



No. 94-CI-10078

IN RE: ALL ASBESTOS-RELATED §
PERSONAL INJURY OR DEATH §
CASES FILED OR TO BE FILED §
IN BEXAR COUNTY, TEXAS §

IN THE DISTRICT COURTS OF

BEXAR COUNTY, TEXAS

**DEFENDANT, GARLOCK INC'S OBJECTIONS,
ANSWERS AND RESPONSES TO PLAINTIFFS' MASTER SET
OF INTERROGATORIES AND REQUEST FOR PRODUCTION**

TO: ALL COUNSEL OF RECORD

NOW COMES, **GARLOCK INC** ("GARLOCK"), one of the Defendants in the
above-entitled cause, and files the attached Objections, Supplemental Answers and
Responses to Interrogatories submitted by Plaintiffs, pursuant to the Texas Rules of
Civil Procedure.

Respectfully submitted,

SEGAL MCCAMBRIDGE SINGER & MAHONEY, LTD.

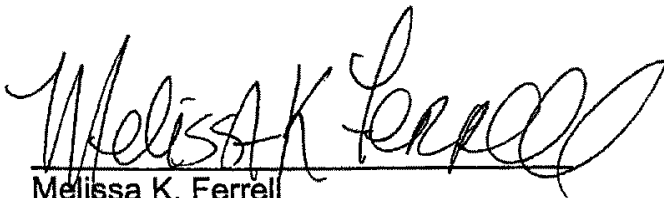
By: _____

Melissa K. Ferrell
Attorneys for Defendant, **GARLOCK INC**

William F. Mahoney
State Bar Number 24001507
Melissa K. Ferrell
State Bar Number 06937020
Segal McCambridge Singer & Mahoney, Ltd.
400 West 15th Street, Suite 700
Austin, Texas 78701
Phone: (512) 476-7834
Fax: (512) 476-7832

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument of **GARLOCK INC** was sent by certified mail, return receipt requested, to counsel for Plaintiffs and by regular mail to all other counsel of record on the 31 day of MARCH, 2000.



Melissa K. Ferrell

State Bar Number 06937020

Segal McCambridge Singer & Mahoney

400 West 15th Street, Suite 700

Austin, Texas 78701

Ph: (512) 476-7834

Fax: (512) 476-7832

GENERAL OBJECTIONS

GARLOCK poses the following general objections to plaintiffs' interrogatories and incorporates each of these objections by reference to every answer provided hereafter.

1. The interrogatories seek information going back many years and GARLOCK has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. The answers given are thus based on the present facts known or believed by GARLOCK at the time of its answer.

2. The interrogatories are overly broad, burdensome, vague and ambiguous. In addition, the interrogatories and requests are not sufficiently limited in time and use terms which do not refer to products manufactured by GARLOCK.

3. GARLOCK does not now manufacture or sell, and has never manufactured or sold, asbestos-containing insulation products as that term is commonly used and understood in this litigation. Therefore, GARLOCK objects to any interrogatory referring to or assuming that such products are or have been manufactured by GARLOCK. GARLOCK presumes that questions referring to insulation products are thus not applicable to GARLOCK.

4. GARLOCK does not now manufacture or sell, and has never manufactured or sold, asbestos-containing building products as that term is commonly used and understood in this litigation. Therefore, GARLOCK objects to any interrogatory referring to or assuming that such products are or have been manufactured by GARLOCK. GARLOCK presumes that questions referring to building products are thus not applicable to GARLOCK.

5. The interrogatories are overly broad in that they tend to group together all of the defendants. There has never been any competent scientific or medical evidence or reason to believe that GARLOCK products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. GARLOCK denies that the use of, or exposure to, its asbestos-containing products poses any health hazard.

6. The interrogatories are duplicative of earlier requests made by Plaintiff's counsel to GARLOCK in the asbestos litigation. GARLOCK affirmatively asserts that it has answered multiple sets of interrogatories and responded to numerous requests for production propounded by Plaintiff's counsel in thousands of asbestos cases over the past 15 years. Many documents potentially responsive to these interrogatories have already been produced to Plaintiff's counsel and GARLOCK has no obligation to produce them again. Plaintiff's Exhibit List contains numerous GARLOCK documents

and GARLOCK will not produce additional copies of these documents, although it may refer to them in these answers to interrogatories. GARLOCK objects to these interrogatories to the extent they are duplicative and cumulative in nature.

7. GARLOCK objects to these interrogatories to the extent they relate to foreign companies that are not wholly-owned subsidiaries of GARLOCK INC and do not sell products in the United States. The activities of any such entities are not relevant to any issue in this litigation.

ANSWERS TO 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.

ANSWER: These interrogatory answers have been reviewed and signed by James Heffron, the current Director of Training for GARLOCK INC. Mr. Heffron has been employed by GARLOCK since 1972 and a summary of his positions and duties with GARLOCK from 1972 to the present is attached as Exhibit A. These interrogatories request detailed information regarding GARLOCK's asbestos related product line and business activities over an extended period of time. Mr. Heffron is not qualified, based on his personal knowledge and experience, to provide complete answers to these interrogatories. No present GARLOCK employee is qualified, based on his personal knowledge and experience, to provide complete answers to these interrogatories. Mr. Heffron has reviewed documentation potentially responsive to these interrogatories and he verifies these answers as true and complete based on his personal knowledge, experience and his review of said documents. The documents reviewed by Mr. Heffron in conjunction with the preparation of these interrogatory answers include: (1) previously filed discovery responses filed by GARLOCK, including answers to interrogatories and responses to requests for production of documents; (2) deposition and trial testimony previously provided by GARLOCK employees in asbestos related litigation; (3) information summarizing GARLOCK's asbestos-containing product line prepared by ex-GARLOCK employees; (4) Documents identified by GARLOCK as exhibits in the nationwide asbestos litigation; and (5) all documents produced by GARLOCK in Response to the Subpoena Duces Tecum issued by Baron & Budd in the Fulton County, Georgia asbestos litigation, Civil Action No. 1998 CV 02684. Mr. Heffron has also spoken with ex-employees of GARLOCK who provided information relied upon by GARLOCK in previously filed answers to interrogatories. Those individuals are Clay Jewett, formerly employed as GARLOCK's Manager of Marketing and Roy Whittaker, formerly employed by GARLOCK in numerous

capacities, including Director of Engineering. Mr. Heffron also obtained information regarding GARLOCK's international operations from Gilles Vallée, Vice President of Garlock of Canada, Ltd. and Felipe Mues of Garlock de Mexico.

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: Defendant's legal name is GARLOCK INC (no punctuation). GARLOCK INC is an Ohio corporation with offices located at 3 Coliseum Centre, 2550 West Tyvola Rd., Charlotte, NC 28217, and a principal manufacturing facility and sales office at 1666 Division Street, Palmyra, New York 14522.

The GARLOCK Packing Company was originally incorporated in New York on March 27, 1905. On April 25, 1960, the name was changed to GARLOCK INC. On March 3, 1975, a Delaware corporation of the same name was incorporated and on May 12, 1975, the New York corporation was merged into the Delaware corporation. On November 25, 1975, Colt Industries Inc of Ohio was incorporated in the state of Ohio and on January 28, 1976, GARLOCK INC was merged into Colt Industries Inc of Ohio which immediately changed its name to GARLOCK INC.

CT Corporation System is the entity authorized to accept service of process on behalf of GARLOCK. GARLOCK does hold a Certificate of Authority to do business in the State of Texas.

INTERROGATORY NO. 3:

Has defendant or any of its predecessors 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 Cameron County asbestos litigation.

ANSWER: No.

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: A summary list of GARLOCK's asbestos-containing product line is attached to these answers to interrogatories as Exhibit B. The list identifies each product by style number, product category, the type of asbestos fiber used in the product, the percentage of asbestos in the product, the non-asbestos binder in the product and the year GARLOCK stopped manufacturing the product. If GARLOCK continues to manufacture the product, that fact is noted on the list as well.

In addition to the products identified in Exhibit B, GARLOCK INC. manufactured and sold a limited line of asbestos textile products (cloth and yarn) in limited quantities to manufacturers of braided asbestos packing products.

In addition to the products identified in Exhibit B, GARLOCK also acquired four subsidiary companies which made or sold some asbestos-containing products. GARLOCK does not have a comprehensive list of the products or manufactured or sold by these companies. These companies are the Belmont Packing and Rubber Company of Philadelphia, Pennsylvania, the Crandall Packing Company and Dealer's Steam Packing Company located in Palmyra, New York and the U.S. Gasket Company located in Camden, New Jersey. Each of these companies, prior to the purchase by GARLOCK, sold asbestos-containing gaskets and packing products substantially similar to the GARLOCK asbestos-containing products identified in Exhibit B. Each of the above-

named entities was merged with GARLOCK and GARLOCK assumed all assets and liabilities. GARLOCK preserved the Belmont trademark and continued to sell products under that label.

GARLOCK also purchased the assets of the Anchor Packing Company in June, 1987. An Anchor Packing catalog for that time period which identifies the asbestos products sold by Anchor at that time is attached as Exhibit C. GARLOCK did not assume the liabilities of The Anchor Packing Company. The GARLOCK/Anchor acquisition agreement has already been produced to Plaintiff's counsel.

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: See Answer to Interrogatory No. 4.

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) compositions 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: GARLOCK states that it has and does make a wide variety of products, many of which have contained asbestos and many of which have contained no asbestos. Among the specific products which GARLOCK has and does manufacture are asbestos gasket and asbestos sheet (from which the purchaser cuts gaskets). GARLOCK asbestos sheet is a mixture of asbestos fibers, curing agents, reinforcing fillers and elastomers (natural rubber or synthetic polymers having the elastic qualities of rubber). Asbestos fibers are machine blended with the rest of the mixture until they are thoroughly coated. The entire compound is then heated and rolled into sheets and is continually compressed to form a tough, impermeable, homogeneous material that resembles linoleum. Other gasket materials were made from woven, long fiber, asbestos yarn impregnated and encased in a rubberized coating. Other gaskets have had asbestos encased by layers of metal or encapsulated with a P.T.F.E. (polytetrafluoroethylene) resin envelope. GARLOCK asbestos packing materials consisted of woven asbestos encapsulated in either elastomeric compounds or metal foils and/or impregnated with lubricants.

GARLOCK gasket materials are primarily used for static sealing of steam line flanges, cylinder heads of engines, compressors and refrigeration equipment, fluid conduits, etc. GARLOCK packing materials are primarily used for dynamic sealing of machinery.

Finished compressed asbestos sheet is either cut into gaskets by GARLOCK or sold for use by others in cutting gaskets. GARLOCK's flexible and durable gasketing material is handled,

installed and removed in all intended applications without releasing meaningful quantities, if any, of asbestos fibers into the air. GARLOCK's compressed asbestos sheets and gaskets are treated with an anti-stick releasing agent which reduces any tendency of the gaskets to adhere to pipe flanges during removal and replacement. This anti-stick agent facilitates the removal of old gaskets without generating dust. Other GARLOCK products come in specific sizes for application and do not generally require modification before or during application or use. GARLOCK states that from 95% to 98% of its asbestos-containing products have been made only with chrysotile asbestos fibers and that the remaining 2% to 5% of such products were made with crocidolite asbestos fibers. Depending upon the type of product involved, the percentage of asbestos contained in these products has ranged from about 10% to about 85%. This Defendant has never mined, supplied, distributed, marketed and/or sold raw asbestos fibers to others.

- (a) GARLOCK manufactured, marketed and sold the asbestos-containing products identified in Exhibit B.
- (b) GARLOCK INC; see Answer to Interrogatory No. 4.
- (c) See Exhibit B attached to these Answers to Interrogatories.
- (d) The exact date each product identified in Exhibit B was placed in the stream of commerce is unknown. Asbestos compression sheet material became generally available in the early 1900's. Asbestos-containing packing products became available in 1907. GARLOCK has previously produced product catalogs to Baron & Budd and those catalogs accurately describe the asbestos products available for sale in particular time periods. GARLOCK attaches as Exhibit D its Response to Plaintiff's Subpoena Duces Tecum in the Fulton County Asbestos Litigation, Civil Action No. 1998 CV 02684; paragraphs 2 and 3 of said response identify the relevant GARLOCK catalogs produced to Baron & Budd. GARLOCK incorporates that response in relation to Interrogatory No. 6(d) here. Actual copies of all catalogs and advertising materials identified in GARLOCK's response to said Subpoena Duces Tecum were produced to Baron & Budd in the Georgia asbestos litigation in 1999.
- (e) See Exhibit B and all product related documents and catalogs previously produced to Baron & Budd in the Fulton

County, Georgia asbestos litigation.

- (f) The date each asbestos product was removed from the market is identified in Exhibit B. Asbestos products were removed from GARLOCK's product line when suitable new products with superior performance capabilities became available. The development of non-asbestos substitutes for certain fluid sealing devices was dependent on the engineering of new materials, extensive functional and performance testing and ultimately the customers willingness to use these materials for applications that historically had required asbestos products.
- (g) See Answer to 6(f).
- (h) See all product information, catalogs, advertising materials and photographs previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation.
- (i) See all product information, catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation.
- (j) See Exhibit B.

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.

ANSWER: Yes.

- (a) The product information, catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation relate to the asbestos products listed in Exhibit B and their introduction into the market. Any other documents potentially responsive to this interrogatory are located at the GARLOCK record retention facility in Palmyra, New York and a warehouse in Rochester, New York. The Rochester warehouse holds documents retained by GARLOCK per its Record Retention policies and copies of said policies were previously provided to Baron & Budd in the Fulton County, Georgia asbestos litigation. GARLOCK will provide access to the records located in the Rochester warehouse and the Palmyra facility at a mutually convenient date, time and place.
- (b) Paul Grant; Garrison Litigation Management Group, Ltd., One HSBC Plaza, Suite 1830, Rochester, New York 14604-2415. See Answer to Interrogatory No. 7(a).

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: Yes. (a) - (c) At various times. GARLOCK has retained independent industrial hygienists to test its products for potential fiber release in a wide variety of occupational settings and situations. The industrial hygienists generated reports from those tests and those reports are included in GARLOCK's Exhibit Binders which have been previously produced to Baron & Budd. A copy of GARLOCK's Exhibit List is attached as Exhibit E and GARLOCK refers to the following exhibits as being responsive to this interrogatory.

<u>Name/Hygienist</u>	<u>Garlock Exhibit Numbers</u>
1. Nielsen	33 - 38
2. Mangold	18 - 31
3. McCrone	39 - 40
4. Boelter	99 - 108
5. Spencer	111 - 112

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: See Answer to Interrogatory No. 8.

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 describe in response 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: No.

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 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: See Answer 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: (a) - (c) GARLOCK does not possess any medical or scientific documents which relate or associate any potential health hazard to the use of the asbestos-containing gasket and packing products identified in Exhibit B. GARLOCK did prepare Material Safety Data Sheets for certain of its asbestos-containing products and copies of those documents are attached to these Answers to Interrogatories as Exhibit F. GARLOCK possesses copies of the various OSHA and EPA regulations regarding the potential hazards associated with asbestos exposure. Actual copies of those regulations are contained in GARLOCK's Exhibit Binders as Nos. 1-9.

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. 10 or 13? 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: No.

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 of 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: Yes.

- (a) Caution labels were placed on all of the asbestos products identified in Exhibit B in 1977 (assuming the individual product was still being manufactured by GARLOCK at that time). GARLOCK placed a caution label on its limited line of asbestos textile products (cloth and yarn) in 1972.
- (b) The caution label stated, "CAUTION: Contains asbestos fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily harm." This is the caution label language established by OSHA, Section 1910.1001, par. .2(ii), GARLOCK placed this label on its products in 1977, although gaskets and packings are exempt from the OSHA caution label requirement.
- (c) A similar caution and warning notice has been contained in GARLOCK's product literature and catalogs since 1977.
- (d) The caution label was placed on the product packaging and the product itself.
- (e) August, 1977; For textile products, (cloth and yarn) 1972.
- (f) The decision to place a caution label on GARLOCK's asbestos-containing products was a consensus decision made by GARLOCK management in 1977. Management personnel involved included John Guffey (Compressor Packing Division), Alexander Kuzmuk (Construction Products), Gordon LeRoy (Engineering), Mike Panarites (Personnel), Herb Schaefer (MRD Operations) and Ron Stay (Marketing). The decision to place a caution label on textile products in 1972 was made by Alexander Kuzmuk.

None of these individuals are currently employed by GARLOCK.
- (g) Caution labels samples have been previously produced to Baron & Budd.
- (h) Not applicable.

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 Texas State Courts 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.

ANSWER: GARLOCK had no personal injury claims alleging asbestos related disease or injury based on product handling or usage prior to 1970.

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: Yes. Most of GARLOCK's product sales were made on a direct basis until the mid-1960's. At that time, GARLOCK management made the decision to utilize distributors for sales to maintenance and repair customers and after a conversion period of several years, the majority of GARLOCK product sales have been made through distributors. A recent listing of GARLOCK distributors is attached as Exhibit G. A list of GARLOCK distributors for Texas, the territory relevant to this litigation, is attached as Exhibit H. Any sales records relating to GARLOCK's product sales prior to 1978, no longer exist. Post 1978 sales records are available for inspection and copying at a mutually convenient date and time. These records are currently located in the Rochester warehouse described above. GARLOCK can also perform microfiche searches of product sales to particular customers or distributors.

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, Arkansas, 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.

ANSWER: Objection. GARLOCK's sales activities in these states are irrelevant to any asbestos litigation pending in Texas. Without waiving said objection, GARLOCK answers yes and refers to Answer to Interrogatory No. 16.

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: GARLOCK has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research. GARLOCK has had part-time plant physicians since 1920. They are as follows:

<u>Name</u>	<u>Dates of Service</u>
Dr. C. C. Nesbitt (deceased)	8/30/20 - 8/1/56
Dr. J. D. Bramer (deceased)	8/1/56 - 7/24/72
Dr. K. K. Kapur 1269 Pittsford Palmyra Road Macedon, New York 14502	10/23/72 - 8/14/79
Dr. William G. Fallon 602 7th Street Liverpool, New York 13088	10/31/79 - 3/1/88
Dr. B. Maureen Merritt P. O. Box 477 Celoron, New York 14720	9/15/88 - 8/28/90
Dr. Tillman F. Farley 3345 22nd Court Brighton, Colorado 80601	10/9/90 - 8/3/93
Dr. Alan Lorenz 2 Forest Knoll Pittsford, New York 14534	8/3/93 - 3/1/98

Dr. Carl M. Devore
Garlock Inc
1666 Division Street
Palmyra, New York 14522

3/3/98 - Present

All of these physicians served on a part-time basis and were at GARLOCK primarily for incoming employee physicals, treatment of minor injuries, etc. Any existing records, reports or memoranda written by any of these physicians and pertaining to GARLOCK are in the hospital records which are all maintained by patient name at GARLOCK.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written material 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.

ANSWER: Yes (a) - (d) GARLOCK is not aware of any competent scientific, medical, industrial hygiene or epidemiological studies which establish a causal relationship between the use of or exposure to asbestos-containing gaskets and packing products and any asbestos related diseases. GARLOCK has become aware of the potential hazards of excessive asbestos exposure from the following sources:

1. GARLOCK received copies of the Hemeon Report prepared by the Industrial Hygiene Foundation for the members of the Asbestos Textile Institute in June 1947. A copy of this report has already been produced to Baron & Budd.

2. GARLOCK has received copies of the OSHA and EPA regulations at or near the time they were published by those agencies. These government regulations are listed in Exhibit G.
3. GARLOCK may have received minutes of the Asbestos Textile Institute Meeting of March 7, 1956. The minutes show that George Houghton a GARLOCK employee, attended the meeting as a guest. Baron & Budd possesses copies of Mr. Houghton's deposition testimony regarding his participation and attendance at that meeting.
4. GARLOCK may have received minutes from the Asbestos Information Association Meeting of December 6, 1973 and June 10, 1976. Said minutes have previously been provided to Baron & Budd.
5. GARLOCK has also received worker's compensation claims from textile plant employees alleging asbestos disease caused by exposure to raw asbestos fibers used at that facility. All documents regarding those worker's compensation claims has previously been provided to Baron & Budd.
6. GARLOCK, throughout the course of the asbestos litigation, has become aware of medical and scientific literature which relates certain diseases to excessive occupational exposure to asbestos fibers.

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiaries 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:
 - (i) A description of the publications, including the date.
 - (ii) The current location of such publications.
 - (iii) The custodian of such publications.
 - (iv) The method or manner in which such publications are maintained.

ANSWER: Yes. GARLOCK was a member of the following trade associations that may have addressed asbestos related issues in one form or another. GARLOCK will answer all subparts for each association separately

1. (a) Fluid Sealing Association
2017 Walnut Street
Philadelphia, Pennsylvania 19103

(b) 1935 to present.

(c) GARLOCK does not possess any minutes, publications or reports related to asbestos hazards published or disseminated by this association.

(d) Not applicable.

2. (a) Asbestos Textile Institute
P.O. Box 471
131 North York Road
Willow Grove, Pennsylvania 19090

(b) GARLOCK was a member of the ATI for a short period of time in the mid 1940's and from 1966 to 1979.

(c) The Hemeon Report, June 1947 (previously produced to Baron & Budd); ATI Minutes, March 7, 1956 (previously

produced to Baron & Budd); ATI Minutes (1966 to 1979);
attached as Exhibit I.

(d) Not applicable.

3. (a) Asbestos Information Association of North America
1975 K. Street
Washington, D.C.

(b) GARLOCK has been a member of the AIA from 1974 to
1980.

(c) AIA Minutes dated December 6, 1973 and June 10, 1976,
(previously produced to Baron & Budd).

(d) Not applicable.

4. (a) American Society for Testing and Materials
1916 Race Street
Philadelphia, Pennsylvania 19103

(b) GARLOCK has been a member of ASTM from 1945 to the
present.

(c) GARLOCK does not possess any minutes, publications or
reports relating to asbestos hazards published or
disseminated by this association.

(d) Not applicable.

5. (a) National Safety Council
444 North Michigan Avenue
Chicago, Illinois 60611

(b) GARLOCK has been a member of the National Safety
Council from 1922 to the present.

(c) GARLOCK does not possess any minutes, publications or

reports relating to asbestos hazards published or disseminated by the National Safety Council.

(d) Not applicable.

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.

ANSWER: GARLOCK has operated the following plants which manufactured the asbestos-containing products identified in Exhibit B during certain time periods.

1. GARLOCK INC plant in Palmyra, New York. This was GARLOCK's principal manufacturing facility and has manufactured compressed asbestos sheet material from the early 1900's to the present. Asbestos packing products were also manufactured in Palmyra from the early 1900's to 1976. All style numbers listed on Exhibit B could be manufactured at the Palmyra plant during those years.
2. GARLOCK INC plant in Sodus, New York. GARLOCK manufactured braided asbestos packing products at this plant from 1976 to 1981. All packing products listed in Exhibit B could be manufactured at the Sodus facility.
3. Garlock of Canada owned and operated a manufacturing facility at 66 Jutland in Toronto, Canada from 1962 to 1991. This plant manufactured the compressed asbestos sheet and braided packing products listed in Exhibit B. From 1991 to the present, Garlock of Canada has operated a facility at 2860 Plymouth Drive in Oakville, Ontario. Asbestos-containing braided packing products were manufactured at that facility from 1991 to March 1999. Garlock of Canada has operated a plant at 4100 Rue Sherbrooke, Quebec,

Canada from 1976 to the present. This plant manufactures and sells asbestos cloth and yarn. The compressed sheet and asbestos packing materials manufactured in Canada are not sold to customers in the United States.

4. Garlock de Mexico, SA de CV operates a plant in Mexico City, Mexico. The address is Apartado Postal 15-103; Poniente 116, No. 571; Colonia Industrial Vallejo; Delegacion Azcapotzalco; 02300, Mexico, DF. Garlock de Mexico has manufactured compressed asbestos sheet materials and braided compression packing from 1964 to the present. The compressed asbestos sheet materials manufactured in Mexico are primarily Style Numbers 900, 7021, 7405, 8748, 7006 and 7228. The braiding packing style numbers manufactured in Mexico are 117, 127, 150, 234, 731, 1019, 1020, 1021, 2601, 2602, 2603, 2611 and 5862. The asbestos-containing compression sheet and braided packing materials manufactured in Mexico are not sold to customers in the United States.
5. GARLOCK PTY, Ltd. (Sealing Technology Division) has owned and operated a plant at 10 Willis Street in Arncliffe, Australia since 1970. They began selling asbestos-containing braided packing products in 1970. This entity never sold asbestos-containing products to customers in the United States.
6. GARLOCK INC owned an interest in a textile plant (E.R.I.C.A.) in Barcelona, Spain. This plant manufactured asbestos cloth and yarn and compression packing until March , 1979.
7. GARLOCK manufactured spiral wound gaskets at the former United States Gasket plant in Camden, New Jersey from 1955 to 1964 and at a plant in Gastonia, North Carolina from 1965 to 1987.

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: GARLOCK has published numerous catalogs over the years for the purpose of marketing and advertising the product line.

- (a) No particular individual has been responsible for the preparation of sales, marketing and advertising materials over the years. GARLOCK has a marketing/advertising department and the following individuals have managed this department over the years:

Larry Rienzo	Late 1960's to early 1970's
Joan Clement	Early 1970's to late 1970's
Gay Pllock	1979 to 1982
Tina Masters	1982 to 1989
Janine Murganberger	1989 to 1990
Laur Fawcet	1990 to 1998

- (b) The current marketing/advertising manager is Mary Cappellino. Current advertising and marketing materials are in the possession of the advertising department.
- (c) Advertising materials have been prepared and disseminated on a continuous basis by GARLOCK since the 1930's.
- (d) GARLOCK has used a variety of media to disseminate sales and advertising material, including trade publications, direct mailings to distributors, direct mailing to customers, sales calls to distributors and customers and seminars for customers and distributors.

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, state:

- (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 customers.

ANSWER: Yes. GARLOCK's product information, catalogs and advertising materials contained references on how asbestos and non-asbestos products should be used and maintained by the customers. Copies of those materials have been previously produced to Baron & Budd in GARLOCK's Response to the Subpoena Duces Tecum issued in Fulton County, Georgia Asbestos Litigation, Civil Action No. 1998 CV 02684. Additional materials may be located in the Rochester document warehouse and Baron & Budd will be provided access to those records for inspection and copying at a mutually convenient date, time and place. GARLOCK also prepared Material Safety Data Sheets regarding certain asbestos products and those documents are attached as Exhibit F.

- (a) No particular individual has been responsible for the preparation of sales and advertising materials. The marketing and advertising managers are listed in GARLOCK's Answers to Interrogatory No. 22. The MSDS Sheets were prepared by Harold Hughes.
- (b) Current materials are in the possession of the marketing and advertising departments. The MSDS Sheets are located at the GARLOCK plant in Palmyra, New York and have been

produced to Baron & Budd.

- (c) Specific dates of distribution are unknown. GARLOCK disseminated its product information, catalogs, sales and advertising materials through a variety of media, including advertisements in trade publications, direct mailings to distributors, direct mailings to customers, sales calls on distributors and customers and seminars for customers and distributors. The MSDS Sheets were available commencing in the late 1970's.
- (d) Sales and distribution materials for distribution to customers were prepared and disseminated on a continuous basis since the 1930's. The MSDS Sheets were prepared and available for distribution commencing in the late 1970's.

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. Insurance for product liability claims filed against GARLOCK is available under various insurance policies, including the following primary policies.

<u>Carriers</u>	<u>Years of Coverage</u>
1. Travelers Insurance Co.	1951 - 1961
2. Employer's Mutual of Wausau	1961 - 1976
3. Aetna Life and Casualty	1975 - 1986
4. National Union	1986 - present

The total amount of insurance coverage available to GARLOCK for product liability claims is subject to differing views between the insured and the insurers. Available coverage is sufficient to cover asbestos related claims currently pending on a nationwide basis

against GARLOCK. Cover sheets on relevant policies will be provided under separate cover.

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: (a) George Houghton, ex-employee of GARLOCK may have learned that the disease asbestosis was related to excessive exposure to asbestos fibers through his participation in ATI meetings in the late 1940's. Mr. Houghton has previously been deposed regarding those activities and Baron & Budd is in possession of those transcripts. Vera Clemons, an employee in the GARLOCK textile plant in Palmyra, New York filed a worker's compensation claim in 1947 alleging that she had contracted asbestosis from occupational exposure to raw asbestos fibers used at the textile plant. GARLOCK has never received any information relating asbestosis to exposure to asbestos-containing gaskets and packings. The Industrial Hygiene Foundation generated the Hemeon Report in June, 1947 and that report relates to a

survey of dust levels in various textile plants, including GARLOCK. The report refers to asbestosis and Baron & Budd is already in possession of this report.

- (d) See Houghton's transcripts already in the possession of Baron & Budd. GARLOCK established a dust control and ventilation program in its textile plant. GARLOCK also made changes in its textile plant manufacturing methods to control the level of dust in the plant. These measures included; installing hoods over carding machines, installing exhaust fans, refining to the vacuum system, installing spinning frames, designing and installing dust hoods for looms and collecting cyclones with outdoor exhausts. Oral warnings regarding the avoidance of dust and instructions regarding housekeeping have been given to GARLOCK employees at the GARLOCK manufacturing plants for over 50 years. Respirators have been available and their use encouraged in dusty areas for over 50 years.
- (e) See Answer to Interrogatory 25(a) through 25(d).
- (f) All such information is already in possession of Baron & Budd. The historical information regarding GARLOCK's membership in the ATI is in the possession of Garrison Litigation Management and has been produced to Baron & Budd.
- (g) See Answer to Interrogatory No. 25(a).

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 Defendant or its subsidiary or predecessor in 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:**
- (a) GARLOCK first learned that excessive exposure to asbestos fibers was viewed by the medical and scientific community as a possible cause or contributor to lung cancer through the OSHA regulations and public media reports in the early 1970's. George Houghton, a former GARLOCK employee, is listed as a guest at a 1956 ATI meeting and minutes of said meeting refer to asbestos exposure and lung cancer. We refer to Mr. Houghton's deposition testimony already in the possession of Baron & Budd for details regarding that meeting.
 - (b) Media reports and the OSHA regulations
 - (c) Unknown.
 - (d) Warning labels and signs advising workers of the hazards of inhaling asbestos fibers were placed at GARLOCK plant entrances in the early 1970's per the OSHA regulations. With regard to the compressed asbestos sheet manufacturing operation in Palmyra, New York in 1977, GARLOCK purchased the following equipment: An enclosed automatic bag opener and emptier, an enclosed fluffing device, an enclosed conveyor apparatus for transferring asbestos to appropriate mixers and blenders and associated dust collection equipment. Respirators became mandatory for all employees working in dusty areas in the early 1970's as did the wearing of disposable and cloth overalls.
 - (e) GARLOCK INC.
 - (f) Early 1970's.

- (g) See Answer to Interrogatory No. 26(a).

INTERROGATORY NO. 27:

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

- (a) The date on which Defendant or its subsidiary or predecessor learned that such disease was caused by inhalation of asbestos fibers by humans.
- (b) How Defendant or its subsidiary 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:
- (a) GARLOCK received personal injury claims commencing in the late 1980's alleging that pleural thickening or pleural plaques were conditions potentially caused by occupational exposure to asbestos fibers. The 1986 OSHA regulations also discuss pleural changes and GARLOCK received those regulations.
 - (b) Lawsuits filed against GARLOCK and the 1986 OSHA regulations.
 - (c) Unknown.
 - (d) See Answer to Interrogatory No. 26(a).
 - (e) Yes.
 - (f) GARLOCK INC.

INTERROGATORY NO. 28:

As to the disease mesothelioma, 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) 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 Defendant 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:**
- (a) GARLOCK believes it first became aware of the potential relationship between excessive exposure to asbestos fibers and mesothelioma in the 1970's. The source of such knowledge was the asbestos litigation which involved lawsuits alleging a causal relationship between asbestos exposure and mesothelioma.
 - (b) See Answer to Interrogatory No. 28(a).
 - (c) See Answer to Interrogatory No. 28(a).
 - (d) Unknown.

- (e) See Answer to Interrogatory No. 27(d).
- (f) Old complaints may be stored in the Rochester warehouse.
- (g) GARLOCK INC.
- (h) Objection. Calls for an expert medical opinion.

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: (a) GARLOCK became aware in the late 1980's that individuals were claiming excessive exposure to asbestos fibers could cause gastrointestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer. GARLOCK does not admit such diseases are related to asbestos exposure. GARLOCK is aware there is controversy and disagreement in the medical

profession whether or not inhalation of asbestos fibers can cause or contribute to the diseases listed in this interrogatory.

- (b) Mesothelioma and lung cancer in individuals with underlying asbestosis.
- (c) Not applicable. See Answer to Interrogatory No. 29(a).
- (d) Not applicable. See Answer to Interrogatory No. 29(a).
- (e) Not applicable. See Answer to Interrogatory No. 29(a).
- (f) Not applicable. See Answer to Interrogatory No. 29(a).
- (g) Not applicable. See Answer to Interrogatory No. 29(a).

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: Yes. (As to asbestos-containing encapsulated gasket and packing products) GARLOCK has not been made aware of any competent scientific, medical, industrial hygiene or epidemiological studies which establish a causal relationship between the use of or exposure to asbestos-containing gaskets and packing products and any asbestos related disease. The manufacturing process encapsulates the asbestos fibers within the gasket and packing products and fiber release studies conducted by certified industrial hygienists, measuring exposure levels in a wide variety of occupational settings, show *de minimus* or trivial fiber release from the products. All of those studies are contained in GARLOCK's exhibit binders and we specifically identify Exhibits 15 - 126 as the relevant fiber release studies. All scientifically credible industrial hygiene fiber release studies show exposure levels well below the historical and current OSHA permissible exposure levels. OSHA does not require caution labels on gasket and packing products

and gasket and packing products are exempt from the Environmental Protection Agency's ban on asbestos products. See GARLOCK Exhibits 1 - 9.

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: GARLOCK states that it does not have records which would show when it started and/or stopped using any particular type or style of packaging. For at least 50 years, the dominant colors of GARLOCK's packaging materials have been yellow, red and black. Sometimes black has predominated, and at other times yellow has been the dominant color. However, the three colors have usually been used together. GARLOCK cannot identify with any specificity the type of packaging used for particular products at particular times.

The form in which GARLOCK asbestos-containing products are shipped varies, depending upon the size and configuration of each item, the number of items called for by the customer's order, and the customer's own desires. Among the containers used are burlap bags, cardboard boxes and wooden crates. In addition, asbestos sheet is occasionally shipped flat on wooden pallets.

All of its products, both those containing asbestos and those containing no asbestos, have been sold under the GARLOCK name. In addition, the Calipers and Scale trademark was used with all of its products from about 1900 until approximately 1968. A number of secondary trademarks have also been used over the years. Principal marks which have been used in connection with asbestos-containing products, as well as non-asbestos-containing products, have been BELMONT, GUARDIAN, CHEVRON, LATTICE BRAID, PALMYRA and PAPER-PAK.

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: Yes. GARLOCK has manufactured asbestos and non-asbestos products and then sold those products for resale under the labels of other companies. GARLOCK has applied customer brand names to compressed asbestos sheet material for the following companies.

Anchor Packing; Philadelphia, Pennsylvania	1979 - 1993
Sepco; Birmingham, Alabama	1973 - 1986
J.A. Sexauer; White Plains, New York	1965 - present
Vallumoid; Worcester, Massachusetts	1960 - 1980
Drew Chemical, Boonton, New Jersey	1980 - 1986
Industrial Packing, Bucksport, Maine	1988 - present
A. W. Chesterton, Woburn, Massachusetts	1960 - 1976

- (a) GARLOCK INC.
- (b) Unknown.
- (c) GARLOCK is not aware of the existence of any written rebranding agreements although any such agreements may be stored at the Rochester warehouse which contain all documents kept by GARLOCK pursuant to its record

retention policies. Baron & Budd will be given access to those documents at a mutually convenient, date, place and time and can inspect and copy any rebranding agreements which are located in the warehouse.

- (d) Unknown.
- (e) See the companies listed in the introductory paragraph to this Answer to Interrogatory.

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.

ANSWER: GARLOCK has from time to time, purchased finished products from other manufacturers, branded those products with the GARLOCK label and sold those products to third-parties. The names of the companies who manufactured the products, the form of the product, the dates of the purchases and the ultimate purchases of these products is presently unknown to GARLOCK. Documentation regarding this issue may be located at the Rochester warehouse where documents kept by GARLOCK pursuant to its record retention policies are stored.

Baron & Budd will be provided access to those documents at a mutually convenient date, place and time and may inspect and copy any documents responsive to this interrogatory at that time.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessors 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: No. See Responses to Interrogatory Nos. 32 and 33 regarding documents stored at the Rochester warehouse per the GARLOCK record retention policy.

- (a) Unknown.
- (b) Unknown.

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 claim, 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.

ANSWER: (a) - (d) Yes. A listing of all asbestos related worker's compensation claims filed against GARLOCK is attached as Exhibit

J. GARLOCK believes that Baron & Budd is already in possession of the documents relating to these worker's compensation claims. GARLOCK refers to the Baron & Budd exhibit list filed in El Paso and other jurisdictions in Texas and throughout the country.

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.

ANSWER: Yes. GARLOCK created a Product Liability Committee in the late 1970's and minutes of meetings conducted by that committee are attached as Exhibit K. GARLOCK also has certain Board of Directors Meeting Minutes which refer to asbestos related issues and said minutes are attached as Exhibit L.

- (a) See Exhibit K and Exhibit L.
- (b) See Exhibit K and Exhibit L.
- (c) See Exhibit K and Exhibit L.
- (d) GARLOCK INC.

- (e) See Exhibit K and Exhibit L.
- (f) See Exhibit K and Exhibit L.

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 the named products.
- (h) Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER: Yes. Garlock of Canada and Garlock of de Mexico currently manufacture certain asbestos-containing products. GARLOCK will answer the interrogatory subparts separately for each entity.

Garlock of Canada, Ltd.

- (a) Manufactured, marketed and sold.
- (b) Garlock of Canada, Ltd., 4100 Rue Garlock, Sherbrooke, Quebec.

- (c) Garlock of Canada, Ltd. sells asbestos yarn and cloth--these products do not have trade or brand names. Garlock of Canada, Ltd. has also sold compressed asbestos sheet and braided packings. See Exhibit B for style numbers.
- (d) Garlock of Canada, Ltd. opened its textile facility in 1976 and has been manufacturing and selling asbestos yarn and cloth since that time. Garlock of Canada, Ltd. sold compressed asbestos sheet from 1962 to 1991 and braided packing from 1962 to 1999.
- (e) See Exhibit B and product information, catalogs, and advertising material products previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. See Answer to Interrogatory No. 6.
- (f) See product information, catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. See Exhibit B and Answer to Interrogatory No. 6.
- (g) See product information, catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. See Exhibit B and Answer to Interrogatory No. 6.
- (h) Yes. Caution labels have been placed on asbestos textile products since 1976 and on compressed sheet and braided packing since 1977.

Garlock of de Mexico

- (a) Manufactured, marketed and sold.
- (b) Garlock de Mexico; Apartado Postal 15-103; Poniente 116, No. 571; Colonia Industrial Vallejo; Delegacion Azcapotzalco; 02300, Mexico, DF.
- (c) Asbestos products manufactured and sold by Garlock de Mexico include compressed asbestos sheet material and braided compression packing.

- (d) 1959 to the present.
- (e) See Exhibit B and product information catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. Also, see Answer to Interrogatory No. 6.
- (f) See Exhibit B and product information catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. Also, see Answer to Interrogatory No. 6.
- (g) See product information, catalogs and advertising materials previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation. See Answer to Interrogatory No. 6.
- (h) Yes. Caution labels have been placed on asbestos-containing products manufactured and sold by Garlock de Mexico since February, 1997.

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.

ANSWER: GARLOCK states that it does not maintain separate compilations of sales records for its asbestos-containing products or for sales in specific states or sub-divisions thereof. Such older records that still exist are retained in the document warehouse in Rochester, New York. These records will be made available to plaintiff for inspection and copying at plaintiff's expense and at a mutually convenient date, time and place. It is believed that the oldest such paper records generally date from approximately 1978.

Upon receipt of specific information from the Plaintiffs as to the products to which they allege to have been exposed, the dates of the alleged exposure and the locations at issue, this Defendant will attempt to identify whether or not it sold such asbestos-containing products to the locations specified, at the time periods in question. GARLOCK maintains a microfiche database of sales documents maintained at the Rochester warehouse and GARLOCK will search specific sites or facilities relevant to Plaintiff with claims in this jurisdiction.

INTERROGATORY NO. 39:

Will 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 such 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: Defendant objects to this interrogatory to the extent that it seeks a description of a trial witness's testimony. Additionally, because it is an overly broad request, imposes an undue burden on Defendant, and seeks information protected from disclosure by the attorney/client privilege and attorney work product privilege. Subject to these objections and without waiving them, Defendant responds as follows:

This Defendant discloses the following fact witnesses who may be called to testify at trial:

1. Any present or former employee of GARLOCK. GARLOCK specifically identifies Mr. Clayton Jewett and Mr. Roy Whittaker as former employees, and Mr. James E. Heffron as a current employee, who may testify on behalf of GARLOCK. Messrs. Jewett, Whittaker and/or Heffron may provide testimony on the process involved in the manufacture of various asbestos containing and non-asbestos containing GARLOCK gaskets and packing material. Messrs. Jewett, Whittaker and/or Heffron may also describe the various products manufactured by GARLOCK and the proper application and use of said products. GARLOCK reserves the right to call any current or past GARLOCK employees in response to the evidence presented in plaintiffs' case-in-chief.
2. GARLOCK reserves the right to cross-examine any fact or expert witnesses disclosed by the plaintiffs as well as any and all treating physicians of the plaintiffs. In addition, defendants adopt, insofar as they deem it consistent with their own defenses, any fact witnesses disclosed by any co-defendants or any plaintiffs in this matter.
3. GARLOCK disclaims any duty to introduce any of the above-mentioned witnesses at trial by virtue of placing them on the list.
4. GARLOCK specifically reserves the right to call any witness listed by any party, either live or by deposition or by previous trial testimony, who may have been called to testify in this case for the purpose of impeachment, rebuttal, or any other purpose the law allows.
5. GARLOCK has not yet completed its determination of witnesses and reserves the right to supplement and amend

this list up to and including the time of trial.

6. Any and all treating physicians, attending physicians, screening physicians and pathologists of the plaintiffs' decedent and of the plaintiffs.
7. Any and all family members, friends, or other witnesses disclosed by the plaintiffs or otherwise revealed in discovery to be conducted.
8. Any and all co-workers or other employees of the employer(s) of the plaintiffs' decedent as disclosed by plaintiffs or other defendants or as otherwise may be disclosed in trial preparation and discovery.
9. See **Exhibit M** for testimony lists which includes the occasions where Messrs. Jewett, Whittaker and Heffron have given testimony in an asbestos-related case.

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, process, 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: (a) - (e)

In past years, GARLOCK acquired four subsidiary companies which made and/or sold at least some asbestos-containing products. Those companies were the Belmont Packing & Rubber Company, Crandall Packing Company, Dealers' Steam Packing Company and U.S. Gasket Company. Belmont was purchased in 1930, Crandall in 1939, Dealer's Steam in 1929 and U.S. Gasket in 1955. The only asbestos-containing products of which GARLOCK is aware that were made and/or sold by these companies were sealing products substantially equivalent to similar such products made and sold by GARLOCK. The Belmont Packing & Rubber Company was located in Philadelphia, Pennsylvania; Crandall Packing Company and Dealers' Steam Packing Company were located in Palmyra, New York; and U.S. Gasket Company was located in Camden, New Jersey. Ultimately, each of the four subsidiaries was merged or otherwise absorbed into GARLOCK, including all assets and liabilities. As far as GARLOCK is aware, all business records of these former subsidiaries were destroyed many years ago in accordance with GARLOCK's long-standing record retention program. It is probable that old corporate minute books still exist, but GARLOCK would not expect them to contain any information pertinent to this litigation. In June, 1987, GARLOCK acquired The Anchor Packing Company of Philadelphia, Pennsylvania which has sold asbestos-containing gaskets, gasket materials and packing.

GARLOCK has no information regarding the state in which these entities were incorporated. GARLOCK has no information regarding whether these entities were ever authorized to do business in Texas.

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: Yes.

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, boiler makers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER: Depending on the job definitions used at particular plants and facilities, GARLOCK believes that certain occupations such as pipefitters, millwrights, machinists and boiler makers are potential users of asbestos-containing gasket and packing products.

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: Yes.

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: Yes.

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: No.

INTERROGATORY NO. 46:

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

ANSWER: Not applicable.

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: No.

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: A Research and Development Department existed during most of the 1960's. The exact dates of its formation and termination are not available. A new Research and Development Department was established early in 1984 and functioned for approximately two years. In both instances, the Department worked on the development of new and/or improved products and processes. The Department never conducted any medical research.

- (a) Unknown. GARLOCK has spend substantial funds researching and investigating possible substitutes for asbestos-containing products, but it is unable to quantify the dollar amount.
- (b) GARLOCK does not have a medical department and no medical research was conducted by GARLOCK on the health effects of asbestos. GARLOCK is an industrial products company primarily focused on the manufacturer and sale of fluid sealing devices.
- (c) The Research and Development Department was charged with a development and/or improvement of GARLOCK products and manufacturing processes. During the years GARLOCK did not have a formal Research and Development Department, GARLOCK continued to perform functional and performance related 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: No. By way of further answer, GARLOCK states that it has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research.

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: See Answer to Interrogatory No. 14.

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: Yes. GARLOCK has been manufacturing asbestos products since 1907. All of its products, both those containing asbestos and those without asbestos, have been sold under the GARLOCK name. In addition, a caliper and scale trademark was used on all products until 1968. A number of secondary trademarks have also been used over the years. These trademarks include Belmont, Guardian Chevron, Lattice Braid, Palmyra and Paper-Pak. It may be possible to identify GARLOCK asbestos-containing products depending on the products in question and the degree of expertise of the person making the identification. Some GARLOCK products have been labeled with the company name. The GARLOCK name has appeared on gasketing and sheet materials since the early 1900's. For braided packing product, the GARLOCK name or the trade names identified above does not appear on the materials and it could be difficult to identify them because many of GARLOCK's packing products are similar in appearance to products

manufactured and sold by competitors. However, the GARLOCK name does appear on the product packaging for braided packing materials.

The Belmont trademark has been used with a wide variety of gaskets, gasket materials, packing and seals. The Guardian trademark has been used on association with spiral wound gaskets. The Chevron trademark has been used in association with a wide variety of V-Ring packings. The Lattice Braid trademark has been used in association with a wide variety of braided packings. Each of these marks has been used for more than 50 years and each is still in use. The Palmyra trademark was used in association with a lubricated rubber and asbestos fabric packing for about 40 years, ending in 1960. The Paper-Pak trademark has been used in association with braided packings for use in the paper industry since 1960.

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: Yes. GARLOCK has always made available non-asbestos containing sealing products as well as asbestos-containing sealing products to its customers. This Defendant has not recommended asbestos containing products for any particular purpose. Customers specified the need for asbestos-containing material for certain applications requiring a heat resistant sealing product. GARLOCK has constantly been involved in supplementing and developing products to satisfy customer needs and meet specific application requirements of the customer. The non-asbestos products which most closely conformed to the properties of the asbestos-containing products were developed after 1970.

GARLOCK has made numerous changes in products over the years. Changes were made for many reasons, including cost

reduction, improved performance or because of the development of new materials. Introduction, distribution, improvement, modification and discontinuance of styles of all kinds has been a continuing process at GARLOCK. Over the years, GARLOCK has discontinued the manufacture and sale of numerous types of asbestos-containing products. Asbestos products were discontinued when new and better products became available. New products were put on the market after comprehensive design, development and testing was performed by GARLOCK's technical staff. The success of new products is dependent on customers acceptance of the product. Customers must determine if a new product meets its application requirements. Since 1970, many products have been developed by GARLOCK and been accepted by customers because these products have proven to be functionally equal or superior to the asbestos-containing products that previously were used for particular applications. However, there are certain applications for which there is no adequate replacement or substitute for asbestos-containing products. The dates asbestos-containing products were removed from GARLOCK's product line are shown on Exhibit B. GARLOCK also attaches Exhibit N, a chart which displays the "History of Gasketing." The non-asbestos substitutes for asbestos gasketing material and the years they became available are delineated in the chart.

Examples of non-asbestos gasket materials developed by Garlock for certain applications include Bluegard, Gylon, Guardian, HTC, Kevlar and Graphite.

GARLOCK developed potential substitutes and replacements for asbestos-containing packing material in the early 1980's. The new packing products include Synthepak, Carbon Packing, Kevlar, Thermosil and Fiberglass Packing. See catalogs previously produced to Baron & Budd in the Fulton County, Georgia asbestos litigation.

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: Yes. See Answer to Interrogatory No. 52.

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: Yes. All products occasionally display performance problems, and customers, have on occasion, reported that non-asbestos products developed since 1970, do not perform as well as the asbestos products designed for similar applications. The customer has the ultimate authority in choosing the particular product for a particular application and evaluating whether particular products perform as intended. For example, Bluegard manufactured with acrylic fibers did not perform well in steam applications and the accepted temperature range was downgraded to 350 degrees. GARLOCK asserts that all the products it manufactures and sells, asbestos and non-asbestos, perform their fluid sealing function in an efficient manner. They would not be marketed and sold if they did not have

the ability to perform the function for which they were designed. The customer chooses what product is appropriate for particular applications or operations. There are certain applications for which there are no adequate substitutes or replacements for asbestos-containing materials.

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: Yes. See GARLOCK' s Exhibit Binder which has been produced in its entirety to Baron & Budd. GARLOCK identifies the following studies by author and exhibit number.

<u>Author</u>	<u>Garlock Exhibit Number</u>
1. Nielsen	33 - 38
2. Mangold	18 - 31
3. McCrone	39 - 40
4. Boelter	99 - 108
5. Spencer	111 - 112

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:**
- (a) GARLOCK learned of the ACGIH Threshold Limit Value in 1947.
 - (b) George Houghton
 - (c) Hemeon Report, Industrial Hygiene Foundation--prepared for the Asbestos Textile Institute in June, 1947 (previously produced to Plaintiffs).

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: Yes.

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: See Answer to Interrogatory No. 56.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness that you expect to call during trial of these cases. Please designate with specificity the expert witnesses you may 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: GARLOCK's Expert Witness Disclosure is attached as Exhibit O.

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 this case

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, 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, 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.

ANSWER: This Defendant has no record or knowledge of any such persons at this time, other than the Plaintiffs' themselves. Discovery is continuing and Defendant will supplement in accordance with the Texas Rules of Civil Procedure and court order.

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: GARLOCK's Exhibit List is attached as Exhibit E.

INTERROGATORY NO. 63:

When, if ever, did Defendant or any of its predecessors-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 discusses or in any way references 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 addresses(s) 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: GARLOCK has no record, knowledge or recollection of receiving a copy of the Fleischer-Drinker Report during the normal course of business at any time prior to the commencement of the asbestos litigation. GARLOCK did receive a copy of the Fleischer-Drinker report for the first time from its attorneys through the discovery process at the beginning of the asbestos litigation.

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)[sic] 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 discusses or in any way references 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 addresses(s) 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 No. 64(a) above.
- (g) If your answer to 64(e) is yes, when was the first date Defendant relied on the Dreessen report in whole or in part for the proposition stated in 64(e) above?

ANSWER: GARLOCK has no record, knowledge or recollection of receiving a copy of the Dreessen report during the normal course of business at any time prior to the commencement of the asbestos litigation. GARLOCK did receive a copy of the Dreessen report through the discovery process in the asbestos litigation.

INTERROGATORY NO. 65:

Please identify documents or things, including x-rays, MRIs, CT-scans or other materials 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: Not applicable.

REQUEST FOR PRODUCTION TO DEFENDANT

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:

GARLOCK objects to this Request on the grounds that it is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and for the further reason that the only GARLOCK products at issue in this case are those to which plaintiffs allege to have been exposed.

Notwithstanding and without waiving the foregoing objections, GARLOCK states that over the years it has prepared hundreds of writings, instruction sheets, brochures and the like regarding its products. The majority of said writings have long since been discarded. All existing photographs are available for inspection and copying at plaintiff's expense at GARLOCK INC, 1666 Division Street, Palmyra, New York 14522.

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:

Defendant has not been able to locate any documents responsive to this request. To the extent such documents exist, they are available for inspection and copying at Plaintiff's expense at GARLOCK INC, 1666 Division Street, Palmyra, New York 14522.

REQUEST FOR PRODUCTION NO. 3:

Please provide a copy of all documents and other materials and reports identified in Answer to Interrogatory No. 60(d), other than Depositions and Medical History provided by Plaintiff.

RESPONSE:

At this time, no case specific reports have been prepared. Any reports prepared by testifying experts will be produced in accordance with the Texas Rules of Civil Procedure or court order.

REQUEST FOR PRODUCTION NO. 4:

Please provide a copy of all documents and reports other than Deposition and Medical History provided by Plaintiff identified in Answer to Interrogatory No. 60(e).

RESPONSE:

At this time, GARLOCK has not provided any case specific documents to its experts. Any documents provided to an expert will be available for inspection and copying at a mutually convenient time.

REQUEST FOR PRODUCTION NO. 5:

Please provide a copy of all documents, reports, and other materials identified in Answer to Interrogatory No. 62.

RESPONSE:

Defendant objects to this request as overly broad, unduly burdensome and seeking documents outside the scope of discovery. Exhibit lists and expert designations will be produced in accordance with The Texas Rules of Civil Procedure or the applicable court order.

REQUEST FOR PRODUCTION NO. 6:

Please produce any and all x-rays, MRIs, CT-scans, videotapes or other electronically or technologically created representations, depictions, picturizations, imaging or imagery collected by Defendant in the course of discovery.

RESPONSE:

Defendant objects to this request as seeking information protected by the work product privilege and as being overly broad, vague and unduly burdensome. Furthermore, any of plaintiffs' medical information in Defendant's possession was either provided by plaintiffs or obtained by deposition on written questions. Defendant objects to producing documents plaintiffs have equal or better access to.

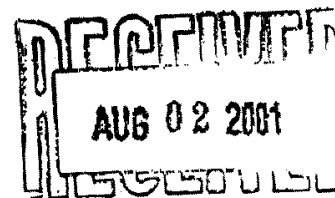
REQUEST FOR PRODUCTION NO. 7:

All documents which support, contradict or are otherwise relevant to Plaintiffs' claims of exposure to Defendant's products at any worksite identified in Plaintiffs' response to discovery.

RESPONSE:

Defendant objects as overly broad, unduly burdensome and as seeking documents outside the scope of discovery. Defendant further objects to being required to make a "relevancy" determination. Defendant also objects to the extent this request seeks documents protected by the work-product, attorney/client or any other confidentiality privilege.

MORRIS AND MORRIS
ATTORNEYS AND COUNSELORS AT LAW
30 CORPORATE WOODS
SUITE 120
ROCHESTER, NEW YORK 14623



STEPHEN P. MORRIS
RICHARD D. MORRIS
JAMES E. MORRIS
BERNADETTE CATALANA
ELLEN J. COYNE

(716) 292-5750
FAX (716) 292-5793

IRA H. MORRIS (1904-1990)

Writer's Extension: 25

July 31, 2001

Michelle Heron Galindo, Esq.
Law Offices of Shepard A. Hoffman
36 S. Charles Street
Suite 2200
Baltimore, Maryland 21201

Re: Spangenberg v. A.C. and S., Inc., et al.

Dear Shelly:

I have enclosed the verification, signed by Mr. Heffron, that your requested in your correspondence, dated June 28, 2001.

Should you have any questions, please contact me at the direct dial number indicated above.

Very truly yours,

MORRIS AND MORRIS


Bernadette Weaver-Catalana

cc: Bernie Levinthal

STATE OF NEW YORK
COUNTY OF MONROE

I hereby certify that I am authorized to respond to Plaintiff's Interrogatories, on behalf of Garlock Inc, in my capacity as Senior Marketing Manager - Gasketing, and that to the extent that I am personally familiar with the information set forth in these answers, I certify that the answers are correct, and to the extent that I am not personally familiar with the information provided in the said answers, I certify that the information is correct to the best of my information and belief based on my investigation of these matters.



JAMES E. HEFFRON

Sworn to and subscribed before me this

26th day of March 2001



NOTARY PUBLIC

JOSEPHINE COZZO
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires

April 30, 2001

**Law Offices of
SHEPARD A. HOFFMAN**

Baltimore Office:
36 S. Charles Street, Suite 2200
Baltimore, Maryland 21201
(410) 539-8404 • (410) 539-8407 (Fax)

Dallas Office:
3100 Monticello Avenue, Suite 750
Dallas, Texas 75205
(214) 443-4300 • (214) 443-0358 (Fax)

FAX TRANSMISSION SHEET

DATE: _____

FROM: Michelle Galindo, Of Counsel

TO: Cheryl

COMPANY: _____

FAX NO.: _____

SUBJECT: _____

You should receive 3 page(s) including this cover sheet.

COMMENT: _____

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