

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

DONALD SINCLAIR, ROBERT	)	Nos. 86-L-451, 86-L-450
SINCLAIR, and GEORGE WENNER,	)	and 86-L-453
ROY CARSON, BRUCE LUSK, and	)	Nos. 86-L-824, 86-L-836
EDWARD MEINERS,	)	and 86-L-834
ELAINE HARDISON, SPECIAL	)	No. 86-L-1024
ADMINISTRATOR OF THE ESTATE OF	)	
LESLIE HARDISON,	)	
WILLIAM ADAMS through LEWIS	)	Nos. 86-L-1827
FLEURY,	)	through 86-L-2458
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
ANCHOR PACKING COMPANY, et al.	)	
	)	
Defendants.	)	



ANSWERS TO INTERROGATORIES

PRELIMINARY STATEMENT

Mr. John W. Hosbein, President and Treasurer of M.H. Detrick Company, Mokena, Illinois, has reviewed the answers to these interrogatories and has attested on behalf of M.H. Detrick Company to the accuracy of the answers for the purpose of satisfying the verification requirement. Mr. Hosbein has been employed by M.H. Detrick for 40 years. These answers are based on an on-going review of M.H. Detrick Company's documents and information obtained from discussions with various M.H. Detrick Company personnel over a period of years. The information contained herein has been assembled by authorized employees and counsel for M.H. Detrick Company. It is not possible to reconstruct each step taken to gather this information or to state that documents that might possibly

pertain to the matters at issue, which may have occurred many years ago, have been located or examined in connection with these answers. It is not possible to identify by name each person who could be said to have participated in the preparation of answers or to identify all documents that may have provided information. M.H. Detrick Company reserves the right to amend these answers on the basis of any further information that is obtained.

Manufacture of asbestos containing thermal insulation or of other asbestos containing products was never a substantial portion of M.H. Detrick Company's business. Over the many years since asbestos containing products first were produced by M.H. Detrick Company, the plant in which asbestos containing products were manufactured has been sold and virtually all of the witnesses who had personal knowledge of events related to this litigation are deceased, are no longer in M.H. Detrick Company's employ, are retired and not in a position to respond to interrogatories, are otherwise unavailable or may have no reliable current recollection of these ancient necessary facts.

Despite these limitations after reasonable search and inquiry M.H. Detrick Company has made good faith responses to these interrogatories based on what information is available and in keeping with the discovery nature of these boilerplate interrogatories. However, these same limitations on M.H. Detrick Company's information have required that each of the responses that follow be based only on information and belief

of the person verifying these responses. The statements contained in these responses, therefore, are not and cannot be deemed admissible evidence under the Illinois rules of evidence as non-hearsay facts asserted by a party with first-hand knowledge. M.H. Detrick Company continues to investigate issues relevant to this lawsuit and reserves the right to introduce additional evidence at trial which is produced in the course of its further investigation or review of information.

INTERROGATORY NO. 1:

As to the person answering these interrogatories, state:

- (a) Name;
- (b) Title or position with defendant;
- (c) Business address;
- (d) Length of time employed by defendant;
- (e) State year by year all other positions, titles or jobs that person has held with the defendant;
- (f) The years during which defendants have been licensed to do business within the State of Illinois or State of Missouri and with regard to such years please state:
 - (1) The type of business conducted within the State of Illinois or State of Missouri;
 - (2) The names and addresses of any franchise holders, dealers, or customers located in the State of Illinois or State of Missouri during the last three years;
 - (3) Whether or not defendant directly or indirectly supplies the persons or entities identified in 1(f)(2) with any products or services; if so, please describe the relationship between defendant and those persons or entities and state the approximate dollar value of defendant's 1930 to present sales to them.

ANSWER:

- (a) John W. Hosbein
 - (b) President and Treasurer
 - (c) 19444 S. 97th Avenue, Mokena, Illinois 60448
 - (d) See attached Exhibit "A"
 - (e) See attached Exhibit "A"
 - (f) It is believed, based on what corporate records are available, that M.H. Detrick Company has been licensed to do business in Illinois, as a foreign corporation, since sometime in the late 1920's or 1930's. It is believed that M.H. Detrick Company has never been licensed to do business in Missouri.
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- (1) Industrial Furnace Refractory Linings
 - (2) M.H. Detrick has no franchise holders or dealers in Illinois or Missouri. Defendant objects to listing its customers in Illinois and Missouri because it is irrelevant and not calculated to lead to admissible evidence and is otherwise unduly burdensome.

INTERROGATORY NO. 2:

Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that plaintiff may rely on these answers as the truthful and complete answers made on behalf of this answering defendant? State the proper legal name and the present address of the principal place of business of each of defendant's related companies. For each related company identified, please state:

- (a) Whether or not the company is licensed to do business in the State of Illinois;
- (b) The business relationship between the company and defendant;
- (c) The nature of the products or services that defendant sells to or purchases from the company;
- (d) The type of business the company conducts within the State of Illinois;
- (e) Whether or not the company advertises defendant's products or services within the State of Illinois;

- (f) Whether or not the company sells defendant's products or services within the State of Illinois; and, if so, the approximate value of those sales or services during 1930 to present;
- (g) Whether or not the company pays any type of taxes to the State of Illinois or any political body located within the State of Illinois;
- (h) Whether or not defendant has any control, directly or indirectly, over the company's advertising of defendant's products or services.

ANSWER:

Yes. Defendant objects to the remaining part of interrogatory #2 as it is unclear what is meant by a related company as it is not defined.

INTERROGATORY NO. 3:

State the following concerning this defendant:

- (a) Full and correct name;
- (b) Principal place of business;
- (c) State of incorporation;
- (d) Date of incorporation and name of corporation;
- (e) Is this defendant authorized to transact business in the State of Illinois? If so, state the date such authority was first issued and last renewed;
- (f) Does this defendant have an agent, representative or place of business in Illinois? If so, state the name and address of such agent, representative, or other place of business;
- (g) Does this defendant have an agent for service in the State of Illinois? If so, state the name and address of the registered agent.

ANSWER:

- (a) M.H. Detrick Company
- (b) 19444 S. 97th Avenue, Mokena, Illinois 60448
- (c) Delaware
- (d) It is believed that M.H. Detrick Company was incorporated in Illinois sometime around 1913 to 1917. It appears that sometime in the late 1920's or early 1930's, the assets of M.H. Detrick Company

to Detrick Engineering, a Delaware corporation.
Sometime in the 1930's, the name was again changed
to M.H. Detrick Company

- (e) See answer to 1(f) above
- (f) Yes. M.H. Detrick Company's corporate headquarters
is located at 19444 S. 97th Avenue, Mokena, Illinois
60448
- (g) John Hosbein, 19444 S. 97th Avenue, Mokena, Illinois
60448

INTERROGATORY NO. 4:

Has this defendant been sued under its correct name? If
not, state the correct legal name of the defendant and provide
the information requested in No. 3 above concerning the
defendant as correctly named.

ANSWER:

Yes

INTERROGATORY NO. 5:

Has this defendant ever acquired through purchase,
reorganization or merger another corporation, company, or
business which manufactured, sold, processed, distributed or
contracted to apply asbestos products?

ANSWER:

Yes

INTERROGATORY NO. 6:

If the answer to Interrogatory No. 5 is "Yes", then state
the following concerning such predecessor:

- (a) Full and correct name;
- (b) The principal place of business;
- (c) State of incorporation;
- (d) Date of acquisition by defendant;
- (e) Was this business authorized to transact business in
the State of Illinois?

- (f) Attach copies of all papers pertaining to the acquisition.

ANSWER:

- (a) 1. Stone and Rowaldt Partnership
2. Refractory Constructions, Inc. Unknown at present time if applied asbestos products, investigation continues.
- (b) 1. Aurora, Illinois
2. Tulsa, Oklahoma
- (c) 1. Unknown, if any
2. Missouri
- (d) 1. Late 1930's
2. January 21, 1958
- (e) 1. Unknown
2. Unknown
- (f) 1. No documents concerning the acquisition have been found to date
2. See attached

INTERROGATORY NO. 7:

As to any product containing asbestos in any form, has this defendant, or any predecessor(s):

- (a) Ever designed such a product?
- (b) Manufactured such a product?
- (c) Processed such a product?
- (d) Sold such a product?
- (e) Distributed such a product?
- (f) Patented such a product?
- (g) Relabeled such a product which was manufactured, sold or distributed by another company?

ANSWER:

- (a) Yes
- (b) Yes
- (c) Defendant is unclear what is meant by processing therefore it objects to this answer as being ambiguous
- (d) Yes
- (e) Objection. Defendant does not know in what context this word is being used
- (f) No records have been found that would indicate M.H. Detrick Company ever patented such products, investigation continues

(g) Objection. Defendant is unclear as to the meaning of relabeled

INTERROGATORY NO. 8:

If your answer to No. 7(b), 7(d) and 7(e) is "Yes", then give the trade name of the product, the year the defendant or predecessor first sold or distributed such product, and the year the defendant last sold or distributed such product.

ANSWER:

Defendant objects to the word distributed as it does not know in what context the word is being used. See Exhibit "B" for a list of products manufactured or sold from the 1930's to 1964. See Interrogatory No. 59.

It is unknown if M.H. Detrick Company sold such products prior to the date it began to manufacture. After 1964, M.H. Detrick Company occasionally sold products manufactured by others, primarily Combustion Engineering. It is believed that some products contained asbestos and further it is believed that all asbestos was removed from asbestos containing products purchased from Combustion Engineering by the early 1970's.

INTERROGATORY NO. 9:

Have any of the products listed above in Interrogatories No. 7 been altered in chemical composition since first being marketed?

ANSWER:

It is believed that only minor changes were made in product composition during their period of manufacture by M.H. Detrick Company. To answer this Interrogatory completely, reference would need to be made to the exact product formulations which were turned over to Refractory and Insulation when Defendant's Insulation plant was sold in 1964. Investigation continues.

As to products manufactured by others, primarily Combustion Engineering, M.H. Detrick Company limited quantities purchased from these producers. Defendant, based upon its limited knowledge, believes that asbestos was removed from asbestos containing products by the early 1970's.

INTERROGATORY NO. 10:

If so, please state:

- (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:

See answer to Interrogatory No. 9

INTERROGATORY NO. 11:

What is the name, address, and the job title of each individual who participated in the design and preparation of manufacturing specification for each such product?

ANSWER:

Howard Speelman and R. Bruce Abel; Investigation continues as to others

INTERROGATORY NO. 12:

Do any written memoranda, specifications, blueprints or other written materials of any kind or character relating to the design and preparation of said products now exist?

ANSWER:

These records are believed to have been retained by Refractory and Insulation Co. when M.H. Detrick Company sold the Aurora, Illinois insulation plant in the Spring of 1964. Defendant recalls being advised that these records no longer exist. Such records regarding products sold by M.H. Detrick Company after 1964 were never in its possession.

INTERROGATORY NO. 13:

If so, please state:

- (a) List each written material or document;
- (b) Who presently has possession of each such document?

(c) Where is it located?

ANSWER:

See answer to Interrogatory No. 12 above

INTERROGATORY NO. 14:

In what year did the defendant first begin selling or distributing any products containing asbestos?

ANSWER:

M.H. Detrick Company began manufacturing insulation products in the late 1930's. Some of the products may have contained asbestos at that time. Records at M.H. Detrick Company's insulation plant in Aurora were retained by Refractory & Insulation when it purchased the plant in 1964. See attached exhibit "B" for dates of known asbestos containing products manufactured by M.H. Detrick Company. To know of any other products, reference would have to be made to the specific formulations and said formulations were turned over in 1964.

INTERROGATORY NO. 15:

In what year did the defendant last sell the any product which contained asbestos?

ANSWER:

M.H. Detrick Company last manufactured an asbestos containing product in 1964. Minor quantities of asbestos containing products were sold thereafter, purchased from other manufacturers, primarily if not exclusively Combustion Engineering. When Combustion Engineering stopped putting asbestos into its products M.H. Detrick Company stopped selling asbestos containing products.

INTERROGATORY NO. 16:

As to the named defendant or any predecessor(s) or acquired business, state the various types of products, such as blocks, pipe covering, cements, tape, spray-on insulation, mastics, and cloth, or any other asbestos containing products and in connection with each type of such product, state how

the same was packaged (i.e., bags, boxes, sacks, etc.) for sale.

ANSWER:

See attached exhibit "B" for products and technical data books produced in compliance with the request for production.

INTERROGATORY NO. 17:

Is your company, as of the date of answering these interrogatories, still manufacturing, selling or distributing any products containing asbestos? If so, give the brand names of such products, the binding material and date first manufactured.

ANSWER:

No

INTERROGATORY NO. 18:

Were each of your asbestos containing products generally expected to reach, or were packaged to reach, the consumer or user, without substantial change in the condition in which it was sold?

ANSWER:

Yes

INTERROGATORY NO. 19:

If your answer to Interrogatory No. 18 is "No", with respect to any product, explain in what way the defendant claims its products were altered or substantially changed after sale or distribution and before reaching the helper, mechanic or bystander.

ANSWER:

See answer to Interrogatory No. 18

INTERROGATORY NO. 20:

Based upon the material contents of your products, the method of manufacturing, and the method of application, can your products be generally applied or installed without liberating asbestos fibers?

- (a) If there is a different answer concerning different products manufactured, sold, distributed, or used by your company then specify the different products by exact manufacturers name and popular name;
- (b) If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and the year involved.

ANSWER:

Dust may have been created during mixing or cutting of the products.

INTERROGATORY NO. 21:

Was it a foreseeable use of your asbestos containing products that they may have to be removed, stripped or replaced at any time after installation? If your company contends the plaintiff(s) misused any of your products then state how and under what circumstances your product was misused.

ANSWER:

- (a) Yes
- (b) It is unknown at this time whether Plaintiff(s) ever worked with or around products of M.H. Detrick Company. Investigation continues.

INTERROGATORY NO. 22:

Prior to releasing the asbestos products manufactured, sold, etc. to the public for sale, were any tests conducted on same to determine potential health hazards involved in the use

of materials contained therein?

ANSWER:

M.H. Detrick Company performed a number of tests on its products which are to some extent detailed in the "Technical Data Books" for its Insulation Division and what Laboratory Committee Meeting records are available. These books and lab records are produced in compliance with the Request for Production. These included tests to determine certain ways in which the products would be potential health hazards. No tests were performed by it to determine the effects of ingestion or inhalation of asbestos particles to the human pulmonary or digestive system. At this time, Defendant is unaware of any employee that was apprised of persuasive information that asbestos constituted a safety hazard to humans during its period of manufacture.

INTERROGATORY NO. 23:

If so, please state:

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

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 24:

Do any written memoranda, specifications, blueprints or other written materials of any kind or character exist relating to the testing of said product?

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 25:

If so, please state:

- (a) List each such written material or document;
- (b) Who presently has possession of each such document and where it is located.

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 26:

Did defendant or any of its subsidiary companies make any design changes as a result of such tests?

ANSWER:

See answer to Interrogatory No. 9. It is unknown if any changes were made because of tests, investigation continues.

INTERROGATORY NO. 27:

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:

See answer to Interrogatory No. 26

INTERROGATORY NO. 28:

After releasing said products to the public, were any tests conducted thereon to determine potential health hazards involved in the use of materials contained therein?

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 29:

If so, please state:

- (a) The name, address, and job classification of each person conducting said tests;
- (b) The results of said tests.

ANSWER:

See answer to Interrogatory No. 28

INTERROGATORY NO. 30:

Prior to 1970, did you or your predecessor(s) ever have any labor inspectors or anyone from your company whose job it was to go to areas where your products were being used or installed to make a dust level count? If so, state when this procedure started, the purpose of such procedure, and what action, if any, was taken in response to the findings, and attach results.

ANSWER:

No

INTERROGATORY NO. 31:

If your company performed or had performed any dust level counts, what action based on the results did your company take?

ANSWER:

See answer to Interrogatory No. 30

INTERROGATORY NO. 32:

Has your company or its predecessor(s) ever conducted any studies concerning the effects of the inhalation of asbestos dust or fibers on one using or being exposed to any of the asbestos materials manufactured, sold or distributed by you, or your predecessor(s)? If answer to this question is "Yes", give the date and nature of such studies, if any; the name or names of the persons conducting such studies and their addresses; what the purpose of the studies were; and attach a copy of any reports based upon such studies, showing to whom such reports were given, and the date.

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 33:

Has your company or its predecessor(s) ever conducted or caused to be conducted any studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of your company's asbestos products? If so, give the following:

- (a) Name of the person or firm conducting such studies;
- (b) The date the studies began and the date completed;
- (c) Any publication or dissemination of the results of the studies;
- (d) The nature of any action to eliminate or minimize inhalation of asbestos dust or fibers;
- (e) Attach copies.

ANSWER:

Unknown at this time. Investigation continues.

INTERROGATORY NO. 34:

If your answer to Interrogatory No. 33 is "Yes", state the name and address of such industrial hygienist or hygienists.

ANSWER:

See answer to Interrogatory No. 33

INTERROGATORY NO. 35:

Does your company have, has it ever had, or has your predecessor(s) ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously

since being established.

- (a) How much expended each year on research, etc.;
- (b) What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health affects of asbestos.

ANSWER:

Yes. M.H. Detrick Company maintained a research department during its operation of the Aurora, Illinois Insulation plant. It is unknown when the department began operating. It was last operational with respect to insulation products in 1964 when the plant was sold.

- (a) Unknown, investigation continues
- (b) Unknown, investigation continues

INTERROGATORY NO. 36:

Prior to 1965, did your company, or any predecessor(s), ever at any time give persons who would be applying or removing your asbestos products instructions concerning safety precautions to use in applying such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

ANSWER:

It is believed that directions concerning the proper usage of the products accompanied the products.

INTERROGATORY NO. 37:

Did your company, or your predecessor(s), ever place any warning signs on the containers in which asbestos products were packaged?

ANSWER:

M.H. Detrick Company placed warnings on products it manufactured as shown by the brochures. At some time after 1964, warnings concerning asbestos exposure were attached to products purchased by M.H. Detrick Company from Combustion Engineering and other manufacturers. Investigation continues.

INTERROGATORY NO. 38:

If you have answered Interrogatory No. 37 in the affirmative, please state:

- (a) On what date did your company, or your predecessor(s), issue an order directing a warning be placed on your asbestos products, or containers?
- (b) On what date was such warning actually first placed on your asbestos products or containers?
- (c) On what date did your asbestos products, accompanied by such warning, first reach the contractor?
- (d) State the exact wording of the first warning.
- (e) State the exact size of the warning printed on your asbestos products or container.
- (f) Did your company, or its predecessor(s) dictate the exact size of the printed warning?
- (g) Why did your company or its predecessor(s) place such warning on your asbestos products or containers?
- (h) Did your company or its predecessor(s) place such warning on your asbestos products or containers because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute? If so, from whom and on what date did you receive such directive, command, suggestion, legal opinion, or other type of communication.
- (i) If the wording of the warning has ever been changed or altered, state when it was changed and the exact change in the wording.

ANSWER:

- (a) Assuming the reference to "your company" means M.H. Detrick Company, Detrick did not place warnings relating to asbestos on products it manufactured. As to products M.H. Detrick Company purchased from other manufacturers such as Combustion Engineering, the following warning was attached at some point after 1964.
- (b) See answer to Interrogatory No. 38(a)
- (c) See answer to Interrogatory No. 37(a)

- (d) M.H. Detrick Company is aware of the following warning attached to Combustion Engineering products: CAUTION: This product contains asbestos fibers and excessive inhalation of asbestos may be harmful. If adequate ventilation is not possible, wear respirators approved by U.S. Bureau of Mines. This warning was added after 1964. Investigation continues as to other warnings.
- (e) See warning produced in compliance to the production request. It is believed that this is the actual size of the warning.
- (f) See answer to Interrogatory No. 38(a)
- (g) See answer to Interrogatory No. 38(a)
- (h) See answer to Interrogatory No. 38(a)
- (i) See answers to Interrogatories 38(a)

INTERROGATORY NO. 39:

Did your company or its predecessor(s) ever place any warning directly on any of its asbestos pipe covering, block, cloth, millboard or other asbestos products?

ANSWER:

See answer to Interrogatory No. 37 and 38(a)

INTERROGATORY NO. 40:

Did your company ever stamp the name of the company, its initials, or any identifying logo on any of its asbestos pipe covering, blocks, cloth, millboard or other asbestos product?

ANSWER:

No records exist to form an opinion to answer with certainty. John Hosbein's memory is that no such labeling occurred on asbestos containing products.

INTERROGATORY NO. 41:

Did the warning inquired about in Interrogatories 39 and 40, or similar warning, ever appear in any of your sales literature? If so, attach copies of such sales literature, showing the date such literature was printed.

ANSWER:

See answer to Interrogatory No. 37 and 38

INTERROGATORY NO. 42:

On what date was the sales literature inquired about in Interrogatory No. 41 first provided to distributors or sellers of your company's asbestos products, or your predecessor(s)'s products?

ANSWER:

See answer to Interrogatory No. 41

INTERROGATORY NO. 43:

Were any material safety data sheets ever prepared by your company or its predecessor(s)? If so, attach copies.

ANSWER:

M.H. Detrick Company prepares MSDS forms currently for non-asbestos containing products. It is believed that during that period of Defendant's manufacture of asbestos containing products such forms were not required.

INTERROGATORY NO. 44:

Did your company or its predecessor(s) ever recall any products containing asbestos from the common market?

- (a) State all details of such recall, giving the name of the product, the time of recall and any further action taken in connection with the recall.

ANSWER:

It is believed that no M.H. Detrick insulation products were recalled.

- (a) N/A

INTERROGATORY NO. 45:

Has your company or its predecessor(s) ever directly advised any contractor to whom you sell your products containing asbestos of threshold limit values for exposure to asbestos dust recommended by the American Conference of

Governmental Industrial Hygienists? If so, state the date or dates that you so advised such contractors, the manner in which you advised such contractor, and the name of each contractor.

ANSWER:

No

INTERROGATORY NO. 46:

Prior to 1964 did your company or its predecessor(s) ever manufacture products containing asbestos without a warning? List the years.

ANSWER:

It is believed M.H. Detrick Company's insulation products were accompanied by directions concerning the proper usage of the products. Investigation continues.

INTERROGATORY NO. 47:

After 1964 did you ever manufacture products containing asbestos without a warning? If so, list the name of the product and the years.

ANSWER:

M.H. Detrick Company stopped manufacturing insulation products which contained asbestos in 1964.

INTERROGATORY NO. 48:

Is your company, as of the date of answering these interrogatories, still manufacturing, selling or distributing any products containing asbestos? If so, give the brand names of such products and the binding material and dates of first manufacture of such product.

ANSWER:

No

INTERROGATORY NO. 49:

Did your company or any predecessor(s) ever have a division or subsidiary company engaged in the contracting business of applying asbestos products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

ANSWER:

In 1958, M.H. Detrick Company purchased Refractory Construction, Inc. which it is believed may have been dissolved and operated as a division known as Refractory Construction. Refractory Construction, operated mainly in Kansas, Oklahoma and Texas and applied monolithic refractory materials pneumatically, mainly Haydite-lumnite mixtures. This division is believed to have been sold to Harbison-Walker in 1959 or the early 1960's.

INTERROGATORY NO. 50:

Did any division of your company or subsidiary company engaged in the contract business of applying asbestos products or your workmen's compensation insurance carrier ever have any claims for lung diseases or death from lung diseases, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or any exposure to asbestos products prior to 1972? If the answer is "Yes", give the name of such employees and attach copies of such claims and copies of all documents relating to the disposition and handling of such claims.

ANSWER:

No such claims were made that M.H. Detrick Company is aware of.

INTERROGATORY NO. 51:

Give the location of the state industrial accident board handling each such claim, the disposition of such claims, and the amounts paid in workmen's compensation benefits to each such employee, and the name of the compensation carrier.

ANSWER:

See answer to Interrogatory No. 50

INTERROGATORY NO. 52:

Did your company or its predecessor(s) ever make any industrial hygiene surveys concerning it's asbestos products? If so, give the date of such surveys, and attach copies of such surveys.

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 53:

State the year that this defendant or any predecessor(s) 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 the name of the employee-official of the company receiving such advise and attach copies of the instrument communicating such advise.

ANSWER:

M.H. Detrick Company stopped manufacturing asbestos containing insulation products in 1964. Mr. Hosbein does not recall being advised although employees no longer employed by Defendant may have been advised. No such documents have been discovered. Investigation continues.

INTERROGATORY NO. 54:

Was such threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 53 TOTAL dust and not just asbestos dust?

ANSWER:

See answer to Interrogatory No. 53

INTERROGATORY NO. 55:

State in detail what test, if any, your company ever made with regard to the quantity, quality or threshold limit values or asbestos dust or particules to which applicators or consumers of your product were exposed while using your products containing asbestos.

- (a) If there were any such tests or studies, give the name or names of the person(s) conducting the tests, the date of the tests and attach true copies of any reports, findings or memorandums concerning such tests or studies.

ANSWER:

See answer to Interrogatory No. 22

INTERROGATORY NO. 56:

When did any official with your company first have knowledge, information or understanding that asbestos would or could or might produce the diseases of:

- (a) Asbestosis;
- (b) Mesothelioma;
- (c) Lung cancer;
- (d) Any other diseases;
- (e) With reference to your company give the name of such official who first had such knowledge list them and attach copies.

- (f) If there are any documents, records or memorandums of any kind concerning such knowledge, list them and attach copies.

ANSWER:

M.H. Detrick Company has one NIOSH document, date unknown, which was received well after Defendant stopped producing asbestos products. Additionally, M.H. Detrick has a file of newspaper and magazine articles and clippings which began to accumulate around 1979. Agents of Defendant were aware of the national media attention in the 1970's. It is believed that while Defendant was manufacturing asbestos containing products, Howard Speelman, former plant manager, recalls that shortly before the plant was sold in 1964, someone told him of a British article published in the 1920's of asbestos dangers. Investigation continues.

INTERROGATORY NO. 57:

Do you have any photographs of the products inquired about above or their packages or containers? If so, please attach exact copies.

ANSWER:

M.H. Detrick Company only has the reproductions that are contained in product brochures and technical data books.

INTERROGATORY NO. 58:

Has the answering defendant or any of its predecessors ever mined asbestos? If so, state the dates in which such mining took place and the locations of the mines.

ANSWER:

No

INTERROGATORY NO. 59:

List by brand name every product containing asbestos which defendant or defendant's predecessors has manufactured since 1910. As to each such product, please state the following:

- (a) The type of product (e.g., acoustical plaster, fireproofing, concrete, etc.);
- (b) The date the product first went into production;
- (c) The date the product was discontinued from production;
- (d) The last date the product was sold;
- (e) All manufacturing locations of the product;
- (f) The identity of the plant manager(s) or managing agent(s) of defendant who has knowledge of the products manufactured by defendant and its predecessor(s), and who may be called upon by plaintiffs to testify by deposition.

ANSWER:

See attached exhibit "B" - In addition, Insulating Block and Insulating Cement were manufactured by M.H. Detrick Company, put by Defendant into packages of Mexico Refractories under the brand name of "M Block" as to insulating block, and unknown as to cement. When Kaiser acquired Mexico Refractories in the late 1950's or early 1960's, a similar arrangement continued until Defendant sold its insulation plant in 1964. It is believed the block was then called "Kaiser M Block." The brand name of the cement is unknown. In addition, Detrick Insulating cement predecessored Super 711 cement. Defendant has no records and its investigation has not disclosed manufacturers of products otherwise labeled which contained asbestos. Investigation continues.

- (a) See above
- (b) See above
- (c) See above
- (d) See above
- (e) Aurora, Illinois
- (f) Howard Speelman was the last plant manager. Investigation continues as to prior managers.

INTERROGATORY NO. 60:

As to each product identified in response to the foregoing interrogatory, please indicate:

- (a) The type of asbestos contained in the product as it was first manufactured;
- (b) The percentage of asbestos contained in the product as it was first manufactured;

- (c) Any modifications to the product which altered the percentage or type of asbestos in the product and the dates of such modification;
- (d) The source of asbestos in each product;
- (e) The color, physical characteristics, and appearance of each product;
- (f) A full and complete description of the package in which the product was sold, including, but not limited to, type of package, size, color(s), and writings thereon;
- (g) All other names under which the product was sold;
- (h) The number and date of each patent or patent application as to the product;
- (i) If the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;
- (j) If the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of replacement product, and the date the replacement product first went into production;
- (k) The identity of the custodian, managing agent, or employee who has photographs, drawings, or labels for each product;
- (l) The reasons why asbestos was used as an ingredient in each such product;
- (m) The content of any warning labels, inserts or other writings provided with such product with ever such printed warning, what period of time it has or had accompanied the product, the exact wording of the warning, any amendments made to the wording, whether the warning was located on each product or packaging, and on what asbestos products the warnings appear(ed);
- (n) Any special instructions provided with such product regarding the use, protection or safety procedures to be employed by persons handling such product.

ANSWER:

- (a) See Exhibit "B", if the asbestos type is not listed it is believed to have contained chrysotile.

- (b) See Exhibit "B"
- (c) See answers to Interrogatory No. 9
- (d) It is believed that M.H. Detrick purchased asbestos at various times from Ruberoid and Carey Canada - Phillip Carey. Investigation continues as to others.
- (e) See product brochures and technical data books
- (f) See product brochures and technical data books
- (g) See answer to Interrogatory No. 59
- (h) It is believed that M.H. Detrick did not patent any of its insulation products
- (i) The operation in which asbestos was utilized was sold in 1964. Said sale was for economic reasons unrelated to asbestos.
- (j) See answer to (i) above
- (k) John Hosbein
- (l) It is believed asbestos was used for thermal insulation qualities, as a binder and as a homogenization catalyst. Investigation continues
- (m) Objection. Question is redundant
- (n) Objection. Question is redundant

INTERROGATORY NO. 61:

With respect to your Answer in Interrogatory No. 60, did you specifically inform the purchaser or user of your products during the same time period that your products were manufactured and sold that such products could cause cancer, asbestosis, and other serious diseases?

ANSWER:

See answer to Interrogatory No. 38

INTERROGATORY NO. 62:

Identify the distribution chain of defendant's asbestos products since 1925 along with any documents evidencing or confirming such chain, including but not limited to distribution from and to other defendants.

ANSWER:

See answer to Interrogatory No. 59. Additionally see Exhibit "C", attached hereto as to distributors of Defendant's products. It is believed that most insulation products manufactured were shipped directly to use location from the Aurora, Illinois plant

INTERROGATORY NO. 63:

Identify your distributors and/or suppliers of raw asbestos, asbestos cement and other asbestos products with which you had business contact.

ANSWER:

See answers to Interrogatories 62 and 60(d)

INTERROGATORY NO. 64:

Is this defendant aware or has it possessed knowledge concerning the reported causal connection between exposure to asbestos or asbestos products and:

- (a) asbestosis?
- (b) lung cancer?
- (c) mesothelioma?
- (d) other cancer?

ANSWER:

Defendant became aware during the 1970's media publications and broadcasts. It is unknown if Defendant became aware earlier, investigation continues. See also answer to Interrogatory No. 56.

INTERROGATORY NO. 65:

If answer to preceding Interrogatory as to any or all of its subparts, is in the affirmative, identify:

- (a) When and how defendant first learned of such connection;
- (b) If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of persons attending and documents obtained;
- (c) If knowledge was obtained from medical or scientific studies, or any other published work, identify same;
- (d) If otherwise obtained, identify manner of receipt of document or communication.

ANSWER:

See answer to Interrogatory No. 64

INTERROGATORY NO. 66:

With regard to any knowledge obtained subsequent to that identified in your answer to Interrogatory 65(a) above, identify:

- (a) All documents or communications, oral or written, concerning the causal connection between exposure to asbestos or asbestos products and disease, and identity of persons so communicating;
- (b) Did answering defendant obtain from or transmit any such information to other defendants in this case? If so, identify:
 - (1) Manner of receipt or communication for each contact;
 - (2) All documents and persons involved.

ANSWER:

See answer to Interrogatory No. 65

INTERROGATORY NO. 67:

As to any knowledge possessed by answering defendant at any time referred to in your answer to Interrogatory 64, did you educate your employees, distributors or purchasers of the hazards known to you and the safety precautions necessary to guard against cancer and other diseases arising from the use and handling of your products? If so, identify:

- (a) When and in what manner customers, insulators, factory workers and the general public were so informed;
- (b) Documents communicating or otherwise disseminating such information;
- (c) Programs initiated or sponsored to establish or promote safety procedures, methods or usage of equipment;

- (d) Published articles or reports by employees (present or prior), including those of medical directors, scientists, engineers or other professionals;
- (e) Symposia or lectures sponsored for the benefit of asbestos workers and/or the general public.

ANSWER:

M.H. Detrick Company stopped manufacturing asbestos containing insulation products in 1964 when it sold its insulation plant. See answer to Interrogatory No. 64.

INTERROGATORY NO. 68:

When and by what manner were you first aware of the hazards relating to exposure to asbestos or asbestos products:

- (a) For inside insulators and contractors;
- (b) For outside insulators and contractors.

ANSWER:

See answer to Interrogatory No. 64

INTERROGATORY NO. 69:

If you have knowledge or information concerning the following, answer in the affirmative or negative, whether:

- (a) Early detection of mesothelioma results in any appreciable rate of cure or arrest;
- (b) A single exposure to asbestos may cause mesothelioma, other cancers or asbestosis;
- (c) Cumulative or multiple exposures to asbestos result in a greater risk of harm to the exposed person;
- (d) An outside insulator has a risk of harm from exposure to asbestos or asbestos products;
- (e) Stripping or removing old asbestos creates a greater risk or harm than installation of asbestos or asbestos products;
- (f) Cancer resulting from exposure to asbestos develops generally after:
 - (1) 1-5 years;

(2) 6-10 years;

(3) 11-20 years.

(g) There is any known relationship between smoking and mesothelioma;

(h) There is any reported cause of mesothelioma other than exposure to asbestos.

ANSWER:

Objection. The questions call for medical conclusions and do not seek facts.

INTERROGATORY NO. 70:

As to each answer to Interrogatory 69, identify at least one person or document upon which answering defendant relies.

ANSWER:

See answer to Interrogatory No. 69

INTERROGATORY NO. 71:

Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning the relationship between asbestos exposure and asbestosis and/or cancer? If so, identify:

(a) When, where and at what intervals such studies were performed;

(b) Were such studies in writing or reported at a later date in writing;

(c) Were the results of such studies published or otherwise disseminated? If so, state to whom and when;

(d) Who performed such studies;

(e) Will you produce the results of such studies at this time or state where the results are maintained.

ANSWER:

See answer to Interrogatory No. 22. M.H. Detrick Company did not give any grants to anyone to study the

relationship between asbestos exposure and asbestosis and/or cancer. M.H. Detrick Company was a member of various trade organizations and has no knowledge of whether its dues to these organizations were used for any such studies.

- (a) See answer above
- (b) See answer above
- (c) See answer above
- (d) See answer above
- (e) See answer above

INTERROGATORY NO. 72:

Identify the scientific or medical periodicals to which defendant, its medical department or industrial hygiene division subscribed from 1925 to the present, and the dates of such subscriptions.

ANSWER:

M.H. Detrick Company has subscribed over the years to the following: Ceramic Industry; Chemical Engineering; Mechanical Engineering; Chemical Week; Industry Week; Industrial Heating; Iron and Steel Engineer; U.S. Glass; Engineering and News Record; 33 Metal Producing; Metal Working News; Waste Age; Iron and Steel Maker; Ziegelindustrie International; and, various supplier catalogues and Engineering books. Defendant over the years may have subscribed to others that it is unable to recall, investigation continues.

INTERROGATORY NO. 73:

Did defendant, its medical department or industrial hygiene division maintain a medical and/or scientific library at any time from 1925 to the present? If so, state:

- (a) The dates such library existed;
- (b) The number of volumes maintained therein;
- (c) The number of employees, part-time or full-time, assigned to maintenance of said library, and to whom in the corporate structure those employees report(ed).

ANSWER:

In approximately 1982, a common library was established. Prior to 1982, individual draftsmen and engineers maintained separate source material. The library relates primarily to engineering and contains no medical publications.

- (a) See answer above
- (b) See answer above
- (c) See answer above

INTERROGATORY NO. 74:

Identify all trade organizations, associations, or other entities, including but not limited to A.T.I., I.H.F., N.I.M.A., A.I.A., N.I.C.A., T.I.M.A., Q.A.M.A., P.I.C.A., or Q.A.P.A., to which you have belonged or in which you have participated since 1925, stating the applicable dates of such membership or participation.

ANSWER:

Mineral Wool Institute; National Insulation Manufacturers Association; Industrial Mineral Insulation Manufacturers Institute, Inc.; and, Insulation Distributor-Contractors Association. Investigation continues as to others. Applicable dates are unknown, however, it is believed that no membership in any such organization was renewed after M.H. Detrick sold its insulation plant in 1964.

INTERROGATORY NO. 75:

Identify all persons attending on your behalf any meetings held by trade organizations, associations, or other entities identified in answer to Interrogatory No. 74.

ANSWER:

Mr. T.S. Clousing is believed to have attended N.I.M.A. meetings and possibly others. Mr. Harry Lewis may have attended meetings. Investigation continues as to others.

INTERROGATORY NO. 76:

Identify the names or nature of all notes, reports,

studies, or other writings submitted by you or received by you at meetings held by organizations described in answer to Interrogatory No. 74.

ANSWER:

M.H. Detrick Company has no such documents

INTERROGATORY NO. 77:

Identify any documents received by you from or submitted by you to those trade organizations, associations or other entities identified in answer to Interrogatory No. 74 relating to the relationship between asbestos exposure and disease.

ANSWER:

M.H. Detrick Company has no such documents

INTERROGATORY NO. 78:

Identify all agreements, oral or written, between you, any of the other defendants in this lawsuit, and/or any other organizations, associations or other entities identified in your answer to the Interrogatory No. 74 or any medical or scientific foundations, relating to the standardization of:

- (a) Specifications for asbestos cloth products;
- (b) Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos cement;
- (c) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (d) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- (e) Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products;

- (f) Medical programs to be offered or sponsored by defendant.

ANSWER:

- (a) It is believed that no such documents ever existed and no such documents have been found
- (b) It is believed that no such documents ever existed and no such documents have been found
- (c) It is believed that no such documents ever existed and no such documents have been found
- (d) It is believed that no such documents ever existed and no such documents have been found
- (e) It is believed that no such documents ever existed and no such documents have been found
- (f) It is believed that no such documents ever existed and no such documents have been found

INTERROGATORY NO. 79:

Did you direct to be performed, sponsor, finance, receive the results of or were you aware of any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human life? If so, identify:

- (a) All documents summarizing findings or results of those studies or tests which you have in your possession or control;
- (b) All communications, oral or written, between answering defendant and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.
- (c) All documents relating to Saranac studies received or submitted by you either directly, though associated or predecessor companies, through other companies, or through any trade associations, organizations or other entities;
- (d) All recommendations or findings of such studies relating to:
 - (1) Adequacy or inadequacy of threshold limit values;
 - (2) Substitution of materials other than asbestos to be used in the insulation process.

- (e) Where documents and/or communications identified in answers to (a)-(d) of this Interrogatory are maintained.

ANSWER:

To Mr. Hosbein's knowledge and memory, M.H. Detrick Company never participated in the Lake Saranac studies.

- (a) See answer above
- (b) See answer above
- (c) See answer above
- (d) See answer above
- (e) See answer above

INTERROGATORY NO. 80:

How many employees of answering defendant are known by defendant to be suffering from, have suffered from or whose deaths have been caused by asbestosis? State the date such disease of any employee was first known by defendant.

ANSWER:

No one employed by M.H. Detrick Company has made a claim and the company is unaware of any potential claims.

INTERROGATORY NO. 81:

How many employees of answering defendant are known by defendant to be suffering from, have suffered from or whose deaths have been caused by lung cancer? State the date such disease of any employee was first known by defendant.

ANSWER:

No one employed by M.H. Detrick Company has made a claim and the company is unaware of any potential claims.

INTERROGATORY NO. 82:

How many employees of answering defendant are known by defendant to be suffering from, have suffered from or whose deaths have been caused by mesothelioma? State the date such disease of any employee was first known by defendant.

ANSWER:

No one employed by M.H. Detrick Company has made a claim and the company is unaware of any potential claims.

INTERROGATORY NO. 83:

Do you send or have you at any time sent counsel or other representatives to courses at defending asbestos cases? If so, identify.

ANSWER:

Objection. The question is irrelevant and immaterial and not calculated to lead to discoverable material.

INTERROGATORY NO. 84:

Identify all expert witnesses who have testified in other cases, pending or otherwise, on behalf of answering defendant.

ANSWER:

Objection. The question as written is immaterial and not calculated to lead to discoverable material.

INTERROGATORY NO. 85:

Identify all present or former employees or answering defendant, other than plaintiffs, who have testified against this defendant in a litigation matter or before a governmental agency or unit.

ANSWER:

Objection. As written the question is unclear and ambiguous.

INTERROGATORY NO. 86:

With respect to your answers to Interrogatories No. 84 and 85, identify all documents, including but not limited to transcripts or notes of testimony employed by or resulting from the testimony of such expert witnesses or employees.

ANSWER:

See answers to Interrogatories 84 and 85

INTERROGATORY NO. 87:

Identify:

- (a) Any expert whom you intend to call as a witness or otherwise utilize in connection with this litigation;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify;
- (d) A summary of the grounds for each opinion;
- (e) The address of such person and his field of expertise;
- (f) Identify and produce each treatise, article or text upon whether the expert will rely in his testimony.

ANSWER:

- (a) through (f) M.H. Detrick Company will answer in accordance with Illinois Supreme Court Rule 220 as ordered by the Court

INTERROGATORY NO. 88:

Identify and produce all board meeting minutes at which asbestos products, the hazards or asbestos exposure, the possible application of warning labels on asbestos containing products were discussed by the Board of Directors of your company.

ANSWER:

No such documents have been found to date. Investigation continues.

INTERROGATORY NO. 89:

Please identify by name, address and phone number each

person who has provided this answering party with statements in connection with this litigation.

ANSWER:

No written statements have been obtained from anyone

INTERROGATORY NO. 90:

Please identify each person who has been interviewed in the course of preparing for the trial of this matter.

ANSWER:

Objection. The question as phrased calls for work product.

INTERROGATORY NO. 91:

Has this defendant ever sold any asbestos containing products to Insulation and Material Company of St. Louis, Missouri or any other individual, corporation, partnership or other business entities within a 100 mile radius of Madison County, Illinois since 1920 including but not limited to St. Louis County, St. Louis City, St. Charles County, Missouri or Madison County or St. Clair County, Illinois. If so, state:

- (a) List all individuals, corporations, partnerships or other business entities you have sold asbestos containing products to.
- (b) State all dates when asbestos containing products were sold to these entities.
- (c) State what asbestos containing products were sold to these entities and identify by brand name.
- (d) State what quantity of asbestos products were sold to these entities.
- (e) Provide copies of all purchase orders, specifications, contracts or correspondence with the entities identified in (a) above or otherwise identify all documents relating to the sale.

ANSWER:

M.H. Detrick Company's insulation sales records were left at the Aurora, Illinois insulation plant in 1964. It would be pure speculation and guess work on the part of this Defendant to answer without such documents available for review by it.

- (a) See answer above
- (b) See answer above
- (c) See answer above
- (d) See answer above
- (e) See answer above

INTERROGATORY NO. 92:

Have you ever sold any asbestos containing products to:

Monsanto, East St. Louis, Illinois
Marathon Oil Refinery, Robinson, Illinois
Shell Oil Company, Refinery, Roxana, Illinois
Amoco Refinery, Wood River, Illinois
Clark Oil Company Refinery, Hartford, Illinois
Granite City Steel, Granite City, Illinois
Illinois Power Company (Alton Powerhouse)
Central Illinois Power Service (Coffeen Powerhouse)
Commonwealth Edison (Kinkaid Powerhouse)
Illinois Power Company (Portage Des Sioux Powerhouse)
Central Illinois Power Service (Meredosia Powerhouse)
Illinois Power Company (Grant Fork Powerhouse)
Owens-Illinois Glass Co., Alton, Illinois
Central Illinois Power Service (Baldwin Powerhouse)
Central Illinois Power Service (Pearle Powerhouse)
Central Illinois Power Service (Marion Powerhouse)
Central Illinois Power Service (Newton Powerhouse)
Texaco Oil Company Refinery, Lawrenceville, Illinois
American Steel, Granite City, Illinois
Cerro Copper, Granite City, Illinois
Consolidated Aluminum Company, Granite City, Illinois
Olin Corporation, East Alton, Illinois
Laclede Steel Company, Alton, Illinois
Sinclair Oil Refinery, Hartford, Illinois
Apex Oil Refinery, Hartford, Illinois

and if so:

- (a) List all individuals, corporations, partnerships, or other business entities you have sold asbestos containing products to.
- (b) State all dates when asbestos containing products were sold to these entities.

- (c) State what asbestos containing products were sold to these entities and identify by brand name.
- (d) State what quantity of asbestos containing products were sold to these entities.
- (e) Provide copies of all purchase orders, specifications, contracts or correspondence with the entities identified in (a) above or otherwise identify all documents relating to the sale.

ANSWER:

See answer to Interrogatory No. 91

- (a) See answer above
- (b) See answer above
- (c) See answer above
- (d) See answer above
- (e) See answer above

INTERROGATORY NO. 93:

Has this defendant ever been a General Contractor or Subcontractor where it used asbestos containing products at any of the following locations:

Monsanto, East St. Louis, Illinois
Marathon Oil Refinery, Robinson, Illinois
Shell Oil Company, Refinery, Roxana, Illinois
Amoco Refinery, Wood River, Illinois
Clark Oil Company Refinery, Hartford, Illinois
Granite City Steel, Granite City, Illinois
Illinois Power Company (Alton Powerhouse)
Central Illinois Power Service (Coffeen Powerhouse)
Commonwealth Edison (Kinkaid Powerhouse)
Illinois Power Company (Portage Des Sioux Powerhouse)
Central Illinois Power Service (Meredosia Powerhouse)
Illinois Power Company (Grant Fork Powerhouse)
Owens-Illinois Glass Co., Alton, Illinois
Central Illinois Power Service (Baldwin Powerhouse)
Central Illinois Power Service (Pearle Powerhouse)
Central Illinois Power Service (Marion Powerhouse)
Central Illinois Power Service (Newton Powerhouse)
Texaco Oil Company Refinery, Lawrenceville, Illinois
American Steel, Granite City, Illinois
Cerro Copper, Granite City, Illinois
Consolidated Aluminum Company, Granite City, Illinois
Olin Corporation, East Alton, Illinois
Laclede Steel Company, Alton, Illinois
Sinclair Oil Refinery, Hartford, Illinois
Apex Oil Refinery, Hartford, Illinois

and if so:

- (a) List all individuals, corporations, partnerships, or other business entities you have sold asbestos containing products to.
- (b) State all dates when asbestos containing products were sold to these entities.
- (c) State what asbestos containing products were sold to these entities and identify by brand name.
- (d) State what quantity of asbestos containing products were sold to these entities.
- (e) Provide copies of all purchase orders, specifications, contracts or correspondence with the entities identified in (a) above or otherwise identify all documents relating to the sale.

ANSWER:

M.H. Detrick Company's contracting division primarily operated in Kansas, Oklahoma and Texas. No records have been found to date which would indicate any jobs were performed at the locations listed.

- (a) See answer above
- (b) See answer above
- (c) See answer above
- (d) See answer above
- (e) See answer above

INTERROGATORY NO. 94:

Did this defendant ever provide any warning concerning the hazards of asbestos to any of the following companies:

Monsanto, East St. Louis, Illinois
Marathon Oil Refinery, Robinson, Illinois
Shell Oil Company, Refinery, Roxana, Illinois
Amoco Refinery, Wood River, Illinois
Clark Oil Company Refinery, Hartford, Illinois
Granite City Steel, Granite City, Illinois
Illinois Power Company (Alton Powerhouse)
Central Illinois Power Service (Coffeen Powerhouse)
Commonwealth Edison (Kinkaid Powerhouse)
Illinois Power Company (Portage Des Sioux Powerhouse)
Central Illinois Power Service (Meredosia Powerhouse)
Illinois Power Company (Grant Fork Powerhouse)
Owens-Illinois Glass Co., Alton, Illinois
Central Illinois Power Service (Baldwin Powerhouse)
Central Illinois Power Service (Pearle Powerhouse)

Central Illinois Power Service (Marion Powerhouse)
Central Illinois Power Service (Newton Powerhouse)
Texaco Oil Company Refinery, Lawrenceville, Illinois
American Steel, Granite City, Illinois
Cerro Copper, Granite City, Illinois
Consolidated Aluminum Company, Granite City, Illinois
Olin Corporation, East Alton, Illinois
Laclede Steel Company, Alton, Illinois
Sinclair Oil Refinery, Hartford, Illinois
Apex Oil Refinery, Hartford, Illinois

If so, identify what the warning was, how the warning was delivered and when the warning was delivered. Provide copy of warning and correspondence concerning the warning.

ANSWER:

See answer to Interrogatory No. 37

INTERROGATORY NO. 95:

Has this defendant ever had any correspondence with any of the following companies or facilities concerning products containing asbestos:

Monsanto, East St. Louis, Illinois
Marathon Oil Refinery, Robinson, Illinois
Shell Oil Company, Refinery, Roxana, Illinois
Amoco Refinery, Wood River, Illinois
Clark Oil Company Refinery, Hartford, Illinois
Granite City Steel, Granite City, Illinois
Illinois Power Company (Alton Powerhouse)
Central Illinois Power Service (Coffeen Powerhouse)
Commonwealth Edison (Kinkaid Powerhouse)
Illinois Power Company (Portage Des Sioux Powerhouse)
Central Illinois Power Service (Meredosia Powerhouse)
Illinois Power Company (Grant Fork Powerhouse)
Owens-Illinois Glass Co., Alton, Illinois
Central Illinois Power Service (Baldwin Powerhouse)
Central Illinois Power Service (Pearle Powerhouse)
Central Illinois Power Service (Marion Powerhouse)
Central Illinois Power Service (Newton Powerhouse)
Texaco Oil Company Refinery, Lawrenceville, Illinois
American Steel, Granite City, Illinois
Cerro Copper, Granite City, Illinois
Consolidated Aluminum Company, Granite City, Illinois
Olin Corporation, East Alton, Illinois
Laclede Steel Company, Alton, Illinois
Sinclair Oil Refinery, Hartford, Illinois
Apex Oil Refinery, Hartford, Illinois

If so, provide copy of any correspondence with any of the above companies concerning asbestos containing products.

ANSWER:

M.H. Detrick Company has not located any such documents to date. Investigation continues. As stated many times previously, Defendant sold its insulation plant in 1964 and no longer produced asbestos containing products. A vast majority, if not all, records were left at the plant when sold.

M.H. Detrick Company,
Defendant

Shon A. Park #06190773
Bernard & Davidson
3600 Nameoki Road
P. O. Box 1345
Granite City, IL 62040
(618) 452-6100

J.W. Hosbein - Jobs & Titles with M. H. Detrick Co.

Yr.	Job	Office
		(@ DATES)
1947	Eng'rg Ass't	
1948	"	
1949	"	
1950	"	
1951	"	
1952	LOA - USN	
1953	LOA - USN	
1954	Sales	
1955	Sales	
1956	Sales	
1957	Sales	
1958	Sales	
1959	Eng'rg. - R&D	
1960	Eng'rg. - R&D	VP
1961	Admin/Finance	VP-TR
1962	Admin/Finance	VP-TR
1963	Admin/Finance	VP-TR
1964	Admin/Finance	VP-TR
1965	Admin/Finance	VP-TR
1966	Admin/Finance	VP-TR
1967	Admin/Finance	VP-TR
1968	Admin/Finance	VP-TR
1969	Admin/Finance	VP-TR
1970	Admin/Finance	VP-TR
1971	Admin/Finance	VP-TR
1972	Admin/Finance	VP-TR
1973	Admin/Finance	VP-TR
1974	Admin/Finance	VP-TR
1975	Admin/Finance	VP-TR
1976	Admin/Finance	VP-TR
1977	Admin/Finance	VP-TR
1978	Admin/Finance	VP-TR
1979	Admin/Finance	VP-TR
1980	Admin/Finance	VP-SEC/TR
1981	Admin/Finance	VP-SEC/TR
1982	Admin/Finance	VP-SEC/TR
1983	Admin/Finance	VP-SEC/TR
1984	Admin/Finance	VP-SEC/TR
1985	Admin/Finance	VP-SEC/TR
1986	Admin/Finance	PRES-TR
1987	Admin/Finance	PRES-TR

Historical Data - M. H. Detrick Insulation Products

Product	beg.	end.	% Asbestos	Type container
(m) Block Insulation	1939	1956	2.0(C)	Cardboard Cartons
(m) Griptex* Mineral Wool Block	1956	1964	2.0(C)	Cardboard Cartons
(m) MW Insulating Cement	1939	1956	13.7(C)	50 lb. bags
(m) Super 711	1956	1964	13.7(C)	50 lb. bags
(m) Utility Thermal Finish Cement	1956	1964	4.75(C)	50 lb. bags
(m) Casing Cement	1944	1964	4.9(C)	50 lb. bags
(m) MHD Finishing Cement	1947	1964	68.03(C)	50 lb. bags
(m) Pyroscat* Fire-proofing Cement	1956	1964	3.0(C)	50 lb. bags
(m) Hilite Insulating Cement	1959	1964	9.1(C)	50 lb. bags
(m) Calcrete 30	1950	1964	7.8(C)	50 lb. bags
(m) Fibrous Adhesive	1958	1964	13.1(C)	Steel Container
(d) Permiseal (fibers in emulsion)	not mfd.- distr.		23.0(C)	5 & 54 gal. steel containers
(d) Duriseal (fibers in emulsion)	not mfd.- distr.		23.0(C)	5, 30 & 55 gal. steel containers
(d) Thermal Coat (fibers in emulsion)	not mfd.- distr.		23.0(C)	5, 30 & 55 gal. steel containers
(d) Asbestos Rope	not mfd.- distr.		100.0(C)	100 ft. coils, tied 1/2" to 3" diam.
(d) DETROC* asbestos board	not mfd.- distr.		? % (A)	4' x 8' sheets

*TM reg.

KEY:-

(m) - manufactured

(d) - distributed

Exhibit "B"

25-Aug-87



M. H. DETRICK COMPANY

INSULATION DIVISION

111 West Washington St., CHICAGO 2, ILL • RA 6-6974

INSULATIONS DESIGNED WITH THE APPLICATION IN MIND

M. H. DETRICK COMPANY

INSULATION DIVISION

CONTRACTORS AND/OR DISTRIBUTORS - NOV. 1, 1962

CALIFORNIA

Emeryville

J. T. Thorpe & Sons, Inc.
1351 Ocean Avenue

Los Angeles

J. T. Thorpe, Inc.
948 East Second Street

CONNECTICUT

Bridgeport

Asbestos Distributors Corp
113 E Washington Ave

ILLINOIS

Chicago

Illinois Insulation & Construction Co.
9155 Ashland Avenue

INDIANA

Indianapolis

Owens-Corning Fiberglas
Supply & Contracting Div.
5321 Winthrop Avenue

KENTUCKY

Louisville

Owens-Corning Fiberglas
Supply & Contracting Div.
2106 Hahn Street

LOUISIANA

Baton Rouge

Gabler Insulations
15 Ryan Field

New Orleans

Gabler Insulations
1330 Tchoupitoulas Street

MARYLAND

Baltimore

The McCormick Asbestos Co.
3620 Woodland Avenue

MASSACHUSETTS

Boston

George Allen & Sons
131 State Street

MICHIGAN

Detroit

Owens-Corning Fiberglas
Supply & Contracting Div.
15300 West 8 Mile Road

Grand Rapids

Owens-Corning Fiberglas
Supply & Contracting Div.
1055 Thirty-Sixth Street
S.E. Grand Rapids, 8,

Address Reply To

2284 W. Holcombe Blvd.
Houston 25, Texas

Exhibit "C"

C
O
P
Y

	Mt. Morris (Saginaw)	Owens-Corning Fiberglas Supply & Contracting Div. G-6299 North Saginaw St.
<u>MISSOURI</u>	Kansas City	Central Supply Company 2020 Wyandotte Street
<u>NEW YORK</u>	New York City	Eastern Steam Specialty 119 Barclay Street
<u>NEW JERSEY</u>	New York City	Eastern Steam Specialty 119 Barclay Street
<u>NORTH CAROLINA</u>	Greensboro	Covill Insulation Company 1920 Sullivan Street
<u>OHIO</u>	Cleveland	Clark Asbestos Company 1893 East 55th Street
	Columbus	Culberg Asbestos of Ohio, Inc. 390 Holtzman Avenue
<u>PENNSYLVANIA</u>	Allentown	Achenbach & Butler, Inc. P. O. Box 56 Center Valley Road
	Harrisburg	Achenbach & Butler, Inc. Simpson Valley Road (Mechanicsburg)
	Philadelphia	Achenbach & Butler, Inc. 1508 Brandywine Street
	Pittsburgh	George V. Hamilton, Inc. 326 Linden Street (McKees Rocks)
	Reading	East Penn Refractories Spruce & Water Streets
<u>SOUTH CAROLINA</u>	Greenville	Covill Insulation Company 123 River Road
<u>TENNESSEE</u>	Memphis	Process & Power 1565 Harbor Avenue
<u>TEXAS</u>	Beaumont	The Industrial Insulators, Inc. 510 Jefferson Street

Exhibit E

Borger

The Industrial Insulators, Inc.
602 South Locust Street

Houston

The Industrial Insulators, Inc.
5521 Armour Drive

WEST VIRGINIA

Charleston

Asbestos & Insulating Co.
901 Brooks Street

WISCONSIN

Milwaukee

Sprinkman Sons, Inc.
418 North Second Street

M. H. DETRICK COMPANY:

100 Church Street - New York City
COrtland 7-4869

111 West Washington St. - Chicago, Ill.
Code 312, RAndolph 6-6974

Exhibit C

STATE OF ILLINOIS

COUNTY OF Will

)
) SS
)

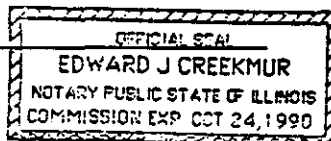
John W. Hosbein, duly sworn, states that the foregoing
Answers to Interrogatories are true, correct and complete to
the best of his knowledge and belief.

John W. Hosbein
John W. Hosbein

SUBSCRIBED and sworn to before me this 2nd day of
OCTOBER, 1987.

Edward J. Creekmur
Notary Public

My Commission Expires: _____



AGREEMENT

THIS AGREEMENT made and entered into on the 2nd day of January, 1958, by and between Refractory Constructions, Inc., a Missouri corporation, hereinafter referred to as "First Party", and M. H. Detrick Company, a Delaware corporation, hereinafter referred to as "Second Party".

WITNESSETH THAT:

WHEREAS, First Party has by agreement and consent of all of the shareholders, elected to dissolve and has filed with the Secretary of State of the State of Missouri, Articles of Dissolution by the voluntary consent of the shareholders pursuant to Revised Statutes, 351.460 of "The General and Business Corporation Law" of the State of Missouri; and,

WHEREAS, the parties have agreed that First Party shall convey to Second Party all of its assets of whatsoever kind or nature

CERTIFICATE OF CORPORATE RESOLUTION

"RESOLVED, that this Corporation sell, assign, transfer and convey to the M. H. Detrick Company, a Delaware Corporation, all of its assets of whatsoever kind or nature, real property, personal property, choses in action, cash on hand and monies in banks, credits, accounts receivable and any and all other or different property now owned by this corporation in consideration of the agreement on the part of the M. H. Detrick Company, a Delaware Corporation, to assume and pay all of the debts and liabilities of this corporation.

"RESOLVED FURTHER, that the proper officers of this corporation proceed forthwith to obtain such agreement on the part of the M. H. Detrick Company, a Delaware Corporation, assuming and agreeing to pay all the debts and liabilities of this corporation and that they proceed forthwith to make, execute and deliver such deeds, bills of sale, assignments and any other document or documents which may be necessary or expedient to effectuate such agreement to transfer all of the assets of this corporation to the M. H. Detrick Company, a Delaware Corporation, and to receive and cancel the outstanding shares of capital stock of this corporation."

I, Leona O'Brien, Secretary of Refractory Constructions, Inc. a corporation organized and existing under the laws of the State of Missouri, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Directors of the said Refractory Constructions Inc. passed at a duly convened meeting of said Board of Directors, held on the 26th day of December, 1957, called in conformity with the by laws of said corporation, as taken by me from the minutes of said meeting and compared by me with the original of said resolution recorded in the minutes of said Directors meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the said Refractory Constructions Corporation to be hereunto affixed this 26th day of December, 1957.

Secretary of Refractory Constructions, Inc.

CERTIFICATE OF CORPORATE RESOLUTION

"RESOLVED, that this Corporation sell, assign, transfer and convey to the M. H. Detrick Company, a Delaware Corporation, all of its assets of whatsoever kind or nature, real property, personal property, choses in action, cash on hand and monies in banks, credits, accounts receivable and any and all other or different property now owned by this corporation in consideration of the agreement on the part of the M. H. Detrick Company, a Delaware Corporation, to assume and pay all of the debts and liabilities of this corporation.

"RESOLVED FURTHER, that the proper officers of this corporation proceed forthwith to obtain such agreement on the part of the M. H. Detrick Company, a Delaware Corporation, assuming and agreeing to pay all the debts and liabilities of this corporation and that they proceed forthwith to make, execute and deliver such deeds, bills of sale, assignments and any other document or documents which may be necessary or expedient to effectuate such agreement to transfer all of the assets of this corporation to the M. H. Detrick Company, a Delaware Corporation, and to receive and cancel the outstanding shares of capital stock of this corporation."

I, Leona O'Brien, Secretary of Refractory Constructions, Inc. a corporation organized and existing under the laws of the State of Missouri, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Directors of the said Refractory Constructions Inc. passed at a duly convened meeting of said Board of Directors, held on the 26th day of December, 1957, called in conformity with the by laws of said corporation, as taken by me from the minutes of said meeting and compared by me with the original of said resolution recorded in the minutes of said Directors meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the said Refractory Constructions Corporation to be hereunto affixed this 26th day of December, 1957.

Secretary of Refractory Constructions, Inc.

CERTIFICATE OF CORPORATE RESOLUTION

"RESOLVED, that the proper officers of this Corporation proceed immediately to seek the unanimous consent and agreement of all of the shareholders of Refractory Constructions, Inc., a Missouri Corporation, to the sale, assignment and transfer of all the assets of Refractory Constructions, Inc., of whatsoever kind or nature to the M. H. Detrick Company, a Delaware Corporation, in consideration for the assumption by M. H. Detrick Company of all the corporate debts, liabilities and obligations of said Refractory Constructions, Inc., and to seek the mutual agreement of all of the shareholders of Refractory Constructions, Inc., to surrender their certificates of shares of stock in Refractory Constructions, Inc., for cancellation and discharge.

"RESOLVED FURTHER, that this Corporation receive the conveyance and assignment of all of the assets of Refractory Constructions, Inc., in discharge of the liability of Refractory Constructions, Inc., upon the 290 shares of stock of such held by this Company, and that in further consideration of such conveyance and assignment, the M. H. Detrick Company, assumes and agrees to pay all of the debts and liabilities of the Refractory Constructions, Inc., of whatsoever kind or nature.

"RESOLVED FURTHER, that the proper officers of this Corporation make, execute and deliver the assumption agreement of M. H. Detrick Company as aforesaid and take all steps necessary, including the execution of all documents which may be necessary or expedient to carry out said agreement."

E. Louis E. Hosbein, Secretary of the M. H. Detrick Company, a corporation organized and existing under the laws of the State of Delaware, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Directors of the said M. H. Detrick Company passed at a duly convened meeting of said Board of Directors, held on the 23rd day of December, 1957, called in conformity with the by-laws of said Corporation, as taken by me from

the minutes of said meeting and compared by me with the original of said resolution recorded in the minutes of said Directors' meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the said M. H. Detrick Company to be hereunto affixed this 23rd day of December, 1957.


Secretary of the M. H. Detrick
Company

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 Mail Box in Granite City, Illinois, on the 27th day of October A.D., 19 87.

Julia Grider