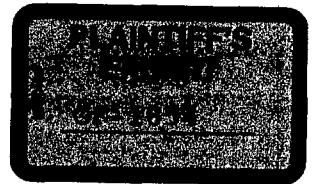


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IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT OF ILLINOIS
LAKE COUNTY

ANTHONY BORELLI; ERIC O.
NELSON, JR.; JAMES L. GILES and
MARILYN A. GILES; and JOHN A.
GROSSMAN and MARIA M. GROSSMAN,

LAW NO. 90 L 370

SIMON A. DAVIS and HAZEL M. DAVIS;
JOSEPH FALCONER and SALLY V.
FALCONER; GLADYS GLANDER,
INDIVIDUALLY AND AS SPECIAL
ADMINISTRATRIX FOR THE ESTATE OF
HOWARD E. GLANDER, DECEASED;
WILLIAM J. IRWIN and PEGGY ANN
IRWIN; and EDWARD G. DOYLE and
JULIETTA A. DOYLE,

LAW NO. 90 L 366

FRANK JUHL and MARY JUHL; and
VERA M. WILSON, INDIVIDUALLY
AND AS SPECIAL REPRESENTATIVE
FOR THE ESTATE OF HUGH J. WILSON,
DECEASED,

LAW NO. 90 L 368

BERNARD C. KREYE and MARCINE B.
KREYE; EDWIN C. PETERSON and
PATRICIA M. PETERSON; JOHN L.
POLLOCK and BERNICE C. POLLOCK;
and WILLIAM F. LOFGREN and
DONNA LOFGREN,

LAW NO. 90 L 369

ALFRED PADILLA and MARY J. PADILLA;
DONALD G. LONG and JEANNETTE S.
LONG; FRED E. SCHACHT and LEONA F.
SCHACHT; KENNETH DAMS and GERTRUDE
ANN DAMS; JAMES R. VANHEIRSEELE,
SR. and MARY VANHEIRSEELE; and
MARVIN R. ROEHR and VIRGINIA C.
ROEHR,

LAW NO. 90 L 371

Plaintiffs,

vs.

THE CELOTEX CORPORATION, et al.,

Defendants.

RESPONSE OF GAF CORPORATION TO PLAINTIFFS'
SECOND SET OF MASTER INTERROGATORIES

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GAF Corporation ("GAF") hereby responds to Plaintiffs' Second Set of Master Interrogatories ("the Interrogatories") only pursuant to, under the protection of and to the extent that such requests comply with the Illinois Supreme Court Rules, as follows:

GENERAL OBJECTIONS

1. GAF objects to these Interrogatories to the extent that they seek to require it to respond on behalf of any other entity. GAF will respond with such knowledge as GAF possesses as to The Ruberoid Co. prior to its acquisition by GAF on May 26, 1967.

2. GAF objects to these Interrogatories to the extent that they seek to require it to provide information other than that which may be obtained through a reasonably diligent search of its records.

3. GAF objects to these Interrogatories to the extent that they seek to require it to respond other than in accordance with the applicable Rules. Thus, GAF declines any obligation to: (a) locate or interview former employees or any other person not presently employed or engaged by GAF; (b) generate documents not presently existing; (c) describe its unsuccessful efforts to answer any request; (d) identify an unknown custodian or the current custodian of documents not in GAF's possession; (e) identify the file designation and other identifying designation, the present location, or the source of documents identified unless specifically requested in the

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request; (f) add to or to change the meaning of any request in the conjunctive or disjunctive; (g) respond to any aspect of a request not described with reasonable particularity by the express language of the request; or (h) provide medical or other expert opinion beyond the scope of GAF's business.

4. GAF objects to these Interrogatories to the extent that they seek to require it to reveal trade secrets or other confidential product or commercial information. Therefore, GAF will submit certain responses only on the condition that the plaintiffs agree in writing and undertake to maintain the confidential nature of certain trade secrets and other confidential product or commercial information.

5. GAF objects to these Interrogatories to the extent that they seek to require it to respond to questions or to identify or produce documents relating to times, events and other things beyond the subject matter of the Complaint, or outside of the period from 1928 to 1981, during which The Ruberoid Co., until its acquisition by GAF on May 26, 1967, and thereafter GAF may have manufactured asbestos-containing industrial thermal insulation products, or relating to any products other than asbestos-containing industrial thermal insulation products.

6. GAF objects to these Interrogatories to the extent that they seek to require it to provide information specifically with respect to mining and manufacturing operations, or any safety precautions or tests undertaken therein whether in compliance with OSHA or otherwise, inasmuch

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10. GAF hereby adopts the motions and objections of the other defendants, and reserves the right to adopt future

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motions and objections relating to Plaintiffs' Second Set of Master Interrogatories.

11. GAF objects to these Interrogatories to the extent that they seek to require it to gather and summarize information contained in voluminous papers that are already a matter of public record.

12. GAF objects to these Interrogatories to the extent that they seek to require it to provide information which is equally available to the plaintiffs as to GAF.

13. GAF objects to these Interrogatories to the extent that they seek it to respond other than in accordance with the Rules and thus GAF declines to identify computer tapes and programs, computer printouts and any electronic, mechanical or electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, recordings and computer memories), or fields, files, menus, databases, or other computer classifications or material, inasmuch as such documents constitute documents or other things prepared or obtained in anticipation of litigation or for trial, work product, confidential attorney-client communications, and otherwise privileged documents.

Subject to the foregoing objections and limitations which are applicable to each of the numbered paragraphs of the Interrogatories, and subject to any documents being in existence and recoverable through a reasonably diligent search (taking into account normal changes in personnel and document locations over the decades of asbestos litigation), and without

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representing that any particular document or documents are or are not thus existing and recoverable, GAF further responds to the individual Interrogatories without waiver and with preservation of:

The right to object to the use of any responses, or the subject matter thereof, on any ground in any proceedings in any action (including any trials);

The right to object on any ground at any time to a demand or request for a further response to this discovery request or to any other interrogatories, document requests, or other discovery proceedings involving or relating to the subject matter of the discovery requests herein responded to; and,

The right at any time to revise, correct, add to, supplement or clarify any of the responses to the individual Interrogatories as follows:

INTERROGATORIES

INTERROGATORY NO. 1: For each Interrogatory below, please state the name and last known address of each person answering it, including whether he is employed by Defendant.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that various GAF officers and outside counsel have participated in the preparation of responses to interrogatories and other discovery requests and provided information utilized in the preparation of certain of the responses to these interrogatories.

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In the course of responding to discovery over several years, various persons have provided information and referred to documents which persons and documents this defendant is presently unable to identify individually or in relation to specific items of information.

The following former and current GAF employees or representatives are known to have supplied information utilized in responding to discovery:

William Schwingen - Vice President, Technical Services, GAF Building Materials Corporation - employed at 1361 Alps Road, Wayne, New Jersey 07470.

Phillip Bettoli - (retired) - former Technical Director, Research Department, GAF Corporation - formerly employed at South Bound Brook, New Jersey 08880.

Wayne Page - former Vice President of Manufacturing of Consumer Products Group, GAF Corporate Headquarters - formerly employed at New York, New York.

In addition, counsel for GAF Corporation, various local counsel for GAF, and their paralegal professionals have assisted in the preparation of these responses.

INTERROGATORY NO. 2: Please state whether or not Defendant is a corporation. If so, please state:

- (a) Your correct corporate name;
- (b) The state of your incorporation;
- (c) The address of your principal place of business;

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(d) Your registered agent for service in the state of Illinois;

ANSWER: Subject to the preliminary objections, this defendant responds that GAF Corporation was incorporated in Delaware in 1929 as American I.G. Corporation. Its name was changed in 1939 to General Aniline & Film Corporation. From its inception until May of 1967, General Aniline & Film Corporation was not engaged in any aspect of the asbestos industrial thermal insulation business and, in fact, manufactured no products whatsoever containing asbestos.

On May 26, 1967, GAF acquired The Ruberoid Co. The Ruberoid Co. was originally incorporated in New York in 1886 as the Standard Paint Company. This company was succeeded by a company of the same name, which was incorporated in West Virginia in 1889; that company was succeeded by the Standard Paint Company, incorporated in New Jersey on June 16, 1905. The name of the company was changed to The Ruberoid Co. on March 10, 1921. The Ruberoid Co. began the manufacture of industrial thermal insulation products containing asbestos in 1928 when it acquired the H.F. Watson Co. The Ruberoid Co. made various other acquisitions not pertinent to this action, including a Vermont mine.

In 1942, 98 percent of the stock of General Aniline & Film Corporation was seized, pursuant to a wartime legislative enactment, by the U.S. Treasury Department which assumed control over the company management and operations. In 1965, the U.S. Government relinquished control over General Aniline &

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Film Corporation and its stock was sold at public auction. The acquisition of The Ruberoid Co. took place on May 26, 1967. In 1968, the name of the entity was changed to GAF Corporation.

On July 1, 1986, the assets of the Chemicals Division and the Building Materials Division and certain other investment assets were transferred to wholly owned subsidiaries of GAF Corporation, incorporated for that purpose in Delaware as GAF Chemicals Corporation and GAF Building Materials Corporation. The qualification of GAF Corporation in Illinois was withdrawn effective April 21, 1987.

GAF maintains its principal place of business at 1361 Alps Road, Wayne, New Jersey 07470.

INTERROGATORY NO. 3: Please describe Defendant's corporate history including any:

- (a) Mergers;
- (b) Consolidations;
- (c) Asset purchases;
- (d) Acquisitions; or
- (e) Spinoffs.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 2.

INTERROGATORY NO. 4: Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being

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limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

- (a) The name of each such corporation or entity;
- (b) Date of acquisition;
- (c) The nature of the company as it relates to asbestos.

ANSWER: Subject to the preliminary objections, GAF denies that it has acquired the liabilities of any other entity except as specifically set forth in response to Interrogatory No. 2.

INTERROGATORY NO. 5: Has Defendant ever engaged in the mining, manufacturing, selling, marketing, or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each asbestos-containing product mined, manufactured, sold, marketed, or distributed, please state the following:
 - 1. The trade or brand name.
 - 2. Its identification number (model, serial number, etc.).
 - 3. The time period it was manufactured, mined, marketed, distributed or sold.
 - 4. Its physical description including color, general composition, and form.
 - 5. A detailed description of its intended use and purpose.

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6. A detailed description of the type package in which it was sold, listing the a) dates of each type of package used, b) a physical description of the package, c) a description of any printed material or trademarks that appeared thereon, d) any warning; and e) the date each warning accompanied the package.
 7. The percent of asbestos which it contained.
 8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
- (c) The time period during which each of these products were on the market;
 - (d) A description of the physical composition of each product;
 - (e) How each of these asbestos-containing product can be distinguished from those of competitors;
 - (f) A description of the physical appearance of such product;
 - (g) A detailed description of the intended uses.

ANSWER: Subject to the preliminary objections, this defendant responds as follows:

I. CALSILITE®

With the support and at the behest of the United States Government which needed to increase wartime production of ship-board insulation materials, in 1944 Ruberoid constructed a Calsilite® plant in Gloucester City, New Jersey, to manufacture Calsilite® pipe covering and block insulation. The plant was completed in approximately November, 1944. Some limited production of Calsilite® occurred prior to the plant's completion. GAF believes that all Calsilite® production during

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World War II was for the United States Navy. In June, 1947 the Calsilite® facility was shut down temporarily and all outstanding orders were cancelled. The facility was reopened on July 10, 1947 and operated on a pilot plant basis until March 7, 1949. During this research project period, production was limited and of an experimental nature. Calsilite® was again manufactured on a commercial basis by Ruberoid beginning on March 7, 1949, and then by General Aniline & Film Corporation in 1967, and then by GAF Corporation from 1968 to October, 1971, when the plant was closed.

Calsilite® was a lightweight, hard, calcium silicate insulation designed to withstand temperatures up to 1250° F. Calsilite® pipe covering was manufactured in three-foot lengths and in varying thicknesses. It was available in half-sectional pieces and, at various times, in three-segmental and regular segmental shapes, for assembly around a pipe in single or double layers. Pipe covering normally was provided with standard weight cotton or canvas jackets applied with silicate of soda. No "T's," elbows or joints were produced. Flat Calsilite® blocks were manufactured, at various times, in 18 or 36-inch lengths, in widths from 3 to 36 inches, and in thicknesses up to 4 inches. Six-inch wide curved segmental blocks, capable of contouring more easily for insulation of large pipes and circular vessels, also were available. Throughout the time it was manufactured, Calsilite® pipe covering and block was packaged in corrugated boxes.

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Calsilite® was manufactured by a "pan-molding" method until 1964 when Ruberoid began using a "filter-press" method or process. Pan-molded Calsilite® was grayish white and relatively smooth, with some small holes. Calsilite® filter press was grayish white with screen marks on the outer surfaces.

Calsilite®-Hi, developed in or around 1960, could withstand temperatures up to 1800° F. In the mid-to-late 1960s, Ruberoid developed Calsilite® SS, an "inhibited" product designed specifically to prevent stress corrosion and cracking of stainless steel piping.

In addition to formula changes made in connection with product development, the Calsilite® formula was adjusted often in order to compensate for changes in the quality and availability of raw materials. GAF does not have a complete set of all the formulas used in Calsilite® production nor does it have complete information about the production dates of known formulas.

This defendant began production of asbestos-free Calsilite® after having developed the product as a result of a project initiated sometime after the acquisition of The Ruberoid Co. on May 26, 1967, with sales beginning in 1970 or 1971. This product was identified as "Calsilite® II" or "Calsilite® A-F." However, without adding asbestos, GAF was unable to manufacture a calcium silicate insulation which met all specifications of the United States Government applicable to Calsilite®. These limitations made it impossible for this defendant to manufacture and sell an asbestos-free Calsilite®

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that met applicable Government requirements. GAF asked the Government (U.S. Navy) to modify its specifications so that GAF's new product could be sold to the Navy and other customers who required that materials meet such specifications. The failure by the United States Government to act promptly to approve non-asbestos Calsilite® for procurement was the leading factor resulting in the closure of the entire Calsilite® facility.

II. ASBESTOS PAPER AND MILLBOARD PRODUCTS

Asbestos paper, millboard and laminated products were manufactured at Erie, Pennsylvania, by Ruberoid from 1928 to 1967, and then by General Aniline & Film Corporation in 1967, and then by GAF Corporation from 1968 to 1981, when the Erie facility was sold. These products generally were shipped in cardboard cartons of varying sizes, except for Imperial insulation and sponge felt which, because of their weight and bulk, were packaged into sections in wooden crates.

Asbestos Paper

Asbestos paper was designed to be used alone or in the manufacture of other products. It was manufactured in various thicknesses, according to customer specifications. Asbestos paper had a temperature limit of 250 degrees F. Its primary constituent was chrysotile asbestos, generally a mixture of grades 5 to 7. Other constituents included sulphite pulp, diatomaceous earth and starch, although in the early years of

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manufacture this product may have consisted only of chrysotile and starch (which was sometimes in the form of tapioca).

Rollboard

Rollboard was an asbestos paper product, consisting of plies of asbestos paper bonded together without glue to create thicknesses varying from 1/16 to 1/8 of an inch. Rollboard had a temperature limit of 250 degrees F.

Millboard

Millboard was a stiffer product than asbestos paper or rollboard and was manufactured in sheets of varying thicknesses according to customer specifications. Millboard consisted generally of chrysotile asbestos (usually grades 5D, 5R and 6D), sulphite pulp and often other constituents, bonded with Portland cement and/or starch. In later years, at least as early as 1974, latex was added as a binder.

Corrugated Asbestos Paper

Corrugated asbestos paper was designed to be used alone or in the manufacture of other products. It was made in three types: 1/4 inch thickness per ply (4 plies/inch); 1/8 inch thickness per ply (6 plies/inch) and 1/16 inch thickness per ply (8 plies/inch). It was manufactured by adhering 36" to 37 1/2" wide flat sheets of asbestos paper (usually six pound paper) with silicate of soda to sheets of the same paper which had been corrugated using characteristic "Roman Arch" shaped corrugations, 26-28 to the foot. Its constituents were those of the asbestos paper from which it was constructed.

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Corrugated asbestos paper was sold in 250 and 500 square foot rolls.

Air Cell

Air cell was a corrugated asbestos paper product manufactured from 1928 to approximately 1958. It was constructed of layers to the thickness specified by the customer of 36 or 37-1/2 inch wide flat asbestos paper which was adhered to corrugated asbestos paper with silicate of soda. The corrugations of this product had a characteristic "Roman Arch" shape. As of 1938, the corrugated paper component had 28 corrugations per linear foot. Each ply was 1/4 inch thick and air cell came in three standard thicknesses -- 2-ply, 3-ply, and 4-ply. Air cell pipe covering, sheets and blocks were sold. Often a canvas, cloth or pyroxiline jacket was applied to the outer surface of air cell pipe covering with an adhesive, usually a starch or cereal paste. 2-1/2 inch wide brass lacquered bands were provided for each canvas-jacketed section of air cell pipe covering to hold it to the pipe. With the pyroxyline jacket, three 1-inch wide black japan bands were supplied with each section. Air cell had a temperature limit of 250 degrees - 350 degrees F. Prior to 1935, air cell may have been sold only under the name "Celasbestos", which was available in 5, 6, 7 and 8 ply versions as well as 1-4 ply versions.

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Watcocell

Watcocell was a corrugated asbestos paper product manufactured as Watcocel from 1928 to 1934, as Supercell from

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1935 to 1942 and as Watcocell from 1942 to 1960. In 8-ply per inch Watcocell, the corrugations were 1/16" thick; in 6-ply, the corrugations measure about 1/8" thickness. Watcocell was sold in rolls, sheets and blocks. Watcocell's temperature limit was 250 degrees F.

Imperial Insulation

Imperial insulation was manufactured from at least 1936 to approximately 1960 and was discontinued due to a lack of commercial demand. It had a temperature limit of 500 degrees - 700 degrees F. Imperial paper consisted of two plies of flat asbestos paper which were passed through an indenting roll resulting in a waffle-like appearance with closely spaced square indentations. Imperial pipecovering was wound on a mandrel to achieve the desired thickness and canvas-covered. In early years of production, layers of Imperial may have been stapled together or stitched with strands of wire rather than wound on a mandrel. Imperial sheets and blocks were made of layers of Imperial paper glued to the desired thickness with a fireproof glue, such as silicate of soda. This product was sold with a canvas, asphalted felt or pyroxyline jacket.

Aristo Insulation

The years of manufacture of Aristo Insulation are unknown, except that it was listed for sale in and around 1940. It was a corrugated asbestos paper product with carefully measured indentations and 23-25 laminations per inch of thickness. Its temperature limit was 700 degrees - 750 degrees F. The

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asbestos paper used in this product was treated with a surface treatment, possibly Bennett size. This product was sold in a standard thickness of one inch, but often was used in thicknesses up to and exceeding three inches. Standard canvas and waterproof jackets were available for this product.

Sponge Felt

Sponge felt was manufactured from 1936 to approximately 1960 and was discontinued due to a lack of commercial demand. It consisted of asbestos sponge paper made by imbedding small pieces of sponge into asbestos paper. Its temperature limit was 750 degrees F. It was sold in 36-inch wide rolls, sheets and blocks which were produced in the same manner as Imperial products.

Woolfelt

Woolfelt, a wool or rag felt insulation manufactured from 1928 to approximately 1959, did not contain asbestos, but was sometimes sold with an asbestos paper liner or backing paper. Tar-lined woolfelt was sold with a tar paper liner which did not contain asbestos. Twin-purpose woolfelt was sold with a liner of asphalt coated asbestos paper.

Anti-Sweat Pipe Covering

Manufactured until approximately 1958, anti-sweat pipe covering was intended exclusively for residential use on cold water pipes. At least as early as 1936 this product was composed of an inner layer of asphalt-saturated asbestos paper followed by a 1/2 inch layer of woolfelt, 2 layers of

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asphalt-saturated asbestos paper, another 1/2 inch layer of woolfelt and two final layers of asphalt-saturated asbestos paper. The outermost layer had a flap extending at least 3 inches beyond the longitudinal joint. GAF does not know whether a jacket was ever provided with this product. This product was sold in 36 inch wide rolls and had a temperature limit of 50 degrees F.

Frost-Proof Pipe Covering

Practically nothing is known of this product which was apparently constructed of a layer of felt made from cattle, goat or other animal hair with layers of asphalt-saturated asbestos paper and a layer of woolfelt. Its years of manufacture, appearance and temperature limit are unknown to GAF.

Range Boiler Jacket

This product consisted of a series of plies of corrugated asbestos paper built up to the required thickness on mandrels that were the same size as the range boilers the product was designed to fit. The corrugated paper used was a coarse variety with four plies per inch of thickness. These jackets were furnished in two sections -- upper half and lower half. Five extra-wide bands were provided to attach the jacket to the range boiler. The outside surface was painted or covered with canvas. GAF does not know the years of manufacture of this product.

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T/NA-100

T/NA-100 was manufactured from 1962 until 1971. This asbestos paper product was a thin, fully bound two-ply laminated product consisting of an interior layer of asbestos paper bonded with Neoprene to a layer of polyvinylfluoride (Tedlar) plastic film on the exterior of the product. T/NA-100 was also sold with a back surface vapor barrier of Dow "Saran" film. The paper inner layer was manufactured in Erie, Pennsylvania, the Neoprene outer layers were supplied by DuPont, and the product was assembled by High Vacuum Company, Passaic, New Jersey. Manufacture of this product was discontinued because it was not profitable.

At various times, Ruberoid product brochures and advertising listed for sale asbestos-containing products not known to have been manufactured by Ruberoid, including 85% magnesia and diatomaceous earth products, but which may have been manufactured for Ruberoid. This defendant has independent information that this defendant did not manufacture this product during the early 1940's or thereafter. This defendant is aware of no sales documents with respect to these products, the year of any sale of any such products or of any specific sale. However, this defendant is aware through litigation of individual Ruberoid labels upon sections of pipe covering indicating that the material was 85% magnesia pipe covering manufactured for Ruberoid by Plant Rubber and Asbestos Company, and perhaps others. It is believed that this material dates from the late 1930's.

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III. INSULATING CEMENTS

1. 115 Insulation Cement

115 Insulation Cement was a chrysotile asbestos product which, in some instances, was produced at Ruberoid/GAF's Vermont facility and in other instances was purchased from various other asbestos suppliers and resold. Some of the product purchased from other suppliers may have been milled again at Ruberoid/GAF's Vermont facility prior to resale. Asbestos insulation cements produced at GAF's Vermont facility could generally be distinguished from asbestos insulation cements produced by other manufacturers inasmuch as the Vermont product was a slip chrysotile asbestos rather than a cross vein asbestos and was generally of a lower grade and contained a greater percentage of impurities, such as dirt and rock particles. It is believed that this product was sold from at least as early as 1937 to 1975. Manufacture of this product was discontinued because it was not profitable and the facility was sold. It is believed that the "115" designation was employed from approximately 1950 to 1975 and the designation "Grade B" was also employed in years prior to 1950.

The basic ingredients of this cement product were:

chrysotile determined to pass the 0-0-1-15 Quebec test impurities (dirt, rock, earth)

The particular formulas utilized by entities which purchased this product for construction are not known by GAF, but this product was normally mixed with Portland cement, water and/or other substances.

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2. 214 Insulation Cement

214 Insulation Cement was also a chrysotile asbestos product which, in some instances, was produced at GAF's Vermont facility and in other instances was purchased from various other asbestos suppliers and resold. Some of the product purchased from other suppliers may have been milled again at Ruberoid/GAF's Vermont facility prior to resale.

Ruberoid/GAF's Vermont product was a lower grade cement which contained a greater percentage of impurities, such as dirt and rock particles, making it lightly mottled and giving it an overall darker appearance. It is believed that this product was sold from at least as early as 1937 to 1975. Manufacture of this product was discontinued because it was not profitable and the facility was sold. It is believed that the "214" designation was employed from approximately 1950 to 1975 and the designation "Grade BB" was also employed in years prior to 1950.

The basic ingredients of this cement product were:

chrysotile determined to pass the 0-0-2-14 Quebec test impurities (dirt, rock, earth)

The particular formulas utilized by entities which purchased this product for construction are not known by GAF, but this product was normally mixed with Portland cement, water and/or other substances.

Both "115" and "214" insulation cements could be packed "loosely" in burlap through the 1940's and thereafter "pressure

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packed" or "semi-pressure packed" in either kraft paper, plastic lined or woven plastic bags.

3. Calsilite® Insulation Cement

Calsilite® Insulation Cement was a combination of chrysotile asbestos fiber, ground Calsilite® pipe covering or block, and Portland and other cements.

It is believed that this product was made with Vermont-produced asbestos and thus contained certain impurities, such as rock, dirt and earth particles. This product was never widely or frequently sold and did not gain commercial acceptance. To the extent such sales took place, they ceased completely in or around 1960. Generally, the product was packaged in kraft paper bags with a plastic lining.

4. Other Insulation Cements

In unknown years prior to 1955 which varied by product, Ruberoid listed for sale the following other insulation cements. Except as stated below, little is known about these products, including the specific years they were offered, the constituents and, except as indicated, whether or not they were manufactured or produced by Ruberoid.

a. Grade AA Insulating Cement - Grade AA was manufactured by Ruberoid using a high grade of pure asbestos fiber together with suitable binding materials that had low conductivity. It was designed to yield a hard, durable surface. Its temperature limit was 1200 degrees F.

b. Grade A Insulating Cement - This was a factory-prepared cement consisting of fibers which were not as

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long as those used in the better grade AA, together with suitable binding materials. Its temperature limit was 1000 degrees F.

c. Grade H F - Hard Finish - This was a hard finish cement designed to be used as a final protective coating over other coats of cement. It had a smooth, glossy, hard finish. Grade HF was recommended to be applied in a 1/4" thick layer. It had a temperature limit of 1500 degrees F and was a prepared cement manufactured by Ruberoid.

d. Grade HF - Hard Finish #48 High Gloss - This was another hard finish cement manufactured apparently in 1945 and possibly other years.

e. Grade H. T. - High Temperature Cement - This cement was designed to withstand temperatures of 1600 to 1800 degrees. This material was not designed to be used for finishing purposes.

f. Grade 203 Insulating Cement - Grade 203 had a screen test of approximately 0-0-8-8 which was intended to result in a light, fluffy cement. It was practically free of grit and dirt. Its temperature limit was 1200 degrees F.

g. Grade 016 Insulating Cement - This 100% chrysotile cement had a screen test of approximately 0-0-1-16 which made it the lowest grade cement sold by Ruberoid/GAF.

h. Satin Finish Cement

i. Grade A-11 Insulating Cement - This product consisted of vermiculite, chrysotile, and binding substances. It was recommended for temperatures up to 1500 degrees F, or

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1800 degrees F if the applicator did not intend to reclaim the material. Grade A-11 was designed to be an insulation material, not a finishing cement.

j. Coverkote - Coverkote was designed to be a weatherproof coating for insulated surfaces, rather than an insulating cement. It was a combination of emulsified asphalt and 25-28% chrysotile. It was a black plastic material particularly designed for protection of insulation on large tanks and vessels and for insulated equipment such as smoke breechings and ducts. The temperature limit for Coverkote was 400 degrees F.

k. Rock Wool Cement - Little is known about this product which was apparently available from Ruberoid in the late 1940's and early 1950's. It consisted of a mixture of rock wool and chrysotile asbestos and had a temperature limit of 1500 degrees F.

Insulation cements of different fiber sizes, commonly known as sizes 313 and 412, were sold by The Ruberoid Co. from 1937 until 1967 and by General Aniline & Film Corporation and then GAF Corporation from 1967 to 1975.

As a manufacturer and seller only, the method or manner of using its asbestos-containing industrial thermal insulation products was determined by the purchaser, contractor or other user in the field, and was not within the discretion of this defendant.

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In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

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In approximately 1972, this warning was further changed to read as follows:

300 North 10th
Bank One Bldg 12
P.O. Box 970
Fax 402-476-1474
2006/07/06/00

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 6: Before placing Defendant's asbestos-containing products on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

(a) The date of said studies;

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(b) What studies were done; and

(c) The titles of each study.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

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Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight

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loss on soaking heat; shrinkage on soaking heat; hardness; abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

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Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

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INTERROGATORY NO. 7: Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed and jurisdiction involved;
- (b) A brief summary of the disposition of each such claim.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

INTERROGATORY NO. 8: Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed above in answer to Interrogatory No. 5? If so, please state the following:

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

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that U.S. Patent No. 3,300,927, patented January 31, 1967, covers a bonded roofing product known as T/NA-200 and arguably

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also covers T/NA-100, in that T/NA-100, also primarily a roofing membrane, differed only in the thickness of the polyvinylfluoride surface film, with Neoprene binder. The holder of this patent is Phillip S. Bettoli.

An original patent on the Calsilite® heat insulation process was held by Herbert Abraham, formerly president of Ruberoid, and Herbert E. Lloyd. Lloyd assigned his patent to Ruberoid (Patent No. 2,400,844) in 1946. Abraham assigned his patent to Ruberoid in 1952 (Patent No. 2,602,754). GAF filed a patent application for its asbestos-free Calsilite® through Duane A. Davis, inventor, on October 8, 1971. The patent application, Proposal No. 187,921, and rights to the process for which the patent was sought, were sold in 1972.

INTERROGATORY NO. 9: Have any of the product listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

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

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 5.

INTERROGATORY NO. 10: Have any of Defendant's asbestos-containing products as listed in response to

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Interrogatory No. 5, above, ever been marketed, distributed, and/or sold by any other company or business in Illinois? If so, please state the name and last known address of each of those companies or businesses.

ANSWER: Subject to the preliminary objections, this defendant states that it entered into no distributor agreements, although there were credit agreements which may have used "distributor" terminology. Notwithstanding, GAF sold products to various companies which may have at times resold those products to other entities. In Illinois, GAF believes it entered into such arrangements with the following companies, all in Chicago: Culberg Asbestos & Cork Co.; Jamar-Olmen Company; Koch Asbestos Company; and, Grant Wilson, Inc.

INTERROGATORY NO. 10.1: For each company or business listed in response to Interrogatory No. 10, please state whether they sold Defendant's asbestos-containing products to any of the job sites listed on Exhibit A? If yes, please state the following:

- (a) The name and last known address of the company or business;
- (b) The name of each job site where Defendant's product was marketed, distributed, and/or sold by the company or business;
- (c) The name of each person in each company or business with whom Defendant dealt;
- (d) Please state the name and quantity of each asbestos-containing product that was sold to each job site by each company or business;

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- (e) Please identify all documents relating to the sales of Defendant's asbestos-containing products to each company identified in 10(a)(i);
- (f) Please identify all documents relating to the sales of Defendant's asbestos-containing products to each company identified in 10(a) to the job sites identified on Exhibit A.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that it has no record of any sale or shipment of its asbestos-containing industrial thermal insulation products to the job sites listed on Exhibit A during the relevant time period.

INTERROGATORY NO. 10.2: Did Defendant sell its asbestos-containing products to any of the job sites listed on Exhibit A? If yes, please state the following:

- (a) As to each job on Exhibit A to which Defendant sold its asbestos-containing products, please state:
 - (i) The name of each asbestos products sold;
 - (ii) The quantity sold;
 - (iii) Each date sold.
 - (iv) The name of each person at each job site with whom Defendant dealt;
 - (v) Please identify all documents relating to the sales of Defendant's asbestos-containing products to each job site.

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ANSWER: Subject to the preliminary objections, this defendant responds that it has no record of any sale or shipment of its asbestos-containing industrial thermal insulation products to the job sites listed on Exhibit A during the relevant time period.

INTERROGATORY NO. 11: Did Defendant have sales representatives, employees or other agents who sold products listed in Response to Interrogatory No. 5 to contractors, builders and/or companies who did work at the job sites listed on Exhibit A? If so, please state:

- (a) The name and last known address of each such sales representative, employee, or other agent and whether they are still employed by Defendant.
- (b) The period of time they acted as your sales representative, employee or agent.
- (c) Their general responsibility at each location.
- (d) Whether that person is still alive.
- (e) The name of the contractor, builder and/or person in each company with whom your representative, employee or agent primarily dealt.
- (f) A list of the specific asbestos-containing products that your sales representative, employee or agent sold to the contractors, builders and/or companies who did work at the job sites from 1940-1970.
- (g) The amount of each asbestos product sold by your sales representative, employee or agent to contractors, builders and/or companies who did work at the job sites listed on Exhibit A.

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(h) Please identify all documents relating to the sales identified in this interrogatory.

ANSWER: Subject to the preliminary objections, this defendant responds that it has no record of any sale or shipment of its asbestos-containing industrial thermal insulation products to the job sites listed on Exhibit A during the relevant time period. In further response, GAF states that during the relevant time period Richard W. Henry (deceased) was the marketing manager for the Calsilite® product line, James J. Iaquinto was Manager of Sales Administration of the Industrial Products Division for GAF Corporation and Wilbur Neel was Director of Sales for GAF.

INTERROGATORY NO. 12: Did Defendant ever have any division or subdivision engaged in the contract business of applying asbestos-containing insulation? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER: Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 13: Did Defendant ever have any division or subdivision engaged in the contract business of applying asbestos-containing products? If so, please give the name of each subdivision, the full address of the home office

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and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER: Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 14: Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 5.

INTERROGATORY NO. 15: Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials?

- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The effective and ending dates of each such agreement;
- (d) The volume (in dollars amounts) of each such transaction;
- (e) The purchaser of such products;
- (f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

ANSWER: Subject to the preliminary objections, this defendant believes that The Ruberoid Co. and GAF had three

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agreements relating to cross-agreements with other companies from time to time between 1930 and 1979: a relabeling agreement with the Grant Wilson Company, apparently in the 1930's generally applicable to the sales of certain products, primarily in the midwestern area of the United States; an agreement under which Baldwin-Ehret-Hill produced 313 and 412 insulating cements nationally for GAF from time to time from 1960 until 1971; and, an agreement with Armstrong Contracting and Supply Company, Lancaster, Pennsylvania, in 1963 under which Ruberoid agreed to sell certain products to the Company and attach that Company's labels, as and when directed. Other such arrangements may have been undertaken from time to time; for example, Ruberoid purchased raw asbestos from Johns-Manville and others, for resale, commencing in the early 1950's.

At various times, Ruberoid product brochures and advertising listed for sale asbestos-containing products not known to have been manufactured by Ruberoid, including 85% magnesia and diatomaceous earth products, but which may have been manufactured for Ruberoid. This defendant has independent information that this defendant did not manufacture this product during the early 1940's or thereafter. This defendant is aware of no sales documents with respect to these products, the year of any sale of any such products or of any specific sale. However, this defendant is aware through litigation of individual Ruberoid labels upon sections of pipe covering indicating that the material was 85% magnesia pipe covering

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manufactured for Ruberoid by Plant Rubber and Asbestos Company, and perhaps others. It is believed that this material dates from the late 1930's.

INTERROGATORY NO. 16: What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

ANSWER: Subject to the preliminary objections, this defendant responds that, during the period from 1967 through 1981, the following persons at GAF have held the position of Vice-President, Research Department:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Leon Katz	- 1967	American Can
Frederick Grosser	1967 - 1969	Retired from GAF
Robert Meyers	1969 - 1972	St. Regis or Regal Paper
Simon Kantor	1972 - 1981	Retired from GAF

The directors of the Research Department at The Ruberoid Co. were as follows:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Edward Duke	? - 1947	Retired; GAF Corporation
Clarence Eckert	1947 - 1958	Deceased
Phillip S. Bettoli	1958 - 1967	Retired; GAF Corporation

GAF has no corporate records which show the date when it initially established a Research Department.

INTERROGATORY NO. 17: As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on

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the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

ANSWER: Subject to the preliminary objections, this defendant states that, as a manufacturer and seller only, the method or manner of using its asbestos-containing industrial thermal insulation products was determined by the purchaser, contractor or other user in the field, and was not within the discretion of this defendant.

INTERROGATORY NO. 18: Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

ANSWER: In addition to the objections set forth in the preliminary paragraphs of this response, this defendant further objects to this interrogatory on the grounds that it seeks expert opinion beyond the scope of the applicable rules. In addition, this defendant objects to this interrogatory in that it is impossible and unduly burdensome for defendant to "prove a negative" and that it is plaintiffs' burden to prove that any use of defendant's products created a health hazard.

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INTERROGATORY NO. 19: Do any written memoranda, specifications, blueprints or other written materials of any

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kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

- (a) List each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response and further subject to reasonable interpretation of the phrases "other written materials of any kind or character" and "relating to the design and preparation of the products," this defendant responds, yes. No such list of documents exists, and no list of particular categories of such documents exists in discoverable form. Certain documents within the scope of this interrogatory are in the custody of the Legal Department of GAF and in the custody of its local counsel.

From the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products

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such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible

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for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

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Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers.

INTERROGATORY NO. 20: Prior to releasing the products listed in Interrogatory No. 5 to the public for sale, were any tests (either animal or human) conducted on said products to

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determine potential health hazards involved in the use of the materials and/or products? If so, please state:

- (a) The name, address, and job classification of each individual who conducted such tests;
- (b) The results of such tests.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with

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specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government

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(including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness; abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523

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7. HH-I-00523

8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

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INTERROGATORY NO. 21: Does Defendant have or control any written memoranda, specifications blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove?

- (a) Identify each such written material or document;
- (b) Identify each person who presently has possession of each such document;
- (c) State where each such document is located.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 20.

INTERROGATORY NO. 22: Were any design changes made as a result of such tests listed in answer to Interrogatory No. 21 hereinabove? If so, please state:

- (a) The nature of the change made;
- (b) The name, address, and job classification of each person in charge of making a change.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 20.

INTERROGATORY NO. 23: After releasing the products listed in answer to Interrogatory No. 5 to the public, did Defendant conduct any tests (either on animals or on humans) to determine potential health hazards involved in the use of said materials and/or products?

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- (a) The name, address, and job classification of each person and/or agency conducting such tests;
- (b) The results of said tests;
- (c) The date of said tests.

ANSWER: Subject to the preliminary objections, this defendant responds that job sites were under the exclusive control of their owners, or employers or contractors at those job sites. This defendant believes that those owners, employers or contractors present at job sites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those job sites, in the manner required by OSHA and other laws, and this defendant did not have any such legal duty at any time.

✓ INTERROGATORY NO. 24: Has Defendant ever conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabeled for distribution by you or your predecessor? If yes, please state:

- (a) The dates and nature of such studies;
- (b) Names and addresses of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Attach a copy of reports based upon such studies; and

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- (e) List to whom such reports were given and the date.

ANSWER: Subject to the preliminary objections, this defendant responds that job sites were under the exclusive control of their owners, or employers or contractors at those job sites. This defendant believes that those owners, employers or contractors present at job sites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those job sites, in the manner required by OSHA and other laws, and this defendant did not have any such legal duty at any time.

✓ INTERROGATORY NO. 25: Please state whether or not Defendant ever conducted any tests in the field (where asbestos-containing products were applied, removed or used) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, workers removing and/or tearing out asbestos-containing products, and/or workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site.

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ANSWER: Subject to the preliminary objections, this defendant responds that job sites were under the exclusive control of their owners, or employers or contractors at those job sites. This defendant believes that those owners, employers or contractors present at job sites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those job sites, in the manner required by OSHA and other laws, and this defendant did not have any such legal duty at any time.

INTERROGATORY NO. 26: Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation

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products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 27: Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma and lung cancer. As to each cancer, state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER: This defendant asserts its general objections as set forth in the preliminary paragraphs of this response and, specifically objects because the interrogatory calls for this defendant to agree or disagree with a matter of opinion, which it is not required to do.

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Without waiving these objections, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 28: Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of mesothelioma and peritoneal mesothelioma. State the source of that information including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 27.

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INTERROGATORY NO. 29: Please state when Defendant first became aware of the association between inhalation of asbestos dust and/or fibers and contraction of lung disease known as asbestosis and state the source of that information including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 27.

INTERROGATORY NO. 30: Please identify all physicians, industrial hygienists and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant responds, not applicable. GAF did not have facilities or equipment for medical testing or research and did not itself conduct tests or studies of a medical nature on its employees or on its products.

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From time-to-time during the period beginning in approximately 1930, this defendant called upon local physicians from surrounding cities or towns near its plant locations to perform routine physical examinations and to administer routine medical treatment when and if necessary.

INTERROGATORY NO. 31: As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 30.

INTERROGATORY NO. 32: Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to who such recommendation and/or suggestions were made and the substance of each recommendation.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 30.

INTERROGATORY NO. 33: Please state the scientific or medical periodicals to which Defendant, its medical department,

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industrial hygiene divisions, engineering department or consulting physicians subscribed between 1940 and 1980.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that neither GAF Corporation nor The Ruberoid Co. maintained a central corporate library as to occupational safety and health. Any information which did exist was kept by Mr. Harry Mesler while he headed corporate safety for the company from approximately the early 1960's into 1971. Prior to Mr. Mesler's appointment to this position, Ruberoid and GAF employees may have from time to time maintained or possessed personal files containing periodicals and other literature relating to asbestos, its uses and qualities.

Mr. Mesler died on August 29, 1972, and the whereabouts of any such information is unknown.

✓ INTERROGATORY NO. 34: State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which applicators or consumers of your product were exposed while using your asbestos-containing products.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to those objections, this defendant responds that the job sites (on which the asbestos-containing industrial thermal insulation products were used) were under the exclusive control of their owners,

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employers and contractors, who had a legal duty to conduct various tests and monitoring. Furthermore, this defendant was not present at such job sites and did not have a legal duty to conduct dust monitoring at job sites where its asbestos-containing industrial thermal insulation products were applied.

✓ INTERROGATORY NO. 35: For each test described in Interrogatory No. 34, please give the name of the person conducting the test, the date of the test, and attach true copies of any reports, findings or memoranda concerning such tests or studies.

ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 34.

INTERROGATORY NO. 36: Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state and name of the employee/official of the company receiving such advice.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal

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insulation products. In the 1960s, industrial and governmental hygienists and the Walsh-Healy Act endorsed and enacted the standard of 5 m. particles per cubic foot and in approximately 1964 Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF. In 1972, OSHA set standards for the Threshold Limit Value ("TLV") for asbestos particles. The acceptable standard was five fibers per cc for TWA (time weight average) and ten fibers per cc for peak time. In 1976, the standard changed to two fibers per cc for TWA; the peak time asbestos exposure did not change.

INTERROGATORY NO. 37: Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

- (a) The date each such library was established;
- (b) The location of each library;
- (c) The name(s) of the librarian(s) since 1930;

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- (d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;
- (e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that neither GAF Corporation nor The Ruberoid Co. maintained a central corporate library as to occupational safety and health. Any information which did exist was kept by Mr. Harry Mesler while he headed corporate safety for the company from approximately the early 1960's into 1971. Prior to Mr. Mesler's appointment to this position, Ruberoid and GAF employees may have from time to time maintained or possessed personal files containing periodicals and other literature relating to asbestos, its uses and qualities.

Mr. Mesler died on August 29, 1972, and the whereabouts of any such information is unknown.

INTERROGATORY NO. 38: Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

ANSWER: Subject to the preliminary objections, this defendant responds, no.

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INTERROGATORY NO. 39: Does Defendant admit that a report of some of the studies of Trudeau Foundation at Saranac Lake, New York entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" was published by A.J. Lanza, Assistant Medical Director and J. published in the Public Health Report, Vol. 50, No. 1, dated January 4, 1935?

ANSWER: Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 40: When was Defendant first aware of the above mentioned Lanza Report?

ANSWER: Subject to the preliminary objections, this defendant responds that it learned of the so-called Lanza report during the course of litigation.

INTERROGATORY NO. 41: Please state whether the Defendant at any time have been members of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it is overly broad and seeks information not calculated to lead to

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the discovery of admissible evidence, particularly in that it seeks information not relating to asbestos-containing industrial thermal insulation products. Subject to the foregoing objections, this defendant responds that, relative to the manufacture of asbestos-containing industrial thermal insulation products, this defendant was a member of the following industrial groups or organizations:

National Insulation Manufacturers' Association, Inc.
441 Lexington Avenue
New York, New York 10017
1958-1971

Thermal Insulation Manufacturers' Association, Inc.
Seven Kirby Plaza
Mount Kisco, New York 10549
After 1973 - approximately 1978

Asbestos Information Association/North America
1745 Jefferson Davis Highway, Suite 509
Arlington, Virginia 22202
1971-1977

National Safety Council
444 N. Michigan Avenue
Chicago, Illinois 60611
Prior to 1966 - 1981

American Society for Testing Materials
1916 Race Street
Philadelphia, Pennsylvania 19103
Approximately 1946 - 1981

This defendant is aware of documents, neither generated by nor in the custody and control of this defendant, reflecting that General Aniline & Film Corporation was a new member of the Industrial Hygiene Foundation during the years 1945 to 1947, a period when General Aniline & Film Corporation was under government ownership and did not manufacture any asbestos-containing materials. Although certain documents

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appear to indicate that Ruberoid considered becoming a member for a limited period in 1953-54, this defendant possesses no evidence that it ever did so.

INTERROGATORY NO. 42: With respect to each trade organization or association listed in answer to Interrogatory No. 41, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

ANSWER: Subject to the preliminary objections, this defendant responds that some NIMA, AIA and ASTM minutes are available.

INTERROGATORY NO. 43: Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

- (a) The title of each such article;
- (b) The periodical in which each such article was published;
- (c) The date each such article was published;
- (d) A detailed explanation of the reason for withholding any such article for printing;
- (e) Produce documentation which refers, alludes or mentions articles which were withheld for publication.

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ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that neither GAF Corporation nor The Ruberoid Co. maintained a central corporate library as to occupational safety and health. Any information which did exist was kept by Mr. Harry Mesler while he headed corporate safety for the company from approximately the early 1960's into 1971. Prior to Mr. Mesler's appointment to this position, Ruberoid and GAF employees may have from time to time maintained or possessed personal files containing periodicals and other literature relating to asbestos, its uses and qualities.

Mr. Mesler died on August 29, 1972, and the whereabouts of any such information is unknown.

INTERROGATORY NO. 44: Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

ANSWER: Subject to the objections set forth in preliminary paragraphs of this response, this defendant responds that representatives of GAF or Ruberoid may have attended various trade associations and other meetings at which this subject may have been discussed. See response to Interrogatory No. 27.

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CPL/pk

In 1968, a GAF representative (Phillip Bettoli) attended a conference at which various aspects of potential health effects of asbestos were discussed.

INTERROGATORY NO. 45: As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any brochures, pamphlets, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The wording of each such warning;
- (b) A description of each such printed material;
- (c) The method used to distribute the warning to persons who are likely to use the products;
- (d) The date each such warning was issued;
- (e) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (f) Please attach a copy of the warning and date said warning was issued;
- (g) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (h) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

HEYLROYSTER
VOELKER
& ALLEN

State 600
Bank One Building
Peoria, Illinois 61602
Tel. 309.676.3374
309.676.0400

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ANSWER: Subject to the preliminary objections, this defendant responds that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

HEYL ROYSTER
VOELKER
& ALLEN

Suite 600
Bank One Building
Peoria, Illinois 61602
Fax (309) 676-3374
(309) 676-0400

4F3985.A07, 7F3990
9F3992, 9F3978, 1G3001
CFL/pk

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 46: Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

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Suite 600
Bank One Building
Peoria, Illinois 61602
Fax (309) 676-3373
(309) 676-0000

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

ANSWER: Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that The Ruberoid Co. (and later GAF) presented product and technical information in trade and other magazines, and maintained entries in Sweet's Catalog Files. Advertisements for this defendant's asbestos-containing industrial thermal insulation products also appeared in the magazine Asbestos.

This defendant does not know the identities of persons involved in the preparation of such advertising materials, if any, prior to 1967. After 1967, such materials were prepared primarily by Ms. Helen Lofaro, Manager of Sales and Services for GAF's then Industrial Products Division. Some advertising for GAF's asbestos-containing thermal insulation products was handled by Scali, McCabe, Sloves, 800 Third Avenue, New York, New York.

INTERROGATORY NO. 47: Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or nay of Defendant's subsidiary companies or their agents indicating how the products listed in answer to

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Interrogatory No. 5 should be used or maintained by the
ultimate consumer? If so, please state the following:

- (a) The name, address and job classification of
each person who prepared same;
- (b) The name, address and job classification of
each person who presently has possession of
same;
- (c) The dates and manner in which said material
was distributed to purchasers of the
products in answer to Interrogatory No. 5.

ANSWER: Subject to the preliminary objections,
this defendant responds that, in approximately 1964, The
Ruberoid Co. began placing the following warning notices on
packages of its asbestos-containing industrial thermal
insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF
ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF
TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED,
AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION
CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY
THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING
DUST.

GAF placed warning labels on packaging of asbestos fiber and
insulation cements by 1968, and on millboard, rollboard, and
asbestos paper products, as well as relocating the warning
label for Calsilite® pipe covering and block products from the
sides to the front of the carton, by 1970. This warning label
read as follows:

HEYLROYSER
VOELKER
& ALLEN

220 South 10th
Room One Building
P.O. Box 1000
Lincoln, Nebraska 68502
Telephone 338-1111

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CPL/pk

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE
QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT
POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S.
BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to
read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets
of millboard.

Until 1972, GAF's use of these warnings followed major
manufacturers in the industry which used such cautionary
notices after certain opinions were expressed by some members
of the medical profession that there might be a health risk to
some persons who installed industrial thermal insulation
products containing asbestos from the inhalation of excessive
quantities of asbestos fibers over prolonged periods of time
under certain conditions. Commencing in 1972, pursuant to the
requirements of the Occupational Safety and Health Act of 1970,
GAF placed the last notice set out above.

HEYL ROYSTER
VOELKER
& ALLEN

2000-0000-0000
Bank One Building
Chicago, Illinois 60602
Tel: (312) 676-5574
Fax: (312) 676-5574

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9F3992, 9F3978, 1G3001
CPL/pk

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 48: Was any written material of any kind prepared by Defendant and distributed to those entities listed in response to Interrogatory No. 11? If so, please state the following:

- (a) Identify the written material by content and date;
- (b) To whom was it delivered.

ANSWER: Subject to the preliminary objections, this defendant responds, not applicable.

✓ INTERROGATORY NO. 49: Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to workers installing same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;
- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

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(309) 676-0100

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ANSWER: In addition to the objections set forth in the preliminary paragraphs of this response, this defendant further objects to this interrogatory on the grounds that it seeks expert opinion beyond the scope of the applicable Rules.

— INTERROGATORY NO. 50: Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured and/or sold by Defendant? If so, please state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;
- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney representing the individuals making such claims;
- (f) The style and court number of each such claim;
- (g) The resolution of each claim.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

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INTERROGATORY NO. 51: Has Defendant obtained statements from any witnesses including the Plaintiff? If so, please list

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(309) 676-0200

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each witness who has give a statement and the name, address, and job title of each person having custody of any such statement.

ANSWER: None other than through formal discovery.

INTERROGATORY NO. 52: As to each Plaintiff, do you contend that any Plaintiff improperly used your products? If so, please set out in detail as to each Plaintiff in what respect the product was improperly used.

ANSWER: Subject to the preliminary objections, and further subject to the denial that plaintiff has suffered any asbestos-related injury, this defendant states that the plaintiff assumed the risk when he continued to work in those areas that he contends were dusty long after he knew that exposure to certain levels of asbestos dust could be harmful to his health. Furthermore, plaintiff smoked tobacco products and continued smoking for several years knowing that it was or could be hazardous to his health. In support of these contentions, this defendant will rely upon plaintiff's own statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

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INTERROGATORY NO. 53: As to each Plaintiff, please state whether Defendant contends that there was any substance

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other than asbestos, including but not limited to, those items listed in Interrogatory No. 46 or Interrogatory No. 47 of Defendant's Master Set of Interrogatories to Plaintiff, which contributed or caused Plaintiff's injuries. If your answer is yes, please state the following:

- (a) The facts upon which you rely;
- (b) The identity of the sources upon which you rely which substantiate these facts.

ANSWER: Subject to the preliminary objections, this defendant states that it believes that plaintiff's injuries, if any, were caused by the acts or omissions of parties other than this defendant and are unrelated to plaintiff's alleged exposure to its asbestos-containing industrial thermal insulation products. In support of this contention, this defendant will rely upon plaintiff's own Complaint in which plaintiff lists numerous defendants as being responsible for his alleged injuries, his statements in answers to interrogatories and deposition, the statements of co-workers, and the opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 54: Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

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Bank One Building
Peoria, Illinois 61602
Fax (309) 676-1117
(309) 676-1100

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- (a) When the respirator was sold;
- (b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;
- (c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;
- (d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;
- (e) Produce all documentation which mentions, alludes or refers to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it seeks expert opinion. Subject to these objections, this defendant responds that it is aware that there are and have been respirators or other breathing devices that allegedly prevent the inhalation of asbestos dust and fibers.

INTERROGATORY NO. 55: Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity, last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;

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Bank One Building
Peoria, Illinois 61602
Tel. (309) 676-0774
Fax (309) 676-0000

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- (d) The expert's qualifications to render the opinions set forth above.

ANSWER: Experts to be called to testify at trial are unknown at this time. This defendant reserves the right to supplement this response.

INTERROGATORY NO. 56: For each expert witness who has testified for Defendant in other asbestos cases (both by deposition and trial testimony), please state:

- (a) The person's name and last known address;
- (b) The style of the case, its cause number, and its jurisdiction;
- (c) Whether that person was an employee of Defendant at the time and whether that person remains an employee.

ANSWER: Objection. Irrelevant, overly broad and burdensome.

INTERROGATORY NO. 57: Please identify each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial. Please identify each document which will be offered into evidence by the expert witness.

ANSWER: See response to Interrogatory No. 55.

INTERROGATORY NO. 58: Does Defendant admit that service of process was properly had on you in this case? If not, please state why.

ANSWER: Objection. Calls for a legal conclusion.

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State 000
B. N. One Building
Chicago, Illinois 60602
Tel. 399-0700/3371
909-0700/400

INTERROGATORY NO. 59: Does Defendant have policies or insurance that might cover the claims that have been made by Plaintiff herein? If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

ANSWER: This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant responds that, on January 7, 1987, this defendant entered the Asbestos Claims Facility, Princeton, New Jersey.

INTERROGATORY NO. 60: Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

ANSWER: See response to Interrogatory No. 55.

INTERROGATORY NO. 61: State the last date that this Defendant sold, distributed and/or otherwise placed asbestos-containing products into the stream of commerce.

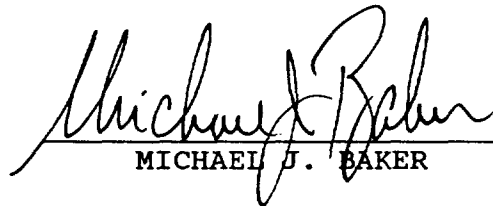
ANSWER: Subject to the preliminary objections, see response to Interrogatory No. 5.

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& ALLEN

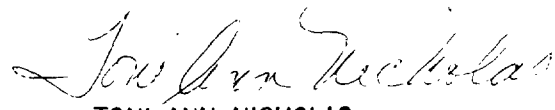
STATE OF NEW JERSEY)
) SS:
COUNTY OF PASSAIC)

A F F I D A V I T

I, MICHAEL J. BAKER, after first being duly sworn on oath, depose and state that I am Assistant Secretary of GAF Corporation. The foregoing is verified on behalf of GAF Corporation, and I am authorized to make this verification. The matters stated herein are not within my personal knowledge, but responses have been prepared from information and the records available to GAF Corporation. I am informed that a reasonably diligent search of the records of GAF Corporation has been made in order to prepare the foregoing response. I believe the foregoing to be true, to the best of my knowledge, information and belief.


MICHAEL J. BAKER

Subscribed and sworn to before me this 29th day of October 1993.


TONI ANN NICHOLAS
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES APRIL 6, 1997

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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing said envelope in a U.S. Post Office Box in Peoria, Illinois, on the 2nd day of November, 1993.

See attached list.



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Joseph G. Feehan

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U.S. 209.676.3471
209.676.0400

9 F 3978

BORELLI, Anthony thru GROSSMAN, Maria

LAKE COUNTY, ILLINOIS
No. 90 L 370

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DAVIS, Simon

LAKE COUNTY, ILLINOIS
No. 90 L 366

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7 F 3990, JUHL, Frank thru WILSON, Hugh, Dec'd.

LAKE COUNTY, ILLINOIS
No. 90 L 368

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9 F 3992

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LAKE COUNTY, ILLINOIS

No. 90 L 369

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1 G 3001

PADILLA, Alfred thru ROEHR, Virginia

LAKE COUNTY, ILLINOIS
No. 90 L 371

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ATTORNEYS FOR GARIOCK

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Bollinger, Ruberry & Garvey
Northwestern Atrium Center
500 W. Madison St. - Suite 2300
Chicago, IL 60661-2511

ATTORNEYS FOR H.K. PORTER (Bankrupt)

ATTORNEYS FOR OWENS-CORNING

John Dames
Kelley, Drye & Warren
303 W. Madison - 14th Floor
Chicago, IL 60606

ATTORNEYS FOR PITTSBURGH CORNING

Polsinelli, White, Vardeman & Shalton
Plaza Steppes Bldg.
700 W. 47th St. - Suite 1000
Kansas City, MO 64112-1802

ATTORNEYS FOR M.H. DETRICK CO. (dismissed)

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Celulite pipe covering thickness

Celulite is made single layer in three standard thicknesses, nominal 3", nominal 1 1/2" and nominal 2". The schedule of standard sizes has been designed and is accurately maintained so that the outside diameter of any section of Celulite is the same as the outside diameter of some cast iron or steel pipe. Any combination thickness may be built up from the single layers available or any of pipe covering may be used as an outer layer over a Celulite inner layer with the assurance of an ac. wrote in

single layer

Pipe Size	Nominal 1" Th. Actual Thickness	Nominal 1½" Th. Actual Thickness	Nominal 2" Th. Actual Thickness
½"	1"	1½"	2¼"
¾"	1½"	1¾"	1¾"
1"	1¾"	1¾"	2"
1½"	1¾"	1¾"	1¾"
1½"	1¾"	1¾"	2½"
2"	1¾"	1¾"	2½"
2½"	1¾"	1¾"	2¾"
3"	1¾"	1¾"	2½"
3½"	1¾"	1¾"	2¾"
4"	1¾"	1¾"	2½"
4½"	1¾"	1¾"	1¾"
5"	1¾"	1¾"	2½"
6"	1¾"	1¾"	2½"
7"	1¾"	1¾"	2½"
8"	1¾"	1¾"	2½"
9"	1¾"	1¾"	2½"
10"	1¾"	1¾"	2½"
11"	1¾"	1¾"	2½"
12"	1¾"	1¾"	2½"