

FILE NAME: McGraw-Edison (ME)

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Discovery [Myra case-excerpts only]

MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN
BY: TIFFANY J. GIANGIULIO, ESQ.
Identification Nos. 200301
2000 Market Street, 23rd Floor
Philadelphia, PA 19103
(215) 575-2600
tjgiangiulio@mdwecg.com

ATTORNEY FOR DEFENDANT
COOPER INDUSTRIES, LLC

JOHN MYRA and DONNA MYRA	:	COURT OF COMMON PLEAS
	:	PHILADELPHIA COUNTY
	:	
v.	:	APRIL TERM, 2022
	:	NO. 0007
	:	
AIR AND LIQUID SYSTEMS CORP, et al.	:	

**DEFENDANT COOPER INDUSTRIES, LLC'S RESPONSES TO PLAINTIFFS'
INTERROGATORIES, REQUEST FOR ADMISSIONS AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

These responses are served on behalf of Cooper Industries, LLC, (hereinafter "Cooper Industries" or "Cooper") incorrectly named and sued as "Cooper Industries, Inc., in its own right and as successor-in-interest to McGraw-Edison Company." In these responses, Cooper does not respond for any other company or entity.

PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

Cooper Industries is not a miner, miller, or manufacturer of traditional asbestos-containing products. Defendant further states that it is not now, nor has it ever been a miner, miller, supplier, importer, distributor, marketer, or seller of raw asbestos fiber.

Cooper Industries did not acquire the McGraw-Edison business until approximately 1985. While it is in possession of some historical information related to the company, it no longer has, or never had, many of the documents apparently required to answer this discovery. Furthermore,

historical information has been located and produced with these responses. Publicly available information has not been produced with these responses, since it is as equally available to the plaintiff as to the defendant, and as not information that was maintained in the care, custody, or control of the defendant.

3. Please state whether or not you are a corporation. If so, state:

- a. Your correct corporate name;
- b. The state of incorporation;
- c. The date of your incorporation;
- d. The address of your principal place of business;
- e. The addresses of any other places of business;
- f. Whether or not you have ever held a certificate of authority to do business in Pennsylvania;
- g. Whether or not you have a registered agent for the purpose of accepting service in Pennsylvania; and, if so, the name and present address of that agent;
- h. State your corporation purposes;
- i. State whether or not you have or have had subsidiary or predecessor corporations, and, if so, state:
 - i) The name of the subsidiary and/or predecessor;
 - ii) Its date(s) of incorporation, if a corporation;
 - iii) Its state(s) of incorporation;
 - iv) Its corporate purposes.

Answer:

See Preliminary Statement and General Objections incorporated herein. Defendant further objects to this interrogatory to the extent that it is overbroad, vague as to time, and not reasonably calculated to lead to the discovery of admissible or relevant evidence. Subject to and without waiving objections, Cooper Industries, LLC, surviving corporation to a merger between Cooper Industries, Inc. and Cooper Industries, LLC, is a Delaware Limited Liability Corporation and is presently headquartered in Houston, Texas. The mailing address is P.O. Box 4446, Houston, TX 77210-4446.

McGraw-Edison Company was formed in 1957 as a result of a merger between Thomas A. Edison Incorporated and McGraw Electric Company. In 1985, McGraw-Edison Company was acquired by Cooper Industries, Inc., and later merged into Cooper Industries, LLC. According to public records, this business was authorized to conduct business in Pennsylvania beginning in 1950.

Prior to the formation of McGraw-Edison Company, McGraw Electric Company acquired Line Material Company in 1949. At the time of its acquisition by McGraw Electric, Line Material Company was operating a business at 80 N. Burson Street in East Stroudsburg, Pennsylvania.

4. Have any of your employees or officers ever been deposed or testified at trial in any asbestos related litigation? If yes,
 - a. The name, address and title of each person;
 - b. The date, location and forum of such testimony or deposition;
 - c. Whether defendant has a copy of transcripts of such testimony or deposition.

Answer:

9. Did you ever own the facility located at 80 North Burson Street, East Stroudsburg, PA?

If yes,

a. How did you obtain ownership of this property?

b. Please attach all paperwork.

Answer:

Upon information and belief, Line Material Company of Pennsylvania acquired parcels of land or facilities located at 80 North Burson Street in East Stroudsburg, Pennsylvania, and was in possession of those parcels or facilities at the time that it conveyed the property to McGraw Electric Company on or about December 27, 1949. The property was sold by Cooper Industries on October 24, 2003. Defendant has not located information relating to these transactions other than what is publicly available.

10. Did you ever sell the facility located at 80 North Burson Street, East Stroudsburg, PA? If

yes,

a. When did you sell the property?

b. Please attach all paperwork regarding the sale of this property.

Answer:

Defendant incorporates its response to Interrogatory No. 9.

11. Did you ever conduct business at the facility located at 80 North Burson Street, East

Stroudsburg, PA?

a. Please explain all business activities that occurred there.

Answer:

Defendant incorporates its response to Interrogatory No. 3 as if set forth fully herein. Answering further, until 2002 or 2003, Defendant occupied the facility at 80 North Burson Street in East Stroudsburg, Pennsylvania and conducted business related to the production of pole line hardware, fuse cutouts, and wired radio lines.

12. When you purchased the facility located at 80 North Burson Street, East Stroudsburg, PA, were there any asbestos disclosures in the sale agreement? If yes,
- What were the asbestos disclosures?
 - Please attach this documentation.

Answer:

Defendant incorporates its response to Interrogatory No. 9. Answering further, Defendant has not located any “asbestos disclosures” or “sale agreements” as described in this request.

13. Did you ever have the facility located at 80 North Burson Street, East Stroudsburg, PA asbestos abated?
- On what dates was asbestos abatement done at the facility?
 - What asbestos abatement companies were used to abate asbestos from that facility?
 - Please attach all asbestos abatement documentation for this facility including all correspondence, all emails, all notices sent to the State of Pennsylvania, all interoffice memoranda regarding the asbestos abatement, all documents received regarding this abatements, and invoices and checks paying for the asbestos abatements.

Answer:

Defendant has not located documents or information relating to any abatement of the facility at 80 North Burson Street in East Stroudsburg, Pennsylvania. However,

7. List of equipment present in the facility located at 80 North Burson Street, East Stroudsburg, PA.

Answer:

Defendant has not located documents responsive to this request; however, discovery is continuing and Defendant reserves the right to supplement this response should information be located.

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

By: Tiffany J. Giangiulio
Tiffany J. Giangiulio, Esq.
Attorney for Defendant,
Cooper Industries, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on the following counsel of record via electronic mail on this 13th day of July, 2022 and notice thereof on all defense counsel of record via electronic mail:

David B. Halpern, Esquire
40 East Montgomery Avenue, Suite 35
Ardmore, PA 19003
dave@thehalpernlawfirm.com

Tiffany J. Giangiuilio
Tiffany J. Giangiuilio