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COPY

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

PLAINTIFF'S EXHIBIT

SH-3508

IN RE: ALL ASBESTOS LITIGATION
FILED BY THE SIMMONS FIRM, L.L.C.

Plaintiffs,

vs.

A.P. GREEN REFRACTORIES, et al.,

Defendants.

INTERROGATORIES

TO: SHELL OIL COMPANY
Kevin Krueger, Sandberg, Phoenix & Von Gontard

Please take notice that pursuant to Illinois Supreme Court Rule 213(d), you are required to serve sworn answers upon the undersigned to the following interrogatories within twenty-eight (28) days after service hereof. The defendant corporation or company shall designate an officer or agent who will answer the interrogatories by providing all of the information available to the organization whether the answering individual personally knows it or not. Each interrogatory is to be answered fully and separately.

INSTRUCTIONS

With respect to all questions, all information is to be divulged which is within the knowledge, possession or control of the corporation or company to whom these interrogatories are addressed, as well as the corporation or company's attorneys, investigators, agents, employees or other representatives.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, then state and answer to the fullest extent possible, specifying your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to acquire the information.

You are to answer the following interrogatories by placing your answers, when possible, in the spaces provided.

DEFINITIONS

- A. "Defendant," as used herein, includes the above-named defendant.
- B. "Predecessors" as used herein means any company, corporation, partnership, joint venture, sole proprietorship or other entity which Defendant has ever acquired through purchase, reorganization or merger.
- C. "Related companies" as used herein means any company, corporation, partnership, joint venture, sole proprietorship or other entity which at any time owned more than a ten percent (10%) interest in Defendant. "Related companies" also means any company, corporation, partnership, joint venture, sole proprietorship or other entity in which Defendant at any time owned more than a ten percent (10%) interest.
- D. "Asbestos-containing product" as used herein means any product which included any form of asbestos as any part of its composition or ingredients. This term shall also mean any equipment or machinery, including but not limited to, boilers, generators and turbines, in or on which an asbestos-containing product as defined above was incorporated, added, utilized or applied prior to being sold, distributed or installed by this Defendant.
- E. "Documents," as used herein, include, without limitation, books, records, notes, letters, correspondence, memoranda, writings, invoices, purchase orders, contracts, sales ledgers, recordings, journals or books of account, in possession or control of Defendant or Defendant's attorneys, investigators, agents, or employees. Such reference to documents includes originals and copies, microfilms and transcripts made, recorded, produced or reproduced by any every means. "Documents" also includes the content of any applicable computer database.
- F. Where used with respect to documents, "identify" means to give the date, title, origin, author and addressee of the document and the name, address, position or title of the person who has custody of the document. Whenever identification is requested and Defendant is willing to produce the documents voluntarily, Defendant may respond by attaching a copy of the responsive document to the answers to these interrogatories.
- Where used with respect to a person, "identify" means to give the person's name, employer, title or position with that employer, and business address and last known home address if the person is no longer so employed. If the person identified is, or has been, an employee, officer, director or agent of Defendant, also state the period of time during which he/she has been employed by Defendant, and all positions, titles or jobs that person has held with the Defendant and the years each position was held.
- G. Where appropriate, the singular includes the plural and vice-versa.

PRELIMINARY STATEMENT

These answers to interrogatories have been compiled as the result of an investigation into the historical practices and procedures followed by Shell Oil Company over many decades. Through the passage of time, many persons with knowledge of these matters have died. Others are simply unknown and cannot be located. Similarly, the passage of time has probably resulted in an inability to locate many documents which may have existed in earlier years. Accordingly, the information available to Shell regarding these historical matters is incomplete and may remain incomplete despite continuing efforts to locate knowledgeable persons and relevant documents.

INTERROGATORIES

INTERROGATORY NO. 1: Identify the person answering these interrogatories on behalf of Defendant.

ANSWER:

These interrogatories have been answered by counsel for defendant after review of numerous documents and other sources both within and outside of defendant.

INTERROGATORY NO. 2: Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that Plaintiff may rely upon these answers as the truthful and complete answers made on behalf of Defendant? List any and all such sources of information relied upon.

ANSWER:

Yes.

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 and related companies as defined above;
- (d) Any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted in each form;

(e) 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;

(f) Defendant's principal place of business;

(g) 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;

(h) Most recent date of incorporation or reincorporation, and any and all prior date(s) of incorporation or reincorporation;

(Illinois) Whether this Defendant is authorized to transact business in the State of Illinois and, if so, the date such authority was first issued and last renewed;

(j) If this Defendant has an agent, representative or place of business in Illinois, identify such agent, representative, or place of business; and,

(k) If this Defendant has an agent for service in the State of Illinois, identify the registered agent.

ANSWER:

(a) **Shell Wood River Refining Company**

(b) **Corporation**

(c) **N/A.**

(d) **N/A**

(e) **N/A**

(f) **Delaware**

(g) **Delaware**

(h) **1/4/96**

(i) **Yes. 2/8/96**

(j) **Yes**

(k) **The Corporation Trust Company**

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 No. 3 above concerning the defendant as correctly named.

ANSWER:

Yes.

INTERROGATORY NO. 5: Identify any and all persons or entities which own, or at any time have owned, more than a ten percent (10%) interest in this Defendant, and for each such person or entity identified, state the date(s) during which said person or entity owned more than a ten percent (10%) interest in Defendant and the specific type and amount of interest owned. (Limited in time from 1930 to 1980.)

ANSWER:

Shell Refining Holding Company – 100%.

INTERROGATORY NO. 6: Identify any and all companies, businesses, corporations, and/or joint ventures in which this Defendant owns, or at any time has owned, more than a ten percent (10%) interest and which engage in the design, manufacture, selling, distributing, applying, installing, or re-labeling of products containing asbestos. (Limited in time from 1930 to 1980.)

ANSWER:

None.

INTERROGATORY NO. 7: With respect to each corporation, company, business or joint venture identified in response to Interrogatory No. 6 state: (Limited in time from 1930 to 1980.)

- (a) The type of business, conducted by such related company;
- (b) The past and present business relationships between said related company and Defendant;
- (c) The nature of the products or services which Defendant has sold to, or purchased from, said related company;
- (d) Whether or not said related company advertises or has advertised products or services supplied by Defendant;
- (e) Whether or not said related company sells or has sold Defendant's products or services within the State of Illinois and, if so, the approximate value of those sales from 1930 to date;
- (f) Whether or not said related company pays taxes of any type to the State of Illinois or to any political subdivision thereof and, if so, the type of taxes paid;
- (g) Whether or not Defendant controls or has controlled, directly or indirectly, in whole or in part, said related company's advertising; and,

(h) The identity of any past or present officer or director of Defendant who, at any time, served as an officer or director of said related company.

ANSWER:

N/A. See Response to Interrogatory No. 6.

INTERROGATORY NO. 8: 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. (Limited in time from 1930 to 1980.)

ANSWER:

Current Directors

C.E. Dunagan
W.W. Anderson, Jr.
B.D. Cooper
J.M. Esquivel

Current Officers

C.E. Dunagan - President
S.T. Crimmins - Vice President
W.W. Anderson, Jr. - Treasurer
E.W. Phillips - Secretary
S.J. Paul - Assistant Secretary

Investigation ongoing.

INTERROGATORY NO. 9: State whether any of Defendants' present or former officers or directors ever served (whether before, during or after becoming Defendants' officer or director) as an officer or director of any other company, corporation or business which manufactured, sold or distributed asbestos or asbestos-containing products and, if so, please: (Limited in time from 1930 to 1980.)

(a) Identify each officer and director of Defendant, who served as such other company's officer or director; and

(b) Identify each company, corporation or business for which each such officer or director served, each position held by such officer or director for such other company, corporation or business, and the time periods each position was held.

ANSWER:

Investigation ongoing.

INTERROGATORY NO. 10: Has Defendant ever acquired, through purchase, reorganization or merger, another company, corporation or business which manufactured, sold, processed, distributed or contracted to apply, asbestos and/or asbestos-containing products?

ANSWER:

No.

INTERROGATORY NO. 11: If the answer to Interrogatory No. 10 is "Yes," with respect to each such predecessor:

- (a) State its full and correct name;
- (b) State its principal place of business;
- (c) State its State of incorporation;
- (d) State its date and manner of acquisition by Defendant;
- (e) Whether this predecessor was, at any time, authorized to transact business in the State of Illinois; and
- (f) Identify any and all documents referring to, relating to or reflecting the acquisition.

ANSWER:

N/A. See Response to Interrogatory No. 10.

INTERROGATORY NO. 12: Has Defendant ever acquired from another corporation, company, or business, by any means other than those specified in Interrogatory No. 10, assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products?

ANSWER:

No.

INTERROGATORY NO. 13: If the answer to Interrogatory No. 12 is "Yes," with respect to each such acquisition:

- (a) State the full and correct name of the company from which such assets or rights were acquired;
- (b) State the principal place of business of the company from which said assets or rights were acquired;
- (c) Describe the assets or rights acquired, including the specific asbestos-containing products to which said assets or rights related; and

(d) Identify any and all documents referring to, relating to or reflecting the transaction.

ANSWER:

N/A. See Response to Interrogatory No. 12.

INTERROGATORY NO. 14: Other than any transaction identified in response to Interrogatories Nos. 10-13, has this Defendant ever been involved, in any capacity, including but not limited to, seller, transferor, grantor, franchisor, licensor, buyer, transferee, grantee, franchisee or subject of the transaction, in any transaction, of any kind, concerning any of the following:

(a) the purchase/sale or transfer of ownership of a company, corporation or business which manufactured, sold, processed, distributed or contracted to apply asbestos and/or asbestos-containing products; or

(b) the purchase/sale or transfer of ownership of the assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products; or

(c) the purchase/sale or transfer of liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

ANSWER:

No.

INTERROGATORY NO. 15: If the answer to any sub-part of Interrogatory No. 14 is "Yes," with respect to each such transaction:

(a) Identify all parties to the transaction;

(b) Identify the subject matter of the transaction;

(c) State the date of the transaction; and,

(d) Identify any and all documents, referring to, relating to or reflecting the transaction.

ANSWER:

N/A. See Response to Interrogatory No. 14.

INTERROGATORY NO. 16: State the first and last dates on which any asbestos-containing product was manufactured by:

- (a) Defendant;
- (b) each and every predecessor; and;
- (c) each and every related company.

ANSWER:

The only asbestos containing products ever commercially manufactured by a related company, Shell Oil Company, were EPON adhesives VI, VIII, IX, 901/B1, 901/B3 and 934. These products were all two part structural adhesives. They contained a small percentage of asbestos filler that was encapsulated.

These products were manufactured for resale only at Shell's Emeryville, CA and Pittsburgh, CA facilities. Shells commercial manufacturing of these products began in 1951 and ended in October, 1969, when the Pittsburgh EPON adhesives plant and all product formulas were sold to Dexter-Hysol.

Actual purchasers of these products were limited to the military, the aircraft industry, and the aerospace industry.

INTERROGATORY NO. 17: State the first and last dates on which any asbestos-containing product was specified, sold, distributed, applied and/or installed within the United States by:

- (a) Defendant;
- (b) each and every predecessor; and,
- (c) each and every related company.

ANSWER:

Unknown.

INTERROGATORY NO. 18: State the last date on which Defendant or any related company specified, sold, distributed, applied and/or installed any asbestos-containing product outside the United States and identify by brand or trade name the products so specified, sold, distributed, applied and/or installed.

ANSWER:

The Defendant has never specified, sold, distributed, applied and/or installed any asbestos containing product outside the United States.

INTERROGATORY NO. 19: Identify by full and complete trade name, any and all asbestos-containing products as defined above, which this Defendant, any related company, or any predecessor(s) has, at any time:

- (a) Designed;
- (b) Manufactured;
- (c) Processed;
- (d) Sold;
- (e) Distributed;
- (f) Applied;
- (g) Installed;
- (h) Patented;
- (Illinois) Specified; or
- (j) Re-labeled.

ANSWER:

As to EPON:

- (a) Yes. See Response to Interrogatory No. 16.
- (b) Yes. See Response to Interrogatory No. 16.
- (c) Yes. See Response to Interrogatory No. 16.
- (d) Yes. See Response to Interrogatory No. 16.
- (e) Yes. See Response to Interrogatory No. 16.
- (f) No.
- (g) No.
- (h) No.
- (i) No.
- (j) No.

As to other asbestos containing products:

- (a) No.
- (b) No.
- (c) No.
- (d) No.
- (e) No.
- (f) Yes. See Response to Interrogatory No. 22.

- (g) Yes. See Response to Interrogatory No. 22.
- (h) No.
- (i) No.
- (j) No.

INTERROGATORY NO. 20: With respect to each asbestos-containing product listed for each subpart of Interrogatory No. 19:

- (a) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- (b) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product; and,
- (c) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 21: Were any of the products, which were listed in response to Interrogatory No. 19 as having been specified, sold, distributed, applied or installed by Defendant, its predecessor or related company(ies), purchased from another company and relabelled for sale or distribution by Defendant, its predecessors or related companies? If so, identify those products, and with respect to each:

- (a) Identify the company from which Defendant, its predecessor or related company purchased the product; and,
- (b) Identify the company which manufactured the product; and,
- (c) State the date(s) during which said re-labeled product was sold, distributed or applied.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 22: Has this Defendant, at any time, applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products? If so:

(a) State the date(s) on which or during which Defendant applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;

(b) Identify any and all sites within the State of Illinois at which Defendant applied, installed or contracted to apply or install asbestos-containing products, and for each such site:

(Illinois) State whether the products you applied, installed or contracted to apply or install were included as part of the project's contract price or whether you applied the products that were provided at the worksite;

(ii) Identify by manufacturer and trade name each and every asbestos containing product applied or installed;

(iii) State the date(s) during which said application or installation took place;

(iv) Identify the employee(s) of Defendant who was (were) in charge of the job;

(v) Identify the person or entity for which the products were applied or installed; and

(vi) Identify all documents relating to such contract, application or installation.

ANSWER:

Shell Oil Company has installed asbestos containing products at various facilities for new construction and maintenance from the early 1900s. It is unknown what specific brand products were installed, or the contractual terms under which they were installed. These products would have been installed by both defendant's employees and independent personnel.

INTERROGATORY NO. 23: Has this Defendant, any predecessor or any related company, ever engaged in the business of mining asbestos? If so:

(a) Identify which company(ies) whether (Defendant, predecessor or related company) engaged in said business;

(b) State the date(s) during which each said company engaged in such business;

(c) State each and every location at which such mining was done;

(d) Identify each and every officer, employee and/or agent of said company who, at any time, was in charge of each mining operation; and,

- (e) Identify each and every entity, if any, to which said company sold the asbestos which was mined.

ANSWER:

No.

INTERROGATORY NO. 24: Has this Defendant, any predecessor or any related company ever purchased and resold raw asbestos? If so, with respect to each such purchase and resale:

- (a) State the date(s) of the transaction;
- (b) Identify any and all parties from which the raw asbestos was purchased; and,
- (c) Identify any and all parties to which the raw asbestos was sold,

ANSWER:

No.

INTERROGATORY NO. 25: Identify each and every source from which Defendant, any predecessor or related company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any predecessor or related company, to manufacture or process any product listed in response to Interrogatory No. 19.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 26: Is Defendant or any related company, as of the date of answering these interrogatories, still manufacturing, specifying, selling, distributing, applying or installing any asbestos-containing product? If so, give the brand/trade names of such products, type and percentage of asbestos in such product, and the date on which Defendant or any related company first manufactured, specified, sold, distributed, applied or installed said products.

ANSWER:

Shell continues to install a limited amount of non-friable asbestos containing gasket material at certain facilities when it is determined to be the most reliable and safest material to use in that application.

INTERROGATORY NO. 27: With respect to each and every product listed in response to Interrogatory No. 19, provide a full and complete description of the package in which the product was sold, including, but not limited to, type of package, size, color and writings thereon.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 28: For each subpart below, state whether or not, to Defendant's knowledge, any items as described therein presently exist and, if so, identify any and all such existing items and state the present location of each:

- (a) any product listed in response to Interrogatory No. 19, including, but not limited to, any sample, part or piece thereof;
- (b) any package of the type in which any or all of the products listed in response to Interrogatory No. 19 were or would have been sold, including, but not limited to, any partial package;
- (c) any catalogue, brochure, sales literature or like item referring to, relating to or reflecting any or all of the products listed in response to Interrogatory No. 19;
- (d) any picture, drawing, photograph or like representation of the items described in subparts (a), (b) and/or (c) of this Interrogatory.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 29: Did Defendant, any related company or any predecessor ever stamp or otherwise place (including affixing tags or labels) a company name, initials, or any identifying logo on any of the products listed in response to Interrogatory No. 19?

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 30: If your answer to Interrogatory No. 19 is "Yes," identify each and every such product upon which such name, initials or identifying logo appeared and for each such product identified:

- (a) Describe each and every name, initials or identifying logo appearing on said product, at any time, by stating the wording, lettering, symbols, size, color and manner in which it was stamped, placed or affixed to said product;
- (b) State the date(s) during which each such name, initials, or identifying logo appeared on said product; and
- (c) Identify any and all documents referring to, relating to or reflecting the stamping, placing or affixing of names, initials or logos to said product, including, but not limited to, any pictures, photographs or like representations of such names, initials or logos

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 31: Was each of the asbestos-containing products listed in response to Interrogatory No. 19 generally expected to reach, or was each packaged to reach, the consumer or user, without substantial change in the condition in which it was sold?

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 32: If your answer to Interrogatory No. 31 is "No" with respect to any product(s), explain in what manner Defendant claims said product(s) were altered or substantially changed after sale or distribution and before reaching the consumer or user.

ANSWER:

N/A. See Response to Interrogatory No. 31.

INTERROGATORY NO. 33: With respect to each product listed in response to Interrogatory No. 19, state whether, based upon the material contents, the method of manufacturing, and the method of application, such product could generally be applied or installed without liberating asbestos fibers?

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 34: With respect to each product listed in response to Interrogatory No. 19, was it a foreseeable use of said product that it might have to be removed, stripped or replaced at any time after application or installation?

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 35: Identify each person who participated in the design and/or preparation of manufacturing specifications for each product listed in response to Interrogatory No. 19.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 36: 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. 19.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 37: With respect to each product listed in response to Interrogatory No. 19, state:

- (a) The type of asbestos contained in the product as it was first manufactured;
- (b) The percentage of asbestos contained in the product as it was first manufactured;
- (c) Any modification to the product which altered the percentage or type of asbestos in the product and the dates of such modification;
- (d) The source of asbestos in each product;
- (e) The color, physical characteristics, and appearance of each product;
- (f) Any and all other names under which the product was sold, at any time;
- (g) The number and date of each patent or patent application for each product;

(h) If the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person(s) who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;

(Illinois) If the product is no longer produced, all reasons it was discontinued, the identity of the person(s) who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production; and

(j) The reasons why asbestos was used as an ingredient in each such product.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 38: Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufactured or processed asbestos-containing products, or processed raw asbestos. For each such facility identified:

- (a) State the date(s) which said facility was owned and/or operated by Defendant, any predecessor or any related company;
- (b) State the date(s) during which asbestos-containing products and/or raw asbestos were manufactured or processed, at said facility; and,
- (c) Identify each person serving as the manager or supervisor of said facility during any time which the facility has been owned and/or operated by Defendant, any predecessor or any related company, and state the date(s) of the tenure as manager or supervisor for each.

ANSWER:

N/A. See Response to Interrogatory No. 10.

INTERROGATORY NO. 39: Identify any and all entities to which Defendant, any predecessor or related company sold, distributed or otherwise provided any type of asbestos-containing product, including, but not limited to, the products listed in response to Interrogatory No. 19.

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 40: Identify any and all persons known by you to have any knowledge concerning the manufacture, sale, distribution, possession, application, installation or use of the products listed in response to Interrogatory No. 19.

ANSWER:

N/A. See Response to Interrogatory No. 19.

INTERROGATORY NO. 41: Has Defendant, any predecessor or any related company, at any time, designed, manufactured, processed, sold, distributed, supplied, applied, installed or contracted to apply or install any product which contained vermiculite?

ANSWER:

No.

INTERROGATORY NO. 42: If your answer to Interrogatory No. 41 is "Yes," identify by brand/trade name any and all such products which contained vermiculite and for each:

- (a) State the date(s) during which said product contained vermiculite;
- (b) State, in percentage terms, the amount of vermiculite contained in the product;
- (c) Identify the source of the vermiculite used in the product;
- (d) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (e) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (f) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (g) State whether any sample, part or piece of such product is still in existence; and
- (h) Identify all documents relating to such product, including but not limited to any package, brochure, catalog, picture, photograph or like representation of the product or packaging.

ANSWER:

N/A. See Response to Interrogatory No. 41.

INTERROGATORY NO. 43: With respect to the products listed in response to Interrogatory Nos. 19 and 42, did Defendant, any predecessor or related company or the manufacturer of the products ever conduct tests of any kind on any or all of said products concerning possible or potential health hazards involved in its use or in the use of materials contained therein?

ANSWER: N/A

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 44: If your answer to Interrogatory No. 43 is "Yes," with respect to each product test:

- (a) State the location where the test was performed;
- (b) Identify each and every individual who conducted or participated in said test;
- (c) Describe the results of said test;
- (d) State the date or dates upon which said test was conducted;
- (e) Identify any and all documents referring to, relating to or reflecting said test or the results thereof; and
- (f) Identify each and every individual who received a copy of any document referring to, relating to or reflecting the results of said test.

ANSWER:

N/A. See Response to Interrogatory No. 43.

INTERROGATORY NO. 45: Did any person, including but not limited to, an officer, agent or employee of Defendant, any predecessor or related company recommend any design changes as a result of any test referenced in your response to the preceding interrogatory?

ANSWER:

N/A. See Response to Interrogatory No. 44.

INTERROGATORY NO. 46: If your answer to Interrogatory No. 45 is "Yes," with respect to each such recommended design change:

- (a) State the product or products involved;

- (b) State the test or tests involved;
- (c) State the nature of the change recommended;
- (d) Identify the person(s) making the recommendation;
- (e) State the nature and effective date of any change made; and
- (f) Identify each and every person who participated in the decision to make or not make the recommended design change.

ANSWER:

N/A. See Response to Interrogatory No. 45.

INTERROGATORY NO. 47: Identify any and all persons employed by Defendant, its predecessor or related company at any time from 1940 to date as an industrial hygienist or in a similar position.

ANSWER:

**Carolyn Phillips
Manager, Industrial Hygiene
3312 Tangle
Houston, TX 77005**

**Jerry Ransdell
Sr. Industrial Hygienist
One Shell Plaza
Houston, TX 77002**

**William Cunningham
Sr. Industrial Hygienist
4028 Swarthmore
Houston, TX 77005-2706**

**Dr. Howard Kusnetz
Manager, Safety and Industrial Hygiene
5718 Braesheather
Houston, TX 77096**

**Dr. Norm White
Manager, Industrial Hygiene
P.O. Box 1190
Hilltop Lakes, TX 77871**

*Note: Mr.
Parker is not
listed*

**Phillip J. Snyder
Sr. Industrial Hygienist
P.O. Box 2463
Houston, TX 77252-2463**

**O.M. Banks
Industrial Hygienist
125 N. Main Street
Bellaire, MD 21014**

**Wayne B. Austin
Sr. Industrial Hygienist
P.O. Box 100
Deer Park, TX 77536**

**Allen F. Schmit
Staff Industrial Hygienist
P.O. Box 100
Deer Park, TX 77536**

**Larry D. Heugatter
Industrial Hygienist
721 Spooede Rd.
St. Louis, MO 63141**

**David W. Havis
Industrial Hygienist
25 Gaslight Lane
Glen Carbon, IL 62034**

Investigation is ongoing.

INTERROGATORY NO. 48: Identify any and all persons or entities, other than the employees listed above, which provided industrial hygienic or similar services or information to, or for the benefit of, this Defendant, at any time from 1940 to date, including, but not limited to, employees of, or anyone retained by, any predecessor or related company.

ANSWER:

Please see documents previously filed by Defendant Shell Oil Company with the Madison County Asbestos Litigation Depository. Plaintiff should already have a copy, but, if not, it can be furnished by Defendant's attorney.

INTERROGATORY NO. 49: Does Defendant have, or has Defendant, any predecessor or any related company ever had, a Research Department? If so:

- (a) State when such department was established, and whether or not such department has operated continuously since being established;
- (b) State how much Defendant, its predecessor and/or related company expended each year on research; and
- (c) State the percentage of said expenditure which was for research concerning the health affects of asbestos;
- (d) Identify the person(s) in charge of such department throughout its existence; and
- (e) Identify the person(s) in charge of any asbestos-related research conducted by such department throughout the years.

ANSWER:

Shell Development Company, Emeryville, CA
Shell Research Laboratory, Wood River, IL
Shell Research Laboratory, Wilmington, CA
Shell Research Laboratory, Martinez, CA
Westhollow Research Center, Houston, TX
Shell E. & P. Research Center, Bellaire, TX

- (a) Unknown.
- (b) Unknown.
- (c) \$0.00
- (d) Unknown.
- (e) None.

INTERROGATORY NO. 50: Did Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, maintain a medical and/or scientific library at any time from 1940 to the present? If so:

- (a) State the dates such library existed;
- (b) State the number of volumes maintained therein;
- (c) State the number of employees, part-time or full-time, assigned to the maintenance of said library; and
- (d) Identify the person(s) within the corporate structure to whom said library employees reported throughout the existence of the library.

ANSWER:

Shell currently maintains two libraries. The E & P Knowledge Center now located in Bellaire, TX and the Petro-chemical Knowledge/Business Knowledge Center located at the Shell Westhollow facility.

The E & P Knowledge Center, formerly known as the Bellaire E& P Technical Information Center, was renamed in 1997. It was known as the Technical Information Center from 1990-1992. Until 1990, it was known as the Library – E & P Research Center.

The Petro-chemical Knowledge/Business Knowledge Center, formerly known as the Products Technical Information Center was also renamed in 1997. Until 1990, the Products Technical Information Center was known as the Westhollow Research Library.

Various other professionals, employed by Shell at various times have maintained their own libraries. It is impossible to ascertain the exact contents, locations or time periods these libraries were maintained.

INTERROGATORY NO. 51: Identify any and all scientific or medical periodicals to which Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, subscribed from 1940 to the present, and for each periodical state the dates of such subscriptions.

ANSWER:

See Response to Interrogatory No. 50.

INTERROGATORY NO. 52: Has Defendant, any predecessor or any related company, at any time since 1940:

- (a) been a member of a medical and/or scientific library or library association?
- (b) been a member of any organization or association which maintained a medical and/or scientific library?
- (c) been a member of any organization or association through which members obtained the use of, or access to, a medical and/or scientific library?

ANSWER:

- (a) No.
- (b) Yes.
- (c) Yes.

INTERROGATORY NO. 53: If your answer to any subpart of Interrogatory No. 52 is "Yes":

- (a) Identify the library(ies) involved and state the years during which Defendant, its predecessor or related company was a member of, or otherwise had use of or access to said library; and
- (b) If applicable, identify the organization or association through which Defendant, its predecessor or related company, obtained the use of or access to, such library(ies).

ANSWER:

See Response to Interrogatory No. 94.

INTERROGATORY NO. 54: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to, any company, at any time, conducted any industrial hygiene surveys concerning any product identified in response to Interrogatory No. 19, including, but not limited to, surveys concerning the manufacture, processing, application, installation, use and/or removal of said products?

ANSWER:

See Response to Interrogatory No. 19.

INTERROGATORY NO. 55: If your answer to Interrogatory No. 54 is "Yes," with respect to each such survey:

- (a) Identify the product(s) which was used in the survey;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said survey;
- (c) State the date(s) of said survey;
- (d) Describe the methodology, results and conclusions of said survey;
- (e) Identify any and all documents referring to, relating to, or reflecting said survey or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom such document may have been sent.

ANSWER:

N/A. See Response to Interrogatory No. 54.

INTERROGATORY NO. 56: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to any insurance company, at any time, gone into any area where any product identified in response to Interrogatory Nos. 19 and 42 was being manufactured, used, applied or installed to perform a dust level count or similar test?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 57: If your answer to Interrogatory No. 56 is "Yes," identify each such count or test performed, by stating when and where it was conducted, and with respect to each count or test so identified:

- (a) Identify the product being manufactured, used, applied or installed;
- (b) Identify each and every person who conducted, participated in conducting, or analyzed the results of, said count or test;
- (c) State the purpose of said count or test;
- (d) State what, if any, actions were taken in response to the results of said count or test; and
- (e) Identify any and all documents referring to, relating to or reflecting said count or test, including, but not limited to, any actions taken in response to the results of such count or test.

ANSWER:

N/A. See Response to Interrogatory No. 56.

INTERROGATORY NO. 58: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies), of any kind, concerning the effects of the inhalation of asbestos dust or asbestos fibers on one using or being exposed to asbestos or any asbestos-containing product, including, but not limited to, those identified in response to Interrogatory Nos. 19 and 42?

ANSWER:

Yes.

INTERROGATORY NO. 59: If your answer to Interrogatory No. 58 is "Yes," with respect to each such study:

- (a) Describe the nature of said study, including, but not limited to, the purpose and objectives of the study, the product(s) involved, the date(s) conducted, the methodology employed and the results reached, both raw data and conclusions;
- (b) Identify any and all entities and/or persons conducting said study or participating in the conducting of said study;
- (c) Identify any and all documents referring to, relating to or reflecting said study, including but not limited to reports (both interim and final), notes, memoranda, work papers, data compilations and surveys;
- (d) Identify any and all directors, officers, agents or employees of Defendant who participated in the decision to have the study conducted; and,
- (e) Identify any and all entities and/or persons who received a copy of any document referring to, relating to or reflecting the results or conclusions reached.

ANSWER:

Shell Oil Company has conducted various epidemiological studies concerning activities at its refineries. This defendant believes plaintiff already possesses copies of these studies. If not, documents responsive to this request will be produced to Plaintiff's counsel for inspection and copying at mutually convenient times and locations.

INTERROGATORY NO. 60: Did Defendant, its predecessor or related company, take any action as a result of any study or studies set forth in response to Interrogatory Nos. 56 and 58? If so, identify each and every study which resulted in some action being taken, and:

- (a) Describe the actions taken, including the effective date of said actions;
- (b) Identify any and all persons, including, but not limited to, directors, officers, agents and employees of Defendant who participated in the decision to undertake said actions; and
- (c) Identify any and all documents referring to, relating to or reflecting said actions, or any subsequent modification or discussion of the same.

ANSWER:

No as to asbestos.

INTERROGATORY NO. 61: Has Defendant, any predecessor, or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies)

designed to minimize or eliminate the inhalation of asbestos dust and fibers by those using, handling or exposed to any product listed in response to Interrogatory Nos. 19 and 42?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 62: if your answer to Interrogatory No. 61 is "Yes," with respect to each such study:

- (a) Identify the product involved;
- (b) Identify the person(s) and/or entity(ies) conducting said study;
- (c) State the date said study began and the date on which it was completed;
- (d) Identify any and all persons, including, but not limited to, directors, officers, agents or employees of Defendant, who participated in the decision to have said study conducted;
- (e) Describe the nature of said study;
- (f) Describe the nature of any action to eliminate or minimize inhalation of asbestos dust or asbestos fibers undertaken as a result of said study;
- (g) Identify any and all documents referring to, relating to or reflecting said study or the results thereof; and,
- (h) Identify any and all persons receiving a copy of any document referring to, relating to or reflecting the results or conclusions of said study.

ANSWER:

N/A. See Response to Interrogatory No. 61.

INTERROGATORY NO. 63: Did Defendant, any related company, or any predecessor at any time, give to persons, who would be applying and/or removing any of the products listed in response to Interrogatory Nos. 19 and 42, any instructions or guidelines concerning precautions, warnings, procedures, and/or methods to use, in order to safely apply or remove such products? If so, describe such instructions, state to whom they were given, state the dates they were given, and describe the manner in which they were given.

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 64: Did Defendant, any predecessor or any related company, at any time, place any warning signs or labels on the containers in which any of the products listed in response to Interrogatory Nos. 19 and 42 were packaged?

ANSWER:

N/A. See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 65: If your answer to Interrogatory No. 64 is "Yes," identify each and every product upon which such a warning was placed, and with respect to each such product identified:

- (a) State the date on which any order directing that a warning be placed on said product first issued;
 - (b) Identify any and all persons participating in the decision to issue that order;
 - (c) State the first date on which such warning was actually placed on said product;
 - (d) State the first date on which such product accompanied by such warning was first sold, distributed or installed;
 - (e) State the exact wording of this first warning;
 - (f) State the exact location and size of this first warning as it appeared on said product;
 - (g) Identify any and all persons who participated in any phase of the drafting or design of said first warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the warning;
 - (h) State why you placed such warning on said product, including, but not limited to, whether you placed such warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and
- (Illinois) Identify any and all documents referring to, relating to or reflecting, said warning, its drafting, and/or the decision to place the warning on said product, including, but not limited to, any communication as described in subpart (h) of this

Interrogatory.

ANSWER:

N/A. See Response to Interrogatory No. 64.

INTERROGATORY NO. 66: With respect to each product identified in response to Interrogatory No. 65 as having been accompanied by a warning, state whether, subsequent to the first warning described above, any different warning was ever placed upon said product. Any alteration, change or modification in the language, wording, capitalization, punctuation, style of type or printing, size, color, or location on the package or container, of the warning constitutes a different warning.

ANSWER:

N/A. See Response to Interrogatory No. 64.

INTERROGATORY NO. 67: With respect to each different warning which accompanied each product listed in response to Interrogatory No. 65:

- (a) State the date on which any order directing that such different warning be placed on said product first issued;
- (b) Identify any and all persons participating in the decision to issue that order;
- (c) State the first date on which such different warning was actually placed on said product;
- (d) State the first date on which such product accompanied by such different warning was sold, distributed or installed;
- (e) Describe, with specificity, any and all changes, modifications or differences between the different warning and the prior warnings(s);
- (f) Identify any and all persons who participated in any phase of the drafting or design of such different warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the different warning;
- (g) State why you placed such different warning on said product, including, but not limited to, whether you placed such different warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and

- (h) Identify any and all documents referring to, relating to or reflecting, said different warning, its drafting, and/or the decision to place the different warning on said product.

ANSWER:

N/A. See Response to Interrogatory No. 64.

INTERROGATORY NO. 68: Prior to the date on which Defendant first directed that a warning accompany any product identified in response to Interrogatory Nos. 19 and 42, did any person, firm, organization or other entity, within or without your employ, suggest, recommend, counsel, advise, or otherwise indicate in any manner, that a warning should accompany any or all such products or asbestos-containing products generally?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 69: If your answer to Interrogatory No. 68 is "Yes," with respect to each such suggestion, recommendation, counseling, advice or other indication:

- (a) Identify the person(s) and/or entity(ies) giving the same;
- (b) State the date(s) on which the same was given;
- (c) Identify any and all persons receiving notice of the same;
- (d) Describe what, if any, action Defendant took in response to or upon the same; and,
- (e) Identify any and all documents referring to, relating to or reflecting the same, or any action taken thereon or in response thereto.

ANSWER:

N/A. See Response to Interrogatory No. 68.

INTERROGATORY NO. 70: Did Defendant, any predecessor, or any related company ever place any warning directly upon any of the products listed in response to Interrogatory Nos. 19 and 42?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 71: If your answer to Interrogatory No. 70 is "Yes," identify each and every product upon which such a warning was placed and for each such product identified:

- (a) State, verbatim, each and every warning which ever appeared on said product;
- (b) State the size, color and location of each such warning and describe the manner in which it was placed upon the product;
- (c) State the dates on which each such warning first and last appeared in said product; and,
- (d) Identify any and all documents referring to, relating to or reflecting the placing of any warning directly upon said products, including, but not limited to, decisions not to place such a warning.

ANSWER:

N/A. See Response to Interrogatory No. 70.

INTERROGATORY NO. 72: Did any warning of any type concerning the products listed in response to Interrogatory Nos. 19 and 42 ever appear in any sales literature or other materials distributed or provided by Defendant, any predecessor or any related company, to the purchasers, consumers and/or users of such products?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 73: If your answer to Interrogatory No. 72 is "Yes," identify each and every item of sales literature or other materials in which such a warning appeared, and for each item so identified:

- (a) State the date on which said item was first provided to distributors, sellers, purchasers, consumers or users;
- (b) List the products discussed in the literature;
- (c) Identify any and all other sales literature concerning the products listed in response to Interrogatory Nos. 19 and 42 which was provided to distributors, sellers,

purchasers, consumers or users after the above date and which contained no warning.

ANSWER:

N/A. See Response to Interrogatory No. 72.

INTERROGATORY NO. 74: Does Defendant or any related company have any of the following in its possession, custody or control:

- (a) any package, container, label or item of sales literature which Defendant claims constitutes or contains any warning which ever accompanies any product listed in response to Interrogatory Nos. 19 and 42?
- (b) any picture, photograph or like reproductive representation of any item described in subpart (a)?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 75: State the year that Defendant or any predecessors was 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 advise, and any and all documents communicating such advise.

ANSWER:

While it is impossible to determine with precision the year Defendant or any related companies was advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust and the person(s) who first received such advice, it is believed that Defendant learned of these TLVs within a reasonable time after their publication.

INTERROGATORY NO. 76: State whether such threshold limit values or maximum allowable concentrations referred to in Interrogatory No. 75 involved TOTAL dust or just asbestos dust?

ANSWER:

Unknown.

INTERROGATORY NO. 77: Describe, in detail, any and all tests, if any, conducted by Defendant, any predecessor or any related company, or anyone acting on behalf thereof, concerning the quantity, quality or threshold limit values of asbestos dust or particles to which applicators or consumers of asbestos-containing products were exposed while using any product identified in response to Interrogatory Nos. 19 and 42, including:

- (a) The product being used;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said test;
- (c) State the date(s) of said test;
- (d) Describe the methodology, results and conclusions of said test;
- (e) Identify any and all documents referring to, relating or reflecting said test or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom any document referring to, relating to or reflecting the results or conclusions of said test was sent.

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 78: Did Defendant, any predecessor or any related company, at any time, directly advise the owners or management employees of any worksite in which it sold or applied any product listed in response to Interrogatory Nos. 19 and 42, of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist? If so, state the date or dates that you so advised each such owner or employees, the manner in which you advised such owner or employee and the name of each such owner or employee.

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 79: State the date on which any official of Defendant or its predecessor(s) 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;
- (e) Any other forms of cancer,

ANSWER:

Shell has not been able to determine the precise time or the specific means by which any employee first became aware of any causal relationship between exposures to various types of asbestos fibers and the occurrence of any of the above specified diseases.

As early as 1945, Shell's safety manuals provided precautionary instructions regarding risks associated with asbestos exposure. In 1965, Shell's refinery managers were advised of the results of studies associating asbestos exposure with the risk of mesothelioma, lung cancer and other forms of cancer in humans.

In August 1971, Howard L. Kusnetz joined Shell's corporate industrial hygiene department. At that time he was aware of a general association between the exposure to various types of asbestos fibers and the incidence of certain diseases. He gained this awareness from his reviews of various scientific literature and from his experience in the Public Health Service.

INTERROGATORY NO. 80: With respect to each disease set forth in Interrogatory No. 79:

- (a) Identify the official who first obtained the knowledge, notice, information or understanding to which the interrogatory refers;
- (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, any predecessor or any related company took in response to such knowledge, notice, information or understanding.

ANSWER:

See Response to Interrogatory No. 79.

INTERROGATORY NO. 81: Does Defendant possess knowledge or information concerning, a causal connection between exposure to asbestos or asbestos-containing products and:

- (a) pleural disease?
- (b) asbestosis?
- (c) lung cancer?

- (d) mesothelioma?
- (e) other cancer?

ANSWER:

See Response to Interrogatory No. 79.

INTERROGATORY NO. 82: For each subpart of Interrogatory No. 81 to which you answered "Yes":

- (a) Describe when and how Defendant first obtained knowledge, or information concerning such connection;
- (b) If such knowledge or information was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting, any and all persons attending, and any and all documents referring to, relating to or reflecting the meeting;
- (c) If knowledge was obtained from medical or scientific studies, or work, published or unpublished, identify the same.

ANSWER:

See Response to Interrogatory No. 79.

INTERROGATORY NO. 83: With regard to any knowledge or information obtained subsequent to that identified in your answer to Interrogatory No. 82 (a), identify any and all documents or communications (oral and/or written) concerning the causal connection between exposure to asbestos-containing or asbestos products and any disease, which were sent to, or received by, Defendant, and identify any and all persons conveying and/or receiving such communications.

ANSWER:

See Response to Interrogatory No. 79. Also, please see documents previously filed by Defendant Shell Oil Company with the Madison County Asbestos Litigation Depository. Plaintiff should already have a copy, but, if not, it can be furnished by Defendant's attorney.

INTERROGATORY NO. 84: As to any knowledge or information referred to in Interrogatories 79-83, did Defendant, at any time, educate or inform its employees, distributors, purchasers or any persons working in the vicinity where any asbestos-containing product was being applied or installed as to the hazards known to Defendant or about which Defendant had information, and as to the safety precautions necessary to

guard against cancer and other diseases arising from the use and handling of the products identified in response to Interrogatory No. 19?

ANSWER:

See Response to Interrogatory No. 19.

INTERROGATORY NO. 85: If your answer to Interrogatory No. 84 is "Yes," identify each such occasion on which Defendant so educated or informed its employees, distributors or purchasers, as follows:

- (a) Identify the persons or parties which you educated or informed;
- (b) State when, where and in what manner they were educated or informed;
- (c) Identify any and all documents referring to, relating to or reflecting the communication or other dissemination of such information; and
- (d) Identify any and all persons who so educated or informed said employees, distributors, purchasers or persons working in the vicinity of application or who participated in the same in any way, including, but not limited to, assembling, drafting, writing, rewriting, preparing or conveying such information in any format.

ANSWER:

N/A. See Response to Interrogatory No. 84.

INTERROGATORY NO. 86: Did Defendant or any predecessor entity perform, direct to be performed, finance in whole or in part, sponsor in whole or in part or receive the results of, any studies or tests concerning the relationship between asbestos exposure and asbestosis, cancer and/or mesothelioma?

ANSWER:

Yes.

INTERROGATORY NO. 87: If your answer to Interrogatory No. 86 is "Yes," with respect to each such study or test:

- (a) State the nature of the involvement (performed, directed it to be performed, financed, sponsored, received results, etc.);
- (b) State when, where and at what intervals said study was performed;

- (c) Identify any and all persons, firms or entities which performed said study;
- (d) Identify any and all documents referring to, relating or reflecting said study or the results thereof; and
- (e) State all means by which the results of said study were disseminated including, if applicable, publication; and identify any and all persons who received said results and any and all publications in which said results appeared.

ANSWER:

Shell Oil Company has conducted various epidemiological studies concerning the activities of its refineries. This defendant believes plaintiff already possesses copies of these studies. If not, documents responsive to this request will be produced to Plaintiff's counsel for inspection and copying at mutually convenient times and locations.

INTERROGATORY NO. 88: Did Defendant at any time during the period that the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, sold, applied or installed, inform any purchaser or user of said products that such products could cause cancer, asbestosis, and/or other serious diseases?

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 89: Did Defendant, any predecessor or any related company, or any workers' compensation insurance carrier thereof, ever have any claims for lung diseases or death from lung disease, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or exposure to asbestos-containing products?

ANSWER:

Yes.

INTERROGATORY NO. 90: If your answer to Interrogatory No. 89 is "Yes," with respect to each such claim:

- (a) Identify the claimant;
- (b) Identify the entity against which the claim was filed;
- (c) State the date upon which the claim was filed;

- (d) List the locations at which claimant was exposed to asbestos;
 - (e) Identify each and every board, administrative body, commission or court which handled or reviewed said claim and state the style and cause number applicable to said claim before each such body;
 - (f) Identify the disease alleged by claimant;
 - (g) State the final disposition of the claim including any and all benefits paid, and the entity making such payments;
 - (h) If different from the date on which the claim was filed, state the date on which Defendant first had notice of the claim; and,
- (Illinois) Identify any and all documents referring to, relating to or reflecting said claim.

ANSWER:

To be re-drafted.

INTERROGATORY NO. 91: How many past or present employees of Defendant, its predecessors or related companies are known by you who claim to be suffering from, to have suffered from, or to have suffered deaths caused by:

- (a) asbestosis?
- (b) lung cancer?
- (c) mesothelioma?

ANSWER:

This defendant refers plaintiff to its response to Interrogatory nos. 89 and 57.

INTERROGATORY NO. 92: For each employee referenced in your answer to Interrogatory No. 91, state the date that Defendant first knew, or had notice or information, that such past or present employee who claims he/she was suffering, or had suffered from:

- (a) asbestosis;
- (b) lung cancer;
- (c) mesothelioma.

ANSWER:

See Response to Interrogatory No. 91.

INTERROGATORY NO. 93: Identify any and all material safety data sheets concerning the products listed in response to Interrogatory Nos. 19 and 42 prepared, at any time, by, or on behalf of, Defendant, any predecessor or any related company,

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 94: 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. (MAMA), to which Defendant, any predecessor or any related company has belonged or in which any or all of the same have participated since 1925, and state the applicable dates of such membership or participation.

ANSWER:

While Shell does not profess to have a comprehensive listing of every trade organization, association, "or other entities" to which it has ever belonged or in which it ever participated, Shell was or is a member of the following:

American Petroleum Institute – 1948 - present

National Safety Council – 1948 - present

Industrial Hygiene Foundation of America – early 1970s, as best as can be presently determined

Chemical Manufacturers' Association – 1949 – present

INTERROGATORY NO. 95: Identify any and all persons attending, on behalf of Defendant, any predecessor or any related company, any meetings, seminars or symposiums held by the trade organizations, associations, or other entities identified in response to Interrogatory No. 94. (Limited in time from 1930 to 1980.)

ANSWER:

The manner in which Shell's records are maintained prevent the creation of a list of all persons who actually participated or worked in these organizations and the dates of membership.

INTERROGATORY NO 96: Did any officer, employee, agent or representative of Defendant, of any predecessor, or of any related company, serve, at any time, as: (Limited in time from 1930 to 1980.)

- (a) an officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (b) a member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (c) the chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (d) the representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 94 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., S.M.F.M.A.?

ANSWER:

See Response to Interrogatory No. 95.

INTERROGATORY NO. 97: For each subpart of Interrogatory No. 96 to which your answer is "Yes," identify each and every person serving in such capacity and: (Limited in time from 1930 to 1980.)

- (a) state the trade organization, association or entity for which such service was rendered;
- (b) specify the capacity of service, including identifying any specific committee, subcommittee or other trade organizations, associations or entities involved; and,
- (c) state the applicable dates of service.

ANSWER:

See Response to Interrogatory No. 95

INTERROGATORY NO. 98: Identify any and all documents which Defendant, its predecessor(s) or any related company submitted to, or received from, the organizations listed in response to Interrogatory Nos. 94 and/or 97: (Limited in time from 1930 to 1980.)

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; and/or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER:

Any responsive documents have been deposited in the document depository. If plaintiff's counsel does not have copies of these documents, documents responsive to this request will be produced to Plaintiff's counsel for inspection and copying at mutually convenient times and locations. Will supplement, if necessary.

INTERROGATORY NO. 99: Identify any and all documents including, but not limited to, minutes, bulletins or reports, created by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97 or any committee, subcommittee or subgroup thereof; (Limited in time from 1930 to 1980.)

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER:

See Response to Interrogatory No. 98.

INTERROGATORY NO. 100: Identify any and all documents including, but not limited to, minutes, bulletins or reports, received by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97, or any committee, subcommittee or subgroup thereof;

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER:

Interrogatory No.100 duplicate of Interrogatory No. 99.

INTERROGATORY NO. 101: Identify any and all agreements, oral or written, between or among Defendant, any of the other defendants in this lawsuit, any organization, association or other entity including, but not limited to, those identified in your answer to Interrogatory No. 94 and/or any medical or scientific foundations, relating to the standardization of: (Limited in time from 1930 to 1980.)

- (a) Specifications for asbestos cloth products;
- (b) Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos cement;
- (c) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (d) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- (e) Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products;
- (f) Medical programs to be offered or sponsored by defendant.

ANSWER:

None.

INTERROGATORY NO. 102: Did Defendant, any predecessor or related company, direct to be performed, sponsor in whole or in part, finance in whole or in part, receive the results of, or become aware of, any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human health?

ANSWER:

No, other than as a result of discovery in prior litigation.

INTERROGATORY NO. 103: If your answer to Interrogatory No. 102 is "Yes":

- (a) Identify any and all documents received by Defendant, its predecessors), or a related company referring to, relating to or reflecting any findings or results of those studies or tests, and state the date upon which each was first received;
- (b) Identify any and all communications (oral or written), between Defendant, its predecessors) or a related company and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.;
- (c) Identify any and all documents referring to, relating to or reflecting the Saranac studies received or submitted by Defendant, its predecessors) or a related company either directly, through related or predecessor companies, through other companies, or through any trade associations, organizations or other entities; and
- (d) Identify any and all documents referring to, relating to or reflecting recommendations or findings of such studies relating to:
 - (1) Adequacy or inadequacy of threshold limit values;
 - (2) Substitution of materials other than asbestos to be used in the insulation process.

ANSWER:

See Response to Interrogatory No. 102.

INTERROGATORY NO. 104: With respect to each subject listed below, state whether said subject was, at any time, discussed at a meeting of the board of directors of Defendant, any predecessor or any related company:

- (a) The sale and/or marketing of any asbestos-containing product, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42;
- (b) The health hazards resulting from exposure to asbestos, including, but not limited to, exposure resulting from the use, application or removal of asbestos-containing products;
- (c) The placement or possible placement of warning labels on asbestos-containing products or their packages, or in sales literature, therefore including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42. and
- (d) Any test, survey, study or similar matter concerning asbestos or asbestos-containing products, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER:

Defendant is unaware of any such discussions, but if any other informations is discovered, defendant will supplement.

INTERROGATORY NO. 105 If your answer to any one or more of the subparts of Interrogatory No. 104 is "Yes," then with respect to each subpart for which you answered "Yes":

- (a) Identify each and every board meeting at which said subject was discussed by stating the date(s) on which, and the locations at which, each meeting was held;
- (b) Identify any and all persons present at each such meeting; and,
- (c) Identify any and all documents, including, but not limited to, minutes, referring to, relating to, or reflecting each such meeting.

ANSWER:

See Response to Interrogatory No. 104.

INTERROGATORY NO. 106: Identify any and all seminars, symposiums, conferences or like gatherings attended by any officer, agent or representative of Defendant, any predecessor or any related company, at which the subject of asbestos, the health hazards of asbestos exposure, or the placement or providing of warnings was discussed.

ANSWER:

The manner in which Shell's records are maintained prevent the creation of a list of all persons who actually participated or worked in these organizations and the dates of membership.

INTERROGATORY NO. 107: Identify any and all documents, including, but not limited to, notes, reports, minutes or bulletins, which refer to, relate to or reflect any meeting identified in response to Interrogatory No. 106.

ANSWER:

See Response to Interrogatory No. 106.

INTERROGATORY NO. 108: With respect to each job site set forth in the attached Exhibit A: (Illinois) identify any and all documents referring to, relating to or reflecting the purchase, sale, delivery, use, application or ordering, of any of the products listed in

response to Interrogatory Nos. 19 and 42 by, for, to or at said site; and, (ii) identify any and all persons known by Defendant to have knowledge concerning the same:
ANSWER:

No Exhibit A attached.

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 109: Identify any and all parties, located within a 200 mile radius of Madison County, Illinois, including, but not limited to, distributors, suppliers or contractors, known by you to have purchased, received, sold, distributed, applied or otherwise used, at any time, any or all of the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 110: Other than these cases, has Defendant, any predecessor or any related company, ever appeared as a defendant in any lawsuit involving a claim or claims based upon allegations of injury, impairment, disease or death caused by exposure to asbestos from asbestos-containing products?

ANSWER:

To be re-drafted.

INTERROGATORY NO. 111. If your answer to Interrogatory No. 110 is "Yes," identify each such lawsuit as follows:

- (a) Identify the plaintiff(s);
- (b) Identify all other defendants;
- (c) State when and where the case was filed;
- (d) Identify each court in which the case was heard or is pending, including appeals, and state the style and cause number of the case in each court; and,
- (e) State the current status of the case if it remains pending or, if the case has been disposed of, state the final disposition.

ANSWER:

To be re-drafted.

INTERROGATORY NO. 112: In any lawsuit, as described in Interrogatory No. 111, has Defendant been subject to sanctions, a contempt citation or similar action for failing, or refusing to comply with, any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery?

ANSWER:

Interrogatory No. 111 referenced here is to be re-drafted.

INTERROGATORY NO. 113: If your answer to Interrogatory No. 112 is "Yes," with respect to each such occasion described:

- (a) Identify the lawsuit involved, the court which imposed the sanctions or issued the contempt citation, and any other court which reviewed the same;
- (b) Describe the violation for which sanctions or contempt was imposed;
- (c) If the violation involved the failure or refusal to produce any documents, identify any and all such documents;
- (d) If the violation involved any failure to truthfully answer or to respond to interrogatories, identify any and all such interrogatories and your response thereto, including the person answering on your behalf;
- (e) State the present status or final disposition of the matter, which ever is applicable; and,
- (f) Identify any and all documents referring to, relating to or reflecting said matter, including, but not limited to, pleadings, exhibits and court orders.

ANSWER:

Interrogatory No. 111 referenced in Interrogatory No. 112 is to be re-drafted.

INTERROGATORY NO. 114: In any lawsuit as described in Interrogatory No. 111, has any document or conversation as to which you asserted the attorney-client privilege been held by any court to be not privileged on the basis of the crime-fraud exception?

ANSWER:

To be re-drafted.

INTERROGATORY NO. 115: If your answer to Interrogatory No. 114 is "Yes," identify any and all such documents or conversations described, and with respect to each:

- (a) Identify all persons whose actions were held to constitute a crime or fraud;
- (b) State the current status of the court's determination; and,
- (c) State whether you assert the privilege with respect to disclosing the document or conversation in this case.

ANSWER:

To be re-drafted.

INTERROGATORY NO. 116: Identify any and all expert witnesses who have testified on behalf of Defendant, any predecessor or any related company in any case listed in response to Interrogatory No. 111.

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 117: Identify any and all present or former directors, officers, employees or agents of Defendant, any predecessor or any related company, who have testified on behalf of or against Defendant, any predecessor or any related company, in any of the lawsuits listed in response to Interrogatory No. 111, other than persons who testified as plaintiffs in their own cases.

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 118: Identify any and all present or former directors, officers, employees or agents of Defendant, any predecessor or any related company, other than persons appearing as adverse parties, who have testified against Defendant, any predecessor or any related company in any proceeding involving the subject of asbestos, including, but not limited to, workers' compensation hearings, or any hearing before any government body.

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 119: With respect to your answers to Interrogatory Nos. 116, 117 and 118, identify any and all documents, including, but not limited to, transcripts or notes

of testimony, referring to, relating to or reflecting the testimony of such expert witnesses or employees.

ANSWER:

Withdrawn/Stricken

INTERROGATORY NO. 120: Has Defendant, any predecessor or any related company, ever been cited, warned, fined, or sanctioned for, any violation of a federal or state statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal or state governmental entity, which violation concerned asbestos in any way? (Limited in time from 1930 to 1980.)

ANSWER:

Please see documents previously filed by Defendant Shell Oil Company with the Madison County Asbestos Litigation Depository. Plaintiff should already have a copy, but, if not, it can be furnished by Defendant's attorney.

Investigation ongoing.

INTERROGATORY NO. 121: If your answer to Interrogatory No. 120 is "Yes," with respect to each such violation: (Limited in time from 1930 to 1980.)

- (a) Identify the governmental entity issuing the citation, warning, fine, sanction or write-up;
- (b) State the date of the citation, warning, fine, sanction or write-up;
- (c) Describe the violation and state the date(s) during which it occurred;
- (d) Identify the statute, law, rule, ordinance, code or order to which the violation related;
- (e) State what, if any, specific fine, penalty, or sanction was imposed;
- (f) State the date in which and the manner in which said violation was corrected;
- (g) Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and,
- (h) Identify any and all documents referring to, relating to or reflecting said violation.

ANSWER:

(a) **Stricken/Withdrawn**

(b) **N/A**

(c) **N/A**

(d) **N/A**

(e) **N/A**

(f) **N/A**

(g) **N/A**

(h) **N/A**

INTERROGATORY NO. 122: Has any federal or state government entity, at any time, conducted any inspection, test or survey concerning asbestos or asbestos exposure at any facility where the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, processed, applied, used or removed? (Limited in time from 1930 to 1980.)

ANSWER:

See Response to Interrogatory Nos. 19 and 42.

INTERROGATORY NO. 123: If your answer to Interrogatory No. 122 is "Yes," then with respect to each such inspection, test or survey: (Limited in time from 1930 to 1980.)

(a) **Identify the governmental entity conducting the same;**

(b) **State the date(s) on which the same was conducted;**

(c) **Describe the nature of the inspection, test or survey including, but not limited to, the results or conclusions thereof; and**

(d) **Identify any and all documents referring to, relating to or reflecting the same.**

ANSWER:

N/A. See Response to Interrogatory No. 122.

INTERROGATORY NO. 124: 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;
- (f) Identify and produce each treatise, article or text upon which the expert will rely in testifying.

ANSWER:

Please see master disclosure previously filed by Defendant Shell Oil Company with the Madison County Asbestos Litigation Depository. Plaintiff should already have a copy, but, if not, they can be furnished by Defendant's attorney.

INTERROGATORY NO. 125: Are there any policies of insurance which provide, or might provide, coverage on behalf of Defendant, any predecessor or any related company for the injuries alleged in Plaintiffs' complaints?

ANSWER:

Defendant maintains an insurance program with relatively high retention amounts. As such, it is highly unlikely that any recovery by Plaintiffs would approach such retention.

INTERROGATORY NO. 126: If your answer to Interrogatory No. 125 is "Yes," identify each such policy of insurance as follows: (Subject to Protective Order)

- (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.

ANSWER:

See Response to Interrogatory No. 125.

INTERROGATORY NO. 127: With respect to each policy described in response to Interrogatory No. 126, state:

- (a) the dollar amount of coverage which remains unexpended; and
- (b) whether any litigation dispute exists between insurer and insured with respect to coverage.

ANSWER:

See Response to Interrogatory No. 125.

INTERROGATORY NO. 128: Other than the policies of insurance described in response to Interrogatory No. 126, do there exist any agreements providing for the benefit of Defendant, any predecessor or any related company, complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees? (Subject to Protective Order)

ANSWER:

No.

INTERROGATORY NO. 129: If your answer to Interrogatory No. 128 is "Yes," for each such agreement: (Subject to Protective Order)

- (a) Identify all parties to the agreement and state the capacity of each such party (i.e. indemnitor, indemnitee, etc.);
- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

ANSWER:

N/A. See Response to Interrogatory No. 128.

INTERROGATORY NO. 130: Was this Defendant ever allowed to use the trademark or logo of any other company, including but not limited to, its predecessor or related company, on any asbestos containing products Defendant sold, distributed or installed, and if so please state:

- (a) The trademark or logo used by you;
- (b) The company allowing such use of its trademark or logo;
- (c) The time period such use was allowed;
- (d) Whether such use was by written, verbal or implied agreement;
- (e) Each and every product such trademark or logo was placed upon;
- (f) Identify all documents which refer to, relate to or reflect the use of such trademark or logo.

ANSWER:

No.

INTERROGATORY NO. 131: From 1940 to present, state whether Defendant and/or any predecessor or related company ever provided workers' compensation, health, accident and disability and/or life insurance coverage for its employees, and if so: (Limited in time from 1930 to 1980.)

- (a) Identify each insurance carrier which provided workers' compensation, health, accident and disability and/or life insurance coverage to your employees and the dates such coverage was provided by each such carrier;
- (b) State whether such insurance carrier(s) ever conducted any dust counts or studies, industrial hygiene surveys or other tests relating to any asbestos-containing products that Defendant's employees may have been working with or around; and,
- (c) If your response to subpart (b) hereof is in the affirmative, please indicate the date of each such count, study, survey or other test and identify all documents relating thereto.

ANSWER:

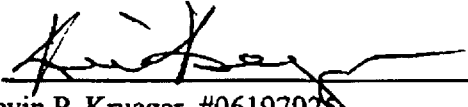
- (a) **Stricken/Withdrawn**

(b) N/A

(c) N/A

SANDBERG, PHOENIX & von GONTARD, P.C.

By:

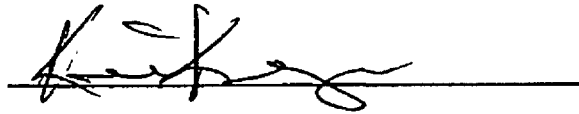

Kevin P. Krueger, #06197925
Stephen P. Niemira, #06226997
One City Centre, 15th Floor
St. Louis, MO 63101-1880
314-231-3332
314-241-7604 (Fax)

Attorneys for Defendant
Shell Wood River Refining Company

Certificate of Service

The undersigned certifies that a copy of the foregoing was sent via facsimile, this 27th
day of April, 2000, to following counsel of record:

Mr. Marcus Raichle, Jr.
The Simmons Firm
301 Evans Avenue
Suite 300
P.O. Box 559
Wood River, IL 62095

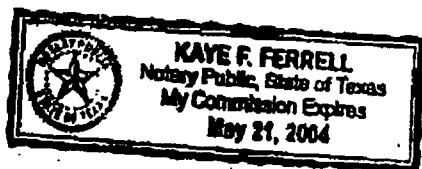
A handwritten signature in cursive script, appearing to read "Raichle", is written over a horizontal line.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Deborah K. Michelli, being first duly sworn, on oath deposes and says that she is a Sr. Legal Assistant of Defendant, Shell, herein; that the foregoing Answers to Interrogatories have been prepared by attorneys for Shell based on information obtained from documents and employees of Shell; that she has read the foregoing Answers to Interrogatories and such Answers and the same are true, correct and complete to the best of knowledge, information and belief.

Deborah K. Michelli
Deborah K. Michelli

SUBSCRIBED AND SWORN to before me, a Notary Public, this 27th day of April, 2000.



Kaye F. Ferrell
Notary Public
Kaye F. Ferrell

My Commission Expires

5/21/2004