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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

TYSON BIRON and PAULA BIRON Plaintiffs, vs. **OWENS CORNING, et al.,** Defendants.	CASE NO. 815610-1 (CONSOLIDATED WITH CASE NO. 822323-6) **DEFENDANT TARKETT, INC.'S RESPONSES TO PLAINTIFFS' INTERROGATORIES (SET ONE)**

PROPOUNDING PARTY: **PLAINTIFFS TYSON BIRON and PAULA BIRON**

RESPONDING PARTY: **DEFENDANT TARKETT, INC.**

SET NUMBER: **ONE**

TARKETT, INC. ("TARKETT") hereby responds to Plaintiff's Interrogatories to Defendant ("the Interrogatories") only pursuant to, under the protection of and to the extent that such requests comply with the California Rules of Civil Procedure, as follows:

PRELIMINARY STATEMENT

These responses are made solely for the purpose of this action. Each response is subject to the provisions of the County of Alameda General Orders and all appropriate objections (including, but not limited to, objections as to confidentiality, relevancy, propriety and admissibility) which require the exclusion of any statement contained herein if the Interrogatory were answered by a witness present and testifying in court. All such objections and grounds are reserved and may be interposed at the time of the trial.

TARKETT's discovery and investigation of this matter are incomplete. Medical and other

RESPONSE TO INTERROGATORY NO. 27:

Subject to the preliminary statement, Tarkett objects to these interrogatories in their entirety and this interrogatory specifically on the grounds that the defined term "DEFENDANT" is overly broad, vague, ambiguous, confusing, argumentative and factually and legally erroneous, and that such definition seeks to exceed the scope of permissible discovery. Tarkett further objects to these interrogatories in their entirety and this interrogatory specifically on the grounds that the defined terms "MANUFACTUR(ED)," "ASBESTOS-CONTAINING," and "FLOORING PRODUCTS" are vague, ambiguous, confusing, overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of relevant evidence. Subject to and without waiver of these and its general objections and its preliminary statement, Tarkett responds as follows: From September 28, 1981 until December 1982, Tarkett manufactured felt materials that contained asbestos, which were sold to Mannington Mills. This felt was also used in the manufacturing process for certain sheet vinyl products from September 28, 1981 until approximately February 1982. The sheet vinyl product was manufactured under the brand name Gafstar. Tarkett also manufactured non-asbestos sheet vinyl which sold under the Gafstar brand name.

RESPONSE TO INTERROGATORY NO. 28:

Subject to the preliminary statement, Tarkett objects to these interrogatories in their entirety and this interrogatory specifically on the grounds that the defined term "DEFENDANT" is overly broad, vague, ambiguous, confusing, argumentative and factually and legally erroneous, and that such definition seeks to exceed the scope of permissible discovery. Further, Tarkett objects to this Interrogatory by and through its request to "DESCRIBE" "DOCUMENTS" as overly broad and unduly burdensome and beyond the permissible scope of discovery. In addition, Tarkett objects to this interrogatory as contrary to C.C.P. section 2031. Tarkett further objects to these interrogatories in their entirety and this interrogatory specifically on the grounds that the defined terms "MANUFACTUR(ED)," "ASBESTOS-CONTAINING," and "FLOORING PRODUCTS" are vague, ambiguous, confusing, overly broad, unduly burdensome and not reasonably calculated to lead to the

permissible scope of discovery. In addition, Tarkett objects to this interrogatory as contrary to C.C.P. section 2031. Subject to and without waiving these and its general objections and preliminary statement, Tarkett responds as follows: None.

DATED: August 13, 2001

POND, NORTH & HUGO, P.C.

By: _____

Edward R. Hugo
Donna L. Maul
Attorneys for Defendant **TARKETT, INC.**

Re: *Tyson Biron and Paula Biron vs. Owens Corning, et al.*
Case No.: 815610-1 (Consolidated with Case No. 822323-6)

VERIFICATION

I, J. Michael McGorry, declare:

I am the Vice-President, Finance and Administration of TARKETT, INC., a corporation organized and existing under the laws of the State of Delaware, which is a defendant in the above-entitled action, and I have been authorized to make this verification on its behalf.

I have read the foregoing **TARKETT, INC.'s Responses to Plaintiff's Interrogatories (Set One)** and know the contents thereof. I am informed and believe that the matters stated therein are true and on that ground I allege that the matters stated therein are true.

Executed on the 10 day of August 2001, at 9:35 PM. W. Conshohocken, Pa.

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

J. Michael McGorry, Vice-President, Finance and Administration TARKETT, INC.