

1 LAWRENCE A. MARGOLES
2 BARFIELD, BARFIELD, DRYDEN & RUANE
3 A Law Corporation
4 One California Street, Suite 3125
5 San Francisco, California 94111
6 Telephone: (415) 362-6715

7 Attorneys for Defendant
8 FORD MOTOR COMPANY

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF ALAMEDA

11 HENRY L. PIPPINS
12 and BELLE PIPPINS,

13 Plaintiffs,

14 v.

15 OWENS-CORNING FIBERGLAS CORP.,
16 et al.,

17 Defendants.

NO. 563193-7

DEFENDANT FORD MOTOR
COMPANY'S ANSWERS TO
PLAINTIFFS' FIRST SET
OF INTERROGATORIES

18 The responses provided herein have been prepared
19 pursuant to a reasonable and duly diligent investigation and
20 search for the information requested. For many years, Ford
21 has had several hundred thousand employees, many of whom
22 have worked at several of the company's facilities in the
23 United States and in conducting its business has every year
24 created many millions of documents that have been kept in
25 numerous different locations and have frequently been moved
26 from site to site as employees have changed jobs. Accord-
ingly, Ford does not represent that the responses contained
herein provide all of the information requested; rather,
these responses reflect information obtained before this

SCF-FORD-3446

PLAINTIFF'S
EXHIBIT

31658.0

PLAINTIFF'S
EXHIBIT
WV-06323

1 date by Ford pursuant to a reasonable and duly diligent
2 search and investigation in those areas where the informa-
3 tion is expected to be found. To the extent that the plain-
4 tiff's request purports to require any more, Ford objects on
5 the grounds that compliance with the request would impose an
6 undue burden or expense. Furthermore, in order to make
7 responses to these Interrogatories feasible, it is generally
8 appropriate to limit their scope to friction products.
9

10 Further, if additional discovery requests are
11 served upon Ford in this action, Ford will not review the
12 present discovery requests to ascertain whether, subsequent
13 to the serving of this response, new information that might
14 be responsive to the present discovery requests has been
15 obtained. To the extent that the present discovery requests
16 purport to impose any such obligation, Ford objects on the
17 grounds that the requests contravene the rules and, in
18 addition, seek to impose an undue burden and expense.
19

20 1. State the name, present business address and
21 capacity or title of:
22

23 (a) the individual signing these interrogatories
24 on behalf of the answering defendant; and
25

26 ///

///

1 (b) each person who has supplied information used
2 in answering these interrogatories.
3

4 ANSWER: (a) The person signing these Interroga-
5 tories is an employee of Ford who is an authorized agent for
6 the purpose of verification of discovery responses. For
7 that person's name, please see the verification. That
8 person works in Dearborn, Michigan. Please contact that
9 person through Ford's counsel in this action.
10

11 (b) Ford objects to this interrogatory based on
12 burdensomeness and relevance. The Answers to these Inter-
13 rogatories constitute a corporate response which has been
14 verified by an authorized agent of Ford.
15

16 2. Have you purchased, acquired, merged with,
17 assumed the assets of, and/or assumed the liabilities of any
18 business entity, or any pre-existing or established operat-
19 ing division of any other company or business entity, which
20 mined, milled, manufactured, labelled, sold, distributed,
21 imported or supplied any asbestos or asbestos-containing
22 product(s)? If so, please state the name of each such
23 business entity or operating division.
24

24 ///

25 ///

26 ///

1 ANSWER: Upon present information and belief, no.

2
3 3. Please state whether or not the answering
4 defendant is a corporation; if so, please state:

5
6 (a) your correct corporate name;

7
8 (b) the state of incorporation;

9
10 (c) the address of your principal place of busi-
11 ness;

12
13 (d) whether you have ever held a certification of
14 authority to do business in the State of California; and

15
16 (e) whether the ownership is publicly or pri-
17 vately held.

18
19 ANSWER: Yes.

20
21 (a) Ford Motor Company.

22
23 (b) Delaware.

24 ///

25 ///

26 ///

1 (c) The American Road, Dearborn, Michigan.

2
3 (d) Yes.

4
5 (e) Publicly.

6
7 4. Has defendant ever been identified, known or
8 done business under any other name during any period of its
9 existence? If so, please state such name or names and the
10 time period during which this defendant was so known or
11 identified.

12
13 ANSWER: Ford was incorporated in Delaware in 1919
14 and acquired the business of a Michigan company also known
15 as Ford Motor Company, incorporated in 1903, to produce
16 automobiles designed and engineered by Henry Ford.

17
18 5. If any parent corporation, predecessor cor-
19 poration, predecessor business entity, subsidiary of this
20 defendant, successor-in-interest, or any corporation in
21 which this defendant holds, or held a controlling interest,
22 has mined, manufactured, sold, distributed, imported, or
23 supplied any asbestos or asbestos-containing product(s),
24 please state the name(s) of each such entity(ies), corpora-
25 tion(s) or predecessor(s).

6 ///

1 ANSWER: Other than affiliated corporations which
2 also sell automobiles containing parts having an asbestos
3 content, the answer is none.
4

5 6. Please state whether you have organizational
6 charts for the last forty years and, if you will not produce
7 copies without a request to produce, please identify the
8 custodian and describe the documents sufficient for a
9 request to produce.
10

11 ANSWER: Ford objects to this interrogatory as
12 irrelevant, immaterial and unduly burdensome. Without
13 waiving these objections, Ford states that it does have some
14 organizational directories.
15

16 7. Do you manufacture or distribute any "friction
17 products" (see "Definitions") which contain asbestos? If
18 so, for each such product, please state:
19

20 (a) the trade or brand name;
21

22 (b) the manufacturer's name (if different than
23 defendant's name);
24

25 ///
26

 ///

 ///

1 (c) the inclusive dates of manufacture;

2
3 (d) the asbestos composition (i.e., amosite,
4 chrysotile, etc.) and quantitative percentage of asbestos;

5
6 (e) the purpose for the inclusion of asbestos in
7 the product (i.e., binding agent, fire retardant, etc.);

8
9 (f) the supplier of the raw asbestos;

10
11 (g) the recommended procedures for the use of the
12 product, including its installation and/or removal;

13
14 (h) a description of the type of container,
15 packaging or carton in which each such product is shipped to
16 retailers or distributors;

17
18 (i) a description of any printed material or
19 trademarks appearing on each type of container identified in
20 7(h), above;

21
22 (j) any written instructions, materials, etc.,
23 which accompany each such product when it is shipped to
24 retailers.

25 ///

26 ///

1 ANSWER: Yes.
2

3 (a) Original equipment products are sold under
4 the name of the Ford Motor Company. After-market or
5 replacement parts are sold under the name of the Ford Motor
6 Company or Ford Authorized Remanufacturers.
7

8 (b) See answer to 7(a).
9

10 (c) Upon information and belief, certain auto-
11 motive parts, including brake linings and clutch facings,
12 have always contained asbestos.
13

14 (d) Because Ford does not manufacture the clutch
15 facings or brake linings, it does not know the percentage of
16 asbestos they contain. According to Ford's suppliers, the
17 type of asbestos fibers in the clutch facings and brake
18 linings is chrysotile.
19

20 (e) The asbestos in brake linings assists in
21 braking and friction. The asbestos in clutch facings
22 assists in transmitting rotational force from the engine and
23 fly-wheel to the rear wheels.
24

25 (f) Ford purchased finished brake assemblies and
clutch facings from suppliers. If plaintiffs will specify

1 the relevant time period and vehicles involved, Ford will
2 attempt to identify the suppliers who may be involved.

3
4 (g) Ford objects to this sub-interrogatory
5 because it is vague and ambiguous. As to brake linings,
6 Ford recommended that the dust from worn brake linings be
7 removed with a vacuum. See answer to Interrogatory 7(i)
8 below.

9
10 (h) Vehicles are not shipped in containers,
11 packages or cartons. After-market brake linings and clutch
12 facings are shipped in cartons to authorized distributors.

13
14 (i) Labels on the containers read along lines
15 such as:

16
17 "CAUTION: CONTAINS ASBESTOS
18 FIBERS. AVOID CREATING DUST.
19 BREATHING ASBESTOS DUST MAY CAUSE
20 SERIOUS BODILY HARM. WHEN SERVIC-
21 ING THIS BRAKE LINING OR ANY COM-
22 PONENT RELATED TO IT OR LOCATED
23 NEAR IT, PREVENT ASBESTOS DUST FROM
24 BEING AIRBORNE BY VACUUMING THIS
ASSEMBLY WITH AN INDUSTRIAL TYPE
VACUUM CLEANER EQUIPPED WITH A HIGH
EFFICIENCY FILTER SYSTEM AND BY
WASHING THE ASSEMBLY WITH AN APPRO-
PRIATE BRAKE PARTS WASHER IF NECES-
SARY. NEVER REMOVE DUST OR DIRT
FROM THIS ASSEMBLY BY BLOWING WITH
COMPRESSED AIR."

25 ///

26 ///

1 (j) See answer to 7(i).

2
3 8. With respect to each product identified in
4 Interrogatory No. 7 above, did defendant's name, a trade-
5 mark, logo, color code or any other identifying markings
6 ever appear on the actual product itself? If so,
7

8 (a) identify each such product;
9

10 (b) state when the practice of placing such
11 identifying markings on the product was begun, and, if
12 applicable, when it ended; and
13

14 (c) describe in detail the pertinent marking(s)
15 and the purpose, if any, of such marking(s).
16

17 ANSWER: Ford's vehicles have always borne iden-
18 tifying marks indicating that they are Ford products. With
19 respect to after-market brake linings and clutch facings,
20 both would be stamped with a part number and the manufac-
21 turer's logo.
22

23 9. Do you contend that you did not manufacture
24 any asbestos-containing product from 1940 to 1982? If so,
25

///

///

1 (a) state all facts upon which you base such
2 contention;

3
4 (b) identify each person having knowledge of each
5 such fact and state which facts each such person knows;

6
7 (c) identify each writing which supports each
8 such contention; and

9
10 (d) identify each oral communication which sup-
11 ports such contention.

12
13 ANSWER: No.

14
15 10. Do you have policies of insurance that cover
16 the claims that have been made by plaintiff herein? If so,
17 please state:

18
19 (a) the name of each insurance carrier who has
20 coverage;

21
22 (b) the amount of such coverage;

23
24 (c) the inclusive dates of coverage; and

25 ///

26 ///

1 (d) the policy number(s).
2

3 ANSWER: Yes. See attached compilation of insur-
4 ance coverages.
5

6 11. Has any employee of defendant ever made a
7 claim for asbestosis or other disease allegedly caused by
8 exposure to asbestos under the Occupational Disease or
9 Worker's Compensation Statute of any state. If so, please
10 state:
11

12 (a) the name of the claimant;
13

14 (b) the state; and
15

16 (c) the date defendant first received notice of
17 the claim.
18

19 ANSWER: Ford's records do not permit retrieval of
20 this information so it is not feasible for Ford to respond.
21 Furthermore, because of the differences in occupational
22 exposure, the information sought would not be relevant or
23 likely to lead to the discovery of admissible evidence on
24 the claims asserted herein and Ford objects to this Inter-
25 rogatory.
26

///
26

1 12. Have you ceased the manufacture of or distri-
2 bution of any of the products identified in Interrogatory
3 No. 7? If so, for each such product, please state:
4

5 (a) date manufacture/distribution ceased;
6

7 (b) reason manufacture/distribution ceased;
8

9 (c) people involved in decision to cease manufac-
10 ture/ distribution;
11

12 (d) person(s) most knowledgeable about the ceas-
13 ing of manufacture/distribution of any such product; and
14

15 (e) whether any studies were conducted before
16 manufacture/distribution was ceased and, if so, identify
17 each study by date, author, title and subject matter.
18

19 ANSWER: Some 1983 Ford models utilize fiberglass,
20 steel wool and semi-metallic brakes. The reason that these
21 substitutes have been incorporated was to reduce the use of
22 asbestos in brake linings. The decision was a corporate
23 decision which was not made by any one individual. Mr. J.P.
24 Ridenour, a Ford employee, is knowledgeable in many aspects
25 of this Answer.

6 ///

1 13. Does any patent pertain to any product identi-
2 fied in Interrogatory No. 7? If so, for each such product,
3 please state:

4
5 (a) the number of each patent;

6
7 (b) the date same was issued; and

8
9 (c) the number of each patent application that is
10 pending.

11
12 ANSWER: No.

13
14 14. Have any of the products identified in Inter-
15 rogatory No. 7, above, been altered in asbestos type or
16 quantitative percentage since first being marketed? If so,
17 for each such product please state:

18
19 (a) the trade or brand name;

20
21 (b) the date of alteration;

22
23 (c) the nature of the alteration;

24 ///

25 ///

 ///

1 (d) the reason for the alteration; and

2
3 (e) person(s) most knowledgeable about the
4 alteration and/or decision to alter any such product.
5

6 ANSWER: Because Ford does not manufacture the
7 brake linings or clutch facings in question, it does not
8 have the information with which to answer this interroga-
9 tory.
10

11 15. From the time you first began manufacturing or
12 distributing the products identified in Interrogatory No. 7,
13 above, did any of such products contain any warning, cau-
14 tion, caveat or other statement concerning the possibility
15 of injury or illness resulting from the use of such product
16 or its packaging? If so, please state:
17

18 (a) when the warning first appeared;
19

20 (b) the precise wording of the warning when it
21 first appeared;
22

23 (c) whether the warning was altered, amended or
24 changed in any manner and if so, how and when;
25

///

///

1 (d) where the warning was located on the product
2 or packaging;

3
4 (e) when, if ever, you first became aware of
5 warnings placed on other manufacturers' asbestos-containing
6 friction products;

7
8 (f) the person(s) most knowledgeable about the
9 decision to use said warning(s).

10
11 ANSWER: Yes.

12
13 (a) 1980.

14
15 (b) See answer to Interrogatory 7(i).

16
17 (c) Not applicable.

18
19 (d) On the packaging containers.

20
21 (e) Not known.

22
23 (f) Merle Hamburg, Thomas O'Neill, Robert Benson
24 and Gil Burford. These persons were Ford employees.

25 ///

3 ///

1 16. Have you, at any time, published and/or dis-
2 tributed any brochures, sales literature, pamphlets or other
3 written materials (other than identified in Interrogatory
4 No. 15) that contained any warnings, cautions, caveats or
5 directions concerning the possibility of inquiry [sic] or
6 illness resulting from the use of any product identified in
7 Interrogatory No. 7 above? If so, please state:

8
9 (a) the type of written material (i.e, brochure,
10 pamphlet);

11
12 (b) the present custodian; and

13
14 (c) a description sufficient for a request to
15 produce.

16
17 ANSWER: On October 24, 1975, a Technical Service
18 Bulletin was issued by the Parts & Service Division to Ford
19 dealerships recommending a vacuum cleaner be used for clean-
20 ing brakes. In January, 1976, a follow-up Technical Service
21 Bulletin was issued to the dealers indicating that Ford
22 recommended the use of an industrial vacuum cleaner in brake
23 cleaning operations. The 1977 edition of Ford's Shop Manual
24 for dealerships recommended that brakes not be cleaned with
25 an air hose and that a vacuum cleaner be used for this
6 purpose. These documents can be made available in the

1 offices of Ford's counsel for inspection and copying on an
2 agreed date.

3
4 17. Do any written memoranda, specifications,
5 reports, blueprints or other written materials of any kind
6 or character exist relating to testing of any products
7 identified in Interrogatory No. 7? If so, please state:

8
9 (a) the type of written material (i.e., memo-
10 randa, blueprint);

11
12 (b) the present custodian; and

13
14 (c) a description sufficient for a request to
15 produce.

16
17 ANSWER: Ford objects to this Interrogatory
18 because it is vague and overly broad. Without waiving such
19 objections, Ford states that in 1969, tests were conducted
20 in England by Industrial Hygienists employed by Ford. These
21 tests were reported in the literature in 1970. The authors
22 are Hickish & Knight. In the early 1970's, Mr. Arnie
23 Anderson and Mr. Roy Gealer of Ford's Scientific Research
24 Staff conducted tests to determine the quantity of asbestos
25 fibers liberated from brake linings during the braking
26 process. They concluded that over 99.98% of the asbestos

1 fibers in brake linings decomposed during the braking pro-
2 cess into non-fibrous material. Their results were pub-
3 lished in 1973. Copies of both reports are being produced
4 simultaneously with these Answers.
5

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

14 In addition, Ford partially financed studies done
15 at Mt. Sinai School of Medicine which reached the same
16 conclusions as the Anderson/Gealer studies.
17

18 18. Were any design changes made as a result of
19 any test identified in Interrogatory No. 17? If so, please
20 state:
21

22 (a) the nature of the change made; and
23

24 (b) the name, address and job classification of
25 each person in charge of making the change.
26

///

1 ANSWER: See Answer to Interrogatory No. 17 and
2 No. 12.

3
4 19. Please identify (1) any material or substance
5 within your knowledge which could be or is presently being
6 used for the same purpose as asbestos is or was used in the
7 products identified in Interrogatory No. 7, above, and (2)
8 state when it was first determined that said material could
9 be used as a substitute for the asbestos.

10
11 ANSWER: See answer to Interrogatory No. 12.

12
13 20. Please state whether or not you, not your
14 attorneys, ever obtained any knowledge concerning the like-
15 lihood of asbestos-containing products being hazardous to
16 the health of humans and/or animals. If so, please state:

17
18 (a) when you first became aware of the hazardous
19 potential of asbestos and asbestos products;

20
21 (b) how you first obtained this knowledge and
22 became so aware of said hazards; and

23
24 (c) from what source this information was
25 obtained; and

///

1 (d) the person(s) most knowledgeable about how
2 and when you obtained this knowledge;
3

4 ANSWER: The first case report indicating adverse
5 health effects associated with the use and fabrication of
6 asbestos was published in 1907 in the United Kingdom. Ford
7 cannot state when a Ford employee first had knowledge of
8 such information.
9

10 21. Identify all persons to whom you sold or
11 distributed the asbestos-containing products identified in
12 Interrogatory No. 7, above, for the years 1940 to present,
13 inclusive.
14

15 ANSWER: It is not feasible for Ford to identify
16 all persons to whom it has sold vehicles or brake linings in
17 the past 43 years. Furthermore, the information called for
18 by this Interrogatory is overbroad and immaterial to any
19 issue in this litigation.
20

21 22. What was your market share percentage
22 vis-a-vis other manufacturers of the same type products for
23 the following markets:
24

25 (a) the national market for asbestos-containing
friction products; and
5

1 (b) the western states (west of the Mississippi
2 River) market for asbestos-containing friction products.

3
4 ANSWER: Ford objects to Interrogatory No. 22 as
5 calling for irrelevant and immaterial information.

6
7 23. Identify the person(s) who has (have) knowl-
8 edge or information concerning Interrogatory No. 22, above.

9
10 ANSWER: See Answer to Interrogatory No. 22.

11
12 24. Identify each writing upon which you based
13 your response to Interrogatory No. 22, above, identifying
14 the custodian of said writing(s).

15
16 ANSWER: See Answer to Interrogatory No. 22.

17
18 25. Who are your competitors with respect to
19 asbestos-containing friction products identified in Inter-
20 rogatory No. 7, above, during the following time periods:

21
22 (a) 1930-1940;

23
24 (b) 1940-1950;

25 ///

///

1 (c) 1950-1960;

2
3 (d) 1960-1970;

4
5 (e) 1970-present.

6
7 ANSWER: Ford's principal competitors are other
8 companies who sell cars and trucks. From year to year, the
9 number and identity of those competitors has changed.
10

11 26. Do you manufacture or distribute asbestos or
12 asbestos-containing products, other than those identified in
13 response to Interrogatory No. 7, above? If so, for each
14 such product please state:

15
16 (a) the general category of product (i.e., ther-
17 mal insulation, construction);

18
19 (b) the trade or brand name;

20
21 (c) the manufacturer's name (if different than
22 defendant's name);

23
24 (d) the inclusive dates of manufacture/distribu-
25 tion;

26 ///

1 (e) the asbestos composition (i.e., amosite,
2 chrysotile, etc.) and quantitative percentage of asbestos;
3

4 (f) the purpose for the inclusion of asbestos in
5 the product (i.e., binding agent, fire retardant, etc.);
6

7 (g) the supplier of the raw asbestos;
8

9 (h) the recommended procedures for the use of the
10 product, including its installation and/or removal;
11

12 (i) a description of the type of container,
13 packaging or carton in which each such product is shipped to
14 retailers or distributors;
15

16 (j) a description of any printed material or
17 trademarks appearing on each type of container identified in
18 26(i), above; and
19

20 (k) any written instructions, materials, etc.,
21 which accompany each such product when it is shipped to
22 retailers or distributors.
23

24 ANSWER: No.

25 ///

///

1 27. Do you contend that you could not have manu-
2 factured or distributed the asbestos-containing product(s)
3 which plaintiff alleges he was exposed to? If so,

4
5 (a) state all facts upon which you base such
6 contention;

7
8 (b) identify each person having knowledge of each
9 such fact and state which facts each such person knows;

10
11 (c) identify each writing which supports each
12 such contention; and

13
14 (d) identify each oral communication which sup-
15 ports such contention.

16
17 ANSWER: Plaintiffs' allegations of exposure to
18 Ford products are unknown.

19
20 28. Do you contend that you could not have manu-
21 factured or distributed the asbestos-containing product(s)
22 which plaintiff alleges he was injured by? If so,

23
24 (a) state all facts upon which you base such
25 contention;

///

1 (b) identify each person having knowledge of each
2 such fact and state which facts each such person knows;
3

4 (c) identify each writing which supports each
5 such contention; and
6

7 (d) identify each oral communication which sup-
8 ports such contention.
9

10 ANSWER: See Answer to Interrogatory No. 28.
11

12 29. Do you contend that your market share of
13 asbestos-containing friction products can be factually
14 determined? If so, describe how you could compute your
15 market share?
16

17 ANSWER: See Answer to Interrogatory No. 22.
18

19 30. Identify the person(s) who has (have) worked
20 for you in any of the years from 1940 through the present
21 who have knowledge of the documents from which it can be
22 determined to whom your asbestos-containing products were
23 sold and how much were sold.
24

25 ///

26 ///

27 ///

1 ANSWER: See Answer to Interrogatory No. 22.

2
3 31. Describe all efforts or activities by you to
4 find a substitute product for the asbestos in your products
5 including, but not limited to:

6
7 (a) the dates of such efforts or activities;

8
9 (b) the reasons for such efforts or activities;

10
11 (c) names and addresses of persons involved in
12 such efforts or activities;

13
14 (d) the result of such efforts or activities; and

15
16 (e) identify any of your products which were
17 altered as a result of such efforts or activities.

18
19 ANSWER: Ford commenced a search for asbestos
20 substitutes in its automobiles in 1975 when it became aware
21 of preliminary research findings which it had partially
22 funded and which culminated in a paper entitled Asbestos
23 Exposure During Brake Lining Maintenance and Repair, pub-
24 lished in "Environmental Research", Vol. 12, pp. 110-28
25 (1976). See Answer to Interrogatory No. 19.

///

1 32. Have any of your asbestos-containing products
2 been supplied or sold to any other defendant in this litigation
3 since 1940? If so, for each such product, state:

4
5 (a) the name of the product;

6
7 (b) the defendant(s) it was supplied or sold to;

8
9 (c) the dates of sale or supply;

10
11 (d) identify all writings or records which indicate that said products were sold or supplied to a co-defendant; and

12
13
14
15 (e) state whether any warnings, cautions, caveats or directions accompanied the product(s) sold or supplied to these other defendants.

16
17
18
19 ANSWER: It is Ford's practice to supply, distribute and sell service requirements through authorized dealer's. Although it is not possible to say that no such product was sold by Ford to the other defendants over the last 43 years, it is highly unlikely that there were any significant sales of this type.

20
21
22
23
24
25 ///

 ///

1 33. Has any other defendant in this litigation
2 supplied or sold you any asbestos-containing product since
3 1940? If so, for each such product, state:
4

5 (a) the name of the product;
6

7 (b) the defendant who supplied or sold the pro-
8 duct to you;
9

10 (c) the date(s) of sale or supply;
11

12 (d) identify all writings or records which indi-
13 cate that said product(s) were sold or supplied by the
14 co-defendant to you; and
15

16 (e) state whether any warnings, cautions, caveats
17 or directions accompanied the product(s) sold to you by said
18 co-defendant(s).
19

20 ANSWER: Yes.
21

22 (a) Brake linings.
23

24 (b) See attached supplier chart.
25

///

///

1 (c) See attached supplier chart.

2
3 (d) Ford objects to this Interrogatory as vague
4 and overly burdensome.

5
6 (e) Commencing in 1980.

7
8 34. Have you, at any time, entered into a
9 "rebranding" agreement with any other company, either as a
10 buyer or seller, concerning asbestos-containing products?
11 If so, as to each such agreement, please state:

12
13 (a) the company manufacturing the asbestos-con-
14 taining products under the agreement;

15
16 (b) the brand name or trade name affixed to the
17 product and/or its packaging;

18
19 (c) the time periods covered by the agreement;

20
21 (d) the volume (in dollar amounts) of the trans-
22 actions;

23
24 (e) the purchaser of the products; and
25

3 ///

1 (f) all documents relating to said "rebrand"
2 agreement.
3

4 ANSWER: Assuming that this Interrogatory asks
5 whether Ford sells any asbestos products to others for
6 resale, Ford responds that it has been and is engaged in the
7 furnishing of asbestos containing brake and clutch service
8 replacement parts. Ford brake and clutch assemblies come
9 from suppliers and are marketed under the Ford logo. See
10 attached Supplier Chart
11

12 35. Did you ever recommend to purchasers or users
13 of your asbestos-containing products that respirators,
14 protective masks and/or protective clothing be worn when
15 working with the product? If so, please state:
16

17 (a) the date or dates when such recommendation
18 was made to any agency of the United States Government, such
19 as the Naval Supply System;
20

21 (b) the date or dates when each such recommenda-
22 tion was made to each purchaser or user;
23

24 (c) who made the recommendation;
25

26 ///

27 ///

1 (d) who received the recommendation;

2
3 (e) if oral, the manner and substance of the
4 recommendation;

5
6 (f) if written, identify the document by title,
7 date, file designation and author of each such recommenda-
8 tion and the location and present custodian of each such
9 recommendation;

10
11 (g) if you did make a recommendation, set forth
12 all information, correspondence, or documents relating to
13 such recommendation; and

14
15 (h) the person(s) most knowledgeable about said
16 recommendation(s).

17
18 ANSWER: Yes.

19
20 (a) Upon information and belief, no such recom-
21 mendation was ever made by Ford to any agency of the United
22 States Government.

23
24 (b) Ford first recommended the use of respirators
25 to purchasers or users in its Rotunda's Spring, 1976 cata-
logue.

1 (c) Ford.

2
3 (d) Ford dealers.

4
5 (e) Not applicable.

6
7 (f) Ford can make the Rotunda's Spring, 1976
8 catalogue available for inspection and copying at an agreed
9 date in the office of its counsel.

10
11 (g) See answer to Interrogatory 35(b).

12
13 (h) Stan Svoboda.

14
15 36. Have you undertaken or financed any studies to
16 determine what type of respirator and/or protective mask
17 would afford protection against the inhalation of asbestos
18 fibers? If so, please state:

19
20 (a) who made the study;

21
22 (b) when the study was made;

23
24 (c) the result of the study;

25 ///

26 ///

1 (d) if the result was written and, if so, iden-
2 tify the document by title, date, file designation and
3 author of each study, and the location and present custodian
4 thereof; and

5
6 (e) the person(s) most knowledgeable about said
7 study(ies).

8
9 ANSWER: No.

10
11 37. Have you undertaken or financed any studies to
12 determine what type of ventilator or ventilating system
13 would eliminate or decrease the number of airborne asbestos
14 fibers in confined spaces? If so, please state:

15
16 (a) who made the test or study;

17
18 (b) when the test or study was made;

19
20 (c) the result of the study or test; and

21
22 (d) if the result was written and, if so,
23 identify the document by title, date, file designation and
24 author of each such test or study, and the location and
25 present custodian thereof;

///

1 (e) the person(s) most knowledgeable about said
2 study(ies).
3

4 ANSWER: The work done by Ford in this regard
5 related to its own facilities. Available representative
6 documents regarding such tests or studies are being produced
7 simultaneously.
8

9 38. From the time you first sold or manufactured
10 asbestos products or products containing asbestos until the
11 present, have you conducted, participated in, financed or
12 had conducted for you any studies to determine the effects
13 of your asbestos products on workers working with such
14 products? If so, please state as to each study:
15

16 (a) the subject matter, title and date of each
17 study;
18

19 (b) the date and name of the person authorizing
20 the study;
21

22 (c) the reason for the study;
23

24 (d) the names of the persons who conducted the
25 study;
26

27 ;
28 ///

1 (e) the date the study was completed;

2
3 (f) whether the results were published and dis-
4 seminated and, if so, where and to whom;

5
6 (g) the results of the study;

7
8 (h) if statistical analyses were made, state the
9 date and describe the results and assumptions upon which
10 they were based; and

11
12 (i) if in writing, identify it by date, title,
13 identification number, present location and custodian and
14 attach a copy.

15
16 ANSWER: Commencing in 1972, Ford participated in
17 and provided partial funding for studies done by Dr. Irving
18 Selikoff and others at the Mount Sinai School of Medicine in
19 New York which culminated in the publication of several
20 papers, the first of which was identified in the Answer to
21 Interrogatory No. 31. The work done by Dr. Selikoff ori-
22 ginally was a study of environmental pollution caused by
23 asbestos in brake linings. The study later focused on the
24 occupational exposure of mechanics during brake repair and
25 maintenance. Ford's Research & Engineering Department and
; Industrial Hygiene Department were advised of the studies

1 undertaken by Mount Sinai. Dr. Selikoff's 1976 publication
2 expressly acknowledges the support his work received from
3 Ford.

4
5 39. Have you conducted, participated in, financed
6 or had conducted for you any studies which had the purpose
7 to prevent, minimize or eliminate inhalation of asbestos
8 dust and fibers by those using or exposed to your asbestos-
9 containing products? If so, please state for each study:

10
11 (a) the subject matter, title and date of each
12 study;

13
14 (b) the date and name of the person authorizing
15 such study;

16
17 (c) the reason for the study;

18
19 (d) the names of the persons who conducted the
20 study;

21
22 (e) the date the study was completed;

23
24 (f) whether the results were published and dis-
25 seminated and, if so, where and to whom;

26 ///

1 (g) the results of each study;

2
3 (h) if statistical analyses were made, state the
4 date and describe the results and assumptions upon which
5 they were based; and
6

7 (i) if in writing, identify it by date, title,
8 identification number, present location and custodian and
9 attach a copy.
10

11 ANSWER: Commencing in approximately 1973, Ford's
12 Rotunda Products Division began work to develop a vacuum
13 cleaner suitable for use in brake cleaning operations. A
14 vacuum cleaner suitable for this operation was developed and
15 offered for sale in Rotunda's Spring, 1976 catalogue. A
16 person knowledgeable on this subject is Stan Svoboda.
17

18 40. Identify by date and present custodian of:
19

20 (a) minutes or notes of your Board of Directors
21 meetings since 1935 in which
22

23 (1) asbestos-related disease was discussed
24 or referred to; and/or
25

26 ///

27 ///

1 (2) preventative measures relating to
2 asbestos-related disease were discussed or referred to;

3
4 (b) minutes or notes of your Executive Committee
5 meetings since 1935 in which

6
7 (1) asbestos-related disease was discussed
8 or referred to; and/or

9
10 (2) preventative measures relating to
11 asbestos-related disease were discussed or referred to.

12
13 ANSWER: Ford objects to this Interrogatory as
14 unduly burdensome and calling for irrelevant and immaterial
15 information.

16
17 41. Since 1940, state the names and addresses of
18 any organizations to which you have belonged having anything
19 to do with:

20
21 (a) the setting of any standards regarding
22 asbestos-containing products;

23
24 (b) promulgating regulations regarding asbestos-
25 containing products;

///

1 (c) disseminating information regarding asbestos-
2 containing products;

3
4 (d) engaging in lobbying activities regarding
5 asbestos-containing products;

6
7 (e) doing any research regarding asbestos-con-
8 taining products; and/or

9
10 (f) conducting engineering studies, in any way,
11 regarding asbestos-containing products.

12
13 ANSWER: Records of membership in such organiza-
14 tions are:

15
16 American Society for Testing and
17 Materials Memberships. See attached
18 printout received from the Society dated
November 21, 1983 being simultaneously
produced.

19 Industrial Health Foundation: Ford had
20 a membership from 1/47 to 12/74. See
21 letter from the Foundation dated
December 1, 1983 being simultaneously
produced.

22 Society of Automotive Engineers: It
23 would not be feasible for Ford to iden-
24 tify all of its employees who have been
or are members of the Society of
Automotive Engineers;

25 American Industrial Hygiene Association
in the name of the Medical Department.

///

1 There is no record of Ford's membership in the
2 following organizations:

3
4 Institute of Occupational and Environmental
5 Health;

6 Quebec Asbestos Mining Association;

7 Brake Lining Manufacturers Association;

8 Friction Materials Standards Institute;

9 Grinding Wheel Institute;

10 Asbestos Textile Institute;

11 Asbestos Information Association;

12 Trudeau Foundation;

13 Asbestos Brake Lining Manufacturers Institute.

14
15 42. Between the years 1930 to present, did you
16 purchase or otherwise acquire any asbestos-containing pro-
17 duct or product line from another company? If so, for each
18 such acquisition, please state:

19 (a) date of contract of sale/acquisition;

20
21 (b) terms of purchase and sale agreement [or
22 attach a copy of said agreement(s) to your answers];

23
24 (c) trade, brand and/or generic name of each
25 product so acquired;

26 ///

1 (d) name of company from whom you purchased each
2 such asbestos-containing product or material;

3
4 (e) location of any manufacturing facility so
5 acquired, and the type of asbestos product(s) or material(s)
6 manufactured therein; and

7
8 (f) names of each employee and their job capacity
9 retained in your service who had been an employee of the
10 company from which you acquired the product(s) or
11 material(s).

12
13 ANSWER: Except as identified above, upon informa-
14 tion and belief, no.

15
16 43. At the time of the development of each product
17 identified in Interrogatories 7 and 26, above, please state
18 whether the product complied with any recommendations,
19 safety standards, orders, rules, regulations or design
20 requirements promulgated by any United States agency, or any
21 professional society or association. If so, please identify
22 each such product and identify the recommendation, safety
23 standard, order, rule, regulation or design requirements by
24 author, title, number, page, date, and agency or organiza-
25 tion.

6 ///

1 ANSWER: Ford objects to this Interrogatory as
2 unduly burdensome and calling for irrelevant and immaterial
3 information. Without waiving such objections, Ford states
4 that it believes that its products meet such provisions as
5 are applicable.
6

7 44. Do you contend that it is possible to distin-
8 guish the products identified in Interrogatory No. 7 from
9 those manufactured by a competitor and/or co-defendants? If
10 so, for each such product, please state:
11

12 (a) the distinguishing features of your product;
13

14 (b) the identification of your product and your
15 competitors' or co-defendants' product by brand, trade and
16 generic name; and
17

18 (c) if there are products which you contend
19 cannot be distinguished from products of a similar kind
20 manufactured by a competitor and/or co-defendant, please
21 state the brand and trade name of the product, and the brand
22 and trade name of the product manufactured by your compe-
23 titor.
24

25 ANSWER: Yes. The manufacturer of some unused
26 brake linings can be ascertained by part numbers, formula-
27 tion codes, and logos on the brake lining.

1 45. Did you in any way assist, finance or partici-
2 pate in the 1929 Metropolitan Insurance Company study of
3 asbestos? If so:

4
5 (a) state what role or action you took; and

6
7 (b) identify all writings relating to said study
8 in your possession.
9 - -

10 ANSWER: No.

11
12 46. Did any of your officers or corporate per-
13 sonnel attend any one or more of the Saranac Symposiums from
14 1930 on? If so, please state the name of the person, posi-
15 tion or title and the dates attended.

16
17 ANSWER: Upon information and belief, no.

18 DATED: February 9, 1984

19 BARFIELD, BARFIELD, DRYDEN & RUANE

20
21 By 
22 LAWRENCE A. MARGOLES
23 Attorneys for Defendant
24 FORD MOTOR COMPANY
25
26

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

4 ROBERT D. SANBORN

5 being duly sworn, deposes and says that he is an authorized
6 agent of Ford Motor Company and that he verifies the fore-
7 going Answers to Interrogatories propounded to the Defen-
8 dants for and on behalf of Ford Motor Company, and is duly
9 authorized to do so; that certain of the matters stated
10 therein are not within the personal knowledge of deponent;
11 that the facts stated therein have been assembled by author-
12 ized employees and counsel of Ford Motor Company and depo-
13 nent is informed that the facts stated therein are true.

14
15 *Robert D. Sanborn*
16
17 Subscribed and sworn to
18 before me this 15th day
19 of December, 1983.

20 *John J. [Signature]*
21 Notary Public, Washtenaw County,
22 State of Michigan
23 My Commission Expires: 12-17-85
24
25
26

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on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on February 9, 1984, at San Francisco, California.

Mary A. Peterson
Mary A. Peterson