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DOCUMENT DESCRIPTION: Legal - Defendants Response to Interrogatories - For Relevant Documents See PPG #'s 13, 14 & 4



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August 30, 2019

VIA E-MAIL

John E. Richardson, Jr., Esquire
Simmons Hanly Conroy
One Court Street
Alton, IL 62002

Re: Gary Quesenberry and Martha Quesenberry v. PPG Industries, Inc., et al.
CCP, Philadelphia County, December Term 2018, No. 2524

Dear Mr. Richardson:

Enclosed are PPG Industries, Inc.'s Responses to Plaintiffs' Interrogatories and Requests for Production with regard to the above-captioned matter.

Also enclosed is a CD (Bates numbered PPG PA QUE 000001 to PPG PA QUE 003686), containing documents in response to Plaintiffs' Requests for Production, with regard to the above-captioned matter.

Please note you must have 7-Zip installed on your computer to download the files. The disc password is ZAmMxYNz.

If any questions, please contact the undersigned.

Very truly yours,

SWARTZ CAMPBELL LLC

G. Daniel Bruch, Jr.

GDB/db
Enclosures

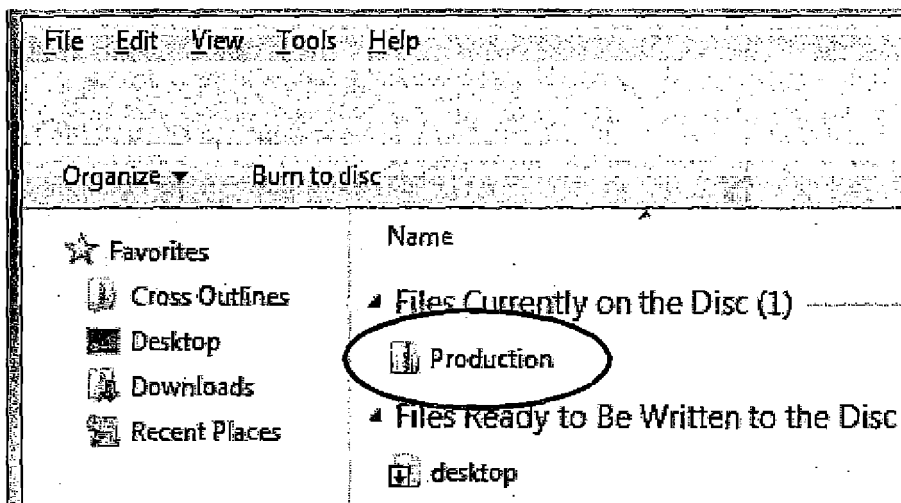
Instructions on Downloading and Opening the Production CD

You must have the program "7-Zip" installed on your computer to download and open the materials properly. Refer to the following website and download the program appropriate to your computer specifications or firm policies.

<http://www.7-zip.org/>

To open content of the CD please follow the following steps:

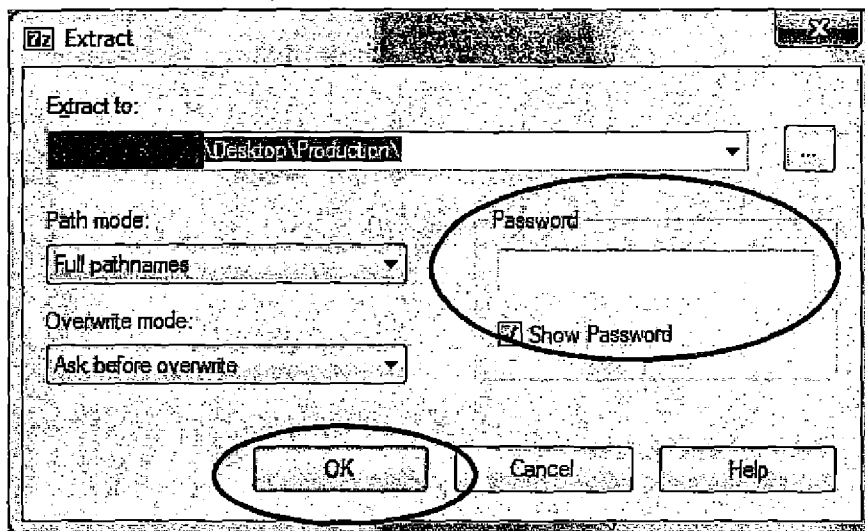
Open the cd on your computer,



Copy the "Production" Zip file to your desktop

Right click on the "Production" Zip file and put Mouse Arrow on 7-ZIP

A side menu will come up, click on "Extract files"



Enter the Password provided for this specific production and hit OK

Once the folder has completed being extracted, you will not have to use the password again.

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Attorney for Defendant, PPG Industries, Inc

GARY QUESENBERRY and MARTHA
QUESENBERRY

Plaintiffs,

v.

PPG INDUSTRIES, INC., et al.,

Defendant.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

DECEMBER TERM, 2018
NO. 2524

JURY TRIAL DEMANDED

ASBESTOS LITIGATION

**DEFENDANT PPG INDUSTRIES, INC.'S RESPONSE TO
PLAINTIFFS' INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Defendant PPG Industries, Inc. ("PPG") responds to Plaintiffs' Interrogatories and Requests for Production ("Plaintiffs' Discovery") as follows:

PRELIMINARY STATEMENT

The following responses are based upon the information that is presently known and available to PPG Industries, Inc. ("PPG") based upon a reasonable investigation. PPG believes that these responses are accurate as of the date made. However, many of the matters inquired about in Plaintiffs' Discovery took place decades ago. Additionally, PPG sold the facility at issue in 2016, and the asset purchase agreement provided for the transfer of virtually all of the business records of this facility to the purchasers. Therefore, some information may be incomplete, no longer available, or not within PPG's possession or control. Nevertheless, PPG

has endeavored to investigate all relevant facts and circumstances. PPG reserves the right to further supplement or amend its objections and responses.

PPG's Preliminary Statement is incorporated into the discovery responses set forth below.

GENERAL OBJECTIONS

PPG's General Objections are incorporated by reference into the discovery responses set forth below and are stated here for the convenience of the parties and the Court:

a. PPG objects to these Discovery Requests to the extent they are not relevant to the subject matter involved in the pending action and/or are not reasonably calculated to lead to the discovery of admissible evidence. Based on Plaintiffs' allegations, this claim is limited to Mr. Quesenberry's work at PPG's former facility in Carlisle, Pennsylvania.

b. PPG objects to the unlimited scope and breadth of Plaintiffs' Discovery. Plaintiffs' Discovery is not adequately limited temporally or geographically, nor is it confined to Plaintiffs' alleged exposure at a PPG facility. To require PPG to conduct an unlimited inquiry into over 130 years of corporate history and to provide the kind of broad information requested by Plaintiffs' Discovery is unfair, unreasonable, and would involve enormous expense and an unnecessary burden on PPG's part.

c. In several instances, Plaintiffs' Discovery refers to various interchangeable terms such as "Defendant," "You," "Your," and "Your Company." Unless otherwise stated, these terms shall be reasonably understood to refer to PPG Industries, Inc., a business corporation originally formed in Pennsylvania in 1883 as the Pittsburgh Plate Glass Company and which changed its name to PPG Industries, Inc. in 1968.

d. PPG submits these responses on its own behalf and for no other entity, including without limitation, any subsidiary, or affiliated entities.

e. PPG objects to Plaintiffs' Discovery to the extent it seeks the production or disclosure of communications prepared by or for PPG's lawyers, which communications (a) were made by or to legal counsel in anticipation of or in connection with litigation, or (b) reflect confidential and privileged communications between or among counsel, representatives of PPG, and/or non-testifying experts retained for purposes of assisting PPG or its counsel in litigation. PPG will not produce or disclose such privileged communications; in addition, PPG will not disclose or otherwise identify such privileged communications in response to written discovery or on any listing of documents or things withheld from production.

f. PPG objects to Plaintiffs' Discovery to the extent that it seeks information which is not in PPG's possession, custody, or control.

g. PPG objects to the instructions and definitions contained herein, and made a part hereof, to the extent they attempt to alter the plain meaning of any term or attempt to impose obligations on PPG that are inconsistent with and/or in addition to those required under Pennsylvania law.

h. PPG objects to the definitions contained in Plaintiffs' Discovery to the extent they render Plaintiffs' Discovery vague, ambiguous, overbroad, and/or unduly burdensome.

i. PPG objects to Plaintiffs' Discovery to the extent that it requests documents which have been received by PPG or its counsel due to the fact that PPG is a defendant in other asbestos litigation. These documents are among neither the business records of PPG, nor documents which have been located in the possession of PPG. PPG objects to producing documents which have been produced by other parties in other litigation as being unduly

burdensome and not reasonably calculated to lead to the discovery of relevant or admissible evidence.

j. PPG objects to Plaintiffs' Discovery to the extent that it requests documents that are publically available. It is unduly burdensome to require PPG to produce documents that are equally available to Plaintiff.

k. PPG objects to Plaintiffs' Discovery to the extent that it requests that PPG describe or characterize information contained in written documents, which speak for themselves.

l. PPG objects to Plaintiffs' Discovery to the extent that it requests information regarding Pittsburgh Corning Corporation or PPG's relationship to that company, because claims relating to those matters may be enjoined by order of the federal bankruptcy court.

m. PPG objects to Plaintiffs' Discovery to the extent that the information it requests is not proportional to the needs of this case, considering the importance of the issues at stake, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

n. In responding to Plaintiffs' Discovery, PPG does not waive, and expressly preserves the following objections:

- all objections regarding competency, relevancy, materiality, and admissibility;
- all objections regarding the use of the responses in any proceeding; and
- all objections to any further interrogatories or other discovery requests involving, or related to, any of the requests in Plaintiffs' Discovery.

o. PPG does not concede that any of its responses to Plaintiffs' Discovery are admissible evidence at any trial or any other legal proceeding in which evidence is heard.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person answering these interrogatories on behalf of Defendant.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad and unduly burdensome because it seeks information regarding numerous requests, some with multiple sub-parts. PPG further objects to this Interrogatory to the extent it seeks information that is protected by the attorney-client privilege or work product doctrine. Subject to and without waiving its foregoing objections, PPG states that the information set forth in these answers has been compiled from documents maintained by the company and its counsel. By way of further response, David Neal verifies these responses. Defendant refers Plaintiffs to the verification provided with these responses.

INTERROGATORY NO. 2:

Describe the manner in which the information used to answer these interrogatories was collected, including listing any and all such sources of information relied upon, identifying any and all records or documents reviewed and identifying persons providing information.

ANSWER: Subject to and without waiving its foregoing General Objections, PPG incorporates by reference its objections and response to Interrogatory No. 1. By way of further answer, over

the course of a number of years, the company, with the assistance of its counsel, has identified and assembled documents that may be responsive to discovery requests in asbestos litigation. The vast majority of those documents are maintained in a searchable database. That database was searched by counsel for information responsive to these discovery requests.

INTERROGATORY NO. 3:

State the following concerning this Defendant:

- a. Full and correct name;
- b. The form in which Defendant presently conducts business
(i.e. corporation, partnership, proprietorship, etc.);
- c. Identify any and all predecessors as defined above;
- d. Any and all names by which Defendant has been known or
has conducted business, at any time, and the date(s)
during which Defendant has been known by and/or
conducted business, under each such name;
- e. Defendant's principal place of business;
- f. Defendant's present state of incorporation or state in which
Defendant is registered as a partnership, association, etc.,
whichever is applicable; if Defendant has, at any time,
been incorporated or registered in a different state,
identify which state and when;
- g. Most recent date of incorporation or reincorporation, and

any and all prior date(s) of incorporation or reincorporation;

- h. Whether this Defendant is authorized to transact business in the State of Pennsylvania and, if so, the date such authority was first issued and last renewed; and,
- i. If this Defendant has an agent, representative or place of business in Pennsylvania, identify such agent, representative, or place of business.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence, in that it is not limited in time. As such, this Interrogatory is an improper, onerous, and fundamentally unfair attempt by Plaintiffs to require PPG to conduct a nearly unlimited investigation into the potentially numerous corporate transactions over the course of its over one hundred and thirty years of corporate history, much of which may not be applicable to this case. Subject to and without waiving its foregoing objections, PPG states that the correct name for this defendant is PPG Industries, Inc. PPG Industries, Inc. is a business corporation formed under the laws of the Commonwealth of Pennsylvania, and has its principal place of business in Pittsburgh, Pennsylvania. It was originally incorporated as the Pittsburgh Plate Glass company on August 24, 1883. In 1968, it changed its name to PPG Industries, Inc. PPG will provide various annual reports at Plaintiffs' request which may contain this information.

INTERROGATORY NO. 4:

Has Defendant been sued under its correct legal name? If not, state the correct legal name of Defendant and provide the information requested in the preceding Interrogatory concerning the defendant as correctly named.

ANSWER: Yes.

INTERROGATORY NO. 5:

List all directors and officers of Defendant from 1940 to date and for each state all positions held and the date(s) during which each position was held.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence. By way of further answer, PPG is providing herewith documents that may be responsive. The documents speak for themselves.

INTERROGATORY NO. 6:

With regard to the facility in question, please state:

1. The date of original construction;
2. The identity of the owner, at the time of original construction;
3. The identity of all owners, from original construction to the present, including dates of ownership;
4. Whether or not, at any time, said facility was leased and/or operated by, a company, firm or entity other than the then owner

and, if so, the identity of said lessee/operator, including dates of lease/operation;

5. The date(s) and nature of any and all expansions, renovations, or remodeling;
6. The date(s) and nature of the destruction/demolition of all or any part of said facility; and,
7. Identify any maps, plans, drawings, pictures, blue prints, schematics and/or like documents showing the layout of the facility, including changes or differences occurring over time.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence, in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. Subject to and without waiving its foregoing objections, PPG owned and operated the Carlisle facility between 1971 and 2016. By way of further response, maps, drawings, and pictures of the facility are available in PPG's document production, and PPG refers Plaintiffs to those documents. PPG is presently unaware of further responsive information.

INTERROGATORY NO. 7:

Describe your involvement with the facility in question, throughout its existence, by stating the nature of the involvement and the dates, during which it occurred, including, but not limited to, owner, operator, lessee, and/or parent/subsidiary corporation of owner, operator or lessee.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 6.

INTERROGATORY NO. 8:

If you and/or any predecessor entity were, at any time, involved in any and/or all of the following types of transactions concerning the facility in question, identify any and all documents referring to, relating to, and/or reflecting the same:

1. The purchase/sale of all or part of said facility;
2. The leasing of all or part of said facility; and/or,
3. The use, operation and/or control of said facility by an entity
other than the then owner.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 6.

INTERROGATORY NO. 9:

With regard to the facility in question, identify each and every person/entity participating in the original construction, as follows:

1. Any and all general contractors;
2. Any and all contractors or subcontractors involved the installation

/ application of any asbestos-containing products or materials;
and,

3. Any and all material suppliers (including nature of material supplied).

ANSWER: In addition to its foregoing General Objections, PPG objects that this Request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period in which Plaintiffs allege exposure, or to the conditions of Mr. Quesenberry's work. Subject to and without waiving its foregoing objections, PPG states that it is presently unaware of responsive information. PPG sold the Carlisle facility in and transferred all records relating to the business at the time of sale several years ago.

INTERROGATORY NO. 10:

Identify by type of product, manufacturer, brand name, trade name, and location within the facility any and all asbestos-containing products which were installed, applied, used or otherwise incorporated into each facility in question during its original construction.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 11:

Identify any and all documents, including, but not limited to, contracts, specifications, blueprints, schematics, drawings, designs, invoices, vouchers, plans, maps, surveys, reports, change orders, canceled checks and/or work orders referring to, relating to, and/or reflecting the original construction of each facility in question.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 12:

With regard to each facility in question, identify each and every person/entity participating in each and every expansion, renovation or remodeling (as identified above), as follows:

1. Any and all general contractors;
2. Any and all contractors or subcontractors involved the installation
/ application of any asbestos-containing products or materials;
and,
3. Any and all material suppliers (including nature of material
supplied).

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 13:

Identify by type of product, manufacturer, brand name, trade name, and location within the facility any and all asbestos-containing products which were installed, applied, used or otherwise incorporated into each facility in question during each and every expansion, addition and/or new construction (as identified above).

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 14:

Identify any and all documents, including, but not limited to, contracts, specifications, blueprints, schematics, drawings, designs, invoices, vouchers, plans, maps, surveys, reports, change orders, canceled checks and/or work orders referring to, relating to, and/or reflecting each such expansion, renovation and/or remodeling for each facility in question.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 15:

Identify each and every building maintenance manager/superintendent for the facility in question, during any and all times at which you and/or any predecessor entity owned, operated or leased said facility, and state the dates during which each person identified served in that capacity.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 16:

For the facility in question, identify each and every contract for construction and/or maintenance/service entered into with any independent contractors.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9. By way of further response, PPG is providing herewith two construction services agreements from 1986 and 1988. The documents speak for themselves.

INTERROGATORY NO. 17:

For each contract identified in the preceding Interrogatory, identify any and all documents, including, but not limited to, contract agreements, specifications, blueprints, schematics, drawings, designs, invoices, vouchers, plans, reports, change orders, canceled checks and/or work orders referring to, relating to, and/or reflecting said construction or maintenance/service.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 18:

Identify any and all officers, employees and/or agents, who had responsibility in each of the following areas at, or relating to, the facility in question, during any and all times at which you and/or any predecessor entity owned, operated or leased said facility:

1. Occupational health and/or safety;
2. Construction health and/or safety;
3. Compliance with federal, state and/or local safety regulations;
4. Compliance with federal, state and/or local environmental regulations;
5. Compliance with federal, state and/or local health regulations;
6. Insurance or risk management;
7. Workers compensation;
8. Purchasing (supplies, tools, equipment);
9. Purchasing (raw materials);

10. Repair / maintenance;
11. Personnel / human resources;
12. Construction;
13. Hiring / supervising / overseeing outside contractors;
14. Operations;
15. Medical director, physician, nurse, health technician;
16. Industrial hygiene; and,
17. Asbestos abatement.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9. By way of further answer, the Safety and Health Supervisor at the time PPG sold the Carlisle facility was Len Arena.

INTERROGATORY NO. 19:

With regard to the facility in question, was asbestos abatement and/or containment work performed, during any times at which you and/or any predecessor entity owned, operated or leased said facility? If your answer is in the affirmative:

1. State the first date on which any abatement/containment was performed;
2. State the reason(s) why abatement/containment was undertaken at this particular time, including, but limited to, identifying any regulation, statute, ordinance and/or rule requiring the same;
3. Identify any and all documents, including, but not limited to,

board minutes and/or internal memoranda, referring to, relating to, and/or reflecting the decision to undertake abatement/containment; and,

4. Identify any and all persons participating in and/or having knowledge of the decision to undertake abatement/containment.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. PPG also objects to this Interrogatory to the extent that it requests that PPG describe or characterize information contained in written documents, which speak for themselves. Subject to and without waiving its foregoing objections, PPG states that beginning in the mid-1970s it began implementing company-wide policies against the purchase of asbestos-containing material and requiring removal where necessary. By way of further response, PPG is providing herewith documents which may be responsive, such as the Asbestos Control Program. These documents speak for themselves.

INTERROGATORY NO. 20:

With respect to the facility in question, identify and describe each abatement/containment project (including on-going work), performed, during any times at which you and/or any predecessor entity owned, operated or leased said facility, as follows:

1. State the areas, parts, systems, equipment, structures and/or machines of the plant involved;
2. State the date(s) on which or during which the

abatement/containment was performed;

3. Identify by type, quantity, location, and manufacture/brand/trade name, any and all asbestos-containing products abated/contained;
4. Describe, in detail, the manner in which said abatement/containment was performed, including, but not limited to:
 - a. The procedures by which the asbestos was abated/contained;
 - b. Safety/health/hygiene procedures relating to those performing the abatement/containment work;
 - c. Safety/health/hygiene procedures relating to Persons on the premises, *other than* those performing the abatement/containment work; and,
 - d. The manner in which, and location at which, any asbestos and/or asbestos-containing products were disposed-of;
 - e. For any and all abatement/containment, which was performed by any outside contractor, identify said contractor and the officer/employee/agent of that contractor in charge of the work;
 - f. For any and all abatement/containment, which was

performed by your and/or any predecessor entity's own personnel, identify the officer/employee/agent in charge of the work, and identify the trade/craft/job description of any and all employees performing abatement/containment or otherwise participating in the same;

- g. Identify any and all documents, referring to, relating to, and/or reflecting said abatement/containment (as to both outside and in-house projects); and,
- h. Other than those already listed in response to this interrogatory, identify any and all of your and/or any predecessor entity's officers/agents/employees, who participated in (including, but limited to supervising or overseeing) or had knowledge regarding said project (as to both outside and in-house projects).

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 19. By way of further answer, PPG is providing a memoranda from 1979 and 1982 regarding solid waste disposal practices which includes references to asbestos.

INTERROGATORY NO. 21:

Prior to the first date, on which asbestos abatement/containment was undertaken at the facility in question, did you and/or any predecessor entity undertake abatement/containment at a different facility and/or location? If your answer is in the affirmative:

1. Identify each such other facilities/locations at which earlier abatement/containment occurred;
2. State the date(s) on which such earlier abatement/containment occurred;
3. Explain why earlier abatement was undertaken at these facilities/locations; and,
4. Identify any and all documents referring to, relating to, and/or reflecting decisions regarding abatement/containment you and/or and predecessor entity for any and all facilities.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 19.

INTERROGATORY NO. 22:

Identify each and every piece of equipment and/or system (including, but not limited to boilers, furnaces, turbines, and/or generators), which was installed, built and/or otherwise present at the facility in question. For each such piece of equipment / system:

1. State size, type, manufacturer(s), and date of installation;
2. (If applicable) state date of removal or demolition;
3. Identify any and all contractors involved in installing,

servicing, or maintaining the same;

4. Identify by type, manufacturer, brand name and trade name any and all asbestos-containing components of the equipment / system and any and all asbestos-containing materials installed, applied or otherwise used on, in or around said equipment / system;
5. Identify any and all documents referring to, relating or reflecting the equipment / system, including, but not limited to, its purpose, function, operations, maintenance schedule and the incorporation, installation, application and/or use of asbestos-containing materials; and,
6. Identify any and all persons, who are known by you to have knowledge of the equipment / system, including, but not limited to, its purpose, function, operations, maintenance schedule and the incorporation, installation, application and/or use of asbestos-containing materials.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. By way of further response, PPG is providing herewith documents which may be responsive. These documents speak for themselves.

INTERROGATORY NO. 23:

Did you and/or any predecessor entity, at any time, discuss any of the following subjects with any of your employees and/or provide any employees with information relating to the following:

1. Asbestos;
2. The health hazards or potential health hazards of asbestos;
3. Threshold limit values for asbestos dust;
4. Recommended practices for applying, installing, removing, handling and/or otherwise working with asbestos and/or asbestos-containing materials; and/or
5. Recommended practices for working around others using asbestos and/or asbestos-containing materials.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 19.

INTERROGATORY NO. 24:

If your answer to the preceding Interrogatory is in the affirmative, identify each and every such discussion and/or occasion on which such information was provided, including:

1. Describing the nature of the communications (i.e. meeting, telephone, letter, memo etc.);
2. The date(s) on which it/they occurred;
3. The identities of each and every participant;
4. The place(s) where it they took place; and,

5. Identify any and all documents referring to, relating to, and/or reflecting each discussion/ communication.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 19.

INTERROGATORY NO. 25:

Did you and/or any predecessor entity, at any time, provide or require employees to undergo physical / medical examinations as either a condition or a benefit of their employment? If so:

1. Describe each and every type of examination given, including, but not limited to, whether or not it included chest x-ray, pulmonary functions testing and/or other tests relating to breathing or lungs;
2. State (by job description etc.) the group(s) of employees involved;
3. State the circumstances under which, and the reasons for which, each and every type of examination was given;
4. State the years during which such examinations were given;
5. Identify each and every medical professional (doctors, nurses, technicians etc.) participating in any manner in the administering of such examination and/or in evaluating the results (whether or directly employed by you and/or any predecessor and/or relating entity);
6. State whether or not, and to what extent, the employees being

examined were provided with any results/reports and/or advised or the results of any such examinations; and,

7. Identify any and all documents referring to, relating to, and/or reflecting:
 - a. The policies, rules, resolutions and/or procedures for conducting such examinations;
 - b. The methods by which the examination were (or, were supposed to be) conducted;
 - c. The results of the examinations, including any statistical summaries and/or analysis of the same;
 - d. Agreements, contracts, understandings and/or the like involving the hiring, engagement, or use of medical personnel; and,
 - e. Providing results, reports and/or information concerning the examination to the employee(s) being examined.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the products at issue, or to the conditions of Mr. Quesenberry's work. PPG also objects to this Interrogatory to the extent that it requests that PPG describe or characterize information contained in written documents, which speak for themselves. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its

references to “predecessor or related entities.” PPG objects to this Interrogatory to the extent that it requests medical information related to PPG’s present or former employees. Subject to and without waiving its foregoing objections, PPG states that it has long required medical examinations for certain of its employees, the medical examinations included, but were not limited to physical examinations and x-rays. By way of further response, PPG is providing herewith documents which may be responsive, such as the Medical Guidelines Manual and the PPG Health Care Policy.

INTERROGATORY NO. 26:

Was any employee of you and/or any predecessor entity ever diagnosed with any asbestos disease or suspected asbestos disease, as a result of any examination as describe above? If so:

1. Identify each and every such occurrence (including the diagnosis date, employee and specific disease involved);
2. Identify any and all documents referring to, relating to, and/or reflecting said diagnosis;
3. Identify each and every person who was advised of these results and state the date on which such was done; and,
4. Describe any and all actions taken by you and/or any predecessor entity in response thereto.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 25.

INTERROGATORY NO. 27:

State the first and last dates on which any type of asbestos or asbestos-containing material was applied, installed, received, and/or otherwise used at each facility in question.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 28:

As of the date on which these interrogatories are being answered, are there still any asbestos-containing materials or asbestos present at any or all of the facilities in question?

1. If your answer is in the affirmative, identify any and all such asbestos / asbestos-containing materials by type and location within each facility in question; and,
2. If your answer is in the negative, state the first date on which each such facility in question was completely asbestos-free.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 29:

Identify each and every immediate supplier (i.e. not necessarily manufacturers) of any or all asbestos-containing materials, which were applied, installed, used and/or otherwise present at the facility in question. For each such supplier identified:

1. State the types, brand names, trade names and manufactures of the asbestos-containing materials supplied;
2. State the time period(s) during which each such material was supplied;

3. State the quantities of each such material supplied (by quarter); and,
4. Identify any and all documents referring to, relating to, and/or reflecting the purchase, receipt and/or delivery of asbestos-containing materials from that supplier.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 9.

INTERROGATORY NO. 30:

Did you, any predecessor entity, or any person or entity acting on behalf thereof (including, but not limited to, insurance carriers, workers compensation carriers, asbestos suppliers, consultants and/ contractors), at any time and at any facility owned and/or operated by you, conduct any dust counts, industrial hygiene surveys or like tests to determine the presence and/or amount of dust (specifically including, but not limited to asbestos dust or fibers) at said facility? If your answer is in the affirmative, please identify each and every such count/survey/study/test, as follows:

1. State the date on which and location at which (facility and area of facility) said count/survey/study/test was conducted;
2. Identify the persons and entities conducting said count/survey/study/test;
3. Describe the purpose of the count/survey/study/test and the procedures used;
4. State the results;

5. Identify each and every person and/or entity receiving said results; and,
6. Identify any and all documents referring to, relating to, and/or reflecting said count/survey/study/test, the results thereof and/or any analysis and/or discussion of the same.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period or the facility at issue, or to the conditions of Mr. Quesenberry's work. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity." Subject to and without waiving its foregoing objections, PPG states that it has long taken steps to protect employee health and safety at the Carlisle facility and elsewhere. By way of example, PPG has had a Safety Department, which included a Safety Director and Safety Inspectors, since at least 1934. In the mid 1930s, PPG, with the aid of an industrial hygienist, engaged in health surveys at its plants to identify potential hazards. These surveys included an evaluation of dust related hazards. In response to these surveys, PPG implemented new practices to eliminate the observed hazards, including installing an exhaust system and changing housekeeping practices concerning dust.

For instance, since at least 1953 at the Lake Charles facility, PPG maintained safety manuals that dealt, in great detail, with potential hazards in various plant operations and means to address them, including the use of appropriate respiratory protection to address the presence of dust, corrosive vapors, or toxic fumes or gases. These manuals were given to every employee, and included procedures for the safe handling of "Hazardous Materials," provided standards for

personal protective equipment, and provided for an Executive Safety Committee. This is illustrative of PPG's approach to safety in the 1950s and 1960s.

PPG began implementing policies against the purchase of asbestos-containing material in the mid-1970s. As part of these policies, it reviewed engineering specifications and revised them to require non-asbestos-containing material wherever suitable substitutes existed. With the passage and subsequent implementation of the Occupational Safety and Health Act ("OSHA") in the early 1970s, PPG further refined its safety and housekeeping programs to ensure compliance with all applicable OSHA standards. For example, in 1973, PPG developed a written "Asbestos Control Program" as part of its larger Occupational Health Policy Manual, which included protocols for posting warning signs and labels regarding the presence of asbestos. Among other people, the Safety and Health Director, Maintenance and Engineering Manager, and the Purchasing Manager helped in the development and implementation of these policies. Additionally, PPG is providing herewith documents that may be responsive, including a respirable crystalline silica occupational exposure monitoring report and an asbestos bulk sampling report from January 12, 1996.

INTERROGATORY NO. 31:

Describe, in detail, any and all changes, modifications and/or actions discussed, contemplated and/or undertaken in response to each count/survey/study/test identified in response to the preceding Interrogatory.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 32:

Did any government entity (federal, state and/or local), at any time and at any facility owned and/or operated by Defendant and/or any predecessor entity, conduct any dust counts, industrial hygiene surveys or like tests to determine the presence and/or amount of dust (specifically including, but not limited to asbestos dust or fibers) at said facility? If your answer is in the affirmative, please identify each and every such count/survey/study/test, as follows:

1. State the date on which and location at which (facility and area of facility) said count/survey/study/test was conducted;
2. Identify the persons and entities conducting said count/survey/study/test;
3. Describe the purpose of the count/survey/study/test and the procedures used;
4. State the results;
5. Identify each and every person and/or entity receiving said results; and,
6. Identify any and all documents referring to, relating to, and/or reflecting said count/survey/study/test, the results thereof and/or any analysis and/or discussion of the same.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. Moreover, PPG objects that this Interrogatory

seeks legal conclusions in its references to “predecessor entity.” Subject to and without waiving its foregoing objections, PPG is presently unaware of any responsive information related to the facility at issue in this case.

INTERROGATORY NO. 33:

Describe, in detail, any and all changes, modifications and/or actions discussed, contemplated and/or undertaken in response to each count/survey/study/test identified in response to the preceding Interrogatory.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 32.

INTERROGATORY NO. 34:

Did any government entity (federal, state and/or local), at any time, issue to you and/or any predecessor entity any warning, caution, citation, fine, notice, penalty, sanction, and/or official action of any kind, concerning asbestos at any or all of the facilities in question? If so, identify each such incident, as follows:

1. State the date on which and location at which (facility and area of facility) said official action issued;
2. Identify the persons and entities issuing said official action;
3. Describe the official action;
4. Describe any and all actions taken by you and/or any predecessor entity in response to said official action; and,
5. Identify any and all documents referring to, relating to, and/or

reflecting said official action and/or discussion of the same.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 32.

INTERROGATORY NO. 35:

Did you and/or any predecessor entity, at any time and at any facility owned and/or operated by Defendant and/or a predecessor entity, undertake to implement engineering controls and/or like modifications designed and/or intended to reduce exposure to asbestos and/or asbestos fibers? If so:

1. Describe each and every such control/modification, including the areas and systems involved;
2. State the date on which the control/modification was first discussed and identify all participants in such discussion(s);
3. State the date(s) on which the control/modification was actually implemented;
4. Describe the reasons for the control/modification;
5. Identify any and all dust counts, industrial hygiene surveys or like tests comparing conditions before and after the control/modification was implemented or otherwise assessing the effectiveness of the control/ modification; and,
6. Identify any and all documents referring to, relating to, and/or reflecting said control/modification, including, but limited to prior discussions, implementations, tests, surveys, and/or

assessments.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 36:

Did you and/or any predecessor entity make masks, respirators and/or other protective devices designed to reduce or prevent exposure to asbestos fibers available for use by your and/or the predecessor/related entity's employees at any facility owned and/or operated by Defendant and/or a predecessor entity? If so:

1. Specify each type of equipment, which was available, and state the dates during which it was available;
2. State the areas of the facility in which, and/or the employee groups to whom, said equipment was available (including differences over time);
3. Identify and describe any and all rules, regulations, policies and/or guidelines relating to the use of such equipment, including stating the distribution of the same;
4. Specify each and every manner in which employees were advised, required and/or otherwise notified of the availability of said equipment and the need to use it; and,
5. Identify any and all documents referring to, relating to, and/or reflecting said equipment, its availability and its use.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 37:

Did you and/or any predecessor entity make masks, respirators and/or other protective devices designed to reduce or prevent exposure to asbestos fibers available for use by employees of outside contractors, or require such use (without making equipment available), at the facility in question? If so:

1. Specify each type of equipment, which was available, and state the dates during which it was available;
2. State the areas of the facility in which, and/or the groups to whom, aid equipment was available (including differences over time);
3. Identify and describe any and all rules, regulations, policies and/or guidelines relating to the use of such equipment by employees of outside contractors, including stating the distribution of the same;
4. Specify each and every manner in which employees of outside contractors were advised, required and/or otherwise notified to use said equipment; and,
5. Identify any and all documents referring to, relating to, and/or reflecting said equipment, its availability and its use by employees of outside contractors.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 38:

Describe any and all warnings, cautions, instructions and/or communications of any type, concerning asbestos, the health hazards of asbestos, and/or procedures for working with and/or around asbestos, which you and/or any predecessor entity gave to employees at any facility owned and/or operated by Defendant and/or any predecessor entity. Specifically indicate:

1. The content, date, and manner of communication with respect to each different communication;
2. The employees to whom it was directed;
3. The reason for the communication; and,
4. Identify any and all documents referring to, relating to, and/or reflecting said communication.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 39:

Describe any and all warnings, cautions, instructions and/or communications of any type, concerning asbestos, the health hazards of asbestos, and/or procedures for working with and/or around asbestos, which you and/or any predecessor entity gave to employees of outside contractors, at the facility in question. Specifically indicate:

1. The content, date, and manner of communication with respect to each different

communication;

2. The persons and/or groups to whom it was directed;
3. The reason for the communication; and,
4. Identify any and all documents referring to, relating to, and/or reflecting said communication.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 40:

Has any employee of you and/or any predecessor entity ever asserted a workers compensation or occupational disease claim alleging that s/he contracted an asbestos- related disease as a result (in whole or part) of exposure? If your answer is in the affirmative:

- a. Identify the first claim relating to any type of asbestos-related disease, including stating the disease alleged and the date of the claim;
- b. Identify and state the date of the first claim alleging mesothelioma (if any);
- c. State the total number of such claims to date by disease and date; and,
- d. Identify any and all documents referring to, relating to, and/or reflecting any and all such claims.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period at issue, products at issue, or

to the conditions of Mr. Quesenberry's work. PPG also objects to this Interrogatory to the extent that it requests it requests disclosures of the personnel and employment records of its present or former employees that would violate the personal privacy rights of PPG's present or former employees or others. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity." By way of further answer, generally, yes. Employees of PPG have asserted workers' compensation or occupational disease claims related to asbestos.

INTERROGATORY NO. 41:

Has any person asserted a claim of any type (including a law suit) against you and/or any predecessor entity alleging that s/he contracted an asbestos-related disease as a result (in whole or part) of exposure? If your answer is in the affirmative:

- a. Identify the first claim relating to any type of asbestos-related disease, including stating the disease alleged and the date of the claim;
- b. Identify and state the date of the first claim alleging mesothelioma (if any);
- c. State the total number of such claims to date by disease and date; and,
- d. Identify any and all documents referring to, relating to, and/or reflecting any and all such claims.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 40.

INTERROGATORY NO. 42:

Did the facility in question, at any time, receive any warning, caution, alert and/or like notification, concerning the hazards of asbestos from any source whatsoever, including, but

limited to, any government entity, trade association/ organization, manufacturer of asbestos-containing materials (including labels on materials and/or material safety data sheets), supplier of asbestos, and/or any related entity? If your answer is in the affirmative:

- a. Identify the source, content and date of each such warning, caution, alert and/or like notification;
- b. Identify any and all discussions by you and/or any predecessor entity concerning the same;
- c. Describe any and all actions undertaken by you and/or any predecessor entity in response to the same; and,
- d. Identify any and all documents referring to, relating to, and/or reflecting the same.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity." PPG is presently unaware of responsive information relating to the facility at issue in this case, but PPG states that based upon its presently available information, PPG believes that certain of its employees were aware of certain health concerns associated with certain asbestos fibers and/or asbestos-containing materials, when used in various ways, no later than some time in the 1940s. By way of further response, information on potential hazards associated with asbestos at that time generally focused on the risk of asbestosis posed by working in asbestos mining, milling, or factory operations. In the context of other industrial settings in which asbestos-containing materials

were used, research and study in the 1930s, 1940s, and 1950s generally focused on the potential hazards posed by assorted "dusts," primarily silica dusts.

Knowledge regarding potential hazards posed by finished asbestos-containing products, and asbestos fibers used in other settings, developed only later in time, and those hazards varied by, among other things, the type, use, and conditions of use of the products or material.

By way of further response, PPG states that, based upon its presently available information, PPG believes that certain of its employees became aware over time, some by the 1960s, of medical and scientific literature indicating a potential connection between exposures to asbestos fibers in certain settings and the diseases lung cancer and mesothelioma.

The source of PPG's employees' information on asbestos-related health hazards included publications of organizations of which PPG was a member, such as the Industrial Hygiene Foundation, organizations of which PPG was not a member, such as the American Ceramic Society and the American Conference of Governmental Industrial Hygienists, governmental bodies, including OSHA, governmental regulations and enactments, such as the Walsh-Healey Act, and various medical and scientific texts.

PPG is presently unaware of information indicating exactly when and exactly how various PPG employees learned of any such connections.

INTERROGATORY NO. 43:

Did any officer, agent and/or employee of you and/or any predecessor entity attend any meeting, conference, seminar, symposium and/or like gathering (including, but not limited to, one sponsored by any trade association/organization), at which asbestos, the asbestos industry, the health hazards of asbestos, asbestos-related disease, working with and/or around asbestos and/or asbestos claims/litigation was discussed? If so:

- a. Identify each such officer/agent/employee;
- b. Identify the gathering, including date, location, sponsor and participants;
- c. Describe the content of any and all discussion relating to asbestos, the asbestos industry, the health hazards of asbestos, asbestos-related disease, working with and/or around asbestos and/or asbestos claims/litigation; and,
- d. Identify any and all documents referring to, relating to, and/or reflecting said gathering.

ANSWER: In addition to its foregoing General Objections, PPG objects that information on its “trade organization,” “trade association” or “group” memberships has no demonstrated relevance to any issue presented here and will not lead to the discovery of admissible evidence. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to “predecessor entity.” Subject to and without waiving its foregoing objections, as a corporation, PPG had memberships in the Industrial Health Foundation (earlier called the Industrial Hygiene Foundation) (“IHF”) from 1937 until at least 1985, was a member of the National Safety Council (“NSC”) from 1957 until September 1993, and was a member of the National Insulation Manufacturers Association (“NIMA”) from 1958-1973 as a manufacturer of fiberglass insulation. PPG is also currently a member of the American Coatings Association and the American Chemistry Council. PPG reasonably believes that over the years its divisions and/or employees have belonged to additional organizations, but at the present time, it is unable to compile a complete list of these memberships.

PPG is presently unaware if asbestos, the asbestos industry, the health hazards of asbestos, asbestos-related disease, working with or around asbestos, or asbestos related lawsuits was discussed at a meeting of the above listed organizations attended by PPG employees. Nevertheless, PPG states that it has limited information on the meetings attended by PPG employees. Some PPG employees attended the organizational meeting of NIMA. The number and identities of these employees are currently unknown; however, R. A. McLaughlin was selected to serve on the Executive Committee, and Board of Directors, as Vice President. PPG employees were also present at various NIMA meetings: J. DeStefano attended a May 1966 meeting; L. B. Grant attended an October 1966 meeting; P. D. Kaley attended a January 1967 executive committee meeting; P. D. Kaley, L. B. Grant, W. T. Irwin, R. L. Loeffler, and H. Mulkey attended a September 1967 meeting; R. L. Loeffler, L. B. Grant, and W. T. Irwin attended an April 1968 meeting.

PPG is presently unaware of having retained any documents pertaining to its activities with NIMA, but PPG has obtained documents pertaining to NIMA and with the other organizations noted above in the course of asbestos litigation. These documents did not originate in PPG's files, are in the custody of PPG's attorneys, and are equally available to other parties engaged in asbestos litigation. PPG does possess documents regarding the other meetings attended by its employees, which are in the custody of PPG or its attorneys. PPG will make relevant the documents from its files for those identified organizations available for inspection, examination and copying at a mutually convenient time and place. PPG reserves the right to amend or supplement this response should additional information become available.

INTERROGATORY NO. 44:

Was vermiculite used at the facility in question, at any time and for any purpose (including, but not limited to, as an insulation material and/or component/raw material for the manufacture of any product produced (in whole or part) at said facility? If so:

- a. Describe such use(s);
- b. Identify each and every source of vermiculite;
- c. State quantities purchased (by quarter); and,
- d. Identify any and all documents referring to, relating to, and/or reflecting said use of vermiculite.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory on the grounds that it is not directed to circumstances relevant to this litigation. PPG objects that this Interrogatory is overly broad, unduly burdensome, oppressive, and harassing in that it seeks information that is duplicative of information sought in previous Interrogatories. Subject to and without waiving its foregoing objections, PPG is presently unaware of any use of vermiculite at the facility in question or reason why that material would have been used.

INTERROGATORY NO. 45:

Are there any policies of insurance which provide, or might provide, coverage on behalf of you and/or any predecessor entity for the injuries allegedly caused by exposure to asbestos at any or all of the facilities in question? If your answer is in the affirmative, identify each such policy of insurance as follows:

- a. Identify the insurer(s);
- b. Identify the insured(s);
- c. State the date on which the policy was first purchased and the date on

which the policy expired or was terminated;

- d. Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and,
- e. State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.
- f. State the dollar amount of coverage which remains unexpended; and,
- g. Describe any dispute between insurer and insured with respect to coverage.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity." Based on the allegations set forth in the complaint, PPG is presently unaware of possessing any insurance policy that would provide coverage in this matter.

INTERROGATORY NO. 46:

Did you and/or any predecessor entity design, manufacture, process, sell, distribute, install, apply, patent, specify, and/or re-label any asbestos-containing material/product?

ANSWER: In addition to its foregoing General Objections, PPG objects on the grounds that it has been sued in this matter as a premises defendant, and thus this discovery request seeks

information that is completely irrelevant. Plaintiffs have presented no contention, in Mr. Quesenberry's deposition or otherwise, that Mr. Quesenberry was exposed to asbestos through some product made or sold by PPG, as opposed to through working at a plant owned by PPG. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity."

INTERROGATORY NO. 47:

If your answer to the preceding Interrogatory is in the affirmative, identify by full and complete trade name, any and all asbestos-containing materials/products, which you and/or any predecessor entity has, at any time:

- a. Designed;
- b. Manufactured;
- c. Processed;
- d. Sold;
- e. Distributed;
- f. Applied;
- g. Installed;
- h. Patented;
- i. Specified; or
- j. Relabeled.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 46.

INTERROGATORY NO. 48:

With respect to each asbestos-containing product listed for each subpart of the preceding

Interrogatory:

- a. Identify the specific company (you, predecessor entity) which designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- b. State the first and last year(s) in which you and/or any predecessor entity designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- c. State the source(s), type(s) and percentage(s) of asbestos contained in the product as it was first manufactured;
- d. Describe and state the date(s) of any and all modifications to the product which altered the source, type and/or percentage of asbestos (including eliminating asbestos as a component);
- e. Any and all other names under which the product was sold, at any time; and,
- f. The number and date of each patent or patent application for each product.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 46.

INTERROGATORY NO. 49:

Identify each and every source from which you and/or any predecessor entity, obtained raw asbestos and/or asbestos-containing material used to manufacture or process any product listed in response to Interrogatory No. 47.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 46.

INTERROGATORY NO. 50:

Identify any and all documents, including, but not limited to, written memoranda, specifications, blueprints, formulas, patterns and designs, referring to, relating to or reflecting the design, preparation, application and/or installation of each product listed in response to Interrogatory No. 47.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 46.

INTERROGATORY NO. 51:

State when you and/or any predecessor entity were first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust, promulgated by the American Conference of Governmental Industrial Hygienists, and identify the specific person(s) receiving such advice, and any and all documents communicating such advice. Specify whether such threshold limit values or maximum allowable concentrations involved total dust or just asbestos dust?

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 42. By way of further response, PPG

is presently unaware of the exact date(s) when PPG became aware of the facts discussed in this discovery request.

INTERROGATORY NO. 52:

Other than those previously disclosed, did you and/or any predecessor entity and/or any entity acting on behalf thereof ever conduct, sponsor, receive the results of, finance and/or participate in any manner (including as a subject) in any of the following:

- a. Tests, studies, surveys and/or research of any type concerning the health hazards of asbestos;
- b. Tests, studies, surveys and/or research of any type concerning the hazards and/or potential exposure associated with any specific type and/or brand of asbestos-containing material/product, including but not limited to, materials/products that were manufactured, sold, distributed, installed, applied and/or otherwise used by you and/or any predecessor entity;
- c. Tests, studies, surveys and/or research of any type concerning the relationship between exposure to asbestos and any disease, including pleural disease, asbestosis, lung cancer, mesothelioma and/or cancer of any kind;
- d. Dust counts, industrial hygiene surveys, tests relating to TLVs, and/or like studies, tests and or surveys concerning the propensity of any material/product to release asbestos fibers (including but not limited to, materials/products that were manufactured, sold, distributed, installed, applied and/or otherwise used by you and/or any predecessor entity) and/or the quantity of fibers released;
- e. Dust counts, industrial hygiene surveys, tests relating to TLVs, and/or like studies,

tests and or surveys concerning the presence of asbestos fibers at any facility, location and/or area including but not limited to, those owned, operated and/or controlled by you and/or any predecessor entity) and/or the quantity of fibers present;

- f. Tests, studies, surveys and/or research of any type designed to reduce or eliminate inhalation of asbestos and/or asbestos fibers by persons working with and/or around asbestos and/or asbestos-containing materials/products; and,
- g. Research of any type concerning asbestos.

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory because is not limited to studies designed to detect or measure the release of respirable asbestos fibers, if any, from PPG products at issue in this litigation, or to studies that have some other demonstrated relevance to the issues presented here. PPG also objects to the use of the vague terms “study” and “analysis” to the extent that those terms would include such routine activities as monitoring the air in a workplace for compliance with OSHA standards. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to “predecessor entity.”

Subject to and without waiving the foregoing objections, beginning in approximately the mid-1960s, PPG, along with several other entities sponsored studies undertaken by the Industrial Hygiene Foundation (“IHF”) on fibrous dust and fibrous glass. Among other things, these studies examined the lung tissue of individuals who worked in the fibrous glass industry and compared the levels of fibrous glass dust in their lungs to the levels of fibrous glass dust found in members of the public who did not work in the fibrous glass industry. These studies likewise examined the effect of certain fibrous dusts on animals, and this particular research was published in 1970 under the title “The Pulmonary Response to Fibrous Dusts of Diverse

Compositions,” Paul Gross, et al., American Industrial Hygiene Association Journal 31:125-132 (March-April 1970).

The fibrous dusts examined in these studies included, among other things, asbestos dusts, and the studies involved research on the comparative pathogenicity of fibrous dusts, including asbestos dusts. Research that was a part of these studies, or related research, was also published at various times, under various titles, by the IHF and by others, such as a 1968 report titled, “A Report on Health Aspects of Fibrous Glass,” a 1970 article in the American Industrial Hygiene Association Journal titled The Pulmonary Response to Fibrous Dusts of Diverse Compositions, a 1970 report presented at the Industrial Health Foundation titled Fibrous Glass Manufacturing and Health: Report of an Epidemiological Study: Part I and II, and a 1975 report titled, “Current Status of Health Aspects of Fibrous Glass (An Annotated Bibliography).” PPG presently believes that the following is a full list of the studies that were published or presented based upon the above-noted research:

- Industrial Hygiene Foundation of America, Inc., *A Report of Health Aspects of Fibrous Glass*, INDUS. HYGIENE FOUND. MED. SERIES BULL. No. 13-68 (1968);
- Industrial Health Foundation, *Current Status of Health Aspects of Fibrous Glass*, INDUS. HEALTH FOUND. MED. SERIES BULL. No. 19-75 (1975);
- H. Michael D. Utidjian and Robert T. P. deTreville, *Fibrous Glass Manufacturing and Health: Report of an Epidemiological Study: Part I and II*, presented at the Industrial Health Foundation, Inc. 35th Annual Meeting, 1970, INDUS. HEALTH FOUND. TRANSACTIONS BULL. No. 44 (1971);

- Paul Gross, et al., *The Pulmonary Response to Fibrous Dusts of Diverse Compositions*, 31 AM. INDUS. HYGIENE ASS'N. J. 125 (1970). This study was also presented at the American Industrial Hygiene Association Conference in Denver, Colorado on May 15, 1969;
- Paul Gross, et al., *Pulmonary Ferruginous Bodies: Development in Response to Filamentous Dusts and a Method of Isolation and Concentration*, 85 ARCHIVES PATHOLOGY LABORATORY MED. 539 (1968).

PPG is presently unaware of further responsive information.

INTERROGATORY NO. 53:

If your answer to the preceding Interrogatory is in the affirmative with respect to each such "research/test":

- Describe the type of research/test conducted, including location, date(s), methodology and purpose;
- Identify any and all persons and entities authorizing, conducting and/or otherwise participating in the same;
- Describe the results;
- Identify any and all persons, entities and/or groups, which received said results and/or any summary, notification and/or advisement thereof (including, but not limited to, whether or not employees, end- users and/or like persons likely to be exposed were informed in any way);
- Describe any and all actions taken in response thereto by you and/or any

predecessor entity, including, but not limited to, engineering controls, changes in products, changes in procedures, policies and/or availability of respiratory protection; and,

- f. Identify any and all documents referring to, relating to, and/or reflecting said research/test, including, but not limited to, the results thereof, notifications of results and/or discussions concerning the same.

ANSWER: Subject to and without waiving its foregoing General Objections, PPG incorporates by reference its objections and response to Interrogatory No. 52.

INTERROGATORY NO. 54:

Identify any and all scientific or medical periodicals to which you and/or any predecessor/related entity subscribed from 1940 to the present, and for each periodical state the dates of such subscriptions.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence, in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor/related entity." PPG has limited information on the publications it received. To the best of PPG's present knowledge, PPG or its employees received written materials from the IHF, NSC, and NIMA. PPG is presently unaware of further responsive information.

INTERROGATORY NO. 55:

Other than previously disclosed, did you and/or any predecessor entity, at any time, provide to anyone, any warning, caution, notification, guidelines, practices, advice, recommendation and/or like information/communication concerning the hazards of asbestos, the association between asbestos and asbestos-related diseases (specifically, cancer and/or mesothelioma), TLVs, recommended practices for working with and/or around asbestos/asbestos-containing materials/products, and/or any risk/precaution relating to asbestos? If so:

- a. Describe the content of each such information/communication (including differences and changes thereto);
- b. State the date(s) on which and/or during which said information/communication was composed and identify any and all persons participating in composing it;
- c. State the date(s) during which said information/communication was disseminate/used and identify the persons and/or groups to whom it was disseminated/directed;
- d. Describe the reasons for the information/communication;
- e. Identify any and all meetings/discussions relating to the subject, including, but not limited to, prior discussions concerning whether or not to issue such information/communication; and,
- f. Identify any and all documents referring to, relating to, and/or reflecting said information/communication and/or any discussion and/or dissemination thereof.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 30.

INTERROGATORY NO. 56:

State the date on which any official of you and/or any predecessor/related entity first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

- a. Pleural disease;
- b. Asbestosis;
- c. Mesothelioma;
- d. Lung cancer; and,
- e. Any other forms of cancer.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 42. By way of further response, PPG is presently unaware of when the knowledge discussed in this discovery request was gained.

INTERROGATORY NO. 57:

With respect to each disease set forth in the preceding Interrogatory:

- a. Identify the officer(s)/ agent(s)/ employee(s) who first received said knowledge, notice, information or understanding;
- b. Identify any and all documents referring to, relating to or reflecting such knowledge, notice, information or understanding; and,
- c. Describe what, if any, action said official, Defendant, or any

predecessor company, took in response to such knowledge, notice, information or understanding.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 42. By way of further response, PPG is presently unaware of which specific officers, agents, or employees became aware of the knowledge discussed in the previous discovery request

INTERROGATORY NO. 58:

Identify any and all material safety data sheets concerning the products listed in response to Interrogatory No. 47 prepared, at any time, by, or on behalf of, you and/or any predecessor related entity.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 46.

INTERROGATORY NO. 59:

Identify any and all trade organizations, associations, or other entities, including but not limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers Assn. (NIMA), National Insulation Contractors Assn. (NICA), National Safety Council (NSC), American Ceramics Society (ACS), National Building Materials Distributors Assn. (NIA), Sprayed Mineral Fiber Manufacturers Assn. (SMFMA), Thermal Insulation Manufacturers Assn. (TIMA), Quebec Asbestos Mining Assn. (QAMA), to which you and/or any predecessor entity belonged or in which any or all of the same *participated or were in any*

way affiliated with, since 1940, and state the applicable dates of such membership or participation.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 60:

Identify each and every officer, employee, agent and/or representative of you and/or any predecessor entity, who, at any time:

- a. Served as an officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 59;
- b. Served as a member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 59;
- c. Served as the chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 59; and,
- d. Served as the representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 59 to any other trade organization, association or entity, including, but not limited to, A.T.I., I.H.F., N.I.M.A., A.I.A., N.I.C.A., T.I.M.A., Q.A.M.A., N.A.C., N.S.C., A.C.S., N.B.M.D.A., N.I.A., and/or S.M.F.M.A.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 61:

For each officer, employee, agent and/or representative identified above, state the trade organization, association or entity for which such service was rendered;

- a. Specify the capacity of service, including identifying any specific committee, subcommittee or other trade organizations, associations or entities involved; and,
- b. State the applicable dates of service.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 62:

Identify any and all documents, which you and/or any predecessor company submitted to and/or received from any organizations listed in response to Interrogatory No. 59 (including any committee, subcommittee and/or affiliate thereof) and/or which refer to and/or relate to any such organization, which also refer to, relate to or reflect any and/or all of the following subjects:

- a. Asbestos;
- b. Asbestos-related disease;
- c. The hazards of asbestos;
- d. Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- e. Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;

- f. Marketing asbestos;
- g. Asbestos related claims and/or litigation;
- h. The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- i. Warning, cautions and/or notices concerning asbestos, asbestos- related diseases and/or the hazards of asbestos (including withholding the same);
- j. Government proceedings and/or actions regulating asbestos (including proposals to do so);
- k. Medical / scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos; and,
- l. Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 63:

Did you and/or any predecessor entity, at any time, have a representative present at any meetings, seminars, conferences, symposiums and/or like gatherings (including, but not limited to one sponsored by any organization listed in response to Interrogatory No. 59), at which any

and/or all of the following subjects were discussed or presented and/or at which information referring to, relating to, and/or reflecting the same was available:

- a. Asbestos;
- b. Asbestos-related disease;
- c. The hazards of asbestos;
- d. Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- e. Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- f. Marketing asbestos;
- g. Asbestos related claims and/or litigation;
- h. The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- i. Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- j. Government proceedings and/or actions regulating asbestos (including proposals to do so);
- k. Medical / scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos; and,

1. Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 64:

If your answer to the preceding Interrogatory is in the affirmative, as to each such meeting, seminar, conference, symposium, and/or like gathering:

- State the location at which and dates on which it was held;
- Identify any and all persons/entities sponsoring the same;
- Identify the representative(s) attending on behalf of you and/or any predecessor/related entity;
- Specify which of the subjects listed in Interrogatory No. 65 as discussed etc.; and,
- Identify any and all documents referring to, relating to, and/or reflecting said meeting, seminar, conference, symposium and/or gathering.

ANSWER: Subject to and without waiving its foregoing objections, PPG incorporates by reference its objections and response to Interrogatory No. 43.

INTERROGATORY NO. 65:

Identify each and every meeting of the board of directors, any committee, subcommittee and/or part thereof, and/or any corporate control group of you and/or any

predecessor entity (including date(s) and location of meeting, identity of all participants, and any documents referring to, relating to, and/or reflecting the meeting), at which any and/or all of the following subjects were discussed and/or mentioned:

- a. Asbestos;
- b. Asbestos-related disease;
- c. The hazards of asbestos;
- d. Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- e. Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- f. Marketing asbestos;
- g. asbestos related claims and/or litigation;
- h. The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- i. Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- j. Government proceedings and/or actions regulating asbestos (including proposals to do so);
- k. Medical / scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or

the hazards of asbestos; and,

1. Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence, in that it is in no way limited to the time period at issue, products at issue, or to the conditions of Mr. Quesenberry's work. In addition, PPG sold the Carlisle facility in 2016 and did not retain records from the facility. Moreover, PPG objects that this Interrogatory seeks legal conclusions in its references to "predecessor entity." By way of further answer, PPG is presently unaware of responsive information.

INTERROGATORY NO. 66:

Identify:

- a. Any expert whom you intend to call as a 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;
- d. A summary of the grounds for each opinion;
- e. The address of such person and field of expertise; and,
- f. Identify and produce each treatise, article or text upon which the expert

will rely in testifying.

ANSWER: In addition to its foregoing General Objections PPG objects to this Interrogatory as premature in that discovery in this case is ongoing. Subject to and without waiving its foregoing objections, PPG has not identified expert witnesses it might call in a trial of this matter. PPG will provide its expert witness list pursuant to the Pennsylvania Rules of Civil Procedure and the applicable case management orders of this Court.

INTERROGATORY NO. 67:

Is the defendant, or any predecessor company, claiming any document responsive to any interrogatory or any request for production filed by Plaintiffs as being protected from disclosure because of a privilege claimed for any reason? If yes, please list each document being claimed as protected from disclosure in a privilege log providing the date of the document, the identity of the author, what individual or entity the document was addressed to, the identity of any individuals or entities provided copies of the document, a brief description of the nature of the document, and the particular privilege claimed as shielding the document from disclosure.

ANSWER: In addition to its foregoing General Objections, PPG objects that this Interrogatory seeks legal conclusions in its references to “predecessor entity.” By way of further answer, no.

INTERROGATORY NO. 68:

Describe each and every document that Defendant intends to use as an exhibit at trial.

(Providing an exhibit list in lieu of an answer is an acceptable response).

ANSWER: In addition to its foregoing General Objections, PPG objects to this Interrogatory as premature in that discovery in this case is ongoing. Subject to and without waiving its foregoing objections, PPG has not identified use in a trial of this matter. PPG will provide its exhibit list

pursuant to the Pennsylvania Rules of Civil Procedure and the applicable case management orders of this Court.

DOCUMENTS TO BE PRODUCED

- a. Produce the documents as described in Plaintiffs Interrogatories, as follows:

Interrogatory No. 2;
Interrogatory No. 6 g.;
Interrogatory No. 11;
Interrogatory No. 14;
Interrogatory No. 17;
Interrogatory No. 19 c.;
Interrogatory No. 20 d.(vii);
Interrogatory No. 21 d.;
Interrogatory No. 22 e.;
Interrogatory No. 24 e.
Interrogatory No. 25 g.;
Interrogatory No. 26 b.;
Interrogatory No. 29 d.;
Interrogatory No. 30 f.;
Interrogatory No. 32 f.;
Interrogatory No. 34 e.;
Interrogatory No. 35 f.;

Interrogatory No. 36 e.;

Interrogatory No. 37 e.;

Interrogatory No. 38 d.;

Interrogatory No. 39 d.;

Interrogatory No. 40 d.;

Interrogatory No. 41 d.;

Interrogatory No. 42 d.;

Interrogatory No. 43 d.;

Interrogatory No. 44 d.;

Interrogatory No. 50;

Interrogatory No. 53 f.;

Interrogatory No. 55 f.;

Interrogatory No. 57 b.;

Interrogatory No. 58;

Interrogatory No. 62;

Interrogatory No. 64 e.; and

Interrogatory No. 68 (Any and all documents that defendant intends to use as an exhibit at trial. *It is an acceptable response to make any and all documents set forth on defendant's exhibit list(s) available for inspection and copying.*).

ANSWER: In addition to its foregoing General Objections, PPG incorporates by reference its responses to the referenced Interrogatories. By way of further response, PPG is providing herewith documents which may be responsive.

- b. Produce any employment file or personnel file that reflects Gary Quesenberry's employment with Defendant and/or any predecessor.

ANSWER: PPG is providing herewith documents which may be responsive.

Date: August 30, 2019

SWARTZ CAMPBELL, LLC

A handwritten signature in black ink, appearing to read "G. Daniel Bruch, Jr.", with a stylized flourish at the end.

G. Daniel Bruch, Jr.
Attorney for Defendant, PPG Industries, Inc.

VERIFICATION

I, David Neal, state that I am an employee of PPG Industries, Inc. and am authorized to make this verification for and on behalf of that entity (the "Company"). I verify, subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities, that the foregoing answers to interrogatories were compiled from documents maintained by the Company and its counsel in the ordinary course of business.

Dated: August 28, 2019



David Neal

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Answers and Responses to Plaintiffs' Interrogatories and Requests for Production were sent to Plaintiffs' counsel and all counsel of record, via electronic mail and First Class mail, on this 30th day of August, 2019.

SWARTZ CAMPBELL, LLC



G. Daniel Bruch, Jr.