

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

RENITA JACKSON, et al.,	)	Case No. 236835
Plaintiffs,	)	Judge Ronald J. Suster
v.	)	ANSWER OF DEFENDANT
THE GLIDDEN COMPANY, et al.,	)	AMERICAN CYANAMID
Defendants.	)	<u>COMPANY</u>

Defendant American Cyanamid Company ("Cyanamid"), by its undersigned attorneys, Donovan Leisure Newton & Irvine, as and for its answer to Plaintiffs' Third Amended Complaint dated September 18, 1996 ("Third Amended Complaint"), respectfully alleges as follows:

AS AND FOR AN ANSWER TO
THE PARTIES

1. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Third Amended Complaint.

2. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of the Third Amended Complaint.

3. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Third Amended Complaint.

4. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Third Amended Complaint.

5. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 of the Third Amended Complaint.

6. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Third Amended Complaint.

7. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Third Amended Complaint.

8. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Third Amended Complaint.

9. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 of the Third Amended Complaint.

10. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Third Amended Complaint.

11. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 of the Third Amended Complaint.

12. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 12 of the Third Amended Complaint.

13. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 13 of the Third Amended Complaint.

14. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 of the Third Amended Complaint.

15. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 15 of the Third Amended Complaint. -

16. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 16 of the Third Amended Complaint.

17. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 17 of the Third Amended Complaint.

18. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18 of the Third Amended Complaint.

19. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 19 of the Third Amended Complaint.

20. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 20 of the Third Amended Complaint.

21. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 21 of the Third Amended Complaint.

22. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 22 of the Third Amended Complaint.

23. Cyanamid admits the allegations of Paragraph 23 of the Third Amended Complaint.

24. Cyanamid denies the allegations of Paragraph 24 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

25. Cyanamid denies the allegations of Paragraph 25 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

26 (a-b). Cyanamid denies the allegations of Paragraph 26 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

27. Cyanamid denies the allegations of Paragraph 27 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

28. Paragraph 28 of the Third Amended Complaint asserts a conclusion of law, as to which no responsive pleading is required

AS AND FOR AN ANSWER TO
THE CLASS ALLEGATIONS

29. Cyanamid admits that Plaintiffs have pleaded this action as a class action, but denies that certification of -the class under Rule 23 of the Ohio Rules of Civil Procedure would be appropriate in this case.

30 (a-f). Paragraph 30 of the Third Amended Complaint sets forth a summary of Plaintiffs' legal argument that the purported class satisfies the requirements of Rule 23 of the Ohio Rules of Civil Procedure, as to which no responsive pleading is required.

AS AND FOR AN ANSWER TO
THE FIRST CAUSE OF ACTION

31. Repeats and realleges, in response to Paragraph 31 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

32. Cyanamid denies the allegations of Paragraph 32 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

33. Cyanamid denies the allegations of Paragraph 33 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

34. Cyanamid denies the allegations of Paragraph 34 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

35 (i-iv). Cyanamid denies the allegations of Paragraph 35 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

36. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 36 of the Third Amended Complaint.

37. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 37 of the Third Amended Complaint.

38. Cyanamid denies the allegations of Paragraph 38 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE SECOND CAUSE OF ACTION**

39. Repeats and realleges, in response to Paragraph 39 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

40. Cyanamid denies the allegations of Paragraph 40 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

41. Paragraph 41 of the Third Amended Complaint asserts a conclusion of law, as to which no responsive pleading is required.

42. Cyanamid denies the allegations of Paragraph 42 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

43. Cyanamid denies the allegations of Paragraph 43 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or

information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE THIRD CAUSE OF ACTION**

44. Repeats and realleges, in response to paragraph 44 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

45. Cyanamid denies the allegations of Paragraph 45 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

46. Cyanamid denies the allegations of Paragraph 46 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE FOURTH CAUSE OF ACTION**

47. Repeats and realleges, in response to Paragraph 47 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

48. Cyanamid denies the allegations of Paragraph 48 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

49. Cyanamid denies the allegations of Paragraph 49 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

50. Cyanamid denies the allegations of Paragraph 50 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE FIFTH CAUSE OF ACTION**

51. Repeats and realleges, in response to Paragraph 51 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

52. Cyanamid denies the allegations of Paragraph 52 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they

are directed against other defendants.

53. Cyanamid denies the allegations of Paragraph 53 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

54. Cyanamid denies the allegations of Paragraph 54 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

55. Cyanamid denies the allegations of Paragraph 55 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

AS AND FOR AN ANSWER TO
THE SIXTH CAUSE OF ACTION

56. Repeats and realleges, in response to Paragraph 56 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein

57. Cyanamid denies the allegations of Paragraph 57 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or

information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

58. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 58 of the Third Amended Complaint

59. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 59 of the Third Amended Complaint.

60. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 60 of the Third Amended Complaint.

61. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 61 of the Third Amended Complaint.

62. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 62 of the Third Amended Complaint.

63. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 63 of the Third Amended Complaint.

64. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 64 of the Third Amended Complaint.

65. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 65 of the Third Amended Complaint.

66. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 66 of the Third Amended Complaint.

67. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 67 of the Third Amended Complaint.

68. Cyanamid denies the allegations of Paragraph 68 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

69. Cyanamid denies the allegations of Paragraph 69 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

70. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 70 of the Third Amended Complaint.

71. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 71 of the Third Amended Complaint.

72. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 72 of the Third Amended Complaint.

73. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 73 of the Third Amended Complaint.

74. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 74 of the Third Amended Complaint.

75. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 75 of the Third Amended Complaint.

76. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 76 of the Third Amended Complaint.

77. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 77 of the Third Amended Complaint.

78. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 78 of the Third Amended Complaint.

79. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 79 of the Third Amended Complaint.

80. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 80 of the Third Amended Complaint. -

81. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 81 of the Third Amended Complaint.

82. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 82 of the Third Amended Complaint.

83. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 83 of the Third Amended Complaint.

84. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 84 of the Third Amended Complaint.

85. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 85 of the Third Amended Complaint.

86. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 86 of the Third Amended Complaint.

87. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 87 of the Third Amended Complaint.

88. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 88 of the Third Amended Complaint.

89. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 89 of the Third Amended Complaint.

90. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 90 of the Third Amended Complaint.

91. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 91 of the Third Amended Complaint.

92. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 92 of the Third Amended Complaint.

93. Cyanamid denies the allegations of Paragraph 93 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

94. Cyanamid denies the allegations of Paragraph 94 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

95. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 95 of the Third Amended Complaint.

96. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 96 of the Third Amended Complaint.

97. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 97 of the Third Amended Complaint.

98. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 98 of the Third Amended Complaint.

99. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 99 of the Third Amended Complaint.

100. Cyanamid denies the allegations of Paragraph 100 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

101. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 101 of the Third Amended Complaint.

102. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 102 of the Third Amended Complaint.

103. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 103 of the Third Amended Complaint..

104. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 104 of the Third Amended Complaint.

105. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 105 of the Third Amended Complaint.

106. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 106 of the Third Amended Complaint.

107. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 107 of the Third Amended Complaint.

108. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 108 of the Third Amended Complaint.

109. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 109 of the Third Amended Complaint.

110. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 110 of the Third Amended Complaint.

111. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 111 of the Third Amended Complaint.

112. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 112 of the Third Amended Complaint.

113. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 113 of the Third Amended Complaint.

114. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 114 of the Third Amended Complaint.

115. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 115 of the Third Amended Complaint.

116. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 116 of the Third Amended Complaint.

117. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 117 of the Third Amended Complaint.

118. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 118 of the Third Amended Complaint.

119. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 119 of the Third Amended Complaint.

120. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 120 of the Third Amended Complaint.

121. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 121 of the Third Amended Complaint.

122. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 122 of the Third Amended Complaint.

123. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 123 of the Third Amended Complaint.

124. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 124 of the Third Amended Complaint.

125. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 125 of the Third Amended Complaint.

126. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 126 of the Third Amended Complaint.

127. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 127 of the Third Amended Complaint.

128. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 128 of the Third Amended Complaint.

129. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 129 of the Third Amended Complaint.

130. Cyanamid denies the allegations of Paragraph 130 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

131. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 131 of the Third Amended Complaint.

132. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 132 of the Third Amended Complaint.

133. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 133 of the Third Amended Complaint.

134. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 134 of the Third Amended Complaint.

135. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 135 of the Third Amended Complaint.

136. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 136 of the Third Amended Complaint.

137. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 137 of the Third Amended Complaint.

138. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 138 of the Third Amended Complaint.

139. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 139 of the Third Amended Complaint.

140. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 140 of the Third Amended Complaint.

141. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 141 of the Third Amended Complaint.

142. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 142 of the Third Amended Complaint.

143. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 143 of the Third Amended Complaint.

144. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 144 of the Third Amended Complaint.

145. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 145 of the Third Amended Complaint.

146. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 146 of the Third Amended Complaint.

147. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 147 of the Third Amended Complaint.

148. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 148 of the Third Amended Complaint.

149. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 149 of the Third Amended Complaint.

150. Cyanamid denies the allegations of Paragraph 150 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies

knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

151. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 151 of the Third Amended Complaint.

152. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 152 of the Third Amended Complaint.

153. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 153 of the Third Amended Complaint.

154. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 154 of the Third Amended Complaint.

155. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 155 of the Third Amended Complaint.

156. Cyanamid denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 156 of the Third Amended Complaint.

157. As none of the alleged representations or implications set forth in Paragraphs 56 through 156 purport to have been made by Cyanamid, no responsive pleading is required.

158. As none of the alleged representations or implications set forth in Paragraphs 56 through 156 purport to have been made by Cyanamid, no responsive pleading is required.

159. As none of the alleged representations or implications set forth in Paragraphs 56 through 156 purport to have been made by Cyanamid, no responsive pleading is required.

160. As none of the alleged representations or implications set forth in Paragraphs 56 through 156 purport to have been made by Cyanamid, no responsive pleading is required.

161. As none of the alleged representations or implications set forth in Paragraphs 56 through 156 purport to have been made by Cyanamid, no responsive pleading is required.

**AS AND FOR AN ANSWER TO
THE SEVENTH CAUSE OF ACTION**

162. Repeats and realleges, in response to Paragraph 162 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

163. Cyanamid denies the allegations of Paragraph 163 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

164. Cyanamid denies the allegations of Paragraph 164 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the

extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE EIGHTH CAUSE OF ACTION**

165. Repeats and realleges, in response to Paragraph 165 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

166. Cyanamid denies the allegations of Paragraph 166 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

167. Cyanamid denies the allegations of Paragraph 167 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

168. Cyanamid denies the allegations of Paragraph 168 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

169. Cyanamid denies the allegations of Paragraph 169 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the

extent they are directed against other defendants.

170. Cyanamid denies the allegations of Paragraph 170 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

171. Cyanamid denies the allegations of Paragraph 171 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

172. Cyanamid denies the allegations of Paragraph 172 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

173. Cyanamid denies the allegations of Paragraph 173 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE NINTH CAUSE OF ACTION**

174. Repeats and realleges, in response to Paragraph 174 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

175 (i-iv). Cyanamid denies the allegations of Paragraph 175 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

176. Cyanamid denies the allegations of Paragraph 176 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR AN ANSWER TO
THE TENTH CAUSE OF ACTION**

177. Repeats and realleges, in response to Paragraph 177 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

178. Cyanamid denies the allegations of Paragraph 178 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the

extent they are directed against other defendants.

179. Cyanamid denies the allegations of Paragraph 179 of the Third Amended Complaint.

180. Cyanamid denies knowledge or information sufficient to form a belief as to whether Plaintiffs have suffered any injuries, but avers that if Plaintiffs did suffer any injuries, certain plaintiffs have elsewhere alleged in the Third Amended Complaint that said injuries occurred over a period exceeding more than approximately two (2) years.

181. Cyanamid denies the allegations of Paragraph 181 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

AS AND FOR AN ANSWER TO
THE ELEVENTH CAUSE OF ACTION

182. Repeats and realleges, in response to Paragraph 182 of the Third Amended Complaint, the answers to all allegations as if fully set forth herein.

183. Cyanamid denies the allegations of Paragraph 183 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

184. Cyanamid denies the allegations of Paragraph 184 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

185. Cyanamid denies the allegations of Paragraph 185 of the Third Amended Complaint to the extent they are directed against Cyanamid, and denies knowledge or information sufficient to form a belief as to the truth of the allegations to the extent they are directed against other defendants.

**AS AND FOR A FIRST
AFFIRMATIVE DEFENSE**

186. The Third Amended Complaint fails to state a claim against Cyanamid upon which relief can be granted.

**AS AND FOR A SECOND
AFFIRMATIVE DEFENSE**

187. The claims set forth in the Third Amended Complaint are barred in whole or in part by the applicable statute of limitations to the extent they are directed against Cyanamid.

**AS AND FOR A THIRD
AFFIRMATIVE DEFENSE**

188. Defendant Cyanamid is not a proper party to some or all of the claims asserted in the Third Amended Complaint.

**AS AND FOR A FOURTH
AFFIRMATIVE DEFENSE**

189. Plaintiffs' damages, if any, were caused by the acts or omissions of third parties over whom and which Cyanamid had no control. The conduct of other persons is the sole and exclusive cause of Plaintiffs' damages, if any.

**AS AND FOR A FIFTH
AFFIRMATIVE DEFENSE**

190. Plaintiffs have failed to join parties indispensable to a just adjudication of this lawsuit.

**AS AND FOR A SIXTH
AFFIRMATIVE DEFENSE**

191. Plaintiffs are barred from recovery for some or all of the claims asserted against Cyanamid because Plaintiffs' own fault or negligence caused or contributed to the alleged injuries.

**AS AND FOR A SEVENTH
AFFIRMATIVE DEFENSE**

192. Plaintiffs assumed the risk of some or all of the conditions and damages alleged in the Third Amended Complaint.

**AS AND FOR AN EIGHTH
AFFIRMATIVE DEFENSE**

193. Some or all of the claims asserted by Plaintiffs are precluded because Plaintiffs have failed to mitigate damages.

**AS AND FOR A NINTH
AFFIRMATIVE DEFENSE**

194. Some or all of the claims stated in the Third Amended Complaint seek to impose liability for conduct that is protected from liability by the First Amendment to the United States Constitution and Article 1, Section 11 of the Ohio State Constitution.

**AS AND FOR A TENTH
AFFIRMATIVE DEFENSE**

195. Plaintiffs are barred from recovery for some or all of the claims and claims for punitive or exemplary damages asserted against Cyanamid to the extent that

products that allegedly caused them injury complied with applicable federal, Ohio State and/or local specifications.

**AS AND FOR AN ELEVENTH
AFFIRMATIVE DEFENSE**

196 Plaintiffs' claims against Cyanamid should be dismissed because Cyanamid did not owe or breach any legal duty to Plaintiffs.

**AS AND FOR A TWELFTH
AFFIRMATIVE DEFENSE**

197. Plaintiffs' claims against Cyanamid should be dismissed because of misuse of the product in question and because pigment was not intended or sold for ingestion.

**AS AND FOR A THIRTEENTH
AFFIRMATIVE DEFENSE**

198. Plaintiffs' alleged injuries were caused in whole or in part by the unforeseeable misuse of lead paint by persons or entities other than Cyanamid.

**AS AND FOR A FOURTEENTH
AFFIRMATIVE DEFENSE**

199. Based on the state of scientific and technological knowledge at the time lead pigment was marketed, such pigment was reasonably safe for its normal and foreseeable use.

**AS AND FOR A FIFTEENTH
AFFIRMATIVE DEFENSE**

200. The claims set forth in the Third Amended Complaint are barred in whole or in part because of the lack of defect in lead pigment.

**AS AND FOR A SIXTEENTH
AFFIRMATIVE DEFENSE**

201. Plaintiffs' claims are barred by their inability to identify Cyanamid as the particular manufacturer of the products that allegedly caused their injuries.

**AS AND FOR A SEVENTEENTH
AFFIRMATIVE DEFENSE**

202. Plaintiffs' claims do not arise out of the same transaction, occurrence, or series of transactions or occurrences, and should therefore be severed on the ground of misjoinder under Rule 21 of the Ohio Rules of Civil Procedure.

**AS AND FOR A EIGHTEENTH
AFFIRMATIVE DEFENSE**

203. Plaintiffs' claims are barred in whole or in part by the absence or any specific intent, conscious agreement, or common design or purpose on the part of Cyanamid to join with other defendants to injure Plaintiffs or others.

**AS AND FOR A NINETEENTH
AFFIRMATIVE DEFENSE**

204. The Third Amended Complaint fails to state any claim against Cyanamid for which punitive or exemplary damages can be awarded.

**AS AND FOR A TWENTIETH
AFFIRMATIVE DEFENSE**

205. Plaintiffs' claims for relief are barred in whole or in party by the equitable doctrines of laches, waiver and estoppel.

**AS AND FOR A TWENTY-FIRST
AFFIRMATIVE DEFENSE**

206. Any paint pigments that Cyanamid may have sold were sold in bulk to sophisticated buyers who were as knowledgeable as Cyanamid about whatever hazards pertained to lead paint.

**AS AND FOR A TWENTY-SECOND
AFFIRMATIVE DEFENSE**

207. Plaintiffs' claims for punitive damages violate the Excessive Fines Clause of the Eighth Amendment and the Due Process Clauses of the Fifth and Fourth Amendments to the United States Constitution and Article 1, Sections 1, 9 and 16 of the Ohio State Constitution.

**AS AND FOR A TWENTY-THIRD
AFFIRMATIVE DEFENSE**

208. Plaintiffs' claims are barred in whole or in part by their lack of reliance on any representations made by Cyanamid.

**AS AND FOR A TWENTY-FOURTH
AFFIRMATIVE DEFENSE**

209. There was no negligence, gross negligence, misconduct, willful conduct, or malice (actual, legal, or otherwise) on the part of Cyanamid as to the Plaintiffs.

**AS AND FOR A TWENTY-FIFTH
AFFIRMATIVE DEFENSE**

210. At all relevant times purchasers and users of lead paint and lead paint pigments were knowledgeable purchasers who were aware of the alleged hazards of lead paint.

**AS AND FOR A TWENTY-SIXTH
AFFIRMATIVE DEFENSE**

211. Plaintiffs' claims are barred in whole or in part because their alleged injury was caused by paint that had exceeded its normal useful life.

**AS AND FOR A TWENTY-SEVENTH
AFFIRMATIVE DEFENSE**

212. Plaintiffs' claims are barred in whole or in part by their failure to assert a safer design for lead pigment.

**AS AND FOR A TWENTY-EIGHTH
AFFIRMATIVE DEFENSE**

213. Plaintiffs' claims are barred because plaintiffs seek to apply retroactive liability to Cyanamid in violation of the Due Process Clause of the United States Constitution and Article I, § 16 of the Constitution of the State of Ohio.

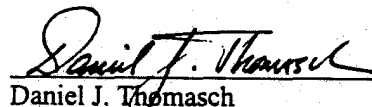
**AS AND FOR A TWENTY-NINTH
AFFIRMATIVE DEFENSE**

214. Plaintiffs' product liability claims are barred because purchasers and consumers were aware of the alleged risks of lead paint.

WHEREFORE, American Cyanamid Company respectfully demands
judgment dismissing the Third Amended Complaint and awarding Cyanamid fees, and
such other and further relief as this Court may deem just and proper.

Dated: New York, New York
June 11, 1997

Respectfully submitted,



Daniel J. Thomasch

Lauren Elliot

DONOVAN LEISURE NEWTON & IRVINE

30 Rockefeller Plaza

New York, New York 10112

(212) 632-3000

and

Mary M. Bittance, (0025751)
BAKER & HOSTETLER, LLP
3200 National City Center
1900 East 9th Street
Cleveland, Ohio 44114-3485
(216) 621-0200

Attorneys for Defendant
American Cyanamid Company