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Henderson v. ACandS Inc. [Ex. F]

EXHIBIT F

GENERAL RESPONSE

The interrogatories propounded define the word "product" to include "all asbestos or asbestos-containing products mined, milled, manufactured or distributed by you which were intended for thermal insulation use or were cloth or spray products containing asbestos." This defendant has never been involved in the manufacture or distribution of any "product" as defined for purposes of these interrogatories. This defendant's business consists primarily of the manufacture, in part, and assemblage, in part, of heavy duty trucks. For some trucks and for some periods of time, clutch and brake component parts manufactured by others which, on information and belief, did contain asbestos were utilized in the production of some of these vehicles. Neither of these component part items are intended for thermal insulation use. Despite the fact that these interrogatories do not address such items as "products," this defendant has answered the same providing information regarding the component parts utilized in the assemblage of vehicles based on the information available to this defendant.

SECTION A

1. Identify the registered name of the answering defendant as well as all prior names or predecessor entities by which the defendant has existed.

(a) For each give the current address and the state of incorporation and whether or not it is an active corporation.

ANSWER: Peterbilt Motors Company
1700 Woodbrook Street
Denton, Texas 76205-7864

Peterbilt is an unincorporated division of:

PACCAR, Inc.
777 106th Ave. N.E.
Bellevue, Washington 98004

PACCAR is an active Delaware corporation.

2. Set forth the full and correct name, the principal place of business and the state and date of incorporation of the answering defendant.

ANSWER: The correct name of this defendant is Peterbilt Motors Company, an unincorporated division of PACCAR Inc. See response to Interrogatory No. 1 above.

3. Identify all divisions, subsidiaries or affiliated companies to the answering defendant.

ANSWER: None

4. For each entity or division listed in response to # 3, state whether or not it ever has or presently engages in any phase of mining, manufacturing, sale, supply, distribution, or design of asbestos or asbestos-containing products.

ANSWER: Not applicable.

5. With respect to each division, subsidiary or company listed in # 4, identify the nature and extent of its function during the period of time it was in existence.

ANSWER: Not applicable.

6. Has this answering defendant been sued under its correct name? If not, please state the correct legal name of the defendant and provide the information requested in Interrogatory # 1 above concerning the defendant as correctly named.

ANSWER: See response to No. 2 above.

7. Please state whether or not you have ever held a certificate of authority to do business in this state and the address for your registered agent for service of this state.

ANSWER: No. None.

PRODUCT IDENTIFICATION

8. Have you ever mined asbestos?

ANSWER: No.

9. If the answer to the previous Interrogatory is "yes", please state the dates in which you were involved in mining asbestos, and the locations of your mines.

ANSWER: Not applicable.

10. Have you ever sold raw asbestos fiber to any of the co-defendants? If so, in what years and in what quantities did you make such sales.

ANSWER: No.

11. As to any product containing asbestos in any form or quantity, has this defendant ever:

- (a) designed such a product;
- (b) manufactured such a product;
- (c) processed such a product;

- (d) sold such a product;
- (e) distributed such a product;
- (f) relabeled such a product manufactured or designed by another;
- (g) held a patent for such a product.

ANSWER: This defendant objects to this interrogatory on the basis that the unlimited time frame is overly broad. Without waiving said objection, this defendant would respond:

- (a) No.
- (b) No.
- (c) No.
- (d) Only as part of a truck.
- (e) Only as part of a truck.
- (f) No.
- (g) No.

12. If the answer to the previous Interrogatory or any sub part thereof was in the affirmative, please state the following information about each product:

- (a) the manufacturer of the product;
- (b) the designer of the product;
- (c) the supplier of the raw asbestos fiber used in the product;
- (d) the dates of its manufacture or sale by the answering defendant;
- (e) the percentage of asbestos content of the product;
- (f) the type of asbestos used in the manufacture of the product;

ANSWER: With respect to clutches:

- (a) Lipe-Rollaway (now known as Midland Brake Company)
- (a) Rockwell International Corporation
- (a) Valeo Clutches
- (a) Rockford Power Train, Inc.
- (a) Dana Corporation - Spicer Clutch Division
- (b) Unknown
- (c) Unknown
- (d) Unknown when first used. Discontinued in late 1980's
- (e) Unknown
- (f) Unknown

With respect to brake assemblies (including friction material):

- (a) Eaton Corporation
- (a) Rockwell International Corporation
- (a) Timken Axle Company
- (b) Unknown

- (c) Unknown
- (d) Unknown when first used. Discontinued in 1987
- (e) Unknown
- (f) Unknown

13. In what year did the answering defendant first begin selling or distributing asbestos-containing products? Please be specific for each asbestos-containing product manufactured, sold or distributed by you.

ANSWER: See General Response. This defendant does not know when clutch or brake parts that might have contained asbestos were first utilized in the assemblage of vehicles by this defendant.

14. In what year did the answering defendant last sell, distribute or manufacture an asbestos-containing product? Please be specific for each asbestos-containing product.

ANSWER: See General Response and response to Interrogatory No. 12(d) above.

15. For each asbestos-containing product manufactured and/or distributed by you, state:

- (a) the brand name of the product and the inclusive years of its manufacture and/or distribution;
- (b) the asbestos content by weight of each product for each year;
- (c) the type of asbestos fiber used in each product;
- (d) the application for which such product was advertised or sold;
- (e) the temperature ranges for the products used;
- (f) whether the product was a cement, a pipe covering, a cloth or other type of thermal insulation product;

ANSWER: See General Response. This defendant objects to this interrogatory on the grounds that it is overly broad as applied to this defendant. Without waiving said objection, this defendant would respond that it did not manufacture or distribute individual asbestos-containing products. Transmission clutches and brake linings included as components of a truck assembly may have contained asbestos.

As to clutches (actual years of distribution of asbestos-containing products manufactured by the following companies are unknown):

- (a) Lipe-Rollaway (now known as Midland Brake Company)
- (a) Rockwell International Company
- (a) Valeo Clutches
- (a) Rockford Power Train, Inc.
- (a) Dana Corporation - Spicer Clutch Division
- (b) Unknown

- (c) Unknown
- (d) Heavy duty trucks
- (e) Unknown
- (f) No

As to brake assemblies (including friction material) (actual years of distribution of asbestos-containing products manufactured by the following companies are unknown):

- (a) Eaton Corporation
- (a) Rockwell International Corporation
- (a) Timken Axle Company
- (b) Unknown
- (c) Unknown
- (d) Heavy duty trucks
- (e) Unknown
- (f) No

16. Describe each product as to its color and physical characteristic and appearances.

ANSWER: Unknown.

17. As to each product, state how such product was packaged or supplied.

ANSWER: The products listed in response to Interrogatory No. 15 may have been installed as a component part of a heavy duty truck during the assembly process.

18. Does the answering defendant claim that any patent would cover any product listed in response to the interrogatories above? If so, give the number of the patent, the date same was issued and the number of each patent application that is pending,

ANSWER: Neither Peterbilt nor PACCAR has any patents covering any of the listed products.

19. For each asbestos-containing product manufactured or designed by you, please state the specific batching requirements for that product.

ANSWER: Peterbilt did not manufacture or design any asbestos-containing products.

20. State the time period each particular batching requirement was followed and any changes that were made.

ANSWER: Not applicable.

21. For each asbestos-containing product that you manufactured, please set forth the supplier of the raw asbestos fiber used for that product.

ANSWER: Peterbilt did not manufacture any asbestos-containing products.

22. As to each product mentioned above, identify the following:

- (a) any pertinent trademark that was applicable to the product during any time of its sale;
- (b) the label on the packaging of that particular product for each year of its manufacture;
- (c) all sales brochures, specification sheets, performance data or other promotional material, as well as any and all installation materials, data or brochures which would have accompanied or been distributed in connection with the installation, application or use of each of the products listed above.
- (d) The advertised use of the product (as to this Interrogatory, you may provide a copy of the document in lieu of describing the same.)

ANSWER: Not applicable

23. For each document listed or described above, please indicate the name or the names of the individuals having custody of said documents or copies thereof, and where they are located.

ANSWER: Not applicable.

24. Please describe in detail the method for disbursement and sale of each asbestos-containing product manufactured, designed or distributed by the answering defendant.

ANSWER: Any asbestos-containing product that may have been distributed by this defendant would have been a component part of a vehicle assembly sold to a dealer representative.

25. Have any of the products listed in the answer to Interrogatories Nos. 12, 13 and 16 above been altered in chemical composition or asbestos type or content since their first being marketed?

ANSWER: Not by this defendant.

26. If so, please state:

- (a) the trade name of each such product;
- (b) the date such product was altered;
- (c) the nature of that alteration;

- (d) the reason for the alteration;
- (e) what person has knowledge concerning the alterations.

ANSWER: Not applicable.

27. Identify all sales literature including brochures, advertisements, pamphlets or other material describing each asbestos-containing product manufactured by you beginning in 1925 and coming forward to date.

ANSWER: See General Response. Peterbilt did not manufacture any asbestos-containing products.

28. Prior to 1960, did you conduct any tests concerning the health consequences of the use of your asbestos-containing product?

ANSWER: See General Response. No.

29. Prior to 1960, did you conduct any tests concerning the health consequences related to the manufacture of your asbestos-containing product?

ANSWER: See General Response. Peterbilt did not manufacture any asbestos-containing products.

30. Do any written memoranda, specifications, recommendations or other written materials of any kind or character related to the testing of said products exist?

ANSWER: Peterbilt did not manufacture any asbestos-containing products. Furthermore, Peterbilt is not aware of any written materials directly related to the testing of said products. Vehicle brake system testing was conducted by PACCAR to establish overall system performance.

31. If so, please state:

- (a) identify each such written material or document;
- (b) who presently has possession of each such document and where is it located?

ANSWER: Not applicable.

32. Have you conducted any tests concerning the health consequences of the use of your product between 1960 and 1975 or the date that the asbestos content was removed from the product, whichever is the later.

ANSWER: See General Response. No.

33. If so, please state:

- (a) what tests were done;
- (b) who was responsible for conducting the tests;
- (c) what the results of the tests were;
- (d) identify any documents concerning the tests.

ANSWER: Not applicable.

34. When did the asbestos-containing products manufactured by you first contain any warning or caution concerning the health consequences of the use of the product or the breathing of asbestos dust?

ANSWER: See General Response. Peterbilt did not manufacture any asbestos-containing products.

35. For each such product, please state:

- (a) the wording of each warning or caution;
- (b) the description of each such printed warning or caution;
- (c) the method used to distribute the warning to persons who were likely to use the products;
- (d) the date each such warning was issued;
- (e) the name, address and job classification of each person who presently has possession of the above-described warning or caution;
- (f) identify the warning or caution by date and content;
- (g) state whether any industrial psychologist or human factors engineers were consulted prior to utilizing such warnings, or cautions;
- (h) identify any special instructions provided with each product regarding its use or safety procedures to be employed by persons handling such product.

ANSWER: Not applicable.

36. For any warning ever provided on an asbestos-containing product manufactured or distributed by you, please state:

- (a) when the warning first appeared;
- (b) what was the precise wording of the warning when it first appeared;
- (c) was the warning ever altered, amended or changed in any manner and, if so, how and when;
- (d) where was the warning located on the product or packaging;

ANSWER: Peterbilt manufactures, in part, and assembles, in part, the vehicles that it sells. Peterbilt did not place any warnings on its vehicles pertaining to the possibility of asbestos-containing products. Peterbilt is not aware of any warnings that might have been placed on any of the component parts that were used in the assembly of its vehicles.

37. When did you first become aware that warnings were placed on products distributed by other defendants?

ANSWER: Unknown. Peterbilt is generally unfamiliar with the business activities of most of the other defendants. Peterbilt is not aware of any other truck manufacturer or assembler providing any such warnings.

38. State the manner in which each of your products was shipped and the type of container it was shipped in to the retailers.

ANSWER: Peterbilt vehicles are shipped via a contract carrier. There is no "container" used during this process.

39. When, if ever, did you specifically inform the purchaser or user of your products that contained asbestos that the use of that product or exposure to asbestos dust could cause cancer, asbestosis or other serious diseases? Please identify the document containing this information by date and location.

ANSWER: The only reference discovered, thus far, is in a Peterbilt maintenance manual dated "4/87" (copy attached).

40. Identify any and all labeling or relabeling agreements in existence since 1925 between you and any other person including co-defendants.

ANSWER: This defendant is not aware of any such agreement.

41. Did you sell any of your products containing asbestos fibers or any raw fiber to any of the companies named as co-defendants in this suit?

ANSWER: The only possible sale Peterbilt may have had with any of the other defendants would be the sale of a Peterbilt vehicle to such defendant.

42. If so, please state:

- (a) the name, address and job classification of each individual who currently has possession of such knowledge, either by documents or records;
- (b) please list the names of products have been sold;
- (c) please state the dates of kind of materials sold;

ANSWER: Not applicable.

43. State whether your company manufactured asbestos-containing insulation products for a co-defendant and placed the co-defendants labels, logos or insignia on said products and list each such co-defendant.

ANSWER: No.

44. Has this defendant ever acquired another corporation, company or business which manufactured, sold, processed, distributed or contracted to apply insulation products containing asbestos.

ANSWER: No.

45. If the answer to the above Interrogatory is yes, please state the following concerning such other entity:

- (a) the full and correct name;
- (b) the principal place of business;
- (c) the state of incorporation;
- (d) the date of its acquisition by you;
- (e) the products that the other entity manufactured, distributed, sold or used.

ANSWER: Not Applicable.

46. Did you ever stamp or imprint the name of your company, its initials or any identifying logo on any of your asbestos-containing products? If so, please describe the identifying logo or initials and the dates of its inclusion on the product and the product on which it was included.

ANSWER: Not on individual components. The final vehicles did have various Peterbilt logos.

47. As of the date of your answers to these Interrogatories, is your company still manufacturing, selling or distributing any asbestos-containing products? If so, give the brand names of each such product.

ANSWER: Not to our knowledge.

48. For each product identified as being manufactured, sold or distributed by you in interrogatories No. 12, 13, or 16, state whether or not:

- (a) you have actual containers or photographs of containers in which said products were sold or distributed;
- (b) who is the custodian or keeper of said containers or photographs including their address and telephone number.

ANSWER: No containers are utilized in the distribution of vehicle assemblies.

49. From what source or sources did you obtain raw asbestos fiber beginning in 1940 and going to date, on a yearly basis?

ANSWER: This defendant did not obtain raw asbestos fiber.

50. State whether or not any warnings, cautions, caveats, or directions accompanied the raw asbestos fiber referred to in the previous Interrogatory and identify the nature and extent of said warnings, cautions,

ANSWER: Not applicable.

51. State what date said warnings, cautions, caveats or directions first appeared on the mined asbestos fiber.

ANSWER: Not applicable.

52. If you have discontinued manufacturing and/or selling asbestos products, please state the reason or reasons therefor.

ANSWER: The power-train clutch material was changed to a non-asbestos, ceramic material sometime in the 1978-1984 time period due to environmental reasons and the need for higher torque capacity. Brake lining material was changed in 1987 for environmental reasons. Exact dates are difficult to determine as some of these materials were phased out as they became no longer available from our suppliers.

NOTICE

53. When was the first time that you received notice that any person was claiming an injury as the result of using asbestos-containing products and/or sold by your company?

ANSWER: This defendant has no such records. The PACCAR Risk Management Department records show the first claim was filed in August 1989.

54. For each such injury that you received notice of or a claim for prior to 1970, please list:

- (a) the name and address of each claimant;
- (b) the date of the notice of each claim;
- (c) a description of the claim (i.e. workmen's compensation or a third party liability action);
- (d) the type of injury allegedly sustained;

- (e) the name and address of each attorney who represents individuals making such claims; the style and the court number of each claim;
- (g) the resolution of each claim that has been disposed of,
- (h) the custodian of the records that relate to the claim (In lieu of answering the above questions you may attach copies of any and all claims).

ANSWER: Not applicable.

55. Do you contend that insulation products containing asbestos can be manufactured or treated so as to eliminate all potential health hazards to workers installing the same? If so, please explain in detail what your contentions are and the basis for each contention.

ANSWER: Not applicable. This defendant did not manufacture insulation products containing asbestos.

56. Did you receive any reports or communications from your workmen's compensation insurance carrier or products liability insurance carrier with regards to the hazards incident to the use of asbestos-containing insulation products? If so, please state who has possession of the contents of such reports, the location of such reports and the substance of the contents of such reports, listing for each such report the respective insurance company, its address, the agents signing such correspondence and the date of such notice or report.

ANSWER: Not applicable. This defendant did not use asbestos-containing insulation products.

57. Have any of the co-defendants named in this litigation ever furnished you with any information as to the state of the medical knowledge regarding the connection between asbestos dust exposure and the contracting of pulmonary diseases including asbestosis and cancer.

ANSWER: This defendant has no record of information responsive to this request.

58. If the answer to the preceding Interrogatory is in the affirmative, please identify:

- (a) what information you were furnished;
- (b) who furnished that information;
- (c) when that information was furnished.

ANSWER: Not applicable.

59. Have you at any time since 1930 interchanged results of research tests, medical studies or experiments regarding the state of the medical knowledge regarding

the connection between asbestos exposure and the contracting of pulmonary diseases including lung cancer and asbestosis with any other person, including any co-defendants in this action?

ANSWER: This defendant responds that, to the best of its knowledge, it has not engaged in any such activity.

60. If the answer to the preceding Interrogatory is in the affirmative please state:

- (a) when this interchange took place;
- (b) who participated in these interchanges;
- (c) summarize the content of these interchanges or studies.

ANSWER: Not applicable.

61. Please state if you or anyone on your behalf ever conducted, sponsored or contributed financially to any studies or research to determine if inhalation of asbestos fibers may be harmful.

ANSWER: This defendant responds that, to the best of its knowledge, it has not engaged in any such activity.

62. If the answer to the above question is in the affirmative, please state:

- (a) by whom the research was conducted, giving complete names and addresses;
- (b) the dates that each such research project or test was conducted;
- (c) the complete results of each test or study;
- (d) identify all documents that refer, reflect or relate to the test or study;
- (e) supply copies of the reports of the research department pertaining to the use by the corporation of asbestos in their manufacture of insulation products.

ANSWER: Not applicable.

63. Please state the names and addresses of your chief medical officers from 1930 until the present time, listing the periods of time each such medical officer was employed by defendant in that capacity. If you did not have a medical officer, please indicate what persons or persons performed that function.

ANSWER: This defendant did not employ anyone in this capacity. PACCAR has employed a Corporate Medical Director since approximately 1984. The following people have served in this capacity: Dr. Francis VonFeldt, 1985-present; Dr. J.M. Hughes, 1984.

64. Please state the names and addresses of all physicians who were employed, retained or otherwise engaged by you at any of your facilities from the years 1930 until the present.

ANSWER: None.

65. Please state the names and addresses of all persons employed by you from 1930 until the present time who functioned as industrial hygienists. As used in this Interrogatory, an industrial hygienist is one who performs engineering or health studies to identify and evaluate potential health hazards and suggests methods of dealing with the same.

ANSWER: None as defined.

66. For each industrial hygienist listed above, please state:

- (a) the facility or office to which that individual was assisted;
- (b) the complete and precise duties and responsibilities.

ANSWER: Not applicable.

67. Did anyone ever make any recommendations and/or suggestions to you pertaining to the risks and hazards associated with the manufacturing or use of insulation products containing asbestos?

ANSWER: This defendant responds that, to the best of its knowledge, it has not received any such recommendations and/or suggestions.

68. If the answer to the above question is yes, please state:

- (a) where such recommendations or suggestions were made;
- (b) who made such recommendations or suggestions;
- (c) to whom were these recommendations or suggestions made;
- (d) the substance of the recommendations or suggestions;
- (e) what actions did you take as the result of those recommendations and suggestions?

ANSWER: Not applicable.

69. Do you agree that there is a causal connection between the asbestos dust exposure and

- (a) asbestosis?
- (b) lung cancer?
- (c) mesothelioma?
- (d) other cancers?

ANSWER: This defendant objects to this interrogatory on the grounds that it is overly broad as applied to this defendant and is more properly the subject of competent expert testimony. Without waiving its objection, this defendant would state that because of the nature of its business and the lack of any significant utilization of asbestos in the course of this business, this defendant's general understanding of asbestos exposure and the consequences of such exposure were acquired through general media coverage of these topics and information learned in connection with claims brought against this defendant starting in the 1989 time period. Based on such information, this defendant denies that mere "exposure" to asbestos fibers is a "cause" of the diseases set forth in (a)-(d) above. This defendant admits that, according to medical and scientific literature, inhalation and retention of asbestos fibers of certain types and sizes in certain quantities over an extended period of time after an appropriate latency period may result in the disease asbestosis in certain populations that exhibit such increased rate of asbestosis. This defendant admits that there are certain medical and scientific studies that indicate that some populations that have excessive exposure, inhalation and retention of certain asbestos fibers of certain sizes and types for a prolonged period of time and after an appropriate latency period can contract the disease mesothelioma. Additionally, there are medical and scientific articles that indicate that some populations with excessive exposure, inhalation and retention of certain asbestos fibers for prolonged periods of time and after an appropriate latency period have an increased incidence of the disease lung cancer; however, the medical and scientific literature indicates that such incidences of lung cancer are predominately associated with the inhalation of cigarette smoke or other substances or factors. This defendant further states that there are conflicting medical opinions regarding the incidence and relationship of "other cancers" and excessive asbestos inhalation and retention. Given the indefiniteness of the term "other cancers" this defendant cannot answer further.

70. If your answer to the previous Interrogatory is yes as to any or all subparts, please identify the following as to each disease process listed above:

- (a) when and how you first learned of such connection;
- (b) if the knowledge was obtained by the attendance of any conference, lecture, convention, symposium, or meeting, identify such event and provide the name of the person attending or the documents obtained from that meeting;
- (c) if knowledge was obtained from a medical or scientific study or any other published works, identify the same;
- (d) if the knowledge was otherwise obtained, identify the manner of receipt of the document or communication.

ANSWER: See answer to Interrogatory No. 69 above.

71. With regard to any knowledge obtained subsequent to that described in the previous Interrogatory, please identify:

- (a) all documents or other communications oral or written, concerning the causal connection between exposure to asbestos dust or asbestos products and the disease processes identified in question No. 60 above;
- (b) identify the person communicating the information.

ANSWER: This defendant is not aware of the existence of any such specific documents or persons. Such materials bearing on this subject as might be contained in any claim file are privileged.

72. When and by what manner were you first aware of the hazards of asbestos or asbestos-containing products to the users of those products?

ANSWER: This defendant objects to this interrogatory on the grounds that it is overly broad and unduly burdensome as applied to this defendant. Without waiving such objections, this defendant believes its first real awareness of the potential hazards of asbestos or asbestos-containing products came in the 1980's near the time of the first filing of a claim against this defendant in 1989. Prior to this time this defendant was generally aware of the regulations contained in OSHA dealing with asbestos and hazards attendant upon the use of asbestos.

73. Identify any medical examination programs offered or sponsored by you or your insurance carrier for employees handling or otherwise exposed to asbestos and asbestos products. With respect to each such program, please state:

- (a) the manner of communicating with employees about such program;
- (b) whether examination was mandatory or optional;
- (c) what percentage of workers permitted to undergo such examination actually participated;
- (d) what percentage of workers were found to have asbestosis or mesothelioma or bronchogenic carcinoma;
- (e) with respect to (d), what percentage of such workers were paid disability, workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

ANSWER: Not applicable.

74. Identify all trade organizations, associations or other entities, including but not limited to All, IF, NAIMA, AIA, NICA, TIMA, QAMA, PICA, QAPA, to which you belonged or in which you have participated since 1925 and the years of your participation.

ANSWER: This defendant is generally unfamiliar with any organizations which might be designated by the acronyms used in this interrogatory. PACCAR has been a member of the following truck-related trade associations at some point over the past 25 years: Washington Trucking Association, Washington Highway Users Association, California Trucking Association, Texas Trucking Association, Tennessee Truck Association, Ohio Trucking Association, American Highway Users Federation, Truck Manufacturers Association, Truck Rental and Lease Association, and American Trucking Association. Information on memberships prior to this time period is not available.

75. Identify all persons attending on your behalf any meetings held by any trade organization listed in the Interrogatory stated above.

ANSWER: The Director of Public Affairs has primary responsibility for representing PACCAR at any meetings held.

76. Identify the names or nature of all asbestos notes, reports studies or other writings submitted by you or received by you at meeting identified in the Interrogatory stated above.

ANSWER: This defendant responds that, to the best of its knowledge, none.

77. Identify all documents you received from or submitted to those trade organizations, associations or other entities identified in Interrogatory #65 relating to the relationship between asbestos exposure and disease.

ANSWER: This defendant responds that, to the best of its knowledge, none.

78. Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory or the Trudeau Foundation relating to asbestos exposure and its effect on human life? If so, identify:

- (a) all documents summarizing findings or results of those studies or tests which you have in your possession or control;
- (b) all communications, oral or written, between answering defendant and Saranac personnel, including but not limited to Gerrit W. H. Schepers, M.D.;
- (c) all documents relating to Saranac studies received or submitted by you, either directly, through associated or predecessor companies, through other companies or through any trade associations, organizations or entities;
- (d) all recommendations or findings of such studies in relating to:
 - (1) adequacy or inadequacy of the threshold limit values;
 - (2) the substitution of materials other than asbestos to be used in insulation process;

- (e) where the documents and/or communications identified in this Interrogatory are presently maintained.

ANSWER: This defendant responds that, to the best of its knowledge, no.

79. Identify all persons who have testified on your behalf and all documents presented to or utilized in preparation of testimony before the Occupational Safety and Health Administration, the National Institute of Occupational Safety and Health, any U.S. Congressional committee or sub-committee or governmental hearing or investigative proceeding on the subjects of biological effects on human life from exposure to asbestos and the setting, modification feasibility and acceptance of allegedly safe or proper levels of such exposure to asbestos and asbestos products.

ANSWER: This defendant responds that, to the best of its knowledge, no one.

80. For all testimony set forth above, please identify:

- (a) the dates and descriptions of the proceedings;
- (b) the relationship between the person who testified or responded and you;
- (c) all studies, test results or other scientific or medical documents relied upon by said person as a basis for any recommendations made or testimony given;
- (d) whether at any time prior to or following such testimony you possessed knowledge of documents suggesting that existing or proposed threshold limit values were not safe or proper or that lower threshold limit values were necessary in order to prevent disease; as to this response, please identify the origin of the knowledge and all documents relating thereto;
- (e) whether at any time prior to or following such testimony you were aware that the proper method for determination of safe levels of asbestos dust was to test concentrations of fibers in the air rather than the total number of particles. If your answer is in the affirmative, identify the origin of said knowledge and all documents relating thereto.

ANSWER: Not applicable.

81. What do you understand "threshold limit value" to mean?

ANSWER: This defendant understands this term to be a term of art utilized by the industrial hygiene community. This defendant has no industrial hygienists in its employ and, therefore, is unable to answer further.

82. What do you understand "dose response relationship" to mean?

ANSWER: This defendant understands this term to be a term of art utilized by the industrial hygiene community. This defendant has no industrial hygienists in its employ and, therefore, is unable to answer further.

83. What is being measured when you take the measurement of threshold limit value as you define it?

ANSWER: See response to Interrogatory No. 81 above.

84. Did you advertise any of your asbestos-containing products for use on ships or navy vessels?

ANSWER: No.

85. If the response to Interrogatory No. 84 was yes, please state:

- (a) the name of the product: -
- (b) in what years you advertised the product;
- (c) the intended purpose of the product.

ANSWER: Not applicable.

86. Did you design any asbestos-containing products for use on vessels? If so, please state:

- (a) the name of the products;
- (b) the year of their design;
- (c) the manufacturer;
- (d) the intended use.

ANSWER: No.

87. Did you sell any asbestos-containing materials to the:

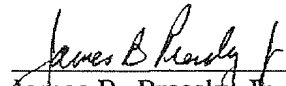
- (a) United States government?
- (b) General Services Agency?
- (c) United States Navy?
- (d) any naval shipyard?
- (e) any shipyard?

ANSWER: Any material sold to the listed entities would have been as a component of a heavy-duty truck.

88. Do you ever conduct any dust studies in any of your asbestos product manufacturing facilities? If so, please state:

- (a) the date of each such study;
- (b) the person conducting the study;
- (c) the result or conclusion;
- (d) who presently has possession of the report or study.

ANSWER: This defendant did not manufacture any asbestos products.


James B. Pressly, Jr., Bar #4555
Wm. David Conner, Bar #66358
HAYNSWORTH SINKLER BOYD, P.A.
Post Office Box 2048
Greenville, SC 29602
(864) 240-3200
Attorneys for Defendant Peterbilt Motors
Company

Date: _____

CERTIFICATE OF SERVICE

This is to certify that the foregoing Peterbilt Motors Company's Answers to Plaintiffs' First Set of Interrogatories was served by depositing a copy of said document in the United States Mail, postage prepaid, on this the 16th day of January, 2001, addressed as follows:

Richard J. Lutz
WALLACE & GRAHAM, P.A.
525 N. Main Street
Salisbury, NC 28144

Daniel M. Brown

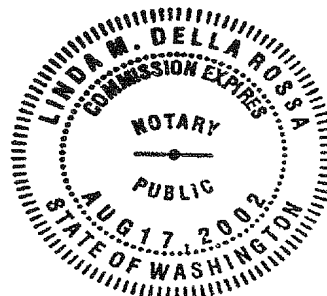
PERSONALLY appeared before me, Kirk A. Hoover, who being duly sworn, deposes and says that he is the Technical Advisor of PACCAR Inc., and as such is authorized to make this statement; that he has read Answers of Peterbilt Motors Company to Plaintiffs First Set of Interrogatories, and that on information and belief as to the content thereof is informed and believes them to be true.

PETERBILT MOTORS COMPANY, an
unincorporated division of PACCAR Inc.

By Kirk A. Hoover
Kirk A. Hoover
Technical Advisor of PACCAR Inc.

SWORN to before me this 11th
day of January, 2001

Linda M. Della Rossa
Notary Public for State of Washington
Linda M. Della Rossa



FOUNDATION BRAKES

Servicing Precautions

1. *Always cage spring brakes before performing any adjustment or repair.*
2. *Always exhaust pressure from air lines before disconnecting air lines.*
3. *Always replace brake components (linings, shoes, etc.) with components meeting the original specifications.*
4. *Many brake linings contain asbestos fibers. Use caution when handling or maintaining (refer to OSHA 29CFR, part 1910.1001).*
5. *After any brake maintenance or repair, test to ensure brakes are functioning properly before placing vehicle back in service.*
6. *Always block vehicle wheels before performing any maintenance.*
7. *Never attempt to disassemble any component until you have read and understand the recommended procedures. Some components contain powerful springs. Always use proper tools.*
8. *Never exceed recommended air pressure. Always wear safety glasses when working with pressurized air.*

Foundation Brake Types

Foundation brakes are the components which actually accomplish the braking. This includes brake shoes, linings, actuating mechanisms, and brake spider or backing plate. There are three types of foundation brakes available on Peterbilt vehicles: S-Cam, Wedge, and Disc. All types use air pressure to apply brakes.

S-Cam Brakes

S-Cam brakes use a rotating S-shaped cam to spread the brake shoes. When the brakes are applied, air pressure is sent to the brake chamber. The brake chamber contains a piston and diaphragm which converts the air pressure to linear force. The brake chamber pushes the slack adjuster. The slack adjuster acts as a lever to rotate the S-cam and spread the brake shoes into the brake drum. The slack adjuster contains a worm gear mechanism which allows the brake to be adjusted to compensate for lining wear. S-cam brake size is specified as the brake diameter and shoe width. For example, a 16.5 x 7 brake has a diameter of 16.5" (internal diameter of the brake drum) and a shoe width of 7".

