

CALIFORNIA SUPERIOR COURT
CITY AND COUNTY OF SAN FRANCISCO

IN RE:

COMPLEX ASBESTOS LITIGATION

NO. 828684

**PLAINTIFFS' STANDARD
INTERROGATORIES
TO ALL DEFENDANTS**

PREFACE

These Interrogatories are to be answered pursuant to San Francisco Superior Court General Order No. 129.

Unless otherwise specifically set forth, the time frame for response to these Interrogatories is from 1930 until 1985; except where otherwise specifically set forth, each Interrogatory and each Response are intended and should be construed as including and being limited to such time frame. Where expressly stated with reference to the date and circumstances justifying use of such date, the responding party may limit any such response to dates subsequent to 1930, but which in no event are later than the inception of the responding party, including the inception of any predecessor in interest.

Unless otherwise specifically set forth, the geographic scope for response to these Interrogatories by domestic corporations is the United States. Hospitals and other health care entity defendants shall provide responses related only to that defendant's physical facilities and shall not be

1 required to disclose any information related to the furnishing of services to patients.

2 **DEFINITIONS**

3 1. "ASBESTOS-CONTAINING PRODUCT(S)" shall mean a product(s) which THIS
4 DEFENDANT knows or believes to have contained any amount of the mineral asbestos at any time.

5 2. "COMPANY" means any private enterprise including corporations, partnerships, joint
6 ventures, and sole proprietorships.

7 3. A "CONTRACT UNIT" shall mean a branch, division, subsidiary or other affiliated
8 entity of a DEFENDANT which has been or is now engaged in installation, disturbing or handling
9 and/or removal of RAW ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS.

10 4. "DOCUMENT(S)" or "WRITING(S)" shall include all writings as defined by Section
11 250 of the California Evidence Code.

12 5. "GEOGRAPHIC AREA" means the 46 counties of Northern California (Alameda,
13 Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn,
14 Humboldt, Kern, Kings, Lake, Lassen, Marin, Mariposa, Mendocino, Merced, Modoc, Mono,
15 Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Mateo,
16 Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama,
17 Trinity, Tulare, Tuolumne, Yolo, Yuba) and military facilities/installations in the State of California,
18 or the following shipyards: Bethlehem Shipbuilding, San Pedro; California Shipbuilding, Terminal
19 Island; Consolidated Steel Shipyard, Wilmington; Los Angeles Shipbuilding and Dry Dock aka L.A.
20 Ship, San Pedro; National Steel and Shipbuilding Corporation, San Diego; Todd Shipyards
21 Corporation, San Pedro; Triple "A" Machine, San Diego; Western Pipe and Steel Company, Los
22 Angeles and San Pedro Divisions; Naval Air Station, North Island; Thirty-second Street Naval
23 Repair Facility, San Diego; Long Beach Naval Shipyard; and San Diego Destroyer Base.

24 6. A request to "IDENTIFY" a "WRITING" or "DOCUMENT" or study shall mean a
25 request to either attach such an exhibit to your answers to these Interrogatories, or to describe such
26 with sufficient particularity that it may be made the subject of a request for production of documents.
27 YOUR description should include an indication of: (a) the author; (b) addressee(s); (c) date of origin;
28 (d) the nature of the writing or document (e.g., letter, telephone memorandum, audio tape recording,

1 photograph, etc.); and (e) its present location, name and present address of custodian thereof.

2 7. A request to "IDENTIFY" an oral communication shall mean a request to describe the
3 communication with particularity, and shall include the following information; (a) the identity of all
4 parties to the communication; (b) the identity of the person whom you contend initiated the
5 communication; (c) the identity of all persons present at the time of the communication; and (d) the
6 time, date and place of the communication.

7 8. A request to "IDENTIFY" or to state the "IDENTITY" of a person or individual
8 means to state his or her name, the place of employment, job title, present business or present or last
9 known home address, years of employment and last known telephone number if not employed by
10 DEFENDANT.

11 9. A request to "IDENTIFY" the product shall mean a request to describe the product,
12 the material or compound by the following means: (1) by nickname or slang name used in your
13 industry and/or occupation; (2) by the name under which it is sold in the marketplace (trade name);
14 (3) by its generic name; and (4) by manufacturer.

15 10. "MARKETING" or "MARKETED" shall mean the mining, supply, sale, labeling,
16 distribution, importing, processing or manufacture of RAW ASBESTOS and/or ASBESTOS-
17 CONTAINING PRODUCT(S).

18 11. A request to describe the "NATURE" of a product means to describe the: (a) color;
19 (b) texture; (c) form (i.e., powder, liquid, paste, solid, board, cloth, blanket, wire insulation, etc.); (d)
20 physical dimensions, if solid (length, width and height); (e) the type of shipping package and
21 shipping package dimensions if not solid; (f) type of asbestos fiber used in the composition of the
22 product (e.g., chrysotile, amosite, crocidolite); (g) the intended use or function of such product as
23 recommended by this DEFENDANT as the miner, producer, supplier, contractor, manufacturer,
24 distributor, owner or seller; and (h) the type of worksite in which it was intended to be used (e.g.,
25 shipyard, refinery, commercial building construction, manufacturing plant, home, power generating
26 plant, etc.).

27 12. "PREMISES" includes, but is not limited to, buildings, structures in a refinery,
28 boilers, generators, tract housing, commercial buildings and other such structures.

1 13. "RAW ASBESTOS" means asbestos fiber mined or milled, either packaged or in
2 bulk, not compounded with other substances and essentially pure with the exception of naturally
3 occurring trace amounts of other substances.

4 14. "THIS DEFENDANT" or "DEFENDANT" shall mean the named defendant herein,
5 all of its divisions and subsidiaries in which it holds a controlling interest, and all "alternate entities"
6 as defined and identified by name in any complaint pending against YOU as of the date of your
7 answers.

8 15. "YOU" and "YOUR" refer to the DEFENDANT who is named above as responding
9 party.

10 **INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 IDENTIFY the person verifying these answers on YOUR behalf.

13 **INTERROGATORY NO. 2:**

14 State the date of first employment with YOU, and the dates and titles of each job position the
15 person verifying these interrogatories has held while employed by YOU.

16 **INTERROGATORY NO. 3:**

17 State whether or not YOU are a corporation, and if so, state:

- 18 A. YOUR correct corporate name;
- 19 B. YOUR state of incorporation;
- 20 C. The date of YOUR incorporation;
- 21 D. The address of YOUR principal place of business;
- 22 E. Whether or not YOU have ever held a certificate of authority to do business in
23 the State of California, and if so, the inclusive dates of any certificate;
- 24 F. If YOU are wholly owned or the majority interest of YOUR company is
25 owned by another business entity, state the entity's name and principal place of business;
- 26 G. Whether YOU have any business offices in California, and, if so, YOUR
27 principal place of business in California.

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1 **INTERROGATORY NO. 4:**

2 Have YOU ever been identified, known, or done business under any other name in the State
3 of California?

4 **INTERROGATORY NO. 5:**

5 If your answer to Interrogatory No. 4 is in the affirmative, please state such name or names
6 and the time period during which THIS DEFENDANT was so known or identified.

7 **INTERROGATORY NO. 6:**

8 If YOU are not a corporation, what is YOUR business structure (partnership, joint venture,
9 sole proprietorship, etc.).

10 **INTERROGATORY NO. 7:**

11 If YOU are not a corporation, please IDENTIFY all persons or other entities with an
12 ownership interest in YOU.

13 **INTERROGATORY NO. 8:**

14 If you are not a corporation, please state the following:

15 A. The address where the HISTORICAL RECORDS of THIS DEFENDANT are
16 currently located; and

17 B. The name, job title and current address of the Custodian for THIS
18 DEFENDANT'S HISTORICAL RECORDS.

19 As used herein, "HISTORICAL RECORDS" shall include all DOCUMENTS relating to the
20 formation of THIS DEFENDANT, all minutes of partners', general partners', or other owners'
21 meetings, and all DOCUMENTS relating to THIS DEFENDANT's merger with, acquisition of or
22 purchase, or sale of or by any other COMPANY.

23 **INTERROGATORY NO. 9:**

24 IDENTIFY YOUR custodian of Business Records.

25 **INTERROGATORY NO. 10:**

26 IDENTIFY the person or persons most knowledgeable about:

27 A. YOUR acquisition of RAW ASBESTOS and/or ASBESTOS CONTAINING
28 PRODUCTS;

1 B. YOUR use of RAW ASBESTOS and/or ASBESTOS CONTAINING
2 PRODUCTS;

3 C. YOUR contracting with others to do work involving use or handling of RAW
4 ASBESTOS or ASBESTOS CONTAINING PRODUCTS.

5 **INTERROGATORY NO. 11:**

6 For DEFENDANTS involved in the MARKETING of ASBESTOS-CONTAINING
7 PRODUCTS, state the IDENTITY of physicians, medical directors and/or industrial hygienists
8 employed by YOU during the time frame or prior to the time YOU discontinued the marketing of
9 such products. All other DEFENDANTS need only respond as to medical directors and/or
10 industrial hygienists or physicians employed in the area of employee health and safety. PREMISES
11 owners and domestic corporations need only respond as to the United States.

12 **INTERROGATORY NO. 12:**

13 Has any employee of THIS DEFENDANT testified by deposition or at trial on behalf of
14 THIS DEFENDANT in a third-party case, in which THIS DEFENDANT was a party, wherein the
15 plaintiff has alleged an asbestos-related injury? If so, for each such third-party case (except that
16 Premises Defendants and Contractor Defendants need answer only with respect to cases relating to
17 sites within the GEOGRAPHIC AREA) please state:

- 18 A. The caption and case number;
19 B. The court filing including state and county;
20 C. The date of deposition or trial testimony;
21 D. The name and address of plaintiff's counsel of record;
22 E. The name and address of the court reporter.

23 **INTERROGATORY NO. 13:**

24 For each of the following, please state whether, at any time within the time frame or until
25 such time as any defendant which had been engaged in MARKETING RAW ASBESTOS or
26 ASBESTOS- CONTAINING PRODUCTS discontinued the MARKETING of such products, THIS
27 DEFENDANT was a member or paid dues for any representative of THIS DEFENDANT (excluding
28 faculty members of educational institutions) to be a member of the following:

- 1 A. American Conference of Governmental Industrial Hygienists;
2 B. American Industrial Hygiene Association;
3 C. American Petroleum Institute;
4 D. American Railroad Association;
5 E. Asbestos Cement Producers Association;
6 F. Asbestos Information Association (AIA)(please answer through date of your
7 answers);
8 G. Asbestos Information Association/North America (AIA/NA)(please answer
9 through date of your answers);
10 H. Asbestos Textile Institute (ATI);
11 I. Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF);
12 J. Industrial Mineral Insulation Manufacturers Institute;
13 K. Magnesita Insulation Manufacturers' Association;
14 L. Magnesita Silica Insulation Manufacturers Association;
15 M. Mineral Wool Institute;
16 N. National Insulation Manufacturers Association (NIMA);
17 O. National Safety Council;
18 P. New York Academy of Sciences;
19 Q. Quebec Asbestos Mining Association (QAMA);
20 R. Refractories Institute;
21 S. Safe Building Alliance (please answer through date of your answers);
22 T. Thermal Insulation Manufacturers Association (TIMA);
23 U. U.S. Maritime Commission;
24 V. IDENTIFY any other organizations, associations or groups of manufacturers,
25 miners, distributors, importers, labelers, suppliers, and/or sellers of ASBESTOS-CONTAINING
26 PRODUCTS of which THIS DEFENDANT was a member;
27 W. IDENTIFY any such representative of THIS DEFENDANT.

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1 **INTERROGATORY NO. 14:**

2 For each organization, association or other entity identified in YOUR Response to
3 Interrogatory No. 13, please state:

- 4 A. The dates during which THIS DEFENDANT was a member;
5 B. The name(s) of any publication(s) received by THIS DEFENDANT from such
6 association or organization;
7 C. The name of any committee or subcommittee of which THIS DEFENDANT
8 was a member, and the dates of such committee or subcommittee membership.

9 **INTERROGATORY NO. 15:**

10 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS containing results or
11 conclusions of any studies and/or tests conducted by Bonsib for Standard Oil of New Jersey relating
12 to asbestos exposure in the workplace or the human health consequences of exposure to asbestos? If
13 so:

14 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
15 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
16 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
17 the subject of a request for production of documents.

18 B. State the date upon which THIS DEFENDANT first received such
19 DOCUMENTS;

20 C. State the IDENTITY of the custodian of such DOCUMENTS.

21 D. This interrogatory does not apply to DOCUMENTS contained in a library
22 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the general
23 public.

24 **INTERROGATORY NO. 16:**

25 Had THIS DEFENDANT prior to 1973 received a copy or any portion of any studies and/or
26 tests conducted by any insurance company, including but not limited to Metropolitan Life Insurance
27 Company and Aetna Insurance relating to asbestos exposure in the workplace or the human health
28 consequences of exposure to asbestos? If so:

1 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
2 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
3 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
4 the subject of a request for production of documents.

5 B. State the date upon which THIS DEFENDANT first received such
6 DOCUMENTS;

7 C. State the IDENTITY of the custodian of such DOCUMENTS.

8 D. This interrogatory does not apply to DOCUMENTS contained in a library
9 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the general
10 public.

11 **INTERROGATORY NO. 17:**

12 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS containing results or
13 conclusions of any studies and/or tests conducted by any laboratory, including but not limited to, the
14 Saranac Laboratory relating to asbestos exposure in the workplace or the human health consequences
15 of exposure to asbestos? If so:

16 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
17 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
18 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
19 the subject of a request for production of documents.

20 B. State the date upon which THIS DEFENDANT first received such
21 DOCUMENTS;

22 C. State the IDENTITY of the custodian of such DOCUMENTS.

23 D. This interrogatory does not apply to DOCUMENTS contained in a library
24 maintained by a DEFENDANT hospital or a DEFENDANT's library providing access to the general
25 public.

26 **INTERROGATORY NO. 18:**

27 Had THIS DEFENDANT (except for a defendant that is an educational institution) prior to
28 1973 ever maintained a library (or libraries) which contained books, articles, periodicals, journals,

1 and/or reference materials that related to the subjects of asbestos, industrial hygiene, medicine, safety
2 and/or occupational disease. If so, state:

3 A. The date each such library was established;

4 B. The location of each such library;

5 C. The IDENTITY of each librarian or other person in charge of such library.

6 **INTERROGATORY NO. 19:**

7 With the exception of OSHA compliance, had THIS DEFENDANT (except for a defendant
8 that is an educational institution) prior to 1980 exchanged DOCUMENTS or communicated with any
9 person or other COMPANY expressly regarding the results of tests and/or studies relating to
10 asbestos exposure in the workplace or the human health consequences of exposure to asbestos? If
11 so, state:

12 A. Each person or COMPANY with whom the information was exchanged or to
13 whom it was communicated.

14 B. The date(s) of any such exchanges or communications;

15 C. The IDENTITY of the custodian of such DOCUMENTS.

16 **INTERROGATORY NO. 20:**

17 Has any employee or designee of THIS DEFENDANT testified as a representative of THIS
18 DEFENDANT before the Occupational Safety and Health Administration, the National Institute of
19 Occupational Safety and Health, or any committee or subcommittee of the United States Congress
20 relating to asbestos exposure in the workplace or the human health consequences of exposure to
21 asbestos? If so, please state:

22 A. The entity before whom such testimony was given;

23 B. The date(s) and location(s) of such testimony;

24 C. The IDENTITY of the individual(s) who so testified;

25 D. Whether any DOCUMENTS were presented to the entity before which
26 testimony was given;

27 E. Whether copies of DOCUMENTS presented were retained by THIS
28 DEFENDANT and, if so, state the IDENTITY of the custodian of such DOCUMENTS.

1 **INTERROGATORY NO. 21:**

2 Has THIS DEFENDANT (except for a defendant that is an educational institution)
3 conducted, or caused to be conducted, tests, and/or studies of ambient asbestos dust created during
4 the manufacture, processing and/or assembling for sale of ASBESTOS-CONTAINING
5 PRODUCTS? If so, state:

6 A. Each manufacturing facility, including location and address, at which any such
7 test and/or study was conducted;

8 B. The date of each such test and/or study;

9 C. The individual(s) or entity conducting each such test and/or study;

10 D. Whether THIS DEFENDANT has any DOCUMENTS containing the results
11 and/or conclusions of each such study;

12 E. The IDENTITY of the custodian of such DOCUMENTS.

13 **INTERROGATORY NO. 22:**

14 Has THIS DEFENDANT (except for a defendant that is an educational institution)
15 conducted, or caused to be conducted, any tests and/or studies on ambient asbestos dust levels at any
16 location or job site where ASBESTOS-CONTAINING PRODUCTS were installed, utilized or
17 removed? If so, for the first 5 tests and/or studies, state:

18 A. The location, including name and address, at which each such test and/or
19 study was conducted;

20 B. The individual(s) or entity conducting each such test and/or study;

21 C. The date of each such test and/or study;

22 D. Whether THIS DEFENDANT has any DOCUMENTS containing the results
23 and/or conclusions of each such test and/or study;

24 E. The IDENTITY of the custodian of such DOCUMENTS.

25 **INTERROGATORY NO. 23:**

26 Did THIS DEFENDANT (except for a defendant that is an educational institution) have any
27 laboratory or other similar type of facility anywhere in the United States at which it conducted, or
28 caused to be conducted, any tests and/or studies of ASBESTOS-CONTAINING PRODUCTS or

1 RAW ASBESTOS relating to the health consequences of asbestos or the dust generated by any use
2 of asbestos or ASBESTOS-CONTAINING PRODUCTS. If so, state:

3 A. The location, including name and address, at which each test and/or study was
4 conducted;

5 B. The individual(s) or entity conducting each such test and/or study;

6 C. The date of each such test and/or study;

7 D. Whether THIS DEFENDANT has any DOCUMENTS containing the results
8 and/or conclusions of each such test and/or study;

9 E. The IDENTITY of the custodian of such DOCUMENTS.

10 **INTERROGATORY NO. 24:**

11 Has THIS DEFENDANT made available to its employees a medical examination program to
12 determine the absence or presence of asbestos-related disease? If so, state:

13 A. Whether chest x-rays or pulmonary function tests were part of such
14 program(s);

15 B. Whether participation in any such program was a mandatory condition of
16 employment or was voluntary;

17 C. Whether THIS DEFENDANT has DOCUMENTS of such program(s);

18 D. The IDENTITY of the custodian of such DOCUMENTS.

19 **INTERROGATORY NO. 25:**

20 Prior to 1973, did any person file a Workers' Compensation claim for asbestos-related injury
21 against THIS DEFENDANT or against any Workers' Compensation insurance carrier which
22 provided coverage for THIS DEFENDANT? If so, state the total number of such claims and, for the
23 first 20 such claims state:

24 A. The date of such claim;

25 B. The name of the claimant;

26 C. The case number;

27 D. The court in which the claim was filed;

28 E. The IDENTITY of THIS DEFENDANT's custodian of DOCUMENTS

1 evidencing such claims.

2 **INTERROGATORY NO. 26:**

3 Does THIS DEFENDANT have insurance available to cover judgment(s) entered against it in
4 asbestos-related personal injury lawsuits? If so, state:

5 A. The name and principal place of business of any insurance carrier who has
6 issued such policy of insurance;

7 B. The number and effective date of each policy;

8 C. The amount(s) of coverage of each policy;

9 D. The applicable dates of coverage.

10 **INTERROGATORY NO. 27:**

11 State whether YOU have controlled, purchased, or in any way acquired any controlling
12 interest in any corporation or business entity which has mined, manufactured, produced, processed,
13 compounded, sold, supplied, distributed and/or otherwise placed RAW ASBESTOS or ASBESTOS-
14 CONTAINING PRODUCTS in the stream of commerce. If so, state:

15 A. The name and address of said corporation or business entity;

16 B. The dates YOU controlled, purchased or acquired any interest; and

17 C. The nature of the business as it pertains to asbestos.

18 **INTERROGATORY NO. 28:**

19 State whether THIS DEFENDANT, between 1930 and 1985, has ever engaged in the
20 following activities with regard to RAW ASBESTOS, and if so, state the inclusive dates of such
21 activity:

22 A. Mining;

23 B. Milling;

24 C. Supply;

25 D. Importing;

26 E. Processing;

27 F. Distribution;

28 G. Marketing;

1 H. Sale;

2 I. Brokering.

3 **INTERROGATORY NO. 29:**

4 If YOUR answer to any of subparts of Interrogatory 28 regarding RAW ASBESTOS is in
5 the affirmative, state:

6 A. The trade, brand name, and/or generic name of such RAW ASBESTOS milled
7 or MARKETED in any form or quantity between 1930 and 1985;

8 B. The date(s) such RAW ASBESTOS was first placed on the market, including
9 the date(s) such RAW ASBESTOS was first marketed;

10 1. On an experimental basis;

11 2. On a test basis;

12 3. For sale.

13 C. The date(s) such RAW ASBESTOS:

14 1. Ceased to be produced; or

15 2. Was recalled from the market, if ever.

16 D. A description of the chemical composition of such RAW ASBESTOS,
17 including the type and/or grade of asbestos;

18 E. A description of the physical appearance and nature of such RAW
19 ASBESTOS, including any color coding, distinctive marking and/or logo on the packaging or
20 container;

21 F. A detailed description of the intended use of such RAW ASBESTOS,
22 including any temperature limits for each such use;

23 G. Whether such RAW ASBESTOS was on the U.S. Government's "Qualified
24 Products List," and if so, the inclusive dates it was on such list;

25 H. IDENTIFY to whom such RAW ASBESTOS has, at any time, been sold. As
26 to each such, state:

27 I. Whether any of THIS DEFENDANT's RAW ASBESTOS has, at any time,
28 been sold, shipped, or otherwise distributed, used or installed to or at any COMPANY (including

1 power company or utility), governmental agency or entity, shipyard, distributor, refinery, contractor.
2 supplier, PREMISE owner or occupant, ship owner, or other PREMISE or site in the
3 GEOGRAPHIC AREA and whether any of THIS DEFENDANT's RAW ASBESTOS has at any
4 time, been sold to any manufacturer, or manufacturing facility, of ASBESTOS-CONTAINING
5 PRODUCTS. If so, state:

6 1. The names of each such COMPANY, governmental agency or entity,
7 shipyard, distributor, supplier, manufacturer or refinery;

8 2. The inclusive dates of each such sale, and the amount (quantity) and
9 the trade brand name of such RAW ASBESTOS sold;

10 3. The manner of shipment (e.g. boat, rail, etc.)

11 4. Whether you have any records indicating any such sale or shipment
12 and, if so, the name, address and job classification of each person who currently has possession of
13 such records.

14 5. Either (1) attach all DOCUMENTS evidencing the information sought
15 in this Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
16 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they may
17 be made the subject of a request for production of documents.

18 **INTERROGATORY NO. 30:**

19 Between 1930 and 1985, did YOU ever engage in any of the activities listed below with
20 regard to ASBESTOS-CONTAINING PRODUCTS? If so, state the inclusive dates of such activity:

21 A. Supply;

22 B. Importing;

23 C. Distribution;

24 D. Marketing;

25 E. Sale;

26 F. Labeling;

27 G. Manufacturing;

28 H. Brokering;

1 **INTERROGATORY NO. 31:**

2 If your answer to any subpart of Interrogatory No. 31 regarding "ASBESTOS-
3 CONTAINING PRODUCTS" is in the affirmative, state:

4 A. The trade, brand name, and/or generic name of each such ASBESTOS-
5 CONTAINING PRODUCT MARKETED in any form or quantity between 1930 and 1985;

6 B. The date(s) each such ASBESTOS-CONTAINING PRODUCT was first
7 placed on the market, including the date(s) each such ASBESTOS-CONTAINING PRODUCT was
8 first MARKETED;

9 1. On an experimental basis;

10 2. On a test basis; or

11 3. For sale.

12 C. The date(s) each such ASBESTOS-CONTAINING PRODUCT:

13 1. Ceased to be produced; or

14 2. Was recalled from the market, if ever.

15 D. A detailed description of the chemical composition of each such ASBESTOS-
16 CONTAINING PRODUCT, including the type and/or grade of asbestos and/or asbestos fiber
17 contained in each such product and the quantitative percentage of asbestos or asbestos fiber in each
18 such product, and all non-asbestos components of the ASBESTOS-CONTAINING PRODUCT, and
19 if the chemical composition changed over time, the inclusive dates of each formulation;

20 E. A description of the physical appearance and nature of each such
21 ASBESTOS-CONTAINING PRODUCT, including any color coding, distinctive marking and/or
22 logo, either on the product or on the packaging;

23 F. A detailed description of the intended use of each such ASBESTOS-
24 CONTAINING PRODUCT, including any temperature limits for each such use;

25 G. Whether any such ASBESTOS-CONTAINING PRODUCT was on the U.S.
26 Government's "Qualified Products List," and if so, the inclusive dates it was on such list;

27 H. The name and address of the supplier of the RAW ASBESTOS used in each
28 such product and the time period of such supply;

1 I. Whether any of THIS DEFENDANT's RAW ASBESTOS OR ASBESTOS-
2 CONTAINING PRODUCTS have, at any time, been sold, shipped, or otherwise distributed to any
3 COMPANY (including power company or utility), governmental agency or entity, shipyard,
4 distributor, refinery, contractor, supplier, manufacturer, PREMISE owner or occupant, ship owner.
5 or other PREMISE or site in the GEOGRAPHIC AREA. If so, state:

6 1. The names of each such COMPANY, governmental agency or entity,
7 shipyard, distributor, supplier, manufacturer, refinery, contractor, PREMISE owner or occupant, ship
8 owner, PREMISE or site;

9 2. The inclusive dates of each such sale, shipment, distribution, use or
10 installation and the amount (volume) and the trade or brand name of each such ASBESTOS-
11 CONTAINING PRODUCT sold;

12 3. Whether you have any records indicating any such sale, shipment,
13 distribution, use or installation and, if so, the name, address and job classification of each person
14 who currently has possession of such records.

15 J. Either (1) attach all DOCUMENTS evidencing the information sought in this
16 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
17 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
18 the subject of a request for production of documents.

19 **INTERROGATORY NO. 32 (PREMISES DEFENDANTS only)**

20 Did YOU install, remove, or handle or contract to have others install, remove, or handle
21 RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS at any PREMISES in the
22 GEOGRAPHIC AREA which PREMISES is at issue as to YOU in San Francisco Superior Court
23 asbestos litigation as of the date of your answers to these interrogatories? If so:

24 A. IDENTIFY the PREMISES.

25 B. For each of the PREMISES:

26 1. State the nature of your ownership or possessory interest;

27 2. State the inclusive date of that interest;

28 3. IDENTIFY the party from whom that interest was acquired;

1 4. IDENTIFY the party, if any, to whom that interest was transferred.

2 C. IDENTIFY every contract to which YOU were a party or of which you have
3 knowledge wherein the performance of such contract involved the installation, removal, disturbing
4 or handling of any RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS at YOUR
5 PREMISES. For each such contract:

6 1. IDENTIFY the parties to the contract;

7 2. Provide a general description and specific location of the work to be
8 performed by each party to the contract;

9 3. IDENTIFY and describe the NATURE of the RAW ASBESTOS or
10 ASBESTOS-CONTAINING PRODUCTS installed, removed, disturbed or handled in the
11 performance of the contract;

12 4. State the dates of the contract and the dates of performance;

13 D. Except as provided in response to subpart (c), has any work other than routine
14 maintenance been done on or to the PREMISES that involved the installation, removal, disturbing or
15 handling of RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS? If so, for each such
16 instance:

17 1. State the inclusive dates of the work;

18 2. Provide a general description and specific location of the work;

19 3. State whether the work was done by YOU and/or YOUR employees;

20 4. IDENTIFY and describe the NATURE of the RAW ASBESTOS or
21 ASBESTOS-CONTAINING PRODUCTS installed, removed, handled or disturbed;

22 5. IDENTIFY from whom the RAW ASBESTOS OR ASBESTOS-
23 CONTAINING PRODUCTS were acquired.

24 E. Has any asbestos abatement effort been made at the PREMISES? If so, for
25 each such effort:

26 1. IDENTIFY who did the work;

27 2. State the inclusive dates thereof;

28 3. State whether samples were taken, and, if the samples still exist,

1 IDENTIFY the custodian of the samples;

2 4. State whether any material was tested, and, if so, what were the results
3 of each test;

4 5. IDENTIFY each test result with sufficient particularity for purposes of
5 a request for production of documents, or, in the alternative, attach a copy to YOUR answers to these
6 interrogatories.

7 F. Except for insurance coverage litigation, have you filed suit against, or
8 otherwise sought to recover from, any person or entity for some or all of the cost of asbestos
9 abatement or for the property damage allegedly caused by the presence of RAW ASBESTOS or
10 ASBESTOS-CONTAINING PRODUCTS on the PREMISES identified in response to subpart (A)
11 above? If so:

12 1. IDENTIFY the person or entity against whom YOU have filed suit or
13 otherwise sought to recover;

14 2. If YOU have filed suit, state the court in which the action was filed,
15 the date on which it was filed, IDENTIFY all Plaintiffs and Defendants and their counsel of record;

16 3. State whether or not the case has been resolved, and, if so, what was
17 the status or disposition.

18 G. Either (1) attach all DOCUMENTS evidencing the information sought in this
19 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
20 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
21 the subject of a request for production of documents.

22 H. IDENTIFY the person(s) presently most knowledgeable about the information
23 sought in this interrogatory or its subparts.

24 **INTERROGATORY NO. 33 (CONTRACTOR DEFENDANTS only)**

25 At any time between 1930 and 1985, did YOU hold a contractor's license in the State of
26 California? If so:

27 A. IDENTIFY each license by type, date and number.

28 B. If on the date of your answers YOU are a defendant in four or more asbestos

1 actions in San Francisco Superior Court, IDENTIFY each job or contract that YOU performed
2 (directly or through one or more subcontractors) during this time period for work in any PREMISES
3 which is at issue as to YOU on such date, and in any PREMISES of 50,000 square feet or more in
4 the GEOGRAPHIC AREA which job or contract involved installation, removal, disturbing or
5 handling RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS. (Alternatively, at your
6 option, you may IDENTIFY each job or contract YOU performed (directly or through one or more
7 subcontractors) during this time frame for all work, or for all work on PREMISES of 50,000 square
8 feet or more, in the GEOGRAPHIC AREA.) As to each such job or contract:

9 1. IDENTIFY the location (including name of ship, if applicable) where
10 the job or work was performed;

11 2. State the date of the contract or the inclusive dates of the work;

12 3. IDENTIFY the person or entity with whom you contracted;

13 4. State your job or contract number.

14 C. If on the date of your answers you are not a defendant in four or more
15 asbestos actions in San Francisco Superior Court, IDENTIFY each job or contract that YOU
16 performed (directly or through one or more subcontractors) during this time period for work in any
17 PREMISES which is at issue as to YOU on such date. As to each such job or contract:

18 1. IDENTIFY the location (including name of ship, if applicable) where
19 the job or work was performed;

20 2. State the date of the contract or the inclusive dates of the work;

21 3. IDENTIFY the person or entity with whom you contracted;

22 4. State your job or contract number.

23 **INTERROGATORY NO. 34:**

24 Did any of the distributors identified in your Answer to Interrogatory Nos. 29 and 31 above
25 have an exclusive distributorship? If so, state the relevant time period.

26 **INTERROGATORY NO. 35:**

27 If THIS DEFENDANT entered into any agreements for the rebranding of any ASBESTOS-
28 CONTAINING PRODUCTS by THIS DEFENDANT for resale or distribution by another person or

1 entity, describe each agreement's terms and the parties to said agreement, the duration of the
2 agreement, and name of each product(s) and/or material(s) covered by each such agreement.

3 **INTERROGATORY NO. 36:**

4 If THIS DEFENDANT entered into any agreements for the rebranding of ASBESTOS-
5 CONTAINING PRODUCTS manufactured, sold, supplied or distributed by another person or entity
6 for resale or distribution by YOU, describe each of the agreements and the parties to said agreement,
7 the terms, the duration, and the names of each product(s) and/or material(s) covered by each such
8 agreement.

9 **INTERROGATORY NO. 37:**

10 As to RAW ASBESTOS and to each such ASBESTOS-CONTAINING PRODUCT listed in
11 YOUR responses to Interrogatories No. 29 and 31 did DEFENDANT warn of the health hazards of
12 asbestos? If so, state for each such warning:

13 A. The content, size, color, and location; whether the warning appeared on the
14 material and/or on the container, and/or was placed on a tag; whether the warning was included in
15 contracts; whether the warning was included in advertising or other promotional materials.

16 B. State whether you have any photographs thereof;

17 C. The inclusive dates on which you used each such warning;

18 D. State all changes you made in such warnings and the dates of such changes;

19 and

20 E. Identify the person most knowledgeable about your warnings and warning
21 policy.

22 **INTERROGATORY NO. 38:**

23 With respect to each of YOUR ASBESTOS-CONTAINING PRODUCTS, state whether
24 THIS DEFENDANT's name, a trademark, logos, color coding, or other identifying markings ever
25 appeared on the actual product itself. If so, IDENTIFY each such product, state when the practice to
26 place such identifying markings upon the product was begun and when it ended, if applicable, and
27 describe in detail the pertinent marking(s) and the purpose, if any, of such markings.

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1 **INTERROGATORY NO. 39:**

2 Between the years 1930 to 1985, did THIS DEFENDANT purchase or otherwise acquire any
3 ASBESTOS-CONTAINING PRODUCT lines from another person or entity? If so, state for each
4 such purchase:

5 A. Date of purchase or acquisition;

6 B. Terms of purchase or acquisition agreement;

7 C. Either (1) attach all DOCUMENTS evidencing said acquisition, or (2) attach
8 disks containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they
9 may be made the subject of a request for production of documents.

10 D. Trade, brand, and/or generic name of each such product line so acquired;

11 E. Name of the person or entity from whom YOU purchased or acquired each
12 such ASBESTOS-CONTAINING PRODUCT line; and

13 F. Location of any manufacturing facilities so acquired, and the type of
14 ASBESTOS-CONTAINING PRODUCTS manufactured therein.

15 **INTERROGATORY NO. 40:**

16 Between the years 1930 to 1985, did THIS DEFENDANT sell any ASBESTOS-
17 CONTAINING PRODUCT line to another person or entity? If so, state for each such sale:

18 A. Date of sale;

19 B. Terms of sales agreement;

20 C. Either (1) attach all DOCUMENTS evidencing said sale, or (2) attach disks
21 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they may
22 be made the subject of a request for production of documents.

23 D. Trade, brand, and/or generic name of each such product line sold;

24 E. Name of person or entity to whom you sold each such ASBESTOS-
25 CONTAINING PRODUCTS line; and

26 F. Location of any manufacturing facilities so sold, and the type of ASBESTOS-
27 CONTAINING PRODUCTS manufactured therein.

28 ///

1 **INTERROGATORY NO. 41:**

2 IDENTIFY all brochures, pamphlets, catalogs or other advertising relating to ASBESTOS-
3 CONTAINING PRODUCTS and/or RAW ASBESTOS which THIS DEFENDANT manufactured.
4 sold, distributed or supplied from the year 1930 to 1985. For each such document, state:

- 5 A. A description of the document;
6 B. The year it was printed;
7 C. The period of time in which it was used;
8 D. The purpose of such document;
9 E. Whether the documents or copies of said documents presently exist;
10 F. If said documents or copies still exist, where they are located; and
11 G. The IDENTITY of the custodian of such documents.

12 **INTERROGATORY NO. 42:**

13 State if YOU have or had within YOUR corporate or other business structure any
14 CONTRACT UNITS.

15 **INTERROGATORY NO. 43:**

16 State whether or not any of YOUR CONTRACT UNITS installed and/or removed RAW
17 ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS in the GEOGRAPHIC AREA at any
18 time between 1930 and 1985. If so:

- 19 A. State the business addresses and name of the CONTRACT UNIT;
20 B. State the inclusive periods of time the CONTRACT UNITS were working in
21 the GEOGRAPHIC AREA;
22 C. State the name and address of each job site within the GEOGRAPHIC AREA
23 and the dates the CONTRACT UNIT worked at those job sites, and, IDENTIFY the RAW
24 ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS installed or removed on each
25 occasion;
26 D. Either (1) attach all DOCUMENTS evidencing the information sought in this
27 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
28 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made

1 the subject of a request for production of documents.

2 **INTERROGATORY NO. 44:**

3 When do YOU contend that THIS DEFENDANT first became aware that there is an
4 association between asbestos exposure and disease in human beings?

5 **INTERROGATORY NO. 45:**

6 How do YOU contend that THIS DEFENDANT first became aware that there is an
7 association between asbestos exposure and disease in human beings.

8 **INTERROGATORY NO. 46:**

9 Either (1) attach all DOCUMENTS evidencing the information upon which YOUR
10 contentions in YOUR answers to Interrogatories No. 44 and No. 45 are based, or (2) attach disks
11 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they may
12 be made the subject of a request for production of documents.

13 **INTERROGATORY NO. 47:**

14 When did THIS DEFENDANT first warn its employees that exposure to asbestos could be
15 hazardous to human health? State:

- 16 A. Whether the first such warning was written or oral;
17 B. Whether copies of DOCUMENTS containing such warning exist;
18 C. The IDENTITY of the custodian of such DOCUMENTS;
19 D. The content of the warning.

20 **INTERROGATORY NO. 48 :**

21 Did THIS DEFENDANT ever issue a written COMPANY policy discontinuing warning its
22 employees that exposure to asbestos could be hazardous to human health? If so,

- 23 A. Provide the date;
24 B. Describe the circumstances; and
25 C. Either (1) attach all DOCUMENTS evidencing the information sought in this

26 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
27 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
28 the subject of a request for production of documents.

1 **INTERROGATORY NO. 49 :**

2 Did THIS DEFENDANT provide any Independent Contractor or Subcontractor within the
3 GEOGRAPHIC AREA with a written warning that exposure to asbestos could be hazardous to
4 human health.

5 **INTERROGATORY NO. 50:**

6 Has THIS DEFENDANT been cited for or otherwise charged by a public agency with a
7 violation in the GEOGRAPHIC AREA of any statute, ordinance, safety order, regulation, or law
8 pertaining to asbestos exposure? For each occasion, IDENTIFY:

9 A. The code section, safety order, statute, or regulation for which THIS
10 DEFENDANT had been cited or otherwise charged;

11 B. The date(s) thereof.

12 C. The agency or other governmental unit which issued the citation or otherwise
13 charged YOU.

14 D. All persons known to YOU with information relevant to the incident.

15 E. What was the ultimate resolution.

16 **INTERROGATORY NO. 51:**

17 If THIS DEFENDANT has ever owned or operated a railroad, state:

18 A. The IDENTITY of each such railroad, including the name(s) of such railroad
19 during the time-period of YOUR ownership and/or operation, the principal place of business of such
20 railroad and the dates of YOUR ownership and/or operation;

21 B. The geographic area of operation of such railroad;

22 C. The name(s) of such railroad prior to YOUR ownership and/or operation;

23 D. The IDENTITY of the person or entity from whom YOU purchased your
24 ownership or operating interest, and the date of such purchase;

25 E. The IDENTITY of the person or entity to whom YOU sold your ownership or
26 operating interest, and the date of such sale;

27 F. Whether copies of DOCUMENTS evidencing your ownership/operation
28 and/or sale exist;

1 G. The IDENTITY of the Custodian of such DOCUMENTS;

2 H. To the extent that information has not been given in answers to Interrogatory
3 Nos. 32 and 33, the information requested in Interrogatory Nos. 32 and 33, for each railroad owned
4 or operated by YOU.

5 INTERROGATORY NO. 52:

6 If DEFENDANT has ever owned or operated a shipyard, state:

7 A. The IDENTITY of each such shipyard, including the name(s) of such shipyard
8 during the time period of YOUR ownership and/or operation, the place of business of such shipyard
9 and the dates of YOUR ownership and/or operation;

10 B. The name(s) of such shipyard prior to YOUR ownership and/or operation;

11 C. The IDENTITY of the person or entity to whom YOU sold your ownership or
12 operating interest, and the date of such sale;

13 D. Whether copies of DOCUMENTS evidencing your ownership/operation
14 and/or sale exist;

15 E. Whether any representative of THIS DEFENDANT attended the Maritime
16 Commission Conference in December 1942 in Chicago, Illinois? If so, IDENTIFY any such
17 representative of THIS DEFENDANT;

18 F. The IDENTITY of the Custodian of such DOCUMENTS;

19 G. To the extent that information has not been given in answers to Interrogatory
20 No. 32, the information requested in Interrogatory No. 32, for each shipyard owned or operated by
21 YOU.

22 INTERROGATORY NO. 53:

23 At any time between 1930 and 1985, did you import, export, ship, transship or otherwise
24 transport RAW ASBESTOS or ASBESTOS-CONTAINING PRODUCTS into, out of or through
25 any port in the GEOGRAPHIC AREA? If so, for each occasion:

26 A. IDENTIFY and describe the NATURE and amount of RAW ASBESTOS
27 and/or ASBESTOS-CONTAINING PRODUCTS;

28 B. IDENTIFY the ship or ships (including the owners and operators thereof) onto

1 or from which the RAW ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS were loaded.
2 unloaded or transshipped;

3 C. State the dates, port and pier involved for each occasion;

4 D. Either (1) attach all DOCUMENTS evidencing the information sought in this
5 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks containing
6 such data, or (3) describe such DOCUMENTS with sufficient particularity that they may be made
7 the subject of a request for production of documents.

8 DATED: _____
9

10 _____
11 STUART R. POLLAK
12 Judge of the Superior Court
13

14 _____
15 ALFRED G. CHIANTELLI
16 Judge of the Superior Court
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28

1 THOMAS E. PFALZER - State Bar No. 85261
2 GEOFFREY J. MACMILLAN, JR. - State Bar No. 189658
3 McNAMARA, HOUSTON, DODGE, McCLURE & NEY
4 1211 Newell Avenue, Second Floor
5 Post Office Box 5288
6 Walnut Creek, California 94596
7 Telephone: (925) 939-5330
8 Facsimile: (925) 939-0203

9 Attorneys for Defendant
10 RILEY STOKER CORPORATION

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

10	IN RE:	)	NO. 828684
11	COMPLEX ASBESTOS LITIGATION	)	DEFENDANT RILEY STOKER
12		)	CORPORATION'S ANNUAL (1999)
13		)	VERIFICATION TO STANDARD
14		)	GENERAL ORDER 129
15		)	INTERROGATORIES AND PROOF OF
		)	<u>SERVICE</u>

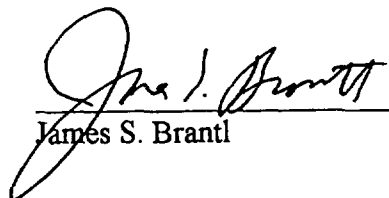
VERIFICATION

COMMONWEALTH OF MASSACHUSETTS)

) ss

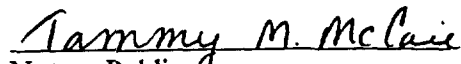
COUNTY OF WORCESTER)

JAMES S. BRANTL, being duly sworn, deposes and says that he is an authorized agent of DB Riley, Inc., and that he verifies the foregoing Defendant, DB Riley, Inc.'s Responses to Plaintiffs' Standard General Order 129 Interrogatories for and on behalf of DB Riley, Inc.; that certain of the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of DB Riley, Inc., and deponent is informed that the facts stated therein are true.


James S. Brantl

SWORN TO BEFORE ME and subscribed in my presence this 8th day of

June, 1999.


Notary Public
My commission expires: July 3, 2003

1 **PROOF OF SERVICE BY MAIL (C.C.P. §§ 1013a, 2015.5)**

2 I hereby declare that I am a citizen of the United States, am
3 over the age of eighteen years, and not a party to the within
4 action; my business address is 1211 Newell Avenue, Second Floor,
5 Walnut Creek, California 94596.

6 On this date I served the foregoing **DEFENDANT RILEY STOKER**
7 **CORPORATION'S ANNUAL (1999) VERIFICATION TO STANDARD GENERAL ORDER**
8 **129 INTERROGATORIES** on the parties in said action, by placing a
9 true copy thereof enclosed in a sealed envelope with postage
10 thereon fully prepaid, in the United States Post Office mail box at
11 Walnut Creek, California, addressed as follows:

12 San Francisco County Superior Court
13 Attn: Court Clerk
14 400 McAllister Street
15 San Francisco, CA 94107

16 Clarence Mamaril, Esq.
17 BRAYTON, PURCELL, CURTIS & GEAGAN
18 222 Rush Landing Road
19 P.O. Box 2109
20 Novato, CA 94948

21 Alan R. Brayton, Esq.
22 BRAYTON, PURCELL, CURTIS & GEAGAN
23 222 Rush Landing Road
24 P.O. Box 2109
25 Novato, CA 94948

26 Christopher E. Grell, Esq.
27 LAW OFFICES OF CHRISTOPHER E. GRELL
28 685 Market Street, Suite 540
San Francisco, CA 94105

Jack K. Clapper, Esq.
LAW OFFICES OF JACK K. CLAPPER
Marine Office Plaza
2330 Marinship Way, Suite 140
Sausalito, CA 94965

Steven Kazan, Esq.
KAZAN, McCLAIN, EDISES, SIMON & ABRAMS
171 Twelfth Street, Suite 300
Oakland, CA 94607

1 Harry F. Wartnick, Esq.
2 WARTNICK, CHABER, HAROWITZ, SMITH & TIGERMAN, INC.
3 101 California Street, Suite 2200
4 San Francisco, CA 94111

5 Dean A. Hanley, Esq.
6 LAW OFFICES OF DEAN A. HANLEY
7 5430 Cerro Sur Street
8 El Sobrante, CA 94803-3873

9 I declare under penalty of perjury that the foregoing is
10 true and correct.

11 Executed on June 15, 1999, at Walnut Creek,
12 California.

13 
14 HEATHER BRANSCUM