IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

RE: ASBESTOS LITIGATION FILED BY BARON AND BUDD	)	No. 86-L1351 - 86-L-1677 86-L-2704 - 86-L-2708 (Lead case: Greco)
Plaintiffs,	)	
vs.	)	No. 86-L-905 (Lead case: Ahart)
A.P. GREEN, et al.,	)	No. 86-L-836 (Lead case: Abbott)
Defendants.	)	

ANSWERS TO
PLAINTIFF'S FIRST SET OF INTERROGATORIES
TO DEFENDANT M.H. DETRICK COMPANY

PRELIMINARY STATEMENT

Mr. John 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.

CORPORATE NAME

1. For each Interrogatory below, please state the name and last known address of each person answering it, including whether he is employed by Defendant.

ANSWER:

John Hosbein
President, M.H. Detrick Company
19444 S. 97th Avenue
Mokena, IL 60448

2. Please state whether or not Defendant is a corporation. If so, please state your correct corporate name, the state of your incorporation, and the address of your principal place of business.

ANSWER:

M.H. Detrick Company; incorporated Delaware late 1920s or early 1930s. See answer to Interrogatory #3 below for further detail. Principal place of business: 19444 S. 97th Avenue, Mokena, IL 60448.

3. Please describe Defendant's corporate history, including any mergers, consolidations, asset purchases, acquisitions or spin-offs.

ANSWER:

It is believed that M.H. Detrick Company was incorporated in Illinois sometime around 1913 to 1917. It appears that sometime in the late 1920s or early 1930s, the assets of M.H. Detrick Company were transferred to Detrick Engineering, a Delaware corporation. Sometime in the 1930s, the name was again changed to M.H. Detrick Company.

4. Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

(a) The name of each such corporation or entity;

(b) Date of acquisition;

(c) The nature of the company as it relates to asbestos.

ANSWER: Yes.

(a) To the best of Mr. Hosbein's recollection, Detrick acquired an insulating plant in the 1930s from the Stone and Rowaldt Partnership by purchase. In addition, over the years Detrick has developed or acquired several other lines of business unrelated to the use of asbestos, some of which have been discontinued or sold.

(b) Late 1930s.

(c) Insulation manufacturing plant located in Aurora, IL.

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, or distribution of asbestos-containing products? If so, please state the following:

(a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);

(b) As to each product mined, manufactured, sold, marketed, or distributed, please state the following:

1. The trade or brand name;

2. Its identification number (model, serial number, etc.);

3. The time period it was manufactured, mined, marketed, distributed or sold;

4. Its physical description including color, general composition, and form;

5. A detailed description of its intended use and purpose;

6. A detailed description of the type package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon;

7. The percent of asbestos which it contained;

8. The percent of asbestos by asbestos type (amosite, crocidolite, chrysotile, tremolite, anthophyllite);

(c) The time period during which each of these products were on the market;

(d) A description of the physical composition of each product;

(f) How each of these asbestos-containing products can be distinguished from those of competitors;

(g) A description of the physical appearance of such products;

(h) A detailed description of the intended uses.

ANSWER: Yes.

(a) M.H. Detrick Company.

(b)

1. See attached exhibit "A" - in addition, Insulating Block and Insulating Cement were manufactured by M.H. Detrick Company, put by M.H. Detrick Company into packages of Mexico Refractories under the brand name of "M Block." The brand name of the cement is unknown. In addition, Detrick Insulating Cement preceded Super 711 Cement.

Defendant has no records and its investigation has not disclosed manufacturers of products otherwise labeled which contain asbestos. M.H. Detrick Company sold its insulation plant to Refractory and Insulation in 1964. Thereafter, M.H. Detrick Company purchased minor quantities from other manufacturers, primarily Refractory and Insulation (Combustion Engineering). Investigation continues.

2. None.

3. See attached exhibit "A" as to dates Detrick discontinued manufacturing. 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 the products Detrick stopped selling asbestos containing products. Unknown as to products manufactured by others.

4. See product brochures produced in compliance with the request for production. "M Block" and Kaiser M Block" see descriptions of "Block Insulation" and "GripTex Mineral Wool Block." For cement sold to Mexico and Kaiser see description of Super 711 Cement and Detrick M W Cement. Unknown as to products manufactured by others.

5. See Technical Data Books produced in compliance with the request for production for products manufactured by M.H. Detrick Company. Unknown as to products manufactured by others.

6. See product brochures and Technical Data books produced in compliance with the Request for Production.

7. See attached exhibit "A" - "M Block" and Kaiser M Block" are the same as "Block Insulation" and "GripTex Mineral Wool Block." Cement sold to Mexico and Lots Kaiser are believed the same as Super 711 Cement and M W Cement. Detroc Board contained amosite in a proportion unknown at this time. Defendant did not manufacture Detroc Board. As to M.H. Detrick company-made products, available information indicates that only chrysotile was used except where indicated. Unknown as to products manufactured by others.

8. See answers above.

(c) See answer to Interrogatory (b)3 above.

(d) Defendant does not know the physical composition of each product as the formulas were transferred at the sale of the division. Investigation continues.

(e) No question asked.

(f) Defendant objects to this question on the grounds that the answer calls for speculation. Defendant believes the products can be distinguished by packaging, color, texture and possibly fiber type.

(g) See product brochures and Technical Data Book produced in compliance with the Request For Production.

(h) See product brochures and Technical Data Book produced in compliance with the Request For Production.

INFO ABOUT SAFETY

6. Before placing Defendant's asbestos-containing products on the market, did Defendant make or cause to be made, any studies to determine whether your products would be hazardous to people? If so, please state the date of said studies, what studies were done, and the titles of each study.

ANSWER:

No tests were performed by Detrick to determine the effects of ingestion or inhalation of asbestos particles to the human pulmonary or digestive systems as any alleged hazzard was not known to Detrick.

7. Did any person prior to 1970 file a claim against any Worker's Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

(a) A list of each such claim by claimant's name, date filed and jurisdiction involved;

(b) A brief summary of the disposition of each such claim.

ANSWER:

No claims have ever been made against M.H. Detrick Company under Worker's Compensation laws by an employee or former employee of M. H. Detrick Company.

(a) N/A.

(b) N/A.

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

(a) The date of each patent;

(b) The date same was issued;

(c) The number of each patent application that is pending.

ANSWER:

It is believed that M.H. Detrick Company did not patent any of its insulation products.

(a) See answer above.

(b) See answer above.

(c) See answer above.

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

(a) The trade name of each such product;

(b) The date each such product was altered;

(c) The nature of the alteration;

(d) The reason for the alteration.

ANSWER:

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 and such records are not available to defendant. Minor changes were made in product composition during the period of manufacture by M.H. Detrick Company. Slight changes in formulation may have been made to improve product performance or to compensate for changes in raw materials. As to products manufactured by others, defendant has no knowledge of changes in their chemical composition.

(a) See answer above.

(b) See answer above.

(c) See answer above.

(d) See answer above.

10. Have Defendant's asbestos containing products ever been marketed, distributed, and/or sold by any other company or business? If so, please state the following:

(a) The name and address of each such company who may have distributed these products to locations listed on Exhibit 1;

(b) The name and address of Defendant's distributors in Missouri since 1920;

(c) The name and address of Defendant's distributors in Illinois since 1920;

(d) The date of each sale;

(e) The name of the person in each company with whom you primarily dealt;

(f) A list of all asbestos products sold to that location during this period of time.

(h) Please identify all documents relating to this distributor for the particular location..

ANSWER:

Defendant's products were sold by certain distributors. See list of distributors attached hereto as exhibit "B". These were not exclusive distributors. It is believed that only a small fraction of the sales of these distributors consisted of Detrick asbestos containing products. Some may have sold no M.H. Detrick Company asbestos-containing products. Also, Mexico Refractories and Kaiser sold Detrick manufactured products.

(a) See answer above.

(b) See answer above.

(c) See answer above.

(d) Unknown.

(e) Unknown.

(f) Unknown.

(g) Unknown.

(h) Unknown.

11. Did Defendant or any of Defendant's distributors, as listed in Interrogatory No. 10 have sales representatives who specifically called on those facilities listed in Exhibit 1 from 1945 to 1975? If your response is yes, as to each facility, please state the following:

(a) The name and last known address of each such representative and whether they are still employed by Defendant;

(b) The period of time they acted as your representative;

(c) Their general responsibility at this location;

(d) Whether that person is still alive.

ANSWER:

The records of names and activities of the sales representatives were transferred with the sale of the insulation division and are not now known. Defendant objects to any information which is outside its period of manufacture of asbestos containing products as not being relevant.

12. Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos containing insulation? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER:

No.

13. Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER:

No.

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

ANSWER:

All asbestos containing products manufactured by M. H. Detrick were produced at the Insulation Division Plant at Aurora, IL.

15. Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning asbestos insulation or refractory materials? If so, please state:

(a) The name of the company manufacturing the asbestos products under such agreement;

(b) The trade name affixed to such products;

(c) The periods of time covered by each such agreement;

(d) The volume (in dollar amounts) of each such transaction;

(d) The purchaser of such products;

(e) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

ANSWER:

Defendant is uncertain of the meaning of "rebranding." Defendant did not repackage any asbestos containing products. Defendant manufactured products and originally packaged them for Mexico Refractories and Kaiser under the brand names listed in answer to Interrogatory 5.

(a) See answer above.

(b) See answer above.

(c) See answer above.

(d) Unknown, investigation continues.

(e) No.

INFO ABOUT DESIGN/TESTING

16. What is the name, address, and job title of each individual who participated in the design and preparation of

manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

ANSWER:

Various sales and manufacturing employees worked together on product recipes. Howard Speelman, now living in Indiana, may have been one such person. Others are deceased or unknown.

17. As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.

ANSWER:

Occasionally blocks would have to be cut, some other products required mixing with water.

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

ANSWER:

Since the method of application by each of the various plaintiffs is unknown, the question calls for speculation and is therefore unanswerable.

19. Do any written memoranda, specifications, blueprints or other written materials of any kind or character now exist relating

to the design and preparation of the products listed in answer to Interrogatory No. 5. If so, please:

(a) List each such written material or document;

(b) Identify the person or persons presently in possession of each such document;

(c) State where each such document is located.

ANSWER:

These records were retained by Refractory and Insulation when M.H. Detrick Company sold Refractory and Insulation the Aurora, Illinois, insulation plant. Defendant has been advised that these records no longer exist. Such records regarding products sold by Detrick after 1964 were never in Detrick's possession.

(a) See answer above.

(b) See answer above.

(c) See answer above.

20. Prior to releasing the products listed in Interrogatory No. 5 to the public for sale, were any tests (animal or human test) conducted on same to determine potential health hazards involved in the use of materials contained therein? If so, please state:

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

(b) The results of such tests.

ANSWER:

See answer to Interrogatory #6.

(a) See answer above.

(b) See answer above.

21. Does Defendant have or control any written memoranda, specifications, blueprints or other written materials of any kind or character relating to the testing of said products? If so, please;

(a) List each such written material or document;

(b) Identify each person who presently has possession of each such document;

(c) State where each such document is located.

ANSWER:

See answer to Interrogatory #6.

22. Were any design changes made as a result of such tests? 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 #6.

(a) See answer above.

(b) See answer above.

23. After releasing the products listed in answer to Interrogatory No. 5 to the public, did Defendant conduct any tests (list animal and human tests) conducted thereon to determine potential health hazards involved in the use of materials contained therein. If so, please state:

(a) The name, address, and job classification of each person and/or agency conducting said tests;

(b) The results of said tests;

(c) The date of said tests.

ANSWER:

See answer to Interrogatory #6.

(a) See answer above.

(b) See answer above.

(c) See answer above.

24. Has Defendant 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 material manufactured, sold or distributed by you or your predecessor? If yes, please give dates and nature of such studies, the purpose of such studies, and attach a copy of reports based upon such studies, names and addresses of persons conducting such studies, the purpose of such studies, and attach a copy of reports based upon such studies, and list to whom such reports were given and the date.

ANSWER:

See answer to Interrogatory #6.

INFO ABOUT SAFETY/HEALTH

25. Please state whether or not Defendant ever conducted any tests in the field (where asbestos-containing products were applied, removed or used) to determine the nature and extent of asbestos

fiber exposure to insulators, applicators, or fellow employees in the vicinity thereof? If so, please identify:

(a) The date, place and nature of each and every test;

(b) The particular asbestos-containing products to which each test applied;

(c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site.

ANSWER:

See answer to Interrogatory #6.

(a) See answer above.

(b) See answer above.

(c) See answer above.

26. Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

(a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers.

(b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained.

ANSWER:

M.H. Detrick Company has one NIOSH document, date unknown, which was received well after Defendant stopped producing asbestos products. Additionally, M.H. Detrick Company 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 1970s. 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 1920s of asbestos dangers. Investigation continues.

27. Please state when Defendant first acquired knowledge concerning the association between inhalation of asbestos fibers and the contraction of cancer including, but not limited to, mesothelioma and state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER:

See answer to Interrogatory #26.

28. Please state when Defendant first acquired knowledge concerning the association between the inhalation of asbestos fibers and contraction of lung disease known as asbestosis and state the source of that information including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER:

See answer to Interrogatory #26.

29. Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

ANSWER:

See answer to Interrogatory #6.

30. As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

ANSWER:

None.

31. Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom and to who such recommendations and/or suggestions were made and the substance of each recommendation.

ANSWER:

None.

32. Please state the scientific or medical periodicals to which Defendant, its medical department, industrial hygiene divisions or consulting physicians subscribed between 1945 and 1975.

ANSWER:

None.

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

ANSWER:

See answer to Interrogatory #6.

34. For each test described in Interrogatory No. 33, please give the name of the person conducting the test, the date of the test, and attach true copies of any reports, findings or memoranda concerning such tests or studies.

ANSWER:

See answer to Interrogatory #33.

35. Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

ANSWER:

Defendant's current employees are unaware of receiving any information regarding TLVs or maximum allowable concentration from the ACGIH. However, this information may have been received by past employees. Investigation continues.

36. Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering? If so, state:

(a) The date each such library was established;

(b) The location of each library;

(c) The name(s) of the librarian(s) since 1930;

(d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;

(e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

ANSWER:

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

(b) 19444 South 97th Avenue
Mokena, IL 60448

(c) Detrick has no one designated as a librarian, but its maintenance is overseen by the engineering department personnel.

(d) 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; Ziegel Industries International; and various supplier catalogues and engineering books.

37. Did Defendant in the 1920's or 1930's commission or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

ANSWER:

No.

38. Does Defendant admit that a report of some of the studies of Trudeau Foundation at Saranac Lake, New York entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" was published in the Public Health Report, Vol. 50, no. 1, dated January 4, 1935?

ANSWER:

Detrick's counsel is aware that such an article was published, but has no opinion as to its validity or conclusions.

39. When was Defendant first aware of the above mentioned Lanza report?

ANSWER:

Mr. Hosbein was unaware of the Lanza report until told about it by counsel in approximately 1982.

40. Please state whether the Defendant at any time have been members of any "trade organization" or "trade association" composed of other manufacturers, miners, distributors and/or sellers of asbestos products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER:

Mineral Wool Institute; National Insulation Manufacturers Association; Industrial Mineral Insulation Manufacturers Institute, Inc.; and Insulation Distributor - Contractors Association. Investigation continues as to other such organizations. The records regarding membership and publications received, if any, regarding said associations has not been located except for certain documents showing membership in NIMA produced to defendant in other

litigation. Its own records do not verify membership. Such records, if any, may have been left at the Aurora plant when the plant was sold in 1964, or later discarded as Detrick was no longer manufacturing asbestos containing products after 1964.

41. With respect to each trade organization or association listed in answer to Interrogatory No. 40 please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

ANSWER:

In other litigation M.H. Detrick Company has been furnished certain minutes of the meetings of the Board of Directors of NIMA dated 1/13/60, 5/10/60 and 4/14/64. Additionally defendant has the set of minutes of NIMA produced to it by Baron & Budd in the litigation.

42. Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the hazardous potential of asbestos. If so, please state the following:

(a) The title of each such article;

(b) The periodical in which each such article was published;

(c) The date each such article was published;

(d) A detailed explanation of the reason for withholding any such article for printing;

(e) Produce documentation which refers, alludes or mentions articles which were withheld for publication. (See Request for Production #18).

ANSWER:

Defendant is at this time unaware of any such articles printed or withheld from printing in any such journal it may have received.

(a) See answer to Interrogatory #42 above.

(b) See answer to Interrogatory #42 above.

(c) See answer to Interrogatory #42 above.

(d) See answer to Interrogatory #42 above.

(e) See answer to Interrogatory #42 above.

43. Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

ANSWER:

Defendant's agents attended NIMA where such topics may have been discussed.

WARNINGS/SALES PROMOTION

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

(a) The wording of such warning;

(b) A description of each such printed material;

(c) The method used to distribute the warning to persons who are likely to use the products;

(d) The date each such warning was issued;

(e) Whether any warning accompanied any of your asbestos containing products' sales literature, handout or pamphlets;

(f) Please attach a copy of the warning and date said warning was issued;

(g) The name, address, and job classification of each person who presently has possession of the above-described documents;

(h) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

ANSWER:

With respect to products manufactured by defendant, no warnings accompanied the product. However, sometime after 1964, warnings concerning asbestos exposure were attached to products purchased by M.H. Detrick from Combustion Engineering and other manufacturers. Investigation continues.

(a) M.H. Detrick 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.

(b) See warning produced in compliance with the request for production. Investigation continues as to others.

(c) Warnings were supplied with the products.

(d) The warning set out verbatim in Answer to Interrogatory #44(a) was added after 1964.

(e) No.

(f) See warning produced in compliance with the request for production.

(g) What purports to be a verbatim copy is in the possession of Bernard and Davidson.

(h) Prior to 1964, Detrick ordered its package from a packaging manufacturer(s) who is (are) presently unknown. After 1964, unknown as produced by Combustion Engineering.

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

(a) The name and address of each person or entity who prepared same;

(b) The name, address and job title of each person who presently has possession of same;

(c) The date same was prepared;

(d) The media used to disseminate the sales material.

ANSWER:

Yes.

(a) Person(s) unknown. Investigation continues.

(b) Bernard & Davidson.

(c) See pamphlets contained in Technical Data Books 1, 2, 3, 4 and 5 for dates noted thereon. It is believed others may have existed and dates of these are unknown. Ads were possibly placed in such trade magazines as Industrial Heating and possibly others.

(d) Made available to Detrick sales representatives who distributed them to potential customers. Limited advertising may have been placed in selected trade publications. To the best of Mr. Hosbein's knowledge and memory no advertisements were placed or other distribution made in the mass media.

46. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate consumer. If so, please state the following:

(a) The name, address and job classification of each person who prepared same;

(b) The name, address and job classification of each person who presently has possession of same;

(c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

ANSWER:

Directions may have been placed on containers. In addition, sales brochures may have contained this information.

(a) Person(s) unknown. Investigation continues.

(b) Bernard & Davidson.

(c) See answer above.

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

(a) Identify the written material by content and date;

(b) To whom it was delivered.

ANSWER:

M. H. Detrick has no records of any written material specifically sent to sales representatives. See product brochures and Technical Data Books produced in response to the Request For Production.

48. Does Defendant contend that asbestos containing products can be manufactured so as to eliminate all potential health hazards to workers installing same? If so, please state the following:

(a) The date that Defendant first determined that another product could be used in place of asbestos;

(b) The chemical of the substitute;

(c) Whether the substitute is suitable for the purpose for which they are to be used;

(d) Whether Defendant used the substitute for asbestos to 1971.

(e) Whether Defendant ever used the substituted for asbestos for high or low heat insulation.

ANSWER:

Defendant has no facts to form an opinion to this question as it has stopped manufacturing asbestos products since 1964.

(a) See answer above.

(b) See answer above.

(c) See answer above.

(d) See answer above.

(e) See answer above.

KNOWLEDGE OF PREVIOUS INJURIES

49. Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured and/or sold by Defendant? If so, please state:

(a) The name and address of each claimant;

(b) The date of notice of each claim;

(c) A description of the claim;

(d) The type of injuries allegedly sustained;

(e) The name and address of each attorney representing the individuals making such claims;

(f) The style and court number of each such claim;

(g) The resolution of each claim.

ANSWER:

No.

(a) N/A.

(b) N/A.

(c) N/A.

(d) N/A.

(e) N/A.

(f) N/A.

(g) N/A.

50. Has Defendant obtained statement from any witnesses including the Plaintiff? If so, please:

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

ANSWER:

Other than depositions, no statements have been taken.

(a) See answer above.

OUR PLAINTIFFS

51. As to each Plaintiff, do you contend that any Plaintiff improperly used your products? If so, please set out in detail as to each Plaintiff in what respect the product was improperly used.

ANSWER:

It is unknown at this time whether plaintiffs were ever around, exposed to or worked with defendant's products. Investigation continues.

52. As to each facility listed on Exhibit 1, and as to each Plaintiff, please state whether Defendant contends that there was any substance other than asbestos, including but not limited to, those items listed in Interrogatory No. 51 or Interrogatory No. 52 of Defendant's Master Set of Interrogatories to Plaintiff, which contributed or caused Plaintiff's injuries. If your answer is yes, please state the following:

(a) The facts upon which you rely;

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

ANSWER:

Unknown at this time. Investigation continues.

(a) See answer above.

(b) See answer above.

RESPIRATORS

53. Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in the products listed in answer to Interrogatory 5? If so, state:

(a) When the respirator was sold;

(b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;

(c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;

(d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;

(e) Produce all documentation which mentions, alludes or refers to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

ANSWER:

Unknown at this time. Investigation continues.

(a) Unknown at this time. Investigation continues.

(b) Unknown at this time. Investigation continues.

(c) Unknown at this time. Investigation continues.

(d) Unknown at this time. Investigation continues.

(e) Unknown at this time. Investigation continues.

LEGAL

54. Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

(a) Their identity, last known address;

(b) The subject matter on which the expert is expected to testify;

(c) The expert's specific conclusion and specific opinions and the specific basis therefore;

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

ANSWER:

Defendant will disclose its expert witnesses pursuant to the court's Rule 220 order.

(a) See answer above.

(b) See answer above.

(c) See answer above.

(d) See answer above.

55. For each expert witness who has testified for Defendant in other asbestos cases (both by deposition and trial testimony), please state:

(a) The person's name and last known address;

(b) The style of the case, its cause number, and its jurisdiction;

(c) Whether that person was an employee of Defendant at the time and whether that person remains an employee.

ANSWER:

It is believed that no cases against M.H. Detrick have reached the trial stage nor the depositions of expert witnesses retained by M.H. Detrick, if any, have been taken. Investigation continues.

56. Please identify each such expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

(a) Please identify each document which will be offered into evidence by the expert witness.

ANSWER:

Objection. Question as phrased calls for work product.

(a) Objection, call for work product.

57. Does Defendant admit that service of process was properly had on you in this case? If not, please state why.

ANSWER:

Objection as phrased. This question is overbroad and unduly burdensome. This question does not seek information regarding a specific case or group of cases.

58. Does Defendant have policies of insurance that might cover the claims that have been made by Plaintiff herein?

(a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

ANSWER:

CIGNA; Aetna Insurance Companies; Continental Insurance; and Transamerica Insurance company. Investigation continues as to dates of policies, other companies and amount of coverage.

59. Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

ANSWER:

Objection as phrased. This question is overbroad and unduly burdensome. This question does not seek information regarding a specific case or group of cases.

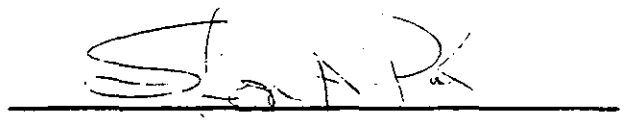
Respectfully submitted,
M.H. Detrick Company, Defendant

By: _____
One of Its Attorneys

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

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 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 on this 17th day of August, 1988.



STATE OF ILLINOIS)
)
COUNTY OF)

AFFIDAVIT

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

Subscribed and sworn to before me this _____ day of _____, 1988.

Notary Public, in and for the
State of Illinois

My Commission Expires:

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 "A"

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, Jr. 948 East Second Street
CONNECTCUT	Bridgeport	Asbestos Distributors Corp 113 E Washington Ave
ILLINOIS	Chicago	Illinois Insulation & Con struction 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 121 State Street
MICHIGAN	Detroit	Owens-Corning Fiberglas Supply & Contracting Div. 18300 West 8 Mile Road
	Grand Rapids	Owens-Corning Fiberglas Supply & Contracting Div. 1055 Thirty-Ninth Street S.E. Grand Rapids, 8.

Address Reply To
2284 W. Holcombe Blvd.
Houston 25, Texas

Exhibit 5

	Mt. Morris (Saginaw)	Owens-Corning Fiberglas Supply & Contracting Div. G-6299 North Saginaw St.	
SOURI	Kansas City	Central Supply Company 2020 Wyandotte Street	Insulators, Inc. 1st Street
W YORK	New York City	Eastern Steam Specialty 119 Barclay Street	Insulators, Inc. Drive
W JERSEY	New York City	Eastern Steam Specialty 119 Barclay Street	ulating Co. eet
RTH CAROLINA	Greensboro	Covil Insulation Company 1920 Sullivan Street	s, Inc. nd Street
IIO	Cleveland	Clark Asbestos Company 1893 East 55th Street	w York City
	Columbus	Culberg Asbestos of Ohio, Inc. 390 Holtzman Avenue	- Chicago, Ill. 774
ENNSYLVANIA	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	
SOUTH CAROLINA	Greenville	Covil Insulation Company 123 River Road	
TENNESSEE	Memphis	Process & Power 1565 Harbor Avenue	
TEXAS	Beaumont	The Industrial Insulators, Inc. 510 Jefferson Street	

Exhibit 88