

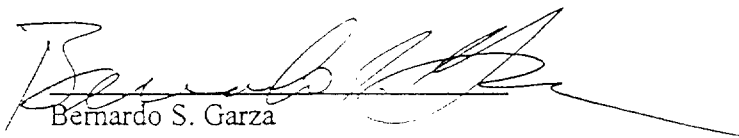
IN RE: ALL ASBESTOS-RELATED § IN THE DISTRICT COURT OF
PERSONAL INJURY OR §
DEATH CASES FILED OR § DALLAS COUNTY, TEXAS
TO BE FILED IN DALLAS §
COUNTY, TEXAS § 68TH JUDICIAL DISTRICT

**FORD MOTOR COMPANY'S RESPONSE TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION
PROPOUNDED TO DEFENDANTS**

Defendant, Ford Motor Company ("Ford"), submits its Response to Plaintiffs' Master Interrogatories and Requests for Production Propounded to Defendants.

Respectfully submitted,

CALLIER & GARZA, L.L.P.

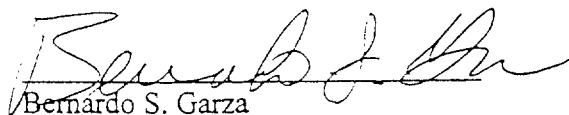


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FORD MOTOR COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon all counsel of record by either hand delivery, certified mail, return receipt requested, or facsimile on December 20, 1999.



Bernardo S. Garza

PRELIMINARY STATEMENT

Ford's Response to Plaintiffs' Interrogatories and Requests has been prepared in full compliance with the Texas Rules of Civil Procedure ("TRCP"), pursuant to a reasonable and duly diligent search for information properly requested. For many years Ford has had at any time hundreds of thousands of employees in different locations throughout the world. In conducting its business Ford has created every year millions of documents that have been kept in numerous different locations and have been moved frequently from site to site as employees have changed jobs. Accordingly, Ford does not, and could not possibly, represent that its responses constitute all of the information requested. Rather, as required by the TRCP, Ford's responses reflect all responsive information identified by Ford before the date of the responses pursuant to a reasonable and duly diligent search and investigation conducted in connection with these requests. To the extent that the requests purport to require more, Ford objects on the grounds that (a) the requests seek to compel Ford to conduct a search beyond the scope of permissible discovery contemplated by the TRCP and (b) compliance with the requests would impose an undue burden and expense.

Furthermore, in compliance with the TRCP, Ford responds to Plaintiffs' Interrogatories and Requests only with respect to information and/or documents in Ford's possession, custody, or control. Some or all of Plaintiffs' Interrogatories and Requests purport to call for information or documents not in the possession, custody or control of Ford but in the possession, custody, or control of other, separate legal entities. To the extent that Plaintiffs' Interrogatories and Requests attempt to require Ford to obtain information and/or documents not in Ford's possession, custody, or control, Ford objects on the grounds that they (a) seek to compel Ford to conduct a search beyond the scope

of permissible discovery contemplated by the TRCP and (b) impose an undue burden and expense on Ford.

Ford does not concede that any of its responses will be admissible evidence at trial. Further, Ford does not waive any objections, whether or not stated herein, to use such answers at trial.

When Ford uses any terms or phrases that Plaintiffs have purported to define, such terms and phrases should be given either (a) the meanings set out by Ford herein or in the individual responses or (b) in cases of ordinary words that Plaintiffs have attempted to define in a manner inconsistent with their meanings, the ordinary meaning of such words.

ANSWERS TO INDIVIDUAL INTERROGATORIES

INTERROGATORY NO. 1

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

OBJECTIONS:

Ford objects on the grounds that the interrogatory seeks information protected under the attorney-client privilege or work product immunity, and on the additional grounds that the interrogatory (a) is overly broad and (b) seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

ANSWER

Ford states that these are the answers of Defendant Ford Motor Company and are signed on behalf of Ford by the authorized agent identified on the attached verification. They were prepared under the direction and supervision of Ford's attorneys, including outside counsel.

INTERROGATORY NO. 2

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER:

Ford Motor Company was incorporated in the State of Delaware on July 9, 1919. Ford's principal place of business is located at The American Road, Dearborn, Michigan 48121. Ford has offices, assembly plants and other facilities at various locations throughout the world. Ford is qualified to conduct business in all 50 states of the United States.

INTERROGATORY NO. 3

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing, asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

OBJECTIONS:

Ford believes that most or all of the documents for which the information requested in this interrogatory could only be derived from are no longer available due to the extreme passage of time. Ford objects to this interrogatory on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford states that it has never mined raw asbestos or manufactured asbestos-containing products. Ford states that it did sell vehicles and replacement parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Such components were purchased from suppliers to Ford.

INTERROGATORY NO. 4

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

Ford refers to and incorporates herein its Answer to Interrogatory No. 3.

INTERROGATORY NO. 5

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

Ford sold replacement parts, which included asbestos-containing brake linings, pads and clutch facings, through franchised Ford dealers and authorized distributors in the United States. Aftermarket parts were sold under the name of Ford or Ford Authorized Remanufacturers, as well as various lines and series names, such as Motorcraft. Ford states that it has not manufactured asbestos-containing brake linings, pads or clutch facings. Ford purchased these products from suppliers. Ford understands the type of asbestos fibers in these to be chrysotile. However, since Ford did not manufacture these products, it does not know percentages of asbestos that

they contain, but, generally, it is thought to be, for example, between 40% and 60% asbestos, by weight, in brake linings.

INTERROGATORY NO. 6

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos- containing product.

ANSWER:

Ford states as follows:

- A. Ford sold replacement parts, which included asbestos-containing brake linings, pads and clutch facings, through franchised Ford dealers and authorized distributors in the United States;
- B. Ford purchased these products from suppliers. Ford will produce a list of some historic suppliers for Plaintiff's reference;
- C. Aftermarket parts were sold under the name of Ford or Ford Authorized Remanufacturers, as well as various lines and series names, such as Motorcraft;
- D. Ford believes asbestos-containing friction products were incorporated into its vehicles since it began selling mass production vehicles in the early 1900's;

- E. Ford understands the type of asbestos fibers in these to be chrysotile. However, since Ford did not manufacture these products, it does not know percentages of asbestos that they contain, but, generally, it is thought to be, for example, between 40% and 60% asbestos, by weight, in brake linings.
- F. Ford states that the use of asbestos-containing friction products were phased out of the majority of Ford's vehicles by 1984. By 1993, the only vehicles in which asbestos-containing friction products were still used were low-volume limousine applications. Their use in limousines was discontinued in 1997.
- G. Ford states that the use of asbestos-containing friction products were phased out of the majority of Ford's vehicles by 1984. By 1993, the only vehicles in which asbestos-containing friction products were still used were low-volume limousine applications. Their use in limousines was discontinued in 1997. No one person authorized or directed the "stoppage" of asbestos-containing friction products. Such products were phased out as OSHA regulations changed and suitable alternatives were discovered;
- H. A brake lining is a narrow rectangle, shaped to fit around a circle. A brake pad is a narrow arc-shaped material mounted to an arc-shaped flat plate. A clutch facing is a flat, round, metal plate with two rings, one on each side of friction material. The facing is between the fly-wheel of the engine and the pressure plate of the transmission;
- I. Ford refers Plaintiff to the Answer to Interrogatory No. 6 (H);
- J. Ford refers Plaintiff to the Answer to Interrogatory No. 6 (G).

INTERROGATORY NO. 7

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

OBJECTIONS:

Ford believes that most or all of the documents for which the information requested in this interrogatory could only be derived from are no longer available due to the extreme passage of time.

Ford objects to this interrogatory on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive

ANSWER:

Ford purchased brake linings, pads and clutch facings from its suppliers. Aspects of design and preparation of these products are proprietary with their manufacturers. Ford prepared performance specifications, not manufacturing specifications. Specifications would be issued, samples received, samples tested against specifications and purchase orders issued. Many Ford employees were involved in this process.

INTERROGATORY NO. 8

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER:

Ford states that in the early 1970's Arnold Anderson and Roy Gealer of Ford's Scientific Research Staff conducted tests to determine the quantity of asbestos fibers liberated from brake linings during the braking process. They concluded that over 99.98% of the asbestos fibers in brake linings decomposed during the braking process into other materials. Their results were published in a 1973 SAE paper by A. Anderson and R. Gealer entitled "Asbestos Emissions From Brake Dynamometer Tests."

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

In addition, Ford states that commencing in the early 1970's, Ford participated in and provided partial funding for studies done by Dr. Irving Selikoff and others at what

is now the Mt. Sinai School of Medicine in New York, which work was reported on in a paper entitled "Asbestos Exposure During Brake Lining and Maintenance and Repair," published in Environmental Research, Vol. 12, pp. 110-128 (1976). The work done was a study of the environmental pollution, if any, caused by asbestos in brake linings. The study came to focus on the occupational exposure of mechanics during brake repair and maintenance. Ford's Research and Engineering Department and Industrial Hygiene Department were advised of the study.

INTERROGATORY NO. 9

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 7.

INTERROGATORY NO. 10

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 7.

INTERROGATORY NO. 11

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 8.

INTERROGATORY NO. 12

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 7.

INTERROGATORY NO. 13

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 8 or 11? If the answer is affirmative, state:

- A. The names of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 7.

INTERROGATORY NO. 14

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.
- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

Ford states that it did not manufacture asbestos-containing brake or clutch products for sale in its vehicles. Ford purchased preassembled brake and clutch assemblies which were installed in vehicles or sold as replacement parts. Therefore, most promotional material concerning brakes or clutch assemblies would pertain to the vehicle as a whole or to pre-assembled replacement parts.

However, Ford states that it began using the following warning on its cartons in 1980: CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM 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 APPROPRIATE BRAKE PARTS WASHER IF NECESSARY. NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY BLOWING WITH COMPRESSED AIR.

In addition, Ford issued an August 3, 1973, memorandum to Plant Safety Engineers directing that brake drums be cleaned using industrial type vacuum cleaners. The memo directed that air hoses should not be used to clean brake drums. Simultaneously, Maintenance Bulletin 137 was issued by the Plant Engineering Office to the same effect.

On October 24, 1975, Ford Technical Service Bulletin 99 was distributed to Ford and Lincoln-Mercury Dealers. It recommended that a vacuum cleaner be used for cleaning brakes. In January 1976, a Technical Service Bulletin 104 was issued to the dealers indicating that Ford recommended the use of an industrial vacuum cleaner in brake cleaning operations. The 1977 edition of the Rotunda Catalog and Ford's Shop Manual for Dealerships recommended that brakes not be cleaned with an air hose and that a vacuum cleaner be used for this purpose. In November 1983, Ford issued Bulletin No. 83-22 on brake and clutch servicing. Technical Service Bulletins are presently distributed to approximately 29,000 Ford and Lincoln-Mercury dealer technicians. These documents are the results of corporate activity and are not the work of any single author. These bulletins have not been superseded. Additionally, as mentioned in Ford's Preliminary Statement, Ford will make available for inspection at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials pertaining to asbestos, which may contain information responsive to this request.

INTERROGATORY NO. 15

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, 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 who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford's records do not permit retrieval of this information as injuries alleged are described in general terms such as: lungs, chest, back, silicosis, bronchitis, emphysema, pneumoconiosis, cough, pulmonary system, etc., resulting from exposure to "deleterious substances" or "atmospheric pollutants." It is impossible to

ascertain from these records whether or not the alleged injury was associated with asbestos exposure. Furthermore, because of the differences in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 16

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

Ford states that it sold replacement parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Aftermarket parts were sold under the name of Ford or Ford Authorized Remanufacturers. Ford will produce a list of Ford Authorized Remanufacturers.

INTERROGATORY NO. 17

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford states that it sold replacement parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford Authorized Remanufacturers, and under various lines and series names such as

Motorcraft. Ford also sold vehicles which included asbestos-containing friction products to the United States government.

INTERROGATORY NO. 18

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

Ford has employed medical directors as part of the Staff to monitor the health and safety of the employees. They are located in Dearborn, Michigan. They have been: Harley Krieger, M.D.: ? to 1954; now deceased; E.A. Irvin, M.D.: 1954 to 1970, now deceased; Duane L. Block, M.D.: 1970 to 1987; and John Triebwasser, M.D.: 1987 to present.

An aggregate of approximately 40 industrial hygienists have been employed at Ford in the past 45 years. Industrial Hygiene at Ford is a central staff function of the Staff. In general, all 40 were classified as industrial hygienists with responsibility to perform industrial hygiene field studies only at Ford locations. The names of the 40 are presented as follows in two groups--those presently employed and those who have left Ford. Credentials and dates of employment will be listed where known.

Present Industrial Hygienists

D.S. Carruthers, B.S., M.S.

Occ & Env. Health, CIH

L. Latorre, B.S., M.S.

Industrial Hygiene, CIH, CSP, 1976

H.B. Lick, B.A., M.B.A., M.S.

Occ & Env. Health, CIH, CSP, 1968

S.S. Mingela, B.S., M.S.

Occ & Env. Health, CIH, CSP, 1977

M.D. Kelly, B.S., CIH

T.F. Strow, B.S., M.S., CIH

P.A. Brogan, M.S.
Occ & Env. Health, CIH

D. Hands, M.S., CIH

Past Industrial Hygienists

R. Anderson 1960s	L. Parrish 1978-81
E. Brown 1960s	W. Preston
N. Brush 1972-77	S. Rabinovitz 1970s
W. Delhey 1950s	J. Radcliff, fmr. mgr., 1948-72
H. Dryer 1978-80	L. Redmond 1950s
D. Eschelbach 1950s	E. Ross 1950s
A. Frazho 1960s	J. Sattelmeier 1960s
L. Jenson 1960s	J. Slosar 1960s
A. Karpowich 1978-80	F. Snitz 1960s
R. Kersten 1977	J. Sproat 1977
W. Kronberger	J. Stanko 1973
T. Mooney 1930s	R. Stites 1940s
M. O'Brien 1977-81	P. Toth, fmr. mgr., 1960-82
D. Padden 1930s	J. Ware 1960s
D. Greschaw 1956-80s	R. Wabeke, fmr. mgr. 1970s and
C. Plasters 1950s-80s 1980s	
K. Swaney 1980s	

INTERROGATORY NO. 19

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human-beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford states that libraries are maintained in the following functional areas in Dearborn, Michigan: medical, industrial hygiene, toxicology, and health surveillance. Among the items in these libraries there surely are journals, books, and other publications that contain references to asbestos. There is no specific depository solely dedicated to the topic of asbestos.

The following journals, among others, were subscribed to at some time during the period from 1928 to the present by the medical and health interests:

- Industrial Health
- Industrial Medicine & Surgery
- Journal of Occupational Medicine
- Journal of American Medical Association
- Archives of Environmental Health
- British Journal of Industrial Medicine
- Annals of Occupational Hygiene
- Journal of American Industrial Hygiene Association

The following journals, among others, were subscribed to at some time by industrial hygiene interests:

- Archives of Environmental Health
- American Industrial Hygiene Journal
- Industrial Hygiene and Toxicology
- British Journal of Industrial Medicine
- The Annals of Occupational Hygiene

Some health information relative to asbestos is maintained at the Industrial Hygiene and Employee Health Department.

Additionally, as mentioned in Ford's Preliminary Statement, Ford will make available for inspection at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials pertaining to asbestos, which may contain information responsive to this request.

INTERROGATORY NO. 20

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publications.
 - 4. The method or manner in which such publications are maintained.

ANSWER:

Ford states as follows:

- A. Ford or Ford employees, or both, have had memberships in the American Society for Testing and Materials, Society of Automotive Engineers and the American Industrial Hygiene Association. Ford cannot identify all of its employees who have been or are members of these organizations. Ford also had a membership from January 1947 through December 1974 in the Industrial Health Foundation, formerly known as the Industrial Hygiene Foundation.

Ford is a member of the National Association of Manufacturers, 1176 F. St., N.W., Washington, D.C. 20006; Michigan Manufacturers Association; Motor Vehicle Manufacturers Association, 300 New Center Building, Detroit, Michigan 48202; and the National Safety Council, 444 N. Michigan Ave., Chicago, Illinois 60611.

- B. Please refer to 20A.
- C. Ford states that Mr. Paul Toth, former Industrial Hygiene Manager, and H.L. Northrop, M.D., former Associate Medical Director, represented Ford at NIOSH brake/clutch assembly hazards meetings in 1975 and 1976. A copy of minutes of a 1975 meeting is available. Other meetings and seminars were attended by several other industrial hygienists of Ford from 1970 to the present. The Asbestos Information Association reports that representatives of Ford sometimes attended an industry government conference, held annually by the Association: Mr. James Stock, Sept. 19-20, 1978, Mr. R. A. Husen Sept. 16-17, 1981

It would be impossible for Ford to identify all Ford employees who may have attended meetings at which asbestos may have been a topic.

- D. A copy of minutes of a 1975 meeting is available.

INTERROGATORY NO. 21

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford believes asbestos-containing friction products were incorporated into its vehicles since it began selling mass production vehicles in the early 1900's. Ford further states that the use of asbestos-containing friction products were phased out of the majority of Ford's vehicles by 1984. By 1993, the only vehicles in which asbestos-containing friction products were still used were low-volume limousine applications. Their use in limousines was discontinued in 1997. Ford additionally, sold replacement parts, which included asbestos-containing brake linings, pads and clutch facings, through franchised Ford dealers and authorized distributors in the United States. Aftermarket parts were sold under the name of Ford or Ford Authorized Remanufacturers, as well as various lines and series names, such as Motorcraft. Ford states that it has not manufactured asbestos-containing brake linings, pads or clutch facings. Ford purchased these products from suppliers.

INTERROGATORY NO. 22

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER:

Ford states that it did not manufacture asbestos-containing brake or clutch products for use in its vehicles. Ford purchased preassembled brake and clutch assemblies which were installed in vehicles or sold as replacement parts. Therefore, most promotional material concerning brakes or clutch assemblies would pertain to the vehicle as a whole or to pre-assembled replacement parts.

INTERROGATORY NO. 23

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so,

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.
- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 14.

INTERROGATORY NO. 24

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER:

Yes. Ford states that a summary of its liability insurance is offered.

INTERROGATORY NO. 25

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.

- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

Ford states that the first case report associating asbestos exposure with asbestosis was published in the United Kingdom in 1907. Scattered case reports of carcinoma in persons occupationally-exposed to asbestos began appearing in the literature in the 1930s. Ford cannot state when a Ford employee first had knowledge of such information. It is known, however, that the initial knowledge of a suggestion of potential hazards associated with asbestos lined brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering in April 1975.

Ford cannot state when it or one of its employees first had knowledge of asbestos-related disease among its employees. Furthermore, because of the difference in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 26

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

Ford states that the first case report associating asbestos exposure with asbestosis was published in the United Kingdom in 1907. Scattered case reports of carcinoma in persons occupationally-exposed to asbestos began appearing in the literature in the 1930s. Ford cannot state when a Ford employee first had knowledge of such information. It is known, however, that the initial knowledge of a suggestion of potential hazards associated with asbestos lined brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering in April 1975.

Ford cannot state when it or one of its employees first had knowledge of asbestos-related disease among its employees. Furthermore, because of the difference in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 27

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER:

Ford states that the first case report associating asbestos exposure with asbestosis was published in the United Kingdom in 1907. Scattered case reports of carcinoma in persons occupationally-exposed to asbestos began appearing in the literature in the 1930s. Ford cannot state when a Ford employee first had knowledge of such information. It is known, however, that the initial knowledge of a suggestion of potential hazards associated with asbestos lined brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering in April 1975.

Ford cannot state when it or one of its employees first had knowledge of asbestos-related disease among its employees. Furthermore, because of the difference in

occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 28

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

Ford states that the first case report associating asbestos exposure with asbestosis was published in the United Kingdom in 1907. Scattered case reports of carcinoma in persons occupationally-exposed to asbestos began appearing in the literature in the 1930s. Ford cannot state when a Ford employee first had knowledge of such information. It is known, however, that the initial knowledge of a suggestion of potential hazards associated with asbestos lined brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering in April 1975.

Ford cannot state when it or one of its employees first had knowledge of asbestos-related disease among its employees. Furthermore, because of the difference in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 29

As to gastrointestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.

- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- D. Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated with Defendant's company or its subsidiary-or predecessor regarding such. adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.

ANSWER:

Ford states that the first case report associating asbestos exposure with asbestosis was published in the United Kingdom in 1907. Scattered case reports of carcinoma in persons occupationally-exposed to asbestos began appearing in the literature in the 1930s. Ford cannot state when a Ford employee first had knowledge of such information. It is known, however, that the initial knowledge of a suggestion of potential hazards associated with asbestos lined brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering in April 1975.

Ford cannot state when it or one of its employees first had knowledge of asbestos-related disease among its employees. Furthermore, because of the difference in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 30

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

Ford was not aware of satisfactory substitutes for friction products containing asbestos which were technologically feasible prior to 1973. Such products were phased out as OSHA regulations changed and suitable alternatives were discovered.

INTERROGATORY NO. 31

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

Ford sold replacement parts, which included asbestos-containing brake linings, pads and clutch facings, through franchised Ford dealers and authorized distributors in the United States. Aftermarket parts were sold under the name of Ford or Ford Authorized Remanufacturers, as well as various lines and series names, such as Motorcraft. Ford states that it has not manufactured asbestos-containing brake linings, pads or clutch facings. Ford purchased these products from suppliers. Ford understands the type of asbestos fibers in these to be chrysotile. However, since Ford did not manufacture these products, it does not know percentages of asbestos that they contain, but, generally, it is thought to be, for example, between 40% and 60% asbestos, by weight, in brake linings.

Ford additionally responds to this interrogatory by stating that a brake lining is a narrow rectangle, shaped to fit around a circle. A brake pad is a narrow arc-shaped material mounted to an arc-shaped flat plate. A clutch facing is a flat, round, metal plate with two rings, one on each side of friction material. The facing is between the fly-wheel of the engine and the pressure plate of the transmission.

Vehicles are not generally shipped in packages. Aftermarket brake linings, pads and clutch facings are shipped in cartons. Ford states that it began using the following warning on its cartons in 1980:

CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM 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 APPROPRIATE BRAKE PARTS WASHER IF NECESSARY. NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY BLOWING WITH COMPRESSED AIR.

A sample aftermarket carton is offered.

INTERROGATORY NO. 32

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER:

No.

INTERROGATORY NO. 33

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

OBJECTIONS:

Ford believes that most or all of the documents for which the information requested in this interrogatory could only be derived from are no longer available due to the extreme passage of time. Ford objects to this interrogatory on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford states that it sold vehicles and replacement parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Ford has not manufactured asbestos-containing brake linings, pads or clutch facings. Such components were purchased from suppliers to Ford.

INTERROGATORY NO. 34

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER:

Not applicable.

INTERROGATORY NO. 35

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- A. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford's records do not permit retrieval of this information as injuries alleged are described in general terms such as: lungs, chest, back, silicosis, bronchitis, emphysema, pneumoconiosis, cough, pulmonary system, etc., resulting from exposure to "deleterious substances" or "atmospheric pollutants." It is impossible to ascertain from these records whether or not the alleged injury was associated with asbestos exposure. Furthermore, because of the differences in occupational exposure, the information sought would not be relevant to the claims asserted herein.

INTERROGATORY NO. 36

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products?

If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

OBJECTIONS:

Ford objects to this interrogatory on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this matter, (c) is unduly burdensome and oppressive, (d) is argumentative in nature and (e) assumes facts not in evidence. Ford further objects to this interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege and/or attorney work-product immunity.

ANSWER:

Ford denies that there exists today any medical or scientific knowledge that establishes risks associated with exposure to its asbestos-containing friction products. However, in the spirit of cooperation, Ford will conduct a reasonable and duly diligent search for, and if available will produce copies of, meeting minutes, attendance lists and related materials from the Product Planning Committee and Board of Directors which discuss asbestos containing friction products.

INTERROGATORY NO. 37

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.

- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

Not applicable.

INTERROGATORY NO. 38

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

OBJECTIONS:

Ford believes that most or all of the documents for which the information requested in this interrogatory could only be derived from are no longer available due to the extreme passage of time. Ford objects to this interrogatory on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive.

ANSWER:

Ford states that it sold vehicles and replacement parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Ford has not manufactured asbestos-containing brake linings, pads or clutch facings. Such components were purchased from suppliers to Ford.

INTERROGATORY NO. 39

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

Ford will supplement its Response to this Interrogatory.

INTERROGATORY NO. 40

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER:

No.

INTERROGATORY NO. 41

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

Ford did not manufacture brake linings or clutch facings for use in its vehicles. It purchased brake and clutch assemblies which had already been preassembled and affixed to metal shoes or plates. These products were then installed as assemblies in vehicle components and were sold as original equipment on vehicles and as replacement parts.

At one time, it was the practice to shape and fit linings by cutting, grinding and beveling. Also, at one time, it was the practice to affix friction material to metal shoes or plates by riveting and bonding. It is impossible to answer the remaining part of this interrogatory because each application and use will differ in some respect. Ford certainly would have supplied new cars and replacement parts to a Ford authorized dealer. The asbestos in the later model linings was embedded in resin and encapsulated. The linings were preshaped and no grinding, arcing or beveling would have been necessary.

INTERROGATORY NO. 42

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

Ford refers to the voluminous medical literature freely available in medical and general libraries, among others, Ford refers to a statement made by Dr. Irving Selikoff in his landmark study published in 1965:

With the growth of asbestos utilization, including rapid multiplication of the number and variety of its applications, it would perhaps be more accurate to categorize workmen exposed to asbestos as "asbestos mill workers", "asbestos insulation workers", "asbestos miners", "asbestos cement workers", etc. The different occupations vary widely in important respects: in intimacy, intensity, and duration of exposure, in variety and grade of asbestos used, in working conditions, in concomitant exposure to other dusts or inhalants.

The Occurrence of Asbestosis Among Insulation Workers in the United States, Ann. NY Academy Science, Vol. 132, p. 139.

INTERROGATORY NO. 43

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER:

In the friction process, 99.9% of the asbestos fibers in brake drums becomes a harmless fibrous material. The remaining asbestos fibers, if any, are embedded in resin which prevents entry into the airways. Medical and technical literature discussing this process is equally available to Plaintiffs.

INTERROGATORY NO. 44

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 41.

INTERROGATORY NO. 45

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 8.

INTERROGATORY NO. 46

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 31.

INTERROGATORY NO. 47

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 8.

INTERROGATORY NO. 48

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

Ford states that it has various activities devoted to scientific research. Ford has no department which as its sole function performs medical research.

INTERROGATORY NO. 49

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER:

Ford has employed medical directors as part of the Staff to monitor the health and safety of the employees. They are located in Dearborn, Michigan. They have been:

Harley Krieger, M.D.: ? to 1954; now deceased; E.A. Irvin, M.D.: 1954 to 1970, now deceased; Duane L. Block, M.D.: 1970 to 1987; and John Triebwasser, M.D.: 1987 to present.

The Associate Medical Director responsible for environmental matters is Dr. Patrick Beecher. Ford maintains medical facilities at its plants and facilities to treat ill or injured employees for all medical complaints or refers them elsewhere for appropriate medical care.

INTERROGATORY NO. 50

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 31.

INTERROGATORY NO. 51

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please

state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

With respect to the aftermarket brake linings sold by Ford, for example, the Ford logo, as well as a label which reads along the following lines has been placed on cartons since 1980:

CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM 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 APPROPRIATE BRAKE PARTS WASHER IF NECESSARY. NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY BLOWING WITH COMPRESSED AIR.

INTERROGATORY NO. 52

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

Because Ford did not manufacture brake linings, pads and clutch facings, it does not have adequate information with which to answer.

INTERROGATORY NO. 53

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER:

No.

INTERROGATORY NO. 54

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

Ford is not aware of satisfactory substitutes for friction products containing asbestos which were technologically feasible prior to 1973.

INTERROGATORY NO. 55

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

Not applicable.

INTERROGATORY NO. 56

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene' surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 8.

INTERROGATORY NO. 57

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;

- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

Ford cannot state the date and source from which it first received notice and awareness of asbestos threshold limit values.

INTERROGATORY NO. 58

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 57 for total dust, and not asbestos dust alone?

ANSWER:

Unknown.

INTERROGATORY NO. 59

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

Ford refers to and incorporates herein its answer and objections to Interrogatory No. 8.

INTERROGATORY NO. 60

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;
- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;
- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;

- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER:

Ford will supplement its Response to this Interrogatory.

INTERROGATORY NO. 61

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.
- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

OBJECTIONS:

Defendant objects to this Interrogatory as being overbroad.

ANSWER:

Ford will supplement its Response to this Interrogatory.

INTERROGATORY NO. 62

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

Ford states that it has not yet determined which exhibits it intends to introduce at the trial of this lawsuit. Ford further states that it will disclose its intended exhibits in accordance with the applicable court rules or as otherwise may be mutually agreed upon by the parties.

INTERROGATORY NO. 63

When, if ever, did Defendant or any of its predecessor-in-interest first receive a copy of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels" published in January, 1946 in the Journal of Industrial Hygiene & Toxicology, and authored by W. Fleischer and P. Drinker, et al ("the Fleischer-Drinker Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. please produce all documents generated by Defendant which discuss or in any way reference the "Fleischer-Drinker" study prior to 1968;
- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Fleischer-Drinker Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;
- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Fleischer-Drinker report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

Ford has no record of receiving this article.

INTERROGATORY NO. 64

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W.C. Dreessen ("the Dreessen Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;

- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory 63(a) above;
- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen Report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

Ford has no record of receiving this article.

INDIVIDUAL RESPONSES TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE:

Not applicable.

REQUEST FOR PRODUCTION NO. 2

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE:

Ford will produce a copy of the most recent organizational directory.

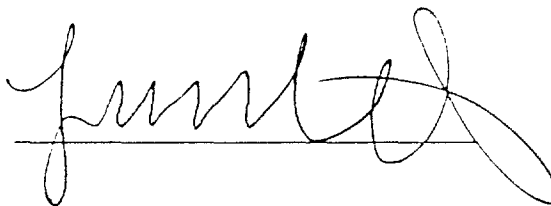
STATE OF MICHIGAN)

) ss.

COUNTY OF WAYNE)

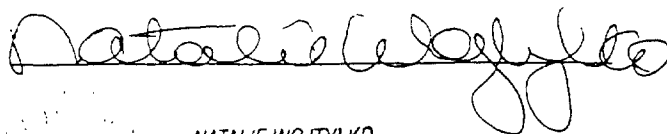
JEROME R. BROUILLARD

, being duly sworn, deposes and says that
the deponent is an authorized agent of Ford Motor Company, and that the deponent
verifies the foregoing FORD MOTOR COMPANY'S ANSWERS AND/OR RESPONSES TO
PLAINTIFF'S MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION OF
DOCUMENTS for and on behalf of Ford Motor Company and is duly authorized so to do;
that the matters stated therein are not within the personal knowledge of the deponent;
that the facts stated therein have been assembled by authorized employees and counsel of
Ford Motor Company, and the deponent is informed that the facts stated therein are true.



Subscribed and sworn to before me this

14th day of December 1999



NATALIE WOJTYLKO
Notary Public, Wayne County, Michigan
Acting in Wayne County, Michigan
My Commission Expires December 15, 2003