inhalation of asbestos fibers
22 and the development of cancer and asbestosis. Include in your
23 answer to the preceding the source of said information.

24 RESPONSE:

25 OBJECTION. Interrogatory No. 76 is objected to on the
26 grounds that it is vague, ambiguous and unintelligible in its
present form with respect to the undefined phrase "association
between inhalation of asbestos fibers and the development of

1 cancer and asbestosis." Further, the interrogatory in its pres-
2 ent form seeks a medical opinion which this defendant is incapa-
3 ble of rendering.

4 INTERROGATORY NO. 77:

5 Has defendant ever subscribed to or received the United
6 States Public Health Bulletin service? If your answer is in the
7 affirmative, please state the dates defendant received the Public
8 Health Service Bulletin.

9 RESPONSE:

10 No.

11 INTERROGATORY NO. 78:

12 Please state the date defendant first notified its employees
13 working in manufacturing plants and factories of the need to wear
14 and use respirators.

15 RESPONSE:

16 OBJECTION. Interrogatory No. 78 is objected to on the
17 grounds that it is overly broad, vague, and ambiguous. Without
18 waiving said objection, and in the spirit of liberal discovery,
19 defendant responds that it does not afford respirators to its
20 workers who handle asbestos, but face masks have been made avail-
21 able since the early 1970's.

22 INTERROGATORY NO. 79:

23 Please state the date when defendant first notified users of
24 its asbestos-containing products of the need to wear respirators.

25 RESPONSE:

26 Defendant incorporates its objection and response set forth
27 in response to Interrogatory No. 69, above.

28 ///

1 INTERROGATORY NO.80:

2 Please state whether or not defendant has ever published any
3 written materials, warning its employees about the potential
4 health hazards of inhaling asbestos by use or exposure to asbes-
5 tos-containing products of this defendant. If so, please state
6 the date and year that said written materials were distributed to
7 defendant's employees, and the name of the author of the materi-
8 als.

9 RESPONSE:

10 The warning previously mentioned was published and, further
11 documents falling within the scope of the interrogatory were
12 produced at the deposition of Charles Mallory in Washington, D.C.
13 on June 11, 1984.

14 INTERROGATORY NO. 81:

15 Does defendant contend plaintiff knew of the dangers of the
16 inhalation of asbestos fibers? If so, please state how plaintiff
17 would have acquired said knowledge.

18 RESPONSE:

19 OBJECTION. Interrogatory No. 81 is objected to on the
20 grounds that it is vague, ambiguous, and unintelligible. Plain-
21 tiff does not know to which "plaintiff" the interrogatory refers.

22 INTERROGATORY NO. 82:

23 Please state whether any officers, agents, servants or em-
24 ployees of the defendant has ever testified before any governmen-
25 tal body regarding the potential health hazards of the inhalation
26 of asbestos. If so, please state:

- (a) When and where such testimony was given;
(b) Summary of said testimony;

(c) If said testimony was recorded.

RESPONSE:

Not to our knowledge.

INTERROGATORY NO. 83:

Please state the names and addresses of all distributors and companies to which the defendant sold or distributed asbestos or asbestos-containing products for the years 1930 to 1972.

RESPONSE:

OBJECTION. Interrogatory No. 83 is objected to on the grounds that it is overly broad, burdensome, oppressive and calls for a compilation or abstract of records which does not exist. The burden and expense to this responding defendant to compile the information sought, is not outweighed by the questionable evidentiary value of the information sought. Additionally, this defendant has maintained sales records only since 1976, therefore, this defendant has no way of knowing with certainty to whom its products may have been distributed over the several decades. Without waiving said objection, and in the spirit of liberal discovery, those companies to whom defendant sold asbestos-containing products are reflected in response to Interrogatory No. 122, in addition to NAPA.

INTERROGATORY NO. 84:

Please state whether defendant has knowledge of any material which could be or is being used for the same purpose as asbestos. Include in your answer when defendant discovered that said material could be used as a substitute for asbestos.

RESPONSE:

OBJECTION. Interrogatory No. 84 is objected to on the

1 grounds that it is overly broad, vague, ambiguous and unintelli-
2 gible and this responding defendant does not know to which "use"
3 the plaintiff refers.

4 INTERROGATORY NO. 85:

5 Please state whether this defendant has distributed any
6 catalogs, brochures, pamphlets or other advertising materials
7 regarding its asbestos-containing products between 1930 and 1972.

8 RESPONSE:

9 Yes.

10 INTERROGATORY NO. 86:

11 Does defendant advertise its asbestos-containing products by
12 any media whatsoever.

13 RESPONSE:

14 Yes.

15 INTERROGATORY NO. 87:

16 Please state whether defendant sold any asbestos-containing
17 products to any United States governmental agency between 1930 to
18 1972. If so:

- 19 (a) List the name and address of each such agency;
20 (b) The dates of each sale;
21 (c) The final government destination of each product
22 sold;
23 (d) The type and serial or model number of products
24 sold or distributed to said agencies.

25 RESPONSE:

26 OBJECTION. Interrogatory No. 87 is objected to on the grounds
27 set forth in response to Interrogatory No. 83, supra, and the
28 same is incorporated herein as though fully set forth. Without

1 waiving said objection, and in the spirit of liberal discovery,
2 defendant responds that it does not believe that it has ever
3 directly sold to any United States governmental agency.

4 INTERROGATORY NO. 88:

5 Please state whether or not defendant's automotive repair
6 employees, in the course of repairing automobiles, use or have
7 used routers, saws, sanders, grinders, or any type device to
8 shape, form, cut or fabricate asbestos-containing material.

9 RESPONSE:

10 Defendant submits that it is not engaged in the business of
11 automotive repair and therefore, the interrogatory is not appli-
12 cable.

13 INTERROGATORY NO. 89:

14 If the answer to Interrogatory No. 88 above is affirmative,
15 please state whether any vacuum systems, dust control devices,
16 watering-down systems, or any systems designed to reduce dust in
17 the air were at any time used by defendant's automobile repair
18 employees.

19 RESPONSE:

20 Not applicable.

21 INTERROGATORY NO. 90:

22 If the answer to Interrogatory No. 89 above is affirmative,
23 please state:

24 (a) The date that such a device was first listed;

25 (b) The type of system or device used;

26 (c) Whether such a system is presently used by defen-
27 dant's automobile repair employees.

28 ///

1 RESPONSE:

2 Not applicable.

3 INTERROGATORY NO. 91:

4 Please state the name and address of any brake and/or clutch
5 repair facility owned and operated by defendant between the years
6 1930 and 1983.

7 RESPONSE:

8 None.

9 INTERROGATORY NO. 92:

10 Please list the automobile repair facilities owned and/or
11 operated by defendant that are open to the public.

12 RESPONSE:

13 None.

14 INTERROGATORY NO. 93:

15 Please list the automobile repair facilities owned and/or
16 operated by defendant for the repair of defendant's corporate
17 vehicles only.

18 RESPONSE:

19 None.

20 INTERROGATORY NO. 94:

21 Please state whether or not on any occasion defendant pro-
22 vided respirators to its automobile repair employees.

23 RESPONSE:

24 Not applicable.

25 INTERROGATORY NO. 95:

26 If your answer to Interrogatory No. 94 above is affirmative,
27 please state which automobile repair employees were provided with
28 respirators.

1 RESPONSE:

2 Not applicable.

3 INTERROGATORY NO. 96:

4 Please describe in detail the respirators provided. Include
5 in your answer, the dates each type of respirator was used.

6 RESPONSE:

7 Not applicable.

8 INTERROGATORY NO. 97:

9 Please state whether defendant has ever required its automo-
10 bile repair employees to have physical examinations at any time
11 during their employment.

12 RESPONSE:

13 Not applicable.

14 INTERROGATORY NO. 98:

15 If the answer to the preceding interrogatory is affirmative,
16 please state if the results of any such examination revealed that
17 any employee of defendant developed evidence of asbestosis or
18 other pulmonary disease, including cancer.

19 RESPONSE:

20 Not applicable.

21 INTERROGATORY NO. 99:

22 Please state whether defendant has ever been a member of or
23 associated with the Asbestos Research Council of England.

24 RESPONSE:

25 No.

26 INTERROGATORY NO. 100:

27 Please state whether defendant has sold or distributed any
asbestos-containing products to English firms or corporations for

1 any year between 1930 to 1972.

2 RESPONSE:

3 Based upon information available at this time, defendant
4 responds that it does not believe so.

5 INTERROGATORY NO. 101:

6 Please state whether defendant possessed any ownership in-
7 terest in any firm or corporation involved in the mining, proc-
8 essing or sale of raw asbestos, any asbestos-containing products
9 which were domiciled, headquartered or doing business in the
10 British Isles for any year from 1930 to 1972.

11 RESPONSE:

12 OBJECTION. Interrogatory No. 101 is objected to on the
13 grounds that it is vague, ambiguous and unintelligible.

14 INTERROGATORY NO. 102:

15 Please state whether any business or corporation described above
16 possessed any ownership interest in defendant from 1930 to 1972.

17 RESPONSE:

18 Not applicable.

19 INTERROGATORY NO. 103:

20 Please state when the first claim for Workers' Compensation
21 was filed by any of the defendant's automobile repair employees
22 or factory workers in which it was alleged that said claimant had
23 developed:

- 24 (a) Asbestosis;
25 (b) Lung cancer;
26 (c) Mesothelioma.

27 For each such claimant, list the date the claim was filed, the
claimant's name and the state in which the claim was filed.

1 RESPONSE:

2 Not applicable.

3 INTERROGATORY NO. 104:

4 Please state whether the defendant entered into any agree-
5 ments with any British or German concerns which manufactured
6 asbestos-containing products from 1930 to 1972.

7 RESPONSE:

8 OBJECTION. Interrogatory No. 104 is objected to on the
9 grounds that it is overly broad, vague, ambiguous and unintelli-
10 gible with respect to the use of the undefined term "agreements."
11 As presently framed, this defendant cannot respond to the inter-
12 rogatory.

13 INTERROGATORY NO. 105:

14 If the answer to the above interrogatory is affirmative,
15 please list:

16 (a) The name, address and phone number of each such
17 British or German concern;

18 (b) The year the agreement was entered into and the
19 date said agreement terminated;

20 (c) The products exchanged or involved in said agree-
21 ment, including:

22 (i) The percent composition of asbestos;

23 (ii) The intended use of the product;

24 (iii) Whether the products were marketed in the
25 United States.

26 RESPONSE:

27 Not applicable, given the objection to Interrogatory No.
28 104.

1 INTERROGATORY NO. 106:

2 Please state whether the defendant at any time between 1930
3 and 1972 had an International Division.

4 RESPONSE:

5 Yes.

6 INTERROGATORY NO. 107:

7 If the answer to the preceding interrogatory is affirmative,
8 please state when the International Division was created and
9 where it has been headquartered from its inception.

10 RESPONSE:

11 Abex International, S.A., headquartered in Geneva, was
12 incorporated in 1965 in Switzerland.

13 INTERROGATORY NO. 108:

14 Please state whether the defendant has ever had a division
15 which exported raw asbestos or asbestos-containing products. If
16 so, please state whether said division supplied any British manu-
17 facturer of motor vehicles or machinery products with any compo-
18 nent parts which contained asbestos between the years 1930 and
19 1972.

20 RESPONSE:

21 The answer is "no" as to raw asbestos. As to asbestos-
22 containing products, based upon information available at this
23 time, defendant responds that it does not believe it has sold to
24 any British manufacturer of motor vehicles or machinery products.

25 INTERROGATORY NO. 109:

26 Please state whether defendant sold or distributed any as-
27 bestos-containing products to any British repair business or
28 entity engaged in mechanical repair, or distribution of this

1 (d) The quantitative percentage of each chemical com-
2 ponent of the undercoat sealer under each trade or brand name;

3 (e) If asbestos was included in the composition of the
4 undercoat sealer which you manufactured under any trade or brand
5 name, please state:

6 (i) The type of asbestos fiber (i.e., amosite,
7 chrysotile, crocidolite) used in the undercoat
8 sealer under each trade or brand name;

9 (ii) The quantitative percentage of asbestos
10 fiber used in the undercoat sealer under each
11 trade or brand name;

12 (iii) The years during which asbestos fiber was
13 included in the composition of the undercoat
14 sealer under each trade or brand name;

15 (f) The location of the facility (facilities) where
16 the undercoat sealer was manufactured.

17 RESPONSE:

18 No.

19 INTERROGATORY NO.112:

20 At any time during the period 1948 to 1978, has defendant
21 distributed automobile undercoat sealer? If so, please state

22 (a) The trade or brand name(s) under the which the
23 undercoat sealer was marketed;

24 (b) The years during which the undercoat sealer, under
25 each trade or brand name, was distributed;

26 (c) The dates each product were withdrawn from the
27 market, if such is the case;

///
1

1 (d) The quantitative percentage of each chemical com-
2 ponent of the undercoat sealer under each trade or brand name;

3 (e) If asbestos was included in the composition of the
4 undercoat sealer which you distributed under any trade or brand
5 name, please state:

6 (i) The type of asbestos fiber (i.e., amosite,
7 chrysotile, crocidolite) used in the undercoat
8 sealer under each trade or brand name;

9 (ii) The quantitative percentage of asbestos
10 fiber used in the undercoat sealer under each
11 trade or brand name;

12 (iii) The years during which asbestos fiber was
13 included in the composition of the undercoat
14 sealer under each trade or brand name.

15 RESPONSE:

16 No.

17 INTERROGATORY NO. 113:

18 Identify all distributors of defendant's automobile
19 undercoat sealer in and for the State of California, and for each
20 distributor, state:

21 (a) The date(s) defendant's automobile undercoat
22 sealer was sold or delivered to said distributor;

23 (b) The quantity and type, including trade or brand
24 name (s), of defendant's automobile undercoat sealer sold or
25 delivered to said distributor.

26 RESPONSE:

27 Not applicable.

28 ///

1 INTERROGATORY NO. 114:

2 Has defendant directly or indirectly sold or distributed its
3 automobile undercoat sealer to any of the following:

- 4 (a) Chrysler-Plymouth Corp.;
- 5 (b) Ford Motor Company;
- 6 (c) General Motors;
- 7 (d) American Motors;
- 8 (e) Nissan Motors;
- 9 (f) Mitsubishi Motor Car Division;
- 10 (g) Volkswagon;
- 11 (h) British Leyland;
- 12 (i) Sears & Roebuck.

13 RESPONSE:

14 Not applicable.

15 INTERROGATORY NO. 115:

16 If your answer to any part of Interrogatory No. 114 is af-
17 firmative, include as a part of your answer:

- 18 (a) The date(s) during which defendant's automobile
19 undercoat sealer was sold or distributed to each entity;
- 20 (b) The quantity and type, including trade or brand
21 name, of defendant's automobile undercoat sealer sold or distrib-
22 uted to each entity;
- 23 (c) The identity of each employee or ex-employee
24 having knowledge of the sales and distributions to each entity.

25 RESPONSE:

26 Not applicable.

27 INTERROGATORY NO. 116:

Does defendant have or possess any data or information

1 regarding any shipments, sales or distributions of automobile
2 undercoat sealer by a manufacturer or distributor, other than
3 itself, to any of the following entities:

- 4 (a) Chrysler-Plymouth Corp.;
- 5 (b) Ford Motor Company;
- 6 (c) General Motors;
- 7 (d) American Motors;
- 8 (e) Nissan Motors;
- 9 (f) Mitsubishi Motor Car Division;
- 10 (g) Volkswagon;
- 11 (h) British Leyland;
- 12 (i) Sears & Roebuck.

13 RESPONSE:

14 No.

15 INTERROGATORY NO. 117:

16 If the answer to any part of Interrogatory No. 116 is
17 affirmative, please state:

18 (a) The identities of each manufacturer or distributor
19 and the above-named entity which received the automobile
20 undercoat sealer;

21 (b) The date(s) of each shipment, sale or distribution
22 of automobile undercoat sealer for which defendant has data or
23 information;

24 (c) The quantity and type, including trade or brand
25 name, of the automobile undercoat sealer shipped, sold or dis-
26 tributed to each of the above-named entities.

27 RESPONSE:

28 Not applicable.

1 INTERROGATORY NO. 118:

2 At any time during the period 1948 to 1978, has defendant
3 manufactured automobile brake linings or brake assemblies? If
4 so, please state:

5 (a) The trade or brand name(s) under which the brake
6 linings or brake assemblies were marketed;

7 (b) The years during which the brake linings or brake
8 assemblies, under each trade or brand name, were manufactured;

9 (c) The date each product was withdrawn from the mar-
10 ket, if such is the case;

11 (d) The quantitative percentage of each chemical com-
12 ponent of the brake linings under each trade or brand name;

13 (e) If asbestos was included in the composition of the
14 brake linings which defendant manufactured under any trade or
15 brand name, please state:

16 (i) The type of asbestos fiber (i.e., amosite,
17 chrysotile, crocidolite) used in the brake linings under each
18 trade or brand name;

19 (ii) The quantitative percentage of asbestos fiber
20 used in the brake linings under each trade or brand name;

21 (iii) The years during which asbestos fiber was
22 included in the composition of the brake linings under each trade
23 or brand name;

24 (f) The location of the facility (facilities) where
25 the brake linings or brake assemblies were manufactured.

26 RESPONSE:

27 Yes.

28 (a) OBJECTION. This responding defendant objects to

1 subparts (a) through (f) on the grounds that the information
2 requested has been provided in response to preceding interroga-
3 tories, namely Interrogatory Nos. 3, 4, 9, 10, et seq. Addition-
4 ally, defendant does not manufacture brake assemblies.

5 INTERROGATORY NO. 119:

6 At any time during the period 1948 to 1978, did defendant
7 distribute automobile brake linings or brake assemblies? If so,
8 please state:

9 (a) The trade or brand name(s) under which the brake
10 linings or brake assemblies were marketed;

11 (b) The years during which the brake linings or brake
12 assemblies, under each trade or brand name, were manufactured;

13 (c) The date each product was withdrawn from the mar-
14 ket, if such is the case;

15 (d) The quantitative percentage of each chemical com-
16 ponent of the brake linings under each trade or brand name;

17 (e) If asbestos was included in the composition of the
18 brake linings which defendant manufactured under any trade or
19 brand name, please state:

20 (i) The type of asbestos fiber (i.e., amosite,
21 chrysotile, crocidolite) used in the brake linings under each
22 trade or brand name;

23 (ii) The quantitative percentage of asbestos fiber
24 used in the brake linings under each trade or brand name;

25 (iii) The years during which asbestos fiber was
26 included in the composition of the brake linings under each trade
27 or brand name;

28 ///

1 (f) The location of the facility (facilities) where
2 the brake linings or brake assemblies were manufactured.

3 RESPONSE:

4 Please refer to Response to Interrogatory No. 118.

5 INTERROGATORY NO. 120:

6 Identify all distributors of defendant's automobile brake
7 linings or brake assemblies in and for the State of California,
8 and for each distributor, state:

9 (a) The date(s) defendant's automobile brake linings
10 or brake assemblies were sold or delivered to said distributor;

11 (b) The quantity and type, including trade or brand
12 name(s), of defendant's automobile braking linings or brake as-
13 semblies sold or delivered to said distributor.

14 RESPONSE:

15 OBJECTION. Interrogatory No. 120 is objected to on the
16 grounds that it is overly broad, vague, ambiguous, burdensome and
17 calls for information which is not reasonably calculated to lead
18 to the discovery of admissible evidence. Further, the interroga-
19 tories calls for a compilation or abstract of records which does
20 not exist. This defendant has records pertaining to sales dating
21 back only to 1976.

22 INTERROGATORY NO. 121:

23 Has defendant directly or indirectly sold or distributed its
24 automobile brake linings or brake assemblies to any of the fol-
25 lowing:

- 26 (a) Chrysler-Plymouth Corp.;
- 27 (b) Ford Motor Company;
- 28 (c) General Motors;

- 1 (d) American Motors;
2 (e) Nissan Motors;
3 (f) Mitsubishi Motor Car Division;
4 (g) Volkswagon;
5 (h) British Leyland;
6 (i) Sears & Roebuck.

7 RESPONSE:

- 8 (a) Yes;
9 (b) No;
10 (c) Yes;
11 (d) At the present time, it is not believed so;
12 (e) No;
13 (f) No;
14 (g) No;
15 (h) No;
16 (i) No.

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1 INTERROGATORY NO. 122:

2 If the answer to any part of Interrogatory No. 123 is af-
3 firmative, please:

4 (a) State the date(s) during which defendant's automo-
5 bile brake linings or brake assemblies were sold or distributed
6 to each entity;

7 (b) State the quantity and type, including trade or
8 brand name, of defendant's automobile brake linings or brake
9 assemblies sold or distributed to each entity;

10 (c) Identify and produce all documents relating to the
11 sale of defendant's automobile brake linings or brake assemblies
12 to each entity;

13 (d) Identify each person within defendant's company
14 having knowledge of sales and distributions to each entity.

15 RESPONSE:

16 Initially defendant assumes for purposes of this response
17 that a typographical error exists in referencing Interrogatory
18 No. "123" rather than "121." Assuming No. "121" was meant to be
19 referenced, defendant objects to the interrogatory on the grounds
20 that it is overly broad, burdensome, oppressive, vexatious and
21 harassing and seeks a compilation of records which does not
22 exist. This defendant has records pertaining to sales dating
23 back only to 1976. Without waiving said objection, and in the
24 spirit of liberal discovery, defendant responds that at the
25 present time, based upon the data that it has been able to
26 reconstruct from past years, it supplied original equipment brake
27 linings as indicated below. The information provided is subject
to revision as further information should become available.

Should any further information become available, it will be provided.

(a) Chrysler Corporation: Approximately 50% of all production passenger cars from 1950 through 1960 model years.

(c) General Motors Corporation:

Chevrolet passenger cars: approximately 10% of rear brakes from August 1952 through July 1954.

Cadillac passenger cars: 100% of all models from August 1955 to July 1965; 50% (rears only) from August 1956 to July 1983

Buick: 25% from June 1956 to August 1957 on all power-braked equipment cars.

Chevrolet 1/2 ton trucks (-10 models): 100% from August 1965 to July 1970; 50% (rears only) from August 1970 to June 1975.

Chevrolet 3/4 ton trucks (-20 models): 100% from August 1969 to July 1980; 50% (rears only) from August 1970 to June 1978.

Defendant does not have sufficient information to provide such information with respect to after market sales at this time. Should such information become available, it will be provided.

INTERROGATORY NO. 123:

Does defendant have or possess any data or information regarding any shipments, sales or distributions of automobile brake linings or brake assemblies by a manufacturer or distributor, other than itself, to any of the following entities:

(a) Chrysler-Plymouth Corp.;

(b) Ford Motor Company;

(c) General Motors;

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TERMINAL ANNEX
LOS ANGELES, CA 90060
TEL: 344-9141

- 1 (d) American Motors;
2 (e) Nissan Motors;
3 (f) Mitsubishi Motor Car Division;
4 (g) Volkswagon;
5 (h) British Leyland;
6 (i) Sears & Roebuck.

7 RESPONSE:

8 OBJECTION. Interrogatory No. 123 is objected to on the
9 grounds that it is overly broad, vague, ambiguous and unintelli-
10 gible.

11 INTERROGATORY NO. 124:

12 If the answer to part of Interrogatory No. 123 is affirma-
13 tive, please state:

14 (a) The identities of each manufacturer or distributor
15 and the above-named entity which received the automobile brake
16 linings or brake assemblies;

17 (b) The date(s) of each shipment, sale or distribution
18 of automobile brake linings or brake assemblies for which defen-
19 dant has data or information;

20 (c) The quantity and type, including trade or brand
21 name, of the automobile brake linings or brake assemblies
22 shipped, sold or distributed to each of the above-named entities.

23 RESPONSE:

24 OBJECTION. Interrogatory No. 124 is objected to on the
25 grounds that it is overly broad, vague, ambiguous, and unintelli-
26 gible.

27 ///

28 ///

1 INTERROGATORY NO. 125:

2 At any time during the period 1948 to 1978, did defendant
3 manufacture automobile body filler? If so, please state:

4 (a) The trade or brand name(s) under which the automo-
5 bile body filler was marketed;

6 (b) The years during which the automobile body filler,
7 under each trade or brand name, was manufactured;

8 (c) The date each product was withdrawn from the
9 market, if such is the case;

10 (d) The quantitative percentage of each chemical com-
11 ponent of the automobile body filler manufactured under each
12 trade or brand name;

13 (e) If asbestos was included in the composition of the
14 automobile body filler which defendant manufactured under any
15 trade or brand name, please state:

16 (i) The type of asbestos fiber (i.e., amosite,
17 chrysotile, crocidolite) used in the automobile body filler under
18 each trade or brand name;

19 (ii) The quantitative percentage of asbestos
20 fiber used in the automobile body filler under each trade or
21 brand name;

22 (iii) The years during which asbestos fiber was
23 included in the composition of the automobile body filler under
24 each trade or brand name.

25 RESPONSE:

26 No.

27 INTERROGATORY NO. 126:

At any time during the period 1948 to 1978, did defendant

1 distribute automobile body filler? If so, please state:

2 (a) The trade or brand name(s) under which the automo-
3 bile body filler was marketed;

4 (b) The years during which the automobile body filler
5 under each trade or brand name, was distributed;

6 (c) The date each products was withdrawn from the
7 market, if such is the case;

8 (d) The quantitative percentage of each chemical com-
9 ponent of the automobile body filler distributed under each trade
10 or brand name;

11 (e) If asbestos was included in the composition of the
12 automobile body filler which defendant distributed under any
13 trade or brand name, please state:

14 (i) The type of asbestos fiber (i.e., amosite,
15 chrysotile, crocidolite) used in the automobile body filler under
16 each trade or brand name;

17 (ii) The quantitative percentage of asbestos fiber
18 used in the automobile body filler under each trade or brand
19 name;

20 (iii) The years during which asbestos fiber was
21 included in the composition of the automobile body filler under
22 each trade or brand name.

23 RESPONSE:

24 Not applicable.

25 INTERROGATORY NO. 127:

26 Identify all distributors of defendant's automobile body
27 filler in and for the State of California, and for each distribu-
tor, state:

(a) The date(s) defendant's automobile body filler was sold or delivered to said distributor;

(b) The quantity and type, including trade or brand name(s), of defendant's automobile body filler sold or delivered to said distributor.

RESPONSE:

Not applicable.

INTERROGATORY NO. 128:

Has defendant directly or indirectly sold or distributed its automobile body filler to any of the following:

- (a) Chrysler-Plymouth Corp.;
- (b) Ford Motor Company;
- (c) General Motors;
- (d) American Motors;
- (e) Nissan Motors;
- (f) Mitsubishi Motor Car Division;
- (g) Volkswagon;
- (h) British Leyland;
- (i) Sears & Roebuck.

RESPONSE:

Not applicable.

INTERROGATORY NO. 129:

If defendant's answer to any part of Interrogatory No. 128 is affirmative, please:

(a) State the date(s) during which defendant's automobile body filler was sold or distributed to each entity;

(b) State the quantity and type, including trade or brand name, of defendant's automobile body filler sold or

1 distributed to each entity;

2 (c) Identify and produce all documents relating to the
3 sale of defendant's automobile body filler to each entity;

4 (d) Identify each person within defendant's company
5 having knowledge of sales and distributions to each entity.

6 RESPONSE:

7 Not applicable.

8 INTERROGATORY NO. 130:

9 Does defendant have or possess any data or information re-
10 garding any shipments, sales or distributions of automobile body
11 filler by a manufacturer or distributor, other than itself, to
12 any of the following entities:

- 13 (a) Chrysler-Plymouth Corp.;
- 14 (b) Ford Motor Company;
- 15 (c) General Motors;
- 16 (d) American Motors;
- 17 (e) Nissan Motors;
- 18 (f) Mitsubishi Motor Car Division;
- 19 (g) Volkswagon;
- 20 (h) British Leyland;
- 21 (i) Sears & Roebuck.

22 RESPONSE:

23 OBJECTION. Interrogatory No. 130 is objected to on the
24 grounds that it is overly broad, vague, ambiguous and unintelli-
25 gible.

26 INTERROGATORY NO. 131:

27 If the answer to any part of Interrogatory No. 130 is af-
28 firmative, please state:

1 (a) The identities of each manufacturer or distributor
2 and the above-named entity which received the automobile body
3 filler;

4 (b) The date(s) of each shipment, sale or distribution
5 of automobile body filler for which defendant has data or infor-
6 mation;

7 (c) The quantity and type, including trade or brand
8 name, of the automobile body filler shipped, sold or distributed
9 to each of the above-named entities.

10 RESPONSE:

11 Not applicable.

12 DATED: July 13, 1984

13 HILLSINGER & COSTANZO
14 Professional Corporation

15 By Jane A. Cove
16 JANE A. COVE
17 Attorneys for Defendant
18 ABEX CORPORATION
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A.	B.	C.	D.
<u>PARTY</u> <u>PLAINTIFF</u>	<u>DATE OF</u> <u>SERVICE</u>	<u>ALLEGED</u> <u>INJURY</u>	<u>PLACE OF</u> <u>VENUE</u>
ANDERSON, E.	1983	Asbestos- related injury	Los Angeles Superior Court
ANDERSON, L.	7/30/82	"	"
ANDERSON, R.	12/13/82	"	"
ANDREWS, A.	3/21/84	"	"
ARMENTA, J.	1983	"	"
BABTIKIS, R.	4/25/83	"	"
BARNETT, W.	1983	"	"
BEAR, B.	1/6/83	"	"
BERUAN, J.	8/2/82	"	"
BETTS, R.	12/13/83	"	"
BLAYLOCK, J.	12/13/83	"	"
BOYLE, J.	11/16/83	"	"
BURNS, J.	11/16/83	"	"
BURTON, R.	4/2/84	"	"
CHAVEZ, R.	1983	"	"
COLE, R.D.	12/13/83	"	"
COMSTOCK, L.	7/20/81	"	"
COOK, J.	8/2/82	"	"
COOPER, M.	1983	"	"
CRAMER	1983	"	"
CURRY, J.	4/25/83	"	"
DE LA PENA	2/1/82	"	"
DI NAPOLI, R.	12/13/83	"	"

<u>PARTY PLAINTIFF</u>	<u>DATE OF SERVICE</u>	<u>ALLEGED INJURY</u>	<u>PLACE OF VENUE</u>
DOHERTY, W.	4/26/83	Asbestos- related injury	Los Angeles Superior Court
DUVALL, F.	1983	"	"
EVANS, J.	11/16/83	"	"
FRALEIGH, J.	4/26/83	"	"
GILLUM, J.	11/23/83	"	"
GRAHAM, E.	12/13/83	"	"
GRAHAM, G.	10/28/83	"	"
GROOMS, C.	11/16/83	"	"
HASSEY, T.	11/16/83	"	"
HEDBLUM, R.	5/18/84	"	"
HILL, J.	11/16/83	"	"
HUGHES, R.	1/6/83	"	"
JACKSON, J.	1983	"	"
JOHNSON, C.	10/28/83	"	"
LASH, B.	1983	"	"
MARKS, T.	11/16/83	"	"
MARSHALL, G.	10/28/83	"	"
McCLENNEY, W.	1983	"	"
McILONIE, E.	10/28/83	"	"
McINTYRE, M.	11/16/83	"	"
McNEAL, L.	1/6/83	"	"
MOLINA, L.	4/8/82	"	"
MUNIS, A.	1981	"	"
PECK, J.	1/6/83	"	"

<u>PARTY PLAINTIFF</u>	<u>DATE OF SERVICE</u>	<u>ALLEGED INJURY</u>	<u>PLACE OF VENUE</u>
PERRY, D.	11/23/83	Asbestos- related injury	Los Angeles Superior Court
PHENIX, R.	7/20/81	"	"
POWELL, L.	11/16/83	"	"
ROSE, E.	3/21/84	"	"
RUNGE, F.	12/13/83	"	"
SEALS, G.	11/16/83	"	"
STEVENS, L.	12/30/83	"	"
STRAUB, J.	10/28/83	"	"
TEAGUE, W.	12/13/83	"	"
TURNER, G.	11/16/83	"	"

<u>PARTY PLAINTIFF</u>	<u>B. DATE OF SERVICE</u>	<u>C. ALLEGED INJURY</u>	<u>D. PLACE OF VENUE</u>
LANDER	5/11/83	Asbestos related injury	Alameda Superior Court, CA
ALEXANDER	Early 1980s	"	Ct. of Common Pleas, PA
MADER	Early 1980s	"	Ct. of Common Pleas, PA
MBRICCO	Unknown	"	U.S. District Ct. of N.J.
ANDERSON	Early 1980s	"	Ct. of Common Pleas, Cuyahoga Cty, Ohio
BERGER	2/28/83	"	Ct. of Common Pleas, Philadelphia Cty.
ESAMAJIAN	4/30/84	"	U.S. District Ct., E.D., PA
ILLEDO	9/28/83	"	Cir. Ct., Cook Cty, IL.
ISHOP	8/12/83	"	Cir. Ct., Duval Cty, FL.
LACKMAN	12/13/83	"	U.S. District Ct., E.D., PA
OTELHO	1/30/84	"	San Francisco Superior Court, CA
OWMAN	3/ 5/82	"	Alameda Superior Court, CA
ROWN	4/15/83	"	Ct. of Common Pleas, Philadelphia Cty.
AIRES	11/10/81	"	Alameda Superior Court, CA
ARDILLO	1/11/82	"	Ct. of Common Pleas, Montgomery Cty, PA
ARPENTER	8/20/81	"	Ct. of Common Pleas, Bucks Cty, PA
ASWELL	10/ 3/83	"	U.S. District Ct., E.D., MO
ONNER	10/28/83	"	Cir. Ct., St. Louis Cty, MO
ORSINO	11/15/83	"	U.S. District Ct., E.D., PA
COURTNEY	9/30/83	"	Alameda Superior Court, CA
LUTTER	5/12/78	"	U.S. District Ct., N.D. Ohio, East. Div.
REECH	1/26/83	"	U.S. Dist. Ct., N.D., Ohio, W. Div.
AILEY	Early 1980s	"	Ct. of Common Pleas, PA
EAN	6/ 3/83	"	Illinois Cir. Ct.
ERRICK	Circa 10/79	"	Ct. of Common Pleas, Philadelphia, PA
ICKOW	8/14/81	"	Alameda Superior Court, CA

<u>PARTY PLAINTIFF</u>	<u>DATE OF SERVICE</u>	<u>ALLEGED INJURY</u>	<u>PLACE OF VENUE</u>
DICKSON	3/13/84	Asbestos related injury	San Francisco Superior Ct., CA
OUTHIT	Early 1980s	"	California Superior Court
UNN	12/22/82	"	Cr. Ct., Cty of Wayne, MI
ETTEROLF	2/24/82	"	Ct. of Common Pleas, Philadelphia, PA
ODER	4/25/83	"	U.S. District Ct., E.D., PA
RASER	11/ 7/83	"	U.S. District Ct., E.D., PA
RIEDMAN	3/12/79	"	Sup. Ct. of N.J., Bergen Cty.
URGER	3/28/83	"	Alameda Superior Court, CA
ANDO	Early 1980s	"	Ct. of Common Pleas, PA
ENOVESE	5/20/83	"	Ct. of Common Pleas, PA
IORGIANNA	Early 1980s	"	Ct. of Common Pleas, PA
IPSON	5/11/83	"	San Francisco Sup. Ct., CA
LORE	10/22/81	"	U.S. District Ct., S.D., GA, Augusta Div.
RAY	3/31/83	"	Ct. of Common Pleas, PA
ALLING	5/11/83	"	Alameda Superior Court, CA
ANEY	3/ 9/77	"	Cir. Ct., Cty of Wayne, MI
ART	Early 1980s	"	Ct. of Common Pleas, Cuyahoga Cty., Ohio
AZZARD	4/19/83	"	Ct. of Common Pleas, PA
ICE	5/11/83	"	San Francisco Sup. Ct., CA
OLLIMAN	11/10/83	"	N.J. Sup. Ct., Monmouth Cty.
ORMELL	6/ 9/81	"	Ct. of Common Pleas, Bucks Cty, PA
UGHES	7/22/82	"	Ct. of Common Pleas, PA
UMPHREY	1/ 6/84	"	Ct. of Common Pleas, Cuyahoga Cty, Ohio
TO	3/14/84	"	U.S. District Ct., Dist. of Hawaii
APLAN	10/ 5/81	"	U.S. District Ct., N.D., CA
EAN	Early 1980s	"	Ct. of Common Pleas, PA
ELLY	3/11/80	"	Ct. of Common Pleas, PA
ERR	12/19/83	"	U.S. District Ct., N.D., CA

<u>PARTY</u> <u>PLAINTIFF</u>	<u>DATE OF</u> <u>SERVICE</u>	<u>ALLEGED</u> <u>INJURY</u>	<u>PLACE OF</u> <u>VENUE</u>
INSEY	6/30/81	Asbestos related injury	U.S. Dist. Ct., N.D., Fla, Tallahassee Div
ONSTANTIN	4/25/83	"	Alameda Superior Court, CA
ANE	1/ 5/83	"	Ct. of Common Pleas, Lorain Cty, Ohio
EE	11/23/81	"	U.S. District Ct., N.D., CA
EOTTA	11/23/81	"	U.S. District Ct. N.D., CA
EYMAN	1/24/83	"	Cir. Ct., Cty of Wayne, MI
ONDON	6/22/83	"	Ct. of Common Pleas, PA
ONG	5/11/83	"	San Francisco Sup. Ct., CA
OVETT	1/20/82	"	U.S. District Ct., E.D. of PA
acCASKIE	2/29/84	"	Alameda Superior Court, CA
ARTIN	Early 1980s	"	Ct. of Common Pleas, Ohio
ASON	4/18/84	"	Ct. of Common Pleas, Ohio
cCORMICK	2/28/83	"	Ct. of Common Pleas, PA
cCULLEN	4/20/82	"	Ct. of Common Pleas, PA
IHALY	Early 1980s	"	Ct. of Common Pleas, Ohio
ILLIGAN	3/16/84	"	U.S. District Ct., Michigan, S.D.
ALL	12/14/81	"	Tenth Judicial Cir. Ct., IL
EISS	1/18/83	"	U.S. District Ct., E.D., PA
ELSON	10/ 6/83	"	San Francisco Sup. Ct., CA
VERTON	7/26/82	"	Ct. of Common Pleas, PA
ANNELL	5/ 8/82	"	Ct. of Common Pleas, PA
EARLINGI	12/16/83	"	Ct. of Common Pleas, PA
IPPINS	5/11/83	"	Alameda Superior Court, CA
YCZ	3/18/83	"	Ct. of Common Pleas, PA
EAVES	5/ 6/83	"	Ct. of Common Pleas, PA
EED	11/30/83	"	Ct. of Common Pleas, PA
EES	10/22/80	"	U.S. District Ct., E.D., PA

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>ALLEGED INJURY</u>	<u>PLACE OF VENUE</u>
	5/11/83	Asbestos related injury	San Francisco Superior Court, CA
5	Early 1980s	"	Ct. of Common Pleas, PA
	3/ 7/80	"	U.S. District Ct., E.D., PA
	9/15/83	"	Ct. of Common Pleas, Ohio
TS	4/11/84	"	Wayne Cty Ct., MI
SON, W.	4/19/83	"	U.S. District Ct., E.D., PA
SON, E.	3/31/83	"	Ct. of Common Pleas, PA
	11/16/83	"	U.S. District Ct., Dist. of Mass.
AS	Early 1980s	"	Cir. Ct. of Cook Cty, ILL
NG	1/16/84	"	San Francisco Superior Court, CA
FFER	9/13/82	"	Ct. of Common Pleas, PA
DS	3/14/83	"	U.S. Dist. Ct., E.D., Tenn., So. Div.
DA	10/ 5/81	"	U.S. Dist. Ct. of Hawaii
, S.	2/ 2/84	"	U.S. Dist. Ct. of Hawaii
, D.	4/22/82	"	U.S. Dist. Ct., N.D. of Ohio, E. Div.
, R.	Early 1980s	"	Ct. of Common Pleas, Cuyahoga Cty, Ohio
	3/17/83	"	Delaware Sup. Ct., New Castle Cty.
	4/12/82	"	U.S. Dist. Ct., W.D. of PA
ART	Early 1980s	"	Ct. of Common Pleas, PA
L	7/22/82	"	U.S. Dist. Ct., Ohio, N.D., E. Div.
	2/21/84	"	Solano Superior Court, CA
	12/19/83	"	San Francisco Sup. Ct., CA
N	12/19/83	"	Santa Clara Superior Court, CA
O	3/13/84	"	San Francisco Sup. Ct., CA
R	5/11/83	"	Alameda Superior Court, CA
N	4/25/83	"	U.S. District Ct., E.D., MO

<u>ARTY LAINTIFF</u>	<u>DATE OF SERVICE</u>	<u>ALLEGED INJURY</u>	<u>PLACE OF VENUE</u>
HEELock	11/ 4/82	Asbestos related injury	Cir. Ct., Cty of Wayne, MI
ILKINS	9/ 8/83	"	San Francisco Superior Court, CA
ILLIAS .	Early 1980s	"	Ct. of Common Pleas, PA
ABLON	11/23/81	"	California
OUNG	1/25/82	"	U.S. District Ct. of Maryland
OUNG, M.	3/19/84	"	Kanawha Cty Cir. Ct., W. VA
ITIS	3/12/79	"	Supreme Ct. of N.J., Bergen Cty

INSURANCE - History of Carriers

From 1946 thru 1956: Maryland Casualty Company. Coverage of at least \$300,000 per occurrence and \$1 million in the aggregate.

From 1956 thru 1971: Liberty Mutual Insurance Company provided casualty and general liability coverage of at least \$500,000 per occurrence and \$3 million in the aggregate.

From 1971 thru 1974: The Travelers Insurance Companies provided CGL coverage of at least \$500,000 per occurrence and \$3 million in the aggregate.

From 1974 thru 1975: Argonaut Insurance Company provided CGL primary insurance coverage of \$950,000 in excess of \$50,000 self-insurance retention while during the same period, additional insurers provided \$40 million of excess coverage.

From 1975 thru 1976: Continental Insurance Company provided primary CGL coverage in the amount of \$900,000 in excess of \$100,000 self-insurance retention while other carriers provided \$45 million worth of excess coverage.

From 1976 thru 1978: Continental Insurance Company provided primary CGL coverage in the amount of \$750,000 in excess of \$250,000 self-insurance retention while other insurers provided minimum excess coverage of \$45 million.

From 1978 thru 1979: Northwestern National Insurance Company provided \$1 million of primary CGL coverage while other insurers provide an additional \$80 million of excess coverage.

From 1979 thru 1980: Continental Insurance Company provided primary CGL coverage in the amount of \$1 million while other insurers provided excess coverage of \$75 million.

From 1980 thru 1983: National Union Fire Insurance Company of Pittsburgh provided primary CGL coverage in the amount of \$1 million while other insured provided excess coverage ranging from a minimum of \$100 million to a maximum of \$180 million.

RECOMMENDED PROCEDURES FOR REDUCING ASBESTOS DUST DURING BRAKE SERVICING

Because studies have indicated that exposure to excessive amounts of asbestos dust may be a potential health hazard, OSHA has set maximum limits of levels of airborne asbestos dust to which workers may be exposed. Since most automotive friction materials normally contain a sizable amount of asbestos, it is important that people who handle brake linings and clutch facings understand the nature of the problem and know the precautions to be taken.

1. Areas where brake work is done should be set aside if possible, and entrances should be posted with an asbestos exposure sign as follows:

**Asbestos
Dust Hazard
Avoid Breathing Dust
Wear Assigned Protective Equipment
Do Not Remain in Area Unless Your Work
Requires It
Breathing Asbestos Dust May Be Hazardous
To Your Health**

when exposure to asbestos dust may be at its highest. This increases the difficulty in complying with the OSHA standards. In addition to the approved respirator, there must be local exhaust ventilation such that worker exposures are maintained below the OSHA asbestos standards. If there is any question as to the efficiency of asbestos dust removal by the machine, the manufacturer should be contacted.

5. Industrial vacuum cleaner bags containing asbestos dust and cloths used for wiping brake assemblies should be sealed in plastic bags and labeled with the following warning label printed in letters of sufficient size and contrast to be readily visible and legible.

**Caution
Contains Asbestos Fibers
Avoid Creating Dust
Breathing Asbestos Dust May Cause
Serious Bodily Harm**

All asbestos waste should be disposed of in accordance with OSHA and EPA asbestos regulations. During removal of vacuum bags, an approved respirator, as described in (2) above should be worn.

2. The amount of asbestos in the dust from brake lining wear is normally at an extremely low level because of chemical breakdown during use, and if machining of friction material does not take place, simple procedures will minimize exposure. During brake servicing, the mechanic should wear a respirator approved by NIOSH for asbestos dust. It should be worn during all procedures starting with the removal of wheels and including reassembly.
3. When removing worn friction materials, remove the accumulated dust in the assemblies with an industrial vacuum cleaner equipped with a high efficiency filter system. If such equipment is not available, dust can be removed with a damp cloth. Do not use compressed air or dry brushing for cleaning unless the assembly is enclosed and properly exhausted.
4. Whenever possible, purchase friction materials preground and ready for installation. If machining is necessary, the precautions which must be taken are of extreme importance. This is the operation in brake service
6. Good housekeeping is essential in a workplace where asbestos containing materials are handled. Industrial vacuum cleaners equipped with multiple stage high efficiency filters should be used for removing accumulations of asbestos dust and waste. Never use compressed air or dry sweeping for cleaning. Water or other dust suppressants should be applied if brooms are used.
7. Good personal hygiene practices are important in minimizing asbestos dust exposure. Do not smoke. Wash before eating. Shower after work. Change to work clothes upon arrival at work and change from work clothes at conclusion of work. Work clothing should not be taken home. Laundering of asbestos contaminated clothing shall be done so as to prevent release of airborne asbestos fibers in excess of the exposure limits.

**CAUTION: DO NOT BREATHE ASBESTOS
DUST**

Abex's Answers to Interrogs., Kane v.
Johns-Manville, (Los Angeles) 3/84