

FILE NAME: Kentile (KEN)

DATE: 1992 June 23

DOC#: KEN014

DOCUMENT DESCRIPTION: Legal - Supplemental Kentile Response to Plaintiffs'
Second Supplement to Master Set of Interrogatories

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSISSIPPI

IN RE:

ASBESTOS PERSONAL INJURY CASES ABRAMS LEAD NOS.
88-5422(2), 89-5088(2), 89-5121(2), 90-5247(2),
88-5420(2), 89-5252(2), 90-5069(2), 90-5322(2),
89-5153(2), 90-5352(2), 89-5268(2), 90-5045(2),
90-5274(2), 88-5181(2), 91-5187(2), 91-5098(2),
91-5000(2), 90-5387(2), 91-5119(2), 90-5369(2),
91-5135(2), and 90-5178(2)

SUPPLEMENTAL RESPONSE TO PLAINTIFFS' SECOND
SUPPLEMENT TO MASTER SET OF INTERROGATORIES

Comes now Kentile Floors, Inc. ("Kentile"), and hereby supplements its response to Plaintiffs' Second Supplement to Master Set of Interrogatories. Since the filing of its original response to Plaintiffs discovery, Kentile has with due diligence, continued to research records and knowledge available to it which information spans nearly eight decades of operations. Therefore, upon discovery of additional information, without waiving any objections asserted in original response to Plaintiffs' Second Supplement to Master Set of Interrogatories, and reserving the right to further supplement or amend these responses as, and if, additional information becomes available, or if any error is discovered, Kentile supplements its response as follows, to-wit:

RESPONSE

Supplemental Interrogatory No. 1: State the following information: (i) the trade names and a short description of all products sold that contained asbestos; (ii) the percentages of asbestos contained in each such product; (iii) the first and last dates of sale respecting each such product; (iv) the names and addresses of all distributors of such products; (v) the names and addresses of all providers of asbestos fiber; (vi) the names of all insurance carriers who are or who may be liable for amounts claimed by plaintiffs; (vii) the amounts and years of coverage respecting each such insurer.

RESPONSE: (i) - (iii) All products listed on Exhibit A attached to Kentile's Response to Plaintiffs' Second Supplement to Master Set of Interrogatories are either asphalt tile or vinyl asbestos tile. Those tiles denoted as asphalt tile were, in fact, asphalt tile. All other tiles, whether denoted as such or not, were vinyl asbestos tiles. Further inquiry has revealed Kentile sold an adhesive which contained asbestos. This adhesive was not manufactured by Kentile but

was sold under the Kentile label as Kentile DD#4. The dates of sale of Kentile DD#4 are unknown at this time. Because Kentile did not manufacture DD#4, Kentile is not aware of the percentage of asbestos contained in DD#4. All asbestos-containing floor covering manufactured by Kentile contained between 10 - 15 percent asbestos.

(iv) Kentile is unable to respond to Plaintiffs' request as stated. Plaintiffs' request is overly broad and seeks information which is not currently available. If Plaintiffs will narrow the question to specific times and more specifically to particular relevant location(s), Kentile will make every effort to determine distributors for the time and relevant location(s) requested. Currently, no list of distributors of Kentile's asbestos-containing floor coverings for the 79 years of production exists.

(v) Upon information and belief, Kentile purchased asbestos fiber from the following:

Union Carbide Corp./Caladria Asbestos Corp., P.O. Box K, King City, California, 93930 (1985 became: King City Asbestos Corp.); Union Carbide Corp., Mining & Metals Division, P.O. Box 579, Niagara Falls, New York, 14302; Huxley Development Corp., Time Life Building, Rockefeller Center, New York, New York, 10020 and 1133 Avenue of the Americas, New York, New York, 10036; Huxley Raw Materials, 1133 Avenue of the Americas, New York, New York, 10036 and 805 Third Avenue, 28th Floor, New York, New York, 10022; Atlas Asbestos Company, P.O. Box 805, Coalinga, California, 93210; Canadian Johns-Manville Co., Limited, P.O. Box 1500, Asbestos, Quebec; Asbestos Corporation of America, 31 North Avenue, Garwood, New Jersey; Carey-Canadian Mines, Ltd., P.O. Box 190, East Broughton Station, P. Q., Canada G0N 1H0; Hardware Products Co., 250 Elizabeth Avenue, Newark Eight, New Jersey and Three Park Place, New York, New York; National Gypsum Co., 420 Lexington Avenue, New York 17, New York; Asbestos Corporation Limited, General Office, Thetford Mines, Quebec, Canada.

(vi) - (vii) The following insurance companies are providing a defense to Kentile under reservation of rights: Liberty Mutual Insurance Company, CIGNA, and National Union Fire Insurance Company. To date, Kentile has not been able to ascertain the respective years and amounts of coverage attributable to each insurer. As soon as this information becomes available, this response will be supplemented.

Respectfully Submitted,

BY: Matthew J. Callan

TITLE: Associate General Counsel

COUNTY OF New York

STATE OF NEW YORK

SWORN TO AND SUBSCRIBED BEFORE ME, this, the 18th day of

JUNE, 1992.

Edward A. Goen

NOTARY PUBLIC

My Commission Expires:

6/30/93

EDWARD A. GOEN
Notary Public, State of New York
No. 30-475501C
Qualified in Nassau County
Commission Expires 6/30/93

CERTIFICATE OF SERVICE

I, Susan Coco, attorney of record for Kentile Floors, Inc. do hereby certify that I have this day mailed, postage prepaid, by United States mail, a true and correct copy of the above and foregoing Kentile Floor, Inc.'s Response to Plaintiffs' Second Supplement to Master Set of Interrogatories to all counsel of record in accordance with the service list filed with the Circuit Court Clerk.

THIS, the 23rd day of June, 1992.

Susan Coco
Susan Coco