

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Ruben Biech
Kristi Kresge
Oscar Kroll
Luverne Wedwick

Civil No. 95-C-2162
95-C-2325
95-C-2166
95-C-2327

DEFENDANT BORG-WARNER CORPORATION'S ANSWERS
TO PLAINTIFFS' INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS TO DEFENDANT (SET I)

TO: ABOVE-NAMED PLAINTIFFS AND THEIR ATTORNEY, JEANETTE T.
BOECHLER, ONE N. 2ND STREET, STE 314, PO BOX 1932, FARGO, ND
58107

Though Borg-Warner Corporation has made every good faith effort to respond to those Interrogatories to which it has not objected, in making such response, Borg-Warner Corporation does not purport to have adopted or applied any definitions set forth at the outset of or at other places in Plaintiff's Interrogatories nor has Borg-Warner assumed the improper, unproved and hypothetical facts set forth, implied or alluded to in Plaintiff's Interrogatories or accepted those allegations of Plaintiff's claims or argumentative terminology or alluded to in those Interrogatories.

Defendant, Borg-Warner, objects to Plaintiff's definition of "asbestos products" as being overly broad, ambiguous, misleading and unlimited in scope. Therefore, without waiving this objection, Borg-Warner has responded to Plaintiff's Interrogatories only with regard to automotive or motor products to which Plaintiff is claiming exposure, i.e. brake and clutch products, only with regard to the Borg-Warner divisions which have manufactured or sold them and only with regard to U.S. operations.

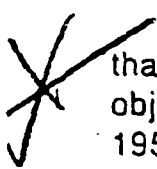
The responses made herein are made without in any way waiving or intending to waive, but on the contrary intending to reserve and reserving: (1) the right to object on the grounds of competency, privilege, relevancy

- on each product or packaging, and on what asbestos products the warnings appear(ed);
- e. Any special instructions provided with such products regarding the use, protection or safety procedures to be employed by persons handling such products.

ANSWER: Not applicable.

10. As to any asbestos products or raw asbestos mined, converted, fabricated, produced, compounded, manufactured or processed, distributed, or sold (wholesale or retail) by defendant, state whether any such products were shipped or sold at or to any of the following entities at any time from the year 1950 onward, specifying as to each shipment and/or sale, the volume, dollar amounts involved, and specific product descriptions for all such shipments or sales:

- a. Ford Motor Company (including any of its units)
- b. Chrysler Corporation (including any of its units)
- c. General Motors Corporation, including its Chevrolet, Buick, Cadillac, Oldsmobile, Pontiac, and truck and bus divisions, or to General Motors' Delco unit
- d. American Motors Corporation
- e. Studebaker Corporation
- f. International Harvester (International)
- g. Caterpillar, Inc.

 ANSWER: Borg-Warner objects to this interrogatory on the grounds that it is overly broad, burdensome and harassing. Without waiving its objection, Borg-Warner answers that it does not maintain records back to 1950, but does believe that it supplied its asbestos-bearing products to Ford, General Motors, Chrysler, International Harvester and Caterpillar. 

11. As to any asbestos products and/or shipment of asbestos products referenced in your answer to Interrogatory No. 10, please describe all such shipments and/or deliveries as specified, and attach to your interrogatory answers copies of all documentary materials in your care, custody and/or control evidencing, or in any way relating to the shipments and/or deliveries referred to in your answer to Interrogatory No. 10.

ANSWER: No such documents are known to exist.