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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

GEORGE C. SCHRAMM, JR. and
JACQUELINE R. SCHRAMM, his wife,
et al.,

Plaintiffs,

Civil Action
No. L-080949-86

vs.

EAGLE-PICHER INDUSTRIES, INC., et al.,

Defendants.

RESPONSE OF DEFENDANT FORD MOTOR COMPANY
TO PLAINTIFFS' INTERROGATORIES

The responses provided herein have been prepared pursuant to a reasonable and duly diligent investigation and search for the information requested. For many years, Ford has had several hundred thousand employees. Many employees have worked at several of Ford's facilities. In conducting its business, Ford has each year created many millions of documents that have been kept in numerous locations and have been moved as the organizations changed and as employees changed jobs. Accordingly, Ford does not represent that the responses contained herein provide all of the information requested; rather, these responses reflect information obtained before this date by Ford pursuant to a reasonable and duly diligent search and investigation in those areas where the information was expected to be found. To the

PLAINTIFF'S
EXHIBIT

WV-06397

PLAINTIFF'S
EXHIBIT

31765.0

SCF-FORD-3570

1 extent that the request purports to require more, Ford
2 objects on grounds that include that compliance with the
3 request probably is not feasible and would impose an undue
4 burden or expense.

5 Further, if additional discovery requests are
6 served upon Ford in this action, Ford will not review the
7 present discovery requests to ascertain whether, subsequent
8 to their serving of this response, new information that
9 might be responsive to the present discovery requests has
10 been obtained. To the extent that the present request
11 purports to impose such an obligation, Ford objects on the
12 grounds that the request contravenes the rules and, in
13 addition, seeks to impose an undue burden and expense.

14 To make responses to these requests feasible and
15 the responses pertinent to the allegation that there was
16 deleterious exposure to asbestos in brake lining dust or
17 debris in Ford vehicles, it generally is appropriate to
18 limit their scope to friction products and in particular to
19 brake lining dust. Ford objects to requests for information
20 about other subjects within the history or scope of the
21 activities of Ford on the grounds that the requests seek
22 information that is neither relevant nor likely to lead to
23 the discovery of admissible evidence and the requests are
24 overly broad and burdensome. Also, Ford objects to requests
25 for "any" and "all" on grounds that the requests are overly
26 broad and burdensome.

1 Plaintiffs have served Ford with interrogatories
2 and yet plaintiffs already may have some pertinent docu-
3 ments, perhaps even some Ford documents not received from
4 Ford. Ford objects on the grounds that it would be less
5 burdensome, more convenient, and less expensive for plain-
6 tiffs to identify what documents they already have that
7 fall within the scope of the requests. This would accom-
8 plish several purposes: (a) it would obviate Ford's having
9 to search for and copy documents already in plaintiffs'
10 possession; (b) it would enable Ford to use the documents
11 provided by plaintiffs as guides in looking for related
12 material; and (c) it would, if plaintiffs' purpose were to
13 obtain authentication of particular documents, enable Ford
14 to authenticate the copies provided by plaintiffs without
15 having to conduct an uninformed search for those documents
16 in Ford's files.

17 Ford objects to requests where the matter sought is
18 neither relevant to the subject matter involved in the
19 pending action not reasonably calculated to lead to the
20 discovery of admissible evidence.

21 Where Ford personnel have stored responsive docu-
22 ments, whether kept together by folder, clip, staple, or
23 otherwise, only the responsive document will be produced.

24 Documents offered by Ford can be made available by
25 providing marked usable copies for review in the office of
26 Ford's counsel.

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1 means that an interrogatory calls for an opinion or conten-
2 tion that relates to fact or the application of law to fact
3 and should not properly be required to be answered at this
4 time.

5 These comments and objections are incorporated into
6 each Ford Response set forth below as if they were set forth
7 in their entirety as they apply to each response. Responses
8 made after objections are not waivers of the objections.
9

10 INTERROGATORIES

11
12 INTERROGATORY B. 1.

13 State name, address, and job position of each and
14 every individual signing these interrogatories on behalf of
15 the defendant.

16 a. state the name, address and employer and
17 job position of each person whether defendant's
18 employees or otherwise who were consulted with or
19 who assisted in the answering of these
20 interrogatories.

21 RESPONSE

22	Objections:	Privileged
23		Burden
24		Overly Broad
25		Lack of Relevance
26		Lack of Particularity
27		Premature

1 The manner in which Ford's attorneys assemble
2 information pertaining to pending litigation is protected by
3 the attorney-client privilege and work product doctrine.

4 Ford objects to this interrogatory as overly broad,
5 unduly burdensome and expensive because the responses to
6 these interrogatories were prepared by consulting, directly
7 or indirectly, scores of individuals and thousands of
8 documents prepared by perhaps hundreds of other individuals.
9 The responses to these interrogatories constitute a
10 corporate response which has been verified by an authorized
11 agent of Ford. The person signing these interrogatories is
12 an employee of Ford who is an authorized agent for the
13 purpose of verifying discovery responses. That person works
14 at One Parklane Boulevard, Dearborn, Michigan 48126. For
15 the person's name, please refer to the verification page.

16
17 INTERROGATORY B. 2.

18 Give a full and detailed description of the nature
19 of the business that your company is engaged in.

20
21 RESPONSE

22 Ford is a corporation. The registered name is Ford
23 Motor Company. Ford was incorporated in the State of
24 Delaware in 1919. Ford acquired the business of a Michigan

1 company, also known as Ford Motor Company, incorporated in
2 1903, to produce cars, trucks and other vehicles designed
3 and engineered by Henry Ford. Ford's principal place of
4 business is the State of Michigan. The headquarters are
5 located at The American Road, Dearborn, Michigan.

6
7 INTERROGATORY B. 3.

8 When did your company commence its business?

9
10 RESPONSE

11 See response B. 2.

12
13 INTERROGATORY B. 4.

14 a. Are or have any of defendant's
15 predecessors, affiliates, subsidiaries, or parent
16 corporations engaged in the mining, sale and
17 distribution of asbestos and/or asbestos fiber
18 and/or asbestos-containing insulation products? If
19 so, state the name of each such entity, describe
20 the nature of the involvement that each entity has
21 or has had in the mining, distribution or sale of
22 these products and materials, and set forth the
23 inclusive dates each.

24 b. as to each such entity referred to in (a)
25 above, state:

1 1. the relationship between defendant
2 and each such entity;

3 2. the date each such relationship
4 began and terminated;

5 3. the names and addresses of each such
6 entity's corporate officers and Board of
7 Directors;

8 4. the names and addresses of your
9 corporate officers and Board of Directors.

10
11 RESPONSE

12 See response B. 2. Ford never has mined asbestos.
13 Ford never has processed or' manufactured brake linings or
14 clutch facings for production vehicles. Manufacture,
15 assembly and sale of cars and trucks, and related parts and
16 accessories, constitute the principle business of Ford.
17 Many of the cars and trucks had brake linings or pads which
18 contained asbestos.

19 Ford at one time sold new cars and trucks, some of
20 which contained asbestos-containing parts, to Ford
21 Marketing Corporation, which in turn sold the products to
22 Ford authorized dealerships. If this interrogatory were to
23 be construed to require Ford to report the details of such
24 activities, Ford would object to it on the grounds which
25 would include unduly burdensome, overly broad, irrelevant
26 and not reasonably calculated to lead to the discovery of

admissible evidence and in the context of this litigation is of de minimus significance.

INTERROGATORY B. 5.

From the year 1925 until the present, identify and state the address of any organization in which defendant, its officers, agents or employees have belonged, having anything to do with setting standards, regulations or the conducting of research into the use of asbestos, asbestos products or asbestos fiber.

RESPONSE

Objections:

- Overly Broad
- Burden
- Lack of Relevance
- Lack of Particularity

Ford or Ford employees, or both, have had memberships in the American Society for Testing and Materials, Society of Automotive Engineers and American Industrial Hygiene Association. Ford objects to this interrogatory as being overly broad and unduly burdensome to the extent that it requests individual employee identification. It would not be feasible for Ford to identify all of its employees who have been or are members of these organizations. Ford also had a membership from January, 1947 through December,

1 1974 in the Industrial Health Foundation, formerly known as
2 the Industrial Hygiene Foundation.

3 Ford is a member of the National Association of
4 Manufacturers, 1776 F St., N.W., Washington, D.C. 20006;
5 Michigan Manufactures Association; Motor Vehicle
6 Manufacturers Association, 300 New Center Building, Detroit,
7 Michigan 48202; and the National Safety Council, 444 N.
8 Michigan Avenue, Chicago, Illinois 60611.

9 In addition, it has been reported by representa-
10 tives of the respective organizations that there is no
11 record of Ford's membership in the following organizations:
12 Institute of Occupational & Environmental Health, Quebec
13 Asbestos Mining Association, Brake Lining Manufacturers
14 Association, Friction Materials Standards Institute,
15 Grinding Wheel Institute, Asbestos Textile Institute,
16 Asbestos Information Association, Trudeau Foundation,
17 Asbestos Brake Lining Manufacturers Institute.

18
19 INTERROGATORY B. 6.

20 Has defendant ever been a member of or affiliated
21 with any trade groups, professional associations or organi-
22 zations? If so, identify each such group, association or
23 organization and set forth the inclusive dates of
24 defendant's membership in each.

1 RESPONSE

2 Objections: Burden
3 Overly Broad
4 Lack of Particularity
5 Lack of Relevance

6 See response B. 5.

7
8 INTERROGATORY B. 7.

9 Has defendant ever been a member of or affiliated
10 with the Asbestos Textile Institute? If so, indicate when
11 your company was affiliated or was a member of this
12 organization.

13
14 RESPONSE

15 No.

16
17 INTERROGATORY B. 8.

18 Does your company publish or distribute a manual or
19 booklet which describes the nature of the business that
20 defendant is engaged in? If so, set forth the title of such
21 manual or booklet, indicate when it was published and attach
22 a copy of same hereto.

23
24 RESPONSE

25 Ford does not publish or distribute a manual or
26 booklet describing the nature of its business, however, a
27 copy of a recent Annual Report is offered.

1 INTERROGATORY B. 9.

2 Has any employee or representative of your corpo-
3 ration ever attended a meeting of the Asbestos Textile
4 Institute? If so, identify each such individual who
5 attended these meetings and set forth the dates on which
6 each such individual went to such a conference or meeting.
7

8 RESPONSE

9 Ford has no record of such attendance.
10

11 INTERROGATORY B. 10.

12 Has your company ever been a member of, affiliated
13 with or provided funding, for the Industrial Hygiene
14 Foundation? If so, indicate when your company was a member
15 or affiliated with this organization and set forth the
16 dates, if applicable, when you provided funding to this
17 organization.
18

19 RESPONSE

20 Yes, Ford was a member of the Industrial Hygiene
21 Foundation from 1947 to 1972, at which time its name was
22 changed to the Industrial Health Foundation. Ford continued
23 its membership in this organization until 1974.
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1 INTERROGATORY B. 11.

2 Does your company have a Board of Directors?
3

4 RESPONSE

5 Yes.
6

7 INTERROGATORY B. 12.

8 Does your company's Board of Directors conduct
9 meetings?
10

11 RESPONSE

12 Yes.
13

14 INTERROGATORY B. 13.

15 Have minutes of the Board of Directors meetings
16 been taken and maintained by your company? If so, indicate
17 who has custody of the minutes at this time.
18

19 RESPONSE

20 Yes. They are in the custody of the Office of the
21 Secretary, World Headquarters, Dearborn, Michigan.
22

23 INTERROGATORY B. 14.

24 Has your company, and/or its subsidiaries or
25 affiliates ever manufactured or distributed asbestos-
26 containing products?
27
28

1 RESPONSE

2 See response B. 4.

3

4 INTERROGATORY B. 15.

5 Give a complete and detailed description of the
6 particular qualities that asbestos has or had that caused
7 your company and/or its subsidiary or affiliate to utilize
8 asbestos in your products.

9

10 RESPONSE

11 Ford does not manufacture brake linings for use in
12 production vehicles. Ford purchases brake assemblies and
13 brake linings from suppliers. The asbestos in brake linings
14 assists in braking and friction.

15

16 INTERROGATORY B. 16.

17 Did any of the entities from whom you received
18 asbestos fiber or any of the entities referred to in B6, B7,
19 B9 and B10 ever inform you or your company's employees that
20 asbestos was potentially hazardous to the health of
21 individuals who were exposed to it?

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Overly Broad

Lack of Particularity

Ford has no record of receiving any information regarding the potential health hazards associated with exposure to asbestos-containing brake linings from any of the entities referred to in the referenced interrogatories.

If so, for each such company that transmitted such information to you and your company, set forth the following information:

b. the dates you received this information from each such company;

d. the substance of each warning;

e. annex hereto copies of each such warning.

1 RESPONSE

2 Not applicable. See response B. 16.

3
4 INTERROGATORY B. 18.

5 Has defendant distributed or sold asbestos or
6 asbestos-containing products in the State of New Jersey? If
7 so, set forth the following information:

8 a. the date that defendant commenced selling
9 asbestos or asbestos-containing products in the
10 State of New Jersey;

11 b. the date the defendant terminated the
12 sale of asbestos or asbestos-containing products in
13 the State of New Jersey;

14 c. the areas of New Jersey where asbestos or
15 asbestos-containing products were sold.

16
17 RESPONSE

18 Ford distributes its vehicles and replacement parts
19 through thousands of franchised dealerships and authorized
20 distributors around the nation, including New Jersey.

21 a. Ford has had a Certificate of Authority
22 to do business in New Jersey since March 22, 1920.

23 b. Not applicable. Ford continues to sell
24 vehicles and replacement parts in New Jersey;

1 c. Objections: Burden
2 Overly Broad
3 Lack of Relevance
4 Lack of Particularity
5

6 INTERROGATORY B. 19.

7 Did defendant ever affix any warnings to any of the
8 asbestos or asbestos-containing products it marketed and
9 distributed? If so, for each such product that contained a
10 warning set forth the following information:

- 11 a. the brand and tradename of each such
12 product that contained a warning;
13 b. the date a warning was attached to each
14 such product;
15 c. the substance of each warning;
16 d. annex hereto copies of each such warning.
17

18 RESPONSE

19 With respect, for example, to aftermarket brake
20 linings sold by Ford, labels placed on cartons since 1980
21 read along lines such as:
22

23 "CAUTION: CONTAINS ASBESTOS FIBERS.
24 AVOID CREATING DUST. BREATHING ASBESTOS
25 DUST MAY CAUSE SERIOUS BODILY HARM. WHEN
26 SERVICING THIS BRAKE LINING OR ANY
27 COMPONENT RELATED TO IT OR LOCATED NEAR
28 IT, PREVENT ASBESTOS DUST FROM BEING
AIRBORNE BY VACUUMING THIS ASSEMBLY WITH

1 AN INDUSTRIAL TYPE VACUUM CLEANER
2 EQUIPPED WITH A HIGH EFFICIENCY FILTER
3 SYSTEM AND BY WASHING THE ASSEMBLY WITH
4 AN APPROPRIATE BRAKE PARTS WASHER IF
5 NECESSARY. NEVER REMOVE DUST OR DIRT
6 FROM THIS ASSEMBLY BY BLOWING WITH
7 COMPRESSED AIR."

8 The carton also would have the Ford logo.

9 INTERROGATORY B. 20.

10 Set forth the name, address and job position of
11 each and every individual who took part in your company's
12 decision to place a warning on its asbestos or asbestos-
13 containing products.

14 RESPONSE

15 Objections: Overly Broad
16 Burden
17 Lack of Relevance
18 Lack of Particularity

19 There is no identifiable person or group of
20 persons. It was a corporate activity.

21 INTERROGATORY B. 21.

22 Prior to 1964, did any employee of the defendant
23 ever recommend that it utilize a warning on its asbestos-
24 containing products? If so, identify each such employee,
25 indicate when he made such a recommendation, indicate what
26
27

1 the recommendation was, to whom it was given and what action
2 was taken thereon.

3
4 RESPONSE

5 No.

6
7 INTERROGATORY B. 22.

8 Has defendant ever established or maintained a
9 library or libraries which in any way dealt with industrial
10 hygiene, medicine, safety and engineering? If so, state:

11 a. where the library was or is located;

12 b. the names of all journals which that library
13 subscribed to;

14 c. for whom and for what purpose the library was
15 established;

16 d. whether there is an inventory of the
17 books and publications which are or were housed in
18 this library, and if so, attached a copy hereto.

19
20 RESPONSE

21 Objections:

Burden

22 Overly Broad

23 Lack of Relevance

24 Lack of Particularity

25 Ford states that libraries are maintained in the
26 following functional areas in Dearborn, Michigan: medical,
27

1 industrial hygiene, toxicology, and health surveillance.
2 Among the items in these libraries there surely are
3 journals, books, and other publications with references to
4 asbestos. There is no specific depository solely dedicated
5 to the topic of asbestos.

6 The following journals, among others, were
7 subscribed to at some time during the period from 1928 to
8 the present by the medical and health interests:

9
10 Industrial Health
11 Industrial Medicine & Surgery
12 Journal of Occupational Medicine
13 Journal of American Medical Assn.
14 Archives of Environmental Health
15 British Journal of Industrial Medicine
16 Annals of Occupational Hygiene
17 Journal of American Industrial Hygiene Assn.

18
19 The following journals, among others, were
20 subscribed to at some time by industrial hygiene interests:

21
22 Archives of Environmental Health
23 American Industrial Hygiene Journal
24 Industrial Hygiene and Toxicology
25 British Journal of Industrial Medicine
26 The Annals of Occupational Hygiene
27

1 Some health information relative to asbestos is
2 maintained at Industrial Hygiene and the Employee Health
3 Department.

4
5 INTERROGATORY B. 23.

6 Did defendant or its agents or employees ever make
7 any effort to keep abreast of medical literature concerning
8 potential health hazards posed by the use of and/or exposure
9 to asbestos? Indicate the names, addresses and job
10 positions of all your company's employees who reviewed this
11 literature.

12
13 RESPONSE

14 Objections:	Overly Broad
15	Burden
16	Lack of Relevance
17	Lack of Particularity

18
19 INTERROGATORY B. 24.

20 Prior to 1964 had your company done any studies or
21 tests or had your company participated in, been the subject
22 of, or been aware of any studies or tests by others con-
23 cerning the potential effects of inhalation of asbestos dust
24 or fibers by one using or being exposed to asbestos or
25 asbestos-containing products. If so, state:

1 a. the date each study or test was conducted
2 and the date defendant became aware of said study
3 or test;

4 b. the names and addresses of the persons
5 conducting each test or study;

6 c. the purpose of the study or test;

7 d. the results of each study or test;

8 e. if reduced to writing attach a copy
9 hereto.

10
11 RESPONSE

12 No.

13
14 INTERROGATORY B. 25.

15 Prior to 1964, did defendant's agents or employees
16 conduct any experiments with laboratory animals to determine
17 whether or not its asbestos-containing products were poten-
18 tially hazardous to the health of workers who were using
19 them? If so, for each such experiment which was conducted,
20 indicate who conducted it, state when it was conducted and
21 describe the results of each such experiment.

22
23 RESPONSE

24 No.

1 INTERROGATORY B. 26.

2 Since 1964 has your company done any studies or
3 tests or has your company participated in, been the subject
4 of, or been aware of any studies by others concerning the
5 effects of inhalation of asbestos dust and fibers by one
6 using or being exposed to asbestos or asbestos-containing
7 products? If so, state the following:

8 a. the date each such study or test was con-
9 ducted and the date defendant became aware of said
10 study or test;

11 b. the names and addresses of persons
12 conducting the tests or studies;

13 c. the purpose of the tests;

14 d. the results of each test or study;

15 e. attach a copy of any reports based upon
16 each study or test.

17
18 RESPONSE

19 Objections:

Burden

20 Overly Broad

21 Lack of Particularity

22 Lack of Relevance

23 In the early 1970's Ford participated in and
24 provided partial funding for studies done by Dr. Irving
25 Selikoff and others at what now is the Mount Sinai School of
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1 Medicine in New York which work was reported on in a paper
2 entitled Asbestos Exposure During Brake Lining Maintenance
3 and Repair, published in "Environmental Research", Vol. 12,
4 pp. 110-128 (1976). The work done was a study of the
5 environmental pollution, if any, caused by asbestos in brake
6 linings. The study came to focus on the occupational
7 exposure of mechanics during brake repair and maintenance.
8 Ford's Research & Engineering Department and Industrial
9 Hygiene Department were advised of the study. The 1976
10 publication acknowledges the support received from Ford.

11
12 INTERROGATORY B. 27.

13 Since 1964, has defendant or its agents or
14 employees sponsored or performed any laboratory experiments
15 with animals to determine whether or not its asbestos-
16 containing products were potentially hazardous to the health
17 of workers who were using them? If so, state who conducted
18 each study, indicate where each study was conducted, and
19 describe what the results of each test were.

20
21 RESPONSE

22 No.

23
24 INTERROGATORY B. 28.

25 Prior to 1964, did defendant or its agents or
26 employees ever go out to construction sites, factories or
27

1 power houses where its asbestos or asbestos-containing
2 products were being used to determine or measure the levels
3 of asbestos dust or fibers in the work environment? If so,
4 for each such study or experiment that was conducted, set
5 forth the following information:

6 a. when and where each measurement, study or
7 test was conducted;

8 b. who conducted each measurement, study or
9 test;

10 c. what types of equipment were utilized to
11 measure the levels of asbestos dust or fibers in
12 the air;

13 d. what the results of each measurement,
14 test or study were;

15 e. attach a copy of any reports concerning
16 the measurements, tests or studies.

17
18 RESPONSE

19 Objections:

Overly Broad

20 Burden

21 Lack of Relevance

22 Lack of Particularity

23 Premature

1 INTERROGATORY B. 29.

2 Since 1964, has defendant and/or its agents or
3 employees ever gone out to any construction sites, factories
4 or power houses where its asbestos or asbestos-containing
5 products were being used to determine the levels of asbestos
6 dust or fibers which were in the work environment? If so,
7 for each such study or experiment which was conducted, set
8 forth the following information:

9 a. who conducted each measurement, study or
10 test;

11 b. when and where each measurement, study or
12 test was conducted;

13 c. what type of equipment was utilized to
14 measure the levels of asbestos in the working
15 environment;

16 d. what the results of each study,
17 measurement or test were;

18 e. attach a copy of any report concerning
19 each measurement, study or test.
20

21 RESPONSE

22 Objections:

Burden

23 Overly Broad

24 Lack of Relevance

25 Lack of Particularity

26 Premature
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1 In the early 1970's, Arnold Anderson and Roy Gealer
2 of Ford's Scientific Research Staff conducted tests to
3 determine the quantity of asbestos fibers liberated from
4 brake linings during the braking process: They concluded
5 that over 99.98% of the asbestos fibers in brake linings
6 decomposed during the braking process into other materials.
7 Their results were published in 1973.

8 In 1973, Ford's Industrial Hygiene activity
9 conducted air sampling tests on brake linings being cleaned
10 by brake mechanics using air hoses. They determined that
11 asbestos levels were below existing or proposed OSHA
12 standards. This testing was done by Mr. Anderson and Henry
13 Lick, under the supervision of Paul Toth, the then
14 supervisor of Industrial Hygiene.

15
16 INTERROGATORY B. 30.

17 Give a complete description of all programs
18 implemented and precautions taken by the defendant at its
19 plants and facilities where it manufactures asbestos or
20 asbestos-containing products to reduce the levels of
21 asbestos dust and fibers in the air. Include in this
22 description all programs implemented and precautions taken
23 since each plant was in operation. Include in this answer
24 the date that each precaution was taken or procedure was
25 implemented.

1 RESPONSE

2 Not applicable. Ford has never manufactured brake
3 linings for use in its production vehicles.

4
5 INTERROGATORY B. 31.

6 Did defendant at any time require its employees who
7 worked in the manufacture of asbestos or asbestos con-
8 taining products to wear respirators, face masks or other
9 protective devices? If so, set forth which employee (by
10 type) was required to wear such protective devices, when the
11 directive relative to same was issued for each type of
12 employee and specify what type of device was to be worn by
13 each type of employee.

14
15 RESPONSE

16 Not applicable. See response B. 30. However, OSHA
17 specified respirators were made available by Ford in
18 connection with vacuums for brake and clutch service in the
19 Spring of 1976.

20
21 INTERROGATORY B. 32.

22 Give a complete explanation of why each and every
23 employee set forth in the preceding answer was required to
24 wear a respirator, face mask or other protective device
25 while working with asbestos.

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RESPONSE

Not applicable.

INTERROGATORY B. 33.

Has any worker employed by your company, its subsidiaries or affiliates ever filed a worker's compensation claim against defendant or its predecessors, affiliates or subsidiaries, for an occupational disease or condition which was allegedly caused by exposure to asbestos, asbestos products, asbestos dust or fibers? If so, set forth:

- a. the date each claim was made;
- b. where each claim was made;
- c. the name and address of the party making the claim;
- d. the name and address of the party against whom the claim was made.

RESPONSE

Objections:	Burden
	Overly Broad
	Lack of Relevance
	Lack of Particularity
	Premature

1 Because of the differences in occupational
2 exposure, the information sought would not be relevant to
3 the claims asserted herein.
4

5 INTERROGATORY B. 34.

6 If an employee or officer of defendant has testi-
7 fied at trial or by deposition in any litigation involving
8 an alleged occupational exposure to asbestos, state:

9 a. name, address and title of each such
10 person who testified;

11 b. date, location and form of testimony;

12 c. whether defendant has a copy of such
13 testimony.
14

15 RESPONSE

16 Objections:	Overly Broad
17	Burden
18	Lack of Relevance
19	Lack of Particularity
20	Premature
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<u>CASE NAME</u>	<u>COURT</u>	<u>DOCKET NO.</u>	<u>EMPLOYEE</u>	<u>DATE</u>
Friedman/ Zitis	Superior Ct., Bergen Co., NJ	L35859-77 L1634-77	Jack B. Ridenour 06/20/84	06/11/84
Meadows	USDC S.D., FL	83-8288	Arnold E. Anderson Jack B. Ridenour Francis V. Viola III, M.D.	12/17/84 12/17/84 12/17/84
Vaughn	Cir. Ct. St. Louis, Missouri	84-200633	Jack. B. Ridenour Arnold E. Anderson Francis V. Viola III, M.D.	12/09/83 01/09/86 01/09/86

Copies of the respective first pages of the transcripts are offered.

INTERROGATORY B. 35.

Has defendant at any time since its inception, maintained any office or department dealing with medical research? If so, state:

- a. the name of each such department;
- b. the dates each such department was in operation;
- c. the name, address and job position of each such person who has been in charge of said department or departments.

1 RESPONSE

2 Ford has various activities devoted to scientific
3 research. Ford has no department which as its sole function
4 does medical research.

5
6 INTERROGATORY B. 36.

7 When was the first time the defendant became aware
8 of or knowledgeable of any disease or illness associated
9 with or casually related to the inhalation of asbestos,
10 asbestos fibers or asbestos dust in any form whatsoever?
11 Indicate which disease defendant became aware of and
12 describe how defendant became aware of its alleged
13 relationship to inhalation or exposure to asbestos.

14
15 RESPONSE

16 The first case report associating asbest s exposure
17 with asbestosis was published in the United Kingdom in 1907.
18 Scattered case reports of carcinoma in persons
19 occupationally exposed to asbestos began appearing in the
20 literature in the 1930's. Ford cannot state when a Ford
21 employee first had knowledge of such information. It is
22 known, however, that some notice of potential hazards
23 associated with asbestos-lined brakes came in a telephone
24 call from Dr. Selikoff to Dr. Roy Gealer of Ford Research
25 and Engineering in August, 1975.

1 INTERROGATORY B. 37.

2 In reference to the preceding interrogatory, if
3 defendant acknowledges a casual relationship between
4 asbestos and disease or illness, set forth the following
5 information:

6 a. what diseases or illnesses defendant
7 acknowledges are casually related to or associated
8 with exposure to asbestos dust or fibers;

9 b. the date upon which defendant became
10 aware of the association with or casual relation to
11 each such disease or illness;

12 c. the date upon which defendant confirmed
13 the casual relation of each such disease to
14 exposure to asbestos dust or fibers;

15 d. how defendant became aware of each such
16 casual relationship or association, indicating the
17 source of all such information.
18

19 RESPONSE

20 Ford refers to the voluminous medical literature
21 freely available in medical and general libraries. However,
22 Ford denies that there exists today any medical and/or
23 scientific knowledge that established risks associated with
24 exposure to its friction products.
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1 INTERROGATORY B. 38.

2 If your company manufactured any products which
3 contained asbestos and which were commonly used by
4 insulation workers and pipe coverers, describe how the
5 following products were cut, shaped, mixed and applied when
6 used:

- 7 a. asbestos cement;
8 b. asbestos-containing pipe covering;
9 c. asbestos sheeting;
10 d. asbestos insulation to cover extremes of
11 heat as well as cold.

12
13 RESPONSE

14 Not applicable. Ford has never been in the insula-
15 tion business.

16
17 INTERROGATORY B. 39.

18 Prior to 1964, were there any memoranda written by,
19 distributed, or circulated among defendant's employees,
20 agents or representatives concerning the potential health
21 hazards concerned with asbestos-containing products? If so,
22 state:

- 23 a. dates of each memorandum;
24 b. name, address and job position of each
25 individual who wrote each memorandum;

- 1 c. name and address and job position of each
2 individual to whom the memorandum was directed;
3 d. where each memorandum is kept;
4 e. attach copies of each memorandum hereto.
5

6 RESPONSE

7 No.

8
9 INTERROGATORY B. 40.

10 Has defendant or its predecessor corporations ever
11 had a division, affiliate or subsidiary which was involved
12 in contracting for or installation of asbestos-containing
13 materials in New Jersey? . If so, for each such entity
14 involved in the contracting or installation of these
15 products, set forth the following information:

16 a. name of each such entity and the nature
17 of its relationship to the parent corporation;

18 b. the exclusive dates that each of the
19 above mentioned entities were in existence.
20

21 RESPONSE

22 Objections:

Burden

23 Overly Broad

24 Lack of Relevance

25 Lack of Particularity
26
27
28

1 For example, Ford has had manufacturing facilities
2 in New Jersey, but Ford's activities were not directed to
3 issues related to an automobile mechanic's exposure to brake
4 lining dust.

5
6 INTERROGATORY B. 41.

7 Did defendant ever provide any of the employees who
8 worked in the contracting for or installation of asbestos-
9 containing materials with any respirators, face masks or
10 protective clothing? If so, indicate what types of protec-
11 tive clothing, respirators or face masks were provided,
12 describe when each type was first provided to each employee
13 and describe why they were provided to each type of
14 employee.

15
16 RESPONSE

17 Not applicable. See response B. 40.

18
19 INTERROGATORY B. 42.

20 Has any individual who was ever employed in the
21 contracting and insulation business referred to above ever
22 filed a claim for workmen's compensation because of an
23 alleged occupational disease sustained allegedly because of
24 occupational exposure to asbestos? If so, for each such
25 employee who has filed a claim, set forth the following
26 information:

- 1 a. name of each such employee;
2 b. when each claim was filed;
3 c. where each claim was filed;
4 d. name of the attorney who represented the
5 petitioner and respondent.

6
7 RESPONSE

8 See responses B. 33 and B. 40.

9
10 INTERROGATORY B. 43.

11 State the full name, job title and present
12 residences, business and professional addresses of any and
13 all persons who have knowledge of any relevant facts
14 relating to this case and the defense of your company.

15
16 RESPONSE

17	Objections:	Burden
18		Lack of Relevance
19		Lack of Particularity
20		Privilege
21		Premature

22
23 INTERROGATORY B. 44.

24 State the name, address and credentials of each and
25 every expert witness you intend to utilize at the time of
26 trial, and annex hereto a copy of their report.

1 RESPONSE

2 Ford has not yet determined which expert witnesses
3 it may call at the trial of this matter.

4
5 INTERROGATORY B. 45.

6 Do you contend that the plaintiff's illness is a
7 consequence of the negligence or the fault of a third party
8 or anyone who is not a party to this action? If so, state
9 the name and address of each such party and set forth all
10 facts which support your contention.

11
12 RESPONSE

13 Unknown.

14
15 INTERROGATORY B. 46.

16 Do you contend that the illness and/or death of the
17 decedent in this action was not casually related to an
18 occupational exposure to asbestos dust and fibers? If so,
19 give a full and detailed description of your contentions.

20
21 RESPONSE

22 Unknown.

23
24 INTERROGATORY B. 47.

25 Do you contend that other agents and/or substances
26 caused the illness and/or death of the plaintiff in this
27 .

1 matter? If so, identify each such agent and/or substance
2 and set forth all facts to support your contentions.

3
4 RESPONSE

5 Unknown.

6
7 INTERROGATORY B. 48.

8 Has defendant and/or its agents or employees
9 obtained any statements from anyone who has knowledge of the
10 facts surrounding this cause of action? If so, set forth:

11 a. name, address and job position of the
12 person that obtained the statement;

13 b. the name, address and job position of the
14 person who gave the statement;

15 c. the date the statement was given;

16 d. whether the statement is in writing, and
17 if so, who has custody of it.

18
19 RESPONSE

20 No.

21
22 INTERROGATORY B. 49.

23 Does defendant contend that plaintiff or
24 plaintiff's decedent suffered injuries and/or death due to
25 his own negligence? If so, set forth all facts which support
26 your contentions.

1 RESPONSE

2 Unknown.

3
4 INTERROGATORY B. 50.

5 Does defendant contend that plaintiff or
6 plaintiff's failed to use defendant's asbestos or asbestos-
7 containing products properly? If so, set forth all facts
8 which support your contentions.

9
10 RESPONSE

11 Unknown.

12
13 INTERROGATORY C. 1.

14 Has defendant and/or its affiliates or subsidiaries
15 purchased asbestos fiber for use in its business or for
16 manufacturing its products? If so, set forth the following
17 information:

18 a. the inclusive dates that your company
19 purchased asbestos fiber;

20 b. the name and address of each and every
21 entity that you purchased the asbestos fiber from;

22 c. the nature and types of products that
23 your company used asbestos fiber for;

1 d. the type of asbestos fiber that your
2 company purchased.
3

4 RESPONSE

5 Ford has never manufactured brake linings for use
6 in its production vehicles.
7

8 INTERROGATORY C. 2.

9 Does defendant have or has it had any plants,
10 factories or production facilities located in the State of
11 New Jersey which was or is engaged in the importation,
12 manufacture, processing, converting, compounding, packaging,
13 distribution, and/or sale of asbestos, asbestos-containing
14 products and/or asbestos-containing insulation products? If
15 so, for each such plant, factory or facility which is or has
16 been located in New Jersey, set forth the following informa-
17 tion:

18 a. the name and address of each such plant,
19 factory or production facility;

20 b. the inclusive dates that each plant,
21 factory or facility existed;

22 c. a complete and detailed description of
23 all products that each plant, factory or production
24 facility was engaged in producing (include in your
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1 description the type of product and its generic and
2 trade name).

3
4 RESPONSE

5 Objections: Burden
6 Overly Broad
7 Lack of Relevance
8 Lack of Particularity
9 Premature

10
11 INTERROGATORY C. 3.

12 Indicate which asbestos products and asbestos
13 materials manufactured and distributed by the defendant are
14 or were classified as "insulating materials".

15
16 RESPONSE

17 None.

18
19 INTERROGATORY C. 4.

20 With reference to the preceding question, give a
21 full and complete description of the purposes for which
22 defendant's insulating materials containing asbestos were
23 designed.

1 RESPONSE

2 Not applicable.

3
4 INTERROGATORY C. 5.

5 Set forth the name and address of each and every
6 entity that your company purchased or received asbestos
7 fiber from which was utilized in the manufacture of your
8 company's asbestos-containing insulation products. Include
9 in your answer the inclusive dates that your company pur-
10 chased asbestos from each such entity.

11
12 RESPONSE

13 Not applicable.

14
15 INTERROGATORY C. 6.

16 As to any asbestos products or raw asbestos mined,
17 converted, fabricated, produced, compounded, manufactured,
18 processed, sold or distributed by defendant, state whether
19 any was shipped or sold to plaintiff's employer in New
20 Jersey either directly or through a third party, stating
21 which.

22
23 RESPONSE

24 Unknown. Ford would not directly have sold vehic-
25 les or replacement parts to plaintiff's employer.

1 INTERROGATORY C. 7.

2 If the answer to C. 6. is in the affirmative, state
3 as to each asbestos product, or raw asbestos:

4 a. exactly what product(s) or type(s) of
5 asbestos was (were) shipped or sold to plaintiff's
6 employer;

7 b. the dates and quantities of each such
8 product shipped or sold;

9 c. whether any warnings, cautions, caveats
10 or directions accompanied the materials so shipped,
11 the date these appeared and the exact wordings of
12 the warnings, cautions caveats or directions and
13 where the warnings, cautions, caveats or directions
14 appeared;

15 d. the name and address of any intermediate
16 supplier or distributor who sold this defendant's
17 products to plaintiff's employer during the period
18 referred to above;

19 e. did your company affix its corporate logo
20 or insignia on the packages of asbestos-containing
21 insulation products that it distributed and sold?
22 If so, describe the type of logo or insignia which
23 was used, indicate which products it was affixed
24 to, and set forth the inclusive dates that each
25 insignia or logo was utilized. Annex hereto a
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1 photograph or copy of each such logo described in
2 this matter;

3 f. please describe in detail the type of
4 packages in which defendant has sold, distributed
5 or manufactured asbestos material, listing the
6 dates each type of package was used, a physical
7 description thereof and description of any printed
8 material or trademark that appeared thereon.
9

10 RESPONSE

11 See response C. 6. With respect to its friction
12 products in general, Ford states:

13 (a-b) Ford has sold, since 1919, and
14 continues to sell, vehicles and parts, including
15 brake linings, pads, and clutch facings, under
16 names such as Ford, Edsel and Mercury and under
17 various makes and model names, as well as names
18 such as Motorcraft. Aftermarket parts are sold
19 under the name of Ford or Ford Authorized
20 Remanufacturers.

21 Vehicles manufactured by Ford incorporate
22 brake linings which were composed, in part, of
23 asbestos. Ford purchased these brake linings from
24 suppliers. Ford understands the type of asbestos
25 fibers in brake linings to be chrysotile. Because
26 Ford does not manufacture the brake linings, it
27
28

1 does not know the percentage of asbestos they
2 contain but generally it is thought to be between
3 40% and 60% asbestos by weight in brake linings.

4 A brake lining is a narrow rectangle shaped to
5 fit around a circle. A clutch facing is a flat,
6 round metal plate with two rings, one on each side
7 of the friction material, the facing is between the
8 flywheel of the engine and the pressure plate of
9 the transmission.

10 c) With respect, for example, to aftermarket
11 brake linings sold by Ford, labels placed on
12 cartons since 1980 read along the lines such as:

13
14 "CAUTION: CONTAINS ASBESTOS FIBERS.
15 AVOID CREATING DUST. BREATHING ASBESTOS
16 DUST MAY CAUSE SERIOUS BODILY HARM. WHEN
17 SERVICING THIS BRAKE LINING OR ANY
18 COMPONENT RELATED TO IT OR LOCATED NEAR
19 IT, PREVENT ASBESTOS DUST FROM BEING
20 AIRBORNE BY VACUUMING THIS ASSEMBLY WITH
21 AN INDUSTRIAL TYPE VACUUM CLEANER
22 EQUIPPED WITH A HIGH EFFICIENCY FILTER
23 SYSTEM AND BY WASHING THE ASSEMBLY WITH
24 AN APPROPRIATE BRAKE PARTS WASHER IF
25 NECESSARY. NEVER REMOVE DUST OR DIRT
26 FROM THIS ASSEMBLY BY BLOWING WITH
27 COMPRESSED AIR."

28 The carton also would have the Ford logo.

d) A list of some Ford suppliers is offered.

e) See response (c) above.

1 f) Vehicles are not generally shipped in
2 packages. Aftermarket brake linings, pads and
3 clutch facings are in cartons.
4

5 INTERROGATORY C. 8.

6 Have any of the products listed in Interrogatory
7 C. 7. above been altered in chemical composition since being
8 marketed? If so, set forth the following information:

- 9 a. the date of each alteration;
10 b. a detailed description of the nature of
11 each alteration;
12 c. the reason for such alteration.
13

14 RESPONSE

15 Yes. The first Ford application of non-asbestos
16 brakes was on light trucks in approximately 1976. Other
17 Ford makes presently utilize fiberglass, steel wool and
18 semi-metallic materials. The reason for the change was to
19 reduce the asbestos in brake linings.
20

21 INTERROGATORY C. 9.

22 Have you discontinued manufacturing and/or
23 distributing and/or supplying or selling any asbestos or
24 asbestos-containing products referred to in C. 7.? If so,
25 set forth the following information:
26
27
28

- 1 a. what such product is;
2 b. the reasons therefore;
3 c. when the discontinuance took place.
4

5 If your answer to C. 6. is either "No" or "Unknown"
6 but your answer to B. 14. is "Yes" provide answers to C. 10.
7 through C. 18. Otherwise you may proceed to C. 19.
8

9 RESPONSE

10 See response C. 8.
11

12 INTERROGATORY C. 10.

13 Give a complete and detailed description of each
14 and every asbestos-containing product that your company has
15 designed, manufactured and distributed into the stream of
16 commerce. Include in your description the trade, brand and
17 generic names of each such product and indicate the type and
18 amount of asbestos that was contained in each particular
19 product. Include in this answer the inclusive dates that
20 each particular product was manufactured and distributed.
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Burden

Lack of Relevance

Lack of Particularity

Premature

With reference to your answer to B. 18. state the names and addresses of the entities to whom the products were sold.

Objections:

Burden

Overly Broad

Lack of Relevance

Lack of Particularity

Premature

Did your company and/or its affiliates or subsidiaries do business with or utilize any distributors in the State of New Jersey for purposes of selling or installing its asbestos products? If so, identify each such entity, indicate and describe the nature of the business

1 that you did with each such entity, and set forth the dates
2 this business relationship existed.

3
4 RESPONSE

5 Objections: Burden
6 Overly Broad
7 Lack of Relevance
8 Lack of Particularity
9 Premature

10 Ford sell its vehicles and replacement parts
11 through thousands of franchised dealerships and authorized
12 distributors across the nation, including New Jersey.

13
14 INTERROGATORY C. 13.

15 Has your company ever employed any employees or
16 salesmen whose responsibility it was to sell your company's
17 asbestos-containing products to a geographical area
18 encompassing the State of New Jersey? If so, for each such
19 employee or salesman who worked for your company, indicate
20 the dates of his employment, his name and address.

21
22 RESPONSE

23 See response C. 12.
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1 INTERROGATORY C. 14.

2 Give a complete and detailed description of the
3 manner in which your company packaged each of the asbestos
4 containing products that it manufactured and/or distributed
5 in the State of New Jersey. Include in your description the
6 type of packaging which was used and the material each type
7 of packaging was comprised of.

8
9 RESPONSE

10 See response C. 7.

11
12 INTERROGATORY C. 15.

13 Did your company affix its corporate logo or
14 insignia on the packages of asbestos-containing products
15 that it distributed and sold in the State of New Jersey? If
16 so, describe the type of logo or insignia which was used,
17 indicate which products it was affixed to, and set forth the
18 inclusive dates that each insignia or logo was utilized.
19 Annex hereto a photograph or copy of each such logo
20 described in this answer.

21
22 RESPONSE

23 See response C. 7.

1 INTERROGATORY C. 16.

2 Did the packages or containers for the asbestos-
3 containing products that your company sold or distributed in
4 the State of New Jersey contain any writing or labels? If
5 so, for each such package or container which contained a
6 label, set forth the following information about the writing
7 on the package or label:

- 8 a. the size of each label;
9 b. the substance of all writing on the
10 label;
11 c. the inclusive dates that each writing or
12 label appeared on each type of product;
13 d. annex hereto copies of or photographs of
14 each such label that your company used.

15
16 RESPONSE

17 See response C. 7.

18
19 INTERROGATORY C. 17.

20 Give a complete and detailed description of each
21 and every asbestos-containing product that your company has
22 designed, manufactured and distributed into the stream of
23 commerce. Include in your description the trade, brand and
24 generic names of each such product and indicate the type and
25 amount of asbestos that was contained in each particular
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1 product. Include in this answer the inclusive dates that
2 each particular product was manufactured and distributed.

3
4 RESPONSE

5 See response C. 10.

6
7 INTERROGATORY C. 18.

8 During the years that your company manufactured
9 and/or sold asbestos-containing materials, did your company
10 prepare and/or publish and sales or promotional literature
11 which depicted and described these products? If so,
12 describe the particular literature which your company
13 prepared and indicated the information the literature
14 contained. Describe who has custody of this literature at
15 the present time.

16
17 RESPONSE

18	Objections:	Burden
19		Overly Broad
20		Lack of Relevance
21		Lack of Particularity
22		Premature

23 Ford's advertising materials relate to the sale of
24 Ford vehicles and parts.

1 INTERROGATORY C. 19.

2 Has your company manufactured asbestos-containing
3 products and materials which were distributed by another
4 entity or corporation under their name or trademark? If so,
5 identify each such entity which sold or distributed these
6 products, indicate which of your company's products this
7 company marketed and indicate the inclusive dates that this
8 particular commercial arrangement existed.
9

10 RESPONSE

11 Assuming that this interrogatory asks whether Ford
12 sells any asbestos products to others for resale, Ford
13 responds that it has been and is engaged in the sale of
14 asbestos-containing brake and clutch service replacement
15 parts. Ford purchases new brake and clutch assemblies from
16 suppliers and markets them under the Ford logo. The remanu-
17 factured product is produced by "Authorized" remanufacturers
18 who either buy components directly from Ford or use "Ford
19 Quality" components purchased elsewhere. These products are
20 marketed under the name of Ford Authorized Remanufacturers.
21 A list of some Ford Authorized Remanufacturers is offered.
22

23 INTERROGATORY C. 20.

24 Has your company marketed under its own name or
25 trademark any asbestos-containing insulation products which
26 were manufactured by another corporation? If so, identify
27
28

1 each and every product which your company marketed which was
2 manufactured by another corporation, indicate the inclusive
3 dates that you marketed each product and describe the name,
4 tradename and generic name of each such product which your
5 company marketed.

6
7 RESPONSE

8 No.

9
10 INTERROGATORY C. 21.

11 Were any of the asbestos-containing insulation
12 products that defendant sold or distributed into the stream
13 of commerce accompanied by written instructions or package
14 inserts? If so, indicate which such products were provided
15 with such instructions and package inserts, indicate when
16 each product was accompanied by these materials, state the
17 substance of what the instructions or package inserts stated
18 and annex copies of same hereto.

19
20 RESPONSE

21 Not applicable.

1 STATE OF MICHIGAN)
2) SS.
3 COUNTY OF WAYNE)

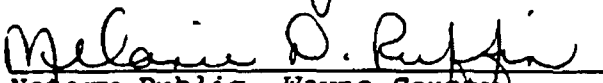
4 PETER D. McDERMOTT, being duly sworn
5 deposes and says that he is an authorized agent of Ford
6 Motor Company, and that he verifies the foregoing Responses
7 to Plaintiff's Interrogatories for and on behalf of Ford
8 Motor Company, and is duly authorized to do so; that certain
9 of the matters stated therein are not within the personal
10 knowledge of deponent, that the facts stated therein have
11 been assembled by authorized employees and counsel of Ford
12 Motor Company, and deponent is informed that the facts
13 stated therein are true.

14
15 FORD MOTOR COMPANY

16
17 By: 

18 Its: _____
19

20 Subscribed and sworn to before me
21 this 15 day of June, 1987.

22 
23 Notary Public, Wayne County
Michigan
24 My Commission Expires: _____

25 MELAINE D. RUFFIN
Notary Public, Wayne County, Michigan
26 My Commission Expires Feb 20, 1990
27
28