

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUN 21 1986

Jack C. Silver, Clerk
U.S. DISTRICT COURT

IN RE:) No. M-1417
ASBESTOS PERSONAL INJURY CASES) ASB- 139

DEFENDANT GARLOCK INC.'S RESPONSES TO
MASTER INTERROGATORIES OF PLAINTIFF ASB-11



COMES NOW the Defendant, Garlock Inc, and in response to Plaintiff's Master Interrogatories, the Defendant alleges and states the following:

GENERAL OBJECTIONS

1. The Interrogatories as stated, request information going back many years. Garlock has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. Therefore, the answers given are based on the present facts known or believed by Garlock at the time of its answer to be known.

2. Due to the very nature of being addressed to multiple Defendants who are responsible for a myriad of types of products, necessarily many of these Interrogatories are objectionable on the grounds of being overly broad, burdensome, vague and ambiguous. In addition, several of the Interrogatories are not sufficiently limited in time and use terms which do not refer to products manufactured by Garlock. These Interrogatories are

objectionable because they are irrelevant and immaterial to the allegations against this Defendant.

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

INTERROGATORY NO. 1: State the name, address, job title, length of time employed by Defendant, and a year-by-year listing of all other positions, titles, or jobs held with Defendant of each person who has supplied information used in answering these Interrogatories.

ANSWER TO INTERROGATORY NO. 1: Information used to answer these Interrogatories was gathered from Answers to Interrogatories previously filed in this and other jurisdictions over the last several years and involved obtaining and confirming information from many present and former employees. The names of the individuals who provided the information include: Clayton M. Jewett, former Manager of Marketing-Gasket Products, Garlock Inc, P.O. Box 3401, Incline Village, Nevada 89450; Roy L. Whittaker, Director, Engineering, Industrial Packing, Garlock Inc, 1666 Division Street, Palmyra, New York 14522; and, Richard

W. Watson, Paralegal and Patent Agent, 1666 Division Street, Palmyra, New York 14522. Garlock objects to the remainder of the Interrogatory on the grounds that it is unduly burdensome, unnecessary, irrelevant, and harassing.

INTERROGATORY NO. 2: State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Oklahoma.

ANSWER TO INTERROGATORY NO. 2: Garlock Inc is an Ohio corporation with its corporate offices at 430 Park Avenue, New York, New York 10022 and maintains its principal place of business at 1666 Division Street, Palmyra, New York 14522. Defendant is uncertain as to what a "Certificate of Authority" is, but states that it is a registered corporation in good standing within the State of Oklahoma.

INTERROGATORY NO. 3: Has Defendant or any of its subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers?

ANSWER TO INTERROGATORY NO. 3: No.

INTERROGATORY NO. 4: Has Defendant or any of its subsidiary companies at any time engaged in the manufacture and sale of products containing asbestos fibers?

ANSWER TO INTERROGATORY NO. 4: Yes.

INTERROGATORY NO. 5: Has Defendant or any of its subsidiary companies at any time engaged in the marketing and sale of products containing asbestos fibers?

ANSWER TO INTERROGATORY NO. 5: Yes.

INTERROGATORY NO. 6: If the Answer to one or more of the last three Interrogatories is in the affirmative, state as to each affirmative answer the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products, mined, manufactured, marketed, and/or sold.
- D. The date of each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos in each product.

- F. The date each of the products was removed from the market and the reason or reasons therefore.
- G. A description of the physical appearance of each of the named products.
- H. A detailed description of the intended uses of the named products.

ANSWER TO INTERROGATORY NO. 6: Garlock objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only Garlock products at issue in this case are those to which Plaintiffs allege to have been exposed.

Notwithstanding and without waiving the foregoing objections, Garlock states that the Garlock Packing Company was originally incorporated in New York on March 27, 1905. On April 25, 1960, the name was changed to Garlock Inc. On March 3, 1975, a Delaware corporation of the same name was incorporated and on May 12, 1975, the New York corporation was merged into the Delaware corporation. On November 25, 1975, Colt Industries of Ohio was incorporated in the State of Ohio and on January 28, 1976, Garlock Inc was merged into Colt Industries of Ohio which immediately changed its name to Garlock Inc.

In past years, Garlock acquired four subsidiary companies which made and/or sold at least some asbestos-containing products. Those companies were the Belmont Packing & Rubber

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

Garlock states that since at least as early as 1907, it has produced and sold asbestos-containing gasketing and packing products. Garlock is not, and has never been a manufacturer or seller of asbestos-containing thermal insulation materials as that term is commonly used and understood in this litigation. All of its products, both those containing asbestos and those

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

The specific products which Garlock has and does manufacture are asbestos sheet (from which the purchaser cuts gaskets), asbestos gaskets and asbestos packing. Garlock asbestos sheet is a mixture of asbestos fibers, curing agents, reinforcing fillers and elastomers (natural rubber or synthetic polymers having the elastic qualities of rubber). Asbestos fibers are machine blended with the rest of the mixture until they are thoroughly coated. The entire compound is then heated and rolled into sheets and is continually compressed to form a tough, impermeable, homogeneous material that looks like linoleum.

Other gasket materials are made from woven, long fiber, asbestos yarn impregnated and encased in a rubberized coating. Other gaskets have had asbestos encased by layers of metal or encapsulated with a P.T.F.E. (polytetrafluoroethylene) resin envelope. Garlock asbestos packing materials consisted of woven asbestos encapsulated in either elastomeric compounds or metal

foils and/or impregnated with lubricants.

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

Finished compressed asbestos sheet is either cut into gaskets by Garlock or sold for use by others in cutting gaskets. Garlock's flexible and durable gasketing material is handled, installed and removed in all intended applications without releasing meaningful quantities, if any, of asbestos fibers into the air. Garlock's compressed asbestos sheets and gaskets are treated with an anti-stick releasing agent which reduces any tendency of the gaskets to adhere to pipe flanges during removal and replacement. This anti-stick agent facilitates the removal of old gaskets without generating dust. Other Garlock products come in specific sizes for application and do not generally require modification before or during application or use. Garlock objects to portions of this Interrogatory until such time as proper orders are entered concerning the production of proprietary information. Notwithstanding and without waiving the foregoing objections, Garlock states that from 95% to 98% of its asbestos-containing products have been made only with chrysotile asbestos fibers and that the remaining 2% and 5% of such products have been made with crocidolite asbestos fibers.

Introduction, distribution, improvement, modification and discontinuance of styles of all kinds has been a continuing process at Garlock. Over the years, Garlock has discontinued the manufacture and sale of numerous styles of asbestos-containing products. The reasons were basically economic in that the market for the particular product was such that the manufacture and sale was not profitable. Also, as new and better products have been introduced, older products have become obsolete and unprofitable.

INTERROGATORY NO. 7: Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in Interrogatory No. 6? If so, for each product, please state:

- A. The number of each patent and the date it was issued.
- B. The number and date filed for each pending patent application.

ANSWER TO INTERROGATORY NO. 7: No.

INTERROGATORY NO. 8: Have any of the products listed in Interrogatory No. 6 been altered in chemical composition since first being marketed? If so, state:

- A. The trade name of each of those products.
- B. The date each of the named products was altered.
- C. The nature of the alteration.
- D. The reason for the alteration.

E. The names of all persons involved in the decision to alter the product(s).

ANSWER TO INTERROGATORY NO. 8: Garlock objects to this Interrogatory on the same grounds as its Answer to Interrogatory No. 6, that is, that it is ambiguous and overly broad, unduly burdensome and is not reasonably calculated to lead to discovery of admissible or relevant material. In addition, it asks for information beyond the scope of the products which have been alleged by the Plaintiff to be involved in this lawsuit.

Notwithstanding and without waiving the foregoing objections, Garlock answers that it has made many changes in its products over the years which would amount to a change in chemistry. Some changes have not been recorded in writing while other changes are in writing, but it would be unduly burdensome for Garlock to have to make a detailed search of such changes. Changes were made for many reasons, including cost reduction, improved performance or because materials were no longer available.

INTERROGATORY NO. 9: State the name, address, and job title of each person who participated in the design and preparation of the manufacturing specifications for each product listed in Interrogatory No. 6.

ANSWER TO INTERROGATORY NO. 9: Garlock objects to this Interrogatory on the same grounds as set out in its Answer to Interrogatory No. 6. Notwithstanding and without waiving the

foregoing objections, Garlock states that the design and/or development of new products and the improvement of existing Garlock products has been the responsibility of the technical staff involved in each particular project. Any records which remain in the possession of Garlock would be in the custody of, or available to, the Garlock engineering management staff.

INTERROGATORY NO. 10: Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER TO INTERROGATORY NO. 10: See Answer to Interrogatory No. 9.

INTERROGATORY NO. 11: Before releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards involved in the use of materials contained in those products? If the Answer is affirmative, state:

- A. The names of the products tested.
- B. The name, address, and job title of each

person conducting the tests.

- C. The results of the tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of the tests.

ANSWER TO INTERROGATORY NO. 11: Garlock reasserts the objections listed in Interrogatory No. 6. Without waiving such objection, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any evidence or reason to believe that Garlock products pose any health hazard, potential or otherwise, to persons using said products. Garlock products pose no health hazard, potential or otherwise, to persons using such products. Garlock has had the following studies conducted for it by industrial hygienists: "The Actual Occupational Exposure to Airborne Asbestos Released by Garlock Spiral Wound, Braided and Encapsulated Gaskets" by Carl A. Mangold, CIH (December 1982); "The Actual Contribution of Garlock Asbestos Gasket Materials to the Occupational Exposure to Asbestos Workers" by Carl A. Mangold, CIH (October 1982); "Asbestos Fibers in the Ambient Air in the Greater San Francisco Area" by Carl A. Mangold, CIH (March 1983); "Ambient Asbestos Fiber Levels in the Metropolitan Areas of Norfolk-Portsmouth-Newport News, Virginia" by Joseph D. Wendlick, CIH (December 1983); "The Actual

Contribution of Asbestos Fiber Exposure During Gasket Removal from Pipe Flanges Aboard Ship" by Carl A. Mangold, CIH (November 1983); "The Actual Release of Asbestos Fibers from New, Used and Flanged Garlock Inc Asbestos Gasket Materials" by Carl A. Mangold, CIH (September 1985); "Occupational Exposures During Processing, Handling, Installation and Removal of Garlock Asbestos-Containing Gaskets" by Martin R. Bennett and Richard L. Hatfield (June 1985); "Garlock Inc Gasket Materials - A Comparison of the Tyndall Phenomena to the Actual Concentration of Asbestos Fibers in the Breathing Zone of Workers" by Carl A. Mangold, CIH (July 1986).

INTERROGATORY NO. 12: Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the named products now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER TO INTERROGATORY NO. 12: See Answer to Interrogatory No. 11.

INTERROGATORY NO. 13: Did Defendant or any of its subsidiary companies make any design changes as a result of those tests? If the Answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made.

- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change.

ANSWER TO INTERROGATORY NO. 13: No.

INTERROGATORY NO. 14: After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards involved in the use of materials contained in those products? If the Answer is affirmative, state:

- A. The names of the products tested.
B. The name, address, and job title of each person who conducted those tests.
C. The results of those tests.

ANSWER TO INTERROGATORY NO. 14: See Answer to Interrogatory No. 11.

INTERROGATORY NO. 15: Do any document, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so state:

- A. The name of each product.
B. A description of each document.
C. The name, address, and job title of each person who currently has possession of

each document, and where it is presently located.

ANSWER TO INTERROGATORY NO. 15: See Answer to Interrogatory No. 11.

INTERROGATORY NO. 16: Did Defendant or any of its subsidiary companies make any design changes as a result of the tests outlined in Interrogatory No. 14? If the Answer is affirmative, state:

- A. The names of the products changed.
- B. The name, address, and job title of each person responsible for having made a change.
- C. The nature of the hazard or defect which resulted in such change.

ANSWER TO INTERROGATORY NO. 16: No.

INTERROGATORY NO. 17: Has Defendant or any of its subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, or other written material of any kind or character containing any warnings concerning the possibility of injury resulting from the use of the products listed in Interrogatory No. 6? If so, state:

- A. The names of the relevant products.
- B. The wording of each warning.
- C. A description of the other printed material.

- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was issued.
- F. The name, address, and job title of each person responsible for having issued the warning.
- G. The current location of any remaining literature and the custodian thereof.
- H. The form in which such literature can be accessed, i.e., the manner in which such literature is indexed.
- I. Whether you will permit Plaintiff access to the literature for discovery purposes outside a formal discovery request.

ANSWER TO INTERROGATORY NO. 17: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objections, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products poses

any health hazard, or any significant possibility of inhalation of asbestos fibers.

The asbestos fibers in Garlock products are encapsulated or otherwise retained, and, therefore, fall within the exception provided in the OSHA regulations requiring warnings on asbestos products and materials. Nevertheless, Garlock places the warning set forth in section 1910.1001, paragraph 2(ii) of the OSHA regulations on its asbestos-containing products. The warning reads: "CAUTION; Contains Asbestos fibers. Avoid creating dust. Breathing Asbestos dust may cause serious bodily harm." This warning has been present on all Garlock asbestos-containing products since late 1977.

A similar warning notice has been contained in product literature published since 1977 that describes one or more asbestos-containing products.

See attached Exhibit One.

INTERROGATORY NO. 18: Have you received notice that any other person is claiming or has claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its subsidiaries, either before or after the filing of this action? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.

- E. The name and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim currently pending.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER TO INTERROGATORY NO. 18: Garlock objects to this Interrogatory on the grounds that it is unduly burdensome, irrelevant to any issue in these cases and is not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states it has been named a party in numerous cases involving user exposure to asbestos-containing products, along with numerous Defendants. No Plaintiff has ever presented evidence that Garlock asbestos-containing products, upon reasonable use, emit harmful levels, if any, of asbestos. No judgment has been rendered against Garlock in any asbestos claim.

INTERROGATORY NO. 19: Are or were your asbestos products marketed and sold by companies other than your own? If the Answer is affirmative, list the names and addresses of each of those companies.

ANSWER TO INTERROGATORY NO. 19: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, does not call for relevant evidence and is not calcu-

lated to lead to the discovery of admissible evidence. Further, the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that most of its product sales were on a direct basis until the mid-1960's. At that time, the decision was made to utilize distributors for sales to maintenance and repair customers and after a conversation period of several years, the majority of Garlock product sales were made through distributors. Garlock has continued to sell directly to original equipment manufacturers who use Garlock products in making their products. A recent list of Garlock distributors in Oklahoma is attached as Exhibit Two.

INTERROGATORY NO. 20: Did you or any of your predecessors, successors, or subsidiaries have any distributors of asbestos products in the State of Oklahoma? If so, state:

- A. The name and address of each such distributor.
- B. The years in which such company or person distributed your products.
- C. What products were distributed and in what years.

ANSWER TO INTERROGATORY NO. 20: See Answer to Interrogatory No. 19.

INTERROGATORY NO. 21: List each individual who has

acted in a medical advisory capacity to your company in the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address and job title of each of those individuals.

ANSWER TO INTERROGATORY NO. 21: Garlock has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research. Garlock has had four part-time plant physicians since 1920. They are as follows:

<u>Name</u>	<u>Dates of Service</u>
Dr. C. C. Nesbitt (deceased)	08/30/20 - 08/01/56
Dr. J. D. Bramer (deceased)	08/01/56 - 07/24/72
Dr. K. K. Kapur 1269 Pittsford Palmyra Road Macedon, N.Y. 14502	10/23/72 - 08/14/79
Dr. William G. Fallon 602 7th Street Liverpool, N.Y. 13088	10/31/79 - 03/01/88

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

INTERROGATORY NO. 22: Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each publication.
- B. The date of publication and the names of the author and publisher.
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER TO INTERROGATORY NO. 22: Garlock objects to this Interrogatory on the grounds that it is ambiguous and overly broad, unduly burdensome and is not reasonably calculated to lead to the discovery of admissible or relevant material. Subject to these objections and without waiving them, Garlock answers that the materials of the variety described are all public documents and as well-known to counsel for Plaintiff as they are to this Defendant. Garlock, therefore, objects to naming such publications.

INTERROGATORY NO. 23: Has Defendant or any of its subsidiary companies at any time been a member of any trade organization or association comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such asso-

ciation or organization.

- B. The dates during which Defendant or any of its subsidiaries were members.
- C. The names and dates of any publications, minutes, or reports of any kind published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publications.
 - 4. The method or manner in which such publications are maintained.
- E. Whether you would be willing to produce such publications to Plaintiff outside a formal discovery request.

ANSWER TO INTERROGATORY NO. 23: Garlock objects to this Interrogatory on the grounds that it is overly broad and beyond the scope of the issues raised by the Plaintiff in this case and will not lead to the discovery of admissible or other relevant material. Notwithstanding and without waiving the foregoing

objections, Garlock states that it has been a member of five organizations, each of which may have dealt with asbestos-containing products:

1. The Fluid Sealing Association (formerly Mechanical Packing Association), 2017 Walnut Street, Philadelphia, Pennsylvania 19103 (member from 1933 to present).
2. Asbestos Textile Institute, Inc., P.O. Box 471, 131 North York Road, Willow Grove, Pennsylvania 19090 (member from approximately 1966 to 1979).
3. Asbestos Information Association of North America, 1975 K Street, Washington, D.C. 20006 (member from approximately 1974 to 1980).
4. American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103 (member from 1945 to present).
5. National Safety Council, 444 North Michigan Avenue, Chicago, Illinois 60611 (member from 1922 to present).

INTERROGATORY NO. 24: Identify by name and location each plant in which the products listed in your Answer to Interrogatory No. 6 were manufactured and/or assembled, spe-

cifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced.

ANSWER TO INTERROGATORY NO. 24: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence and for the further reason that the only products at issue in this case are those to which Plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that the vast majority of its asbestos-containing sealing products have been made and sold by its facilities in Palmyra, New York, now identified as the Garlock Mechanical Packing Division.

INTERROGATORY NO. 25: List the name and address of each business entity from whom you have received raw asbestos, the dates it was received, the amounts received, and to whom the raw asbestos was shipped.

ANSWER TO INTERROGATORY NO. 25: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and irrelevant. Further objection is made on the grounds that the information requested would not lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that its principal suppliers of raw asbestos have been Lake Asbestos of Quebec, Johns-Manville and Bell Asbestos Mines.

INTERROGATORY NO. 26: Has your company ever purchased products containing asbestos from any other manufacturer for resale? If so, state from whom, what was purchased, dates of purchase, to whom resale was made, and under what name or label.

ANSWER TO INTERROGATORY NO. 26: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence, and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that the vast majority of its products have been self-manufactured. However, from time to time, Garlock has purchased a few asbestos-containing products from other manufacturers for resale, but there is no reason to believe that such products are germane to this litigation.

INTERROGATORY NO. 27: Have sale materials been prepared by Defendant or any of its subsidiary companies or their agents for purposes of marketing or advertising asbestos products? If so, state:

- A. The name, address, and job title of each person or entity who prepared it.
- B. The name, address, and job title of each person who currently has possession of it and its present location.

- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER TO INTERROGATORY NO. 27: Garlock objects to this Interrogatory as being overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that over the years it has prepared hundreds of writings, instruction sheets, brochures and the like regarding its products. The majority of said writings have long since been discarded. All existing writings are available for inspection and copying at Garlock Inc, 1666 Division Street, Palmyra, New York.

INTERROGATORY NO. 28: Have any written materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared it.
- B. The name, address, and job title of each person who currently has possession of it and its present location.
- C. The dates of distribution and the manner in which the materials were distributed to purchasers of Defendant's products.

ANSWER TO INTERROGATORY NO. 30: Garlock expects to call witnesses at any Trial of these cases. However, until discovery is further advanced and more is known about the claims made by the Plaintiffs, Garlock is unable to state which expert witnesses will be used. Garlock states that it will abide by the precepts of the Federal Rules of Civil Procedure and the Discovery Code in the supplementing of these Answers.

INTERROGATORY NO. 31: As to the disease asbestosis, state:

- A. The date on which Defendant learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the disease.
- C. Who within the company discovered the adverse consequences or effects.
- D. What information was disseminated within Defendant's company regarding such adverse consequences or effects.
- E. Whether such information is still maintained by Defendant.
- F. Who is the custodian of such information.

ANSWER TO INTERROGATORY NO. 31: Garlock objects to this Interrogatory on the grounds that it calls for an expert medical

opinion which Garlock is not qualified to give. Notwithstanding and without waiving the foregoing objection, some Garlock personnel have been aware for a number of years that excessive exposure to asbestos dust may be hazardous to one's health. However, Garlock is unable to pinpoint when or how such personnel first became aware of the possible health hazard. There has never been any evidence or reason to believe that Garlock products, through normal use, have caused or contributed to any hazardous condition, potential or otherwise, since they are bonded and/or encapsulated.

INTERROGATORY NO. 32: As to the disease lung cancer, state:

- A. The date on which Defendant learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the disease.
- C. Who within the company discovered the adverse consequences or effects.
- D. What information was disseminated within Defendant's company regarding such adverse consequences or effects.
- E. Whether such information is still maintained by Defendant.
- F. Who is the custodian of such information.

ANSWER TO INTERROGATORY NO. 32: See Answer to Interrogatory No. 31.

INTERROGATORY NO. 33: As to the pleural disease, state:

- A. The date on which Defendant learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the disease.
- C. Who within the company discovered the adverse consequences or effects.
- D. What information was disseminated within Defendant's company regarding such adverse consequences or effects.
- E. Whether such information is still maintained by Defendant.
- F. Who is the custodian of such information.

ANSWER TO INTERROGATORY NO. 33: See Answer to Interrogatory No. 31.

INTERROGATORY NO. 34: As to the disease mesothelioma, state:

- A. The date on which Defendant learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the disease.
- C. Who within the company discovered the adverse consequences or effects.
- D. What information was disseminated within

Defendant's company regarding such adverse consequences or effects.

E. Whether such information is still maintained by Defendant.

F. Who is the custodian of such information.

ANSWER TO INTERROGATORY NO. 34: See Answer to Interrogatory No. 31.

INTERROGATORY NO. 35: As to other cancers of the body, state:

A. The type of cancer and the date on which Defendant learned such disease was caused by inhalation of asbestos fibers by humans.

B. How and of what disease Defendant became aware.

C. Who within the company discovered the adverse consequences or effects.

D. What information was disseminated within Defendant's company regarding such adverse consequences or effects.

E. Whether such information is still maintained by Defendant.

F. Who is the custodian of such information.

ANSWER TO INTERROGATORY NO. 35: See Answer to Interrogatory No. 31.

INTERROGATORY NO. 36: Does Defendant contend that asbestos products can be manufactured so as to eliminate all potential health hazards to persons working with them? If the Answer is affirmative, explain in detail, and attach any studies or surveys that confirm same.

ANSWER TO INTERROGATORY NO. 36: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, ambiguous, not reasonably calculated to lead to the discovery of admissible or relevant material and it calls for speculation on the part of Garlock as to asbestos-containing products manufactured by others. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any evidence or reason to believe that Garlock asbestos-containing products pose a health hazard, potential or otherwise, to persons using said products. Garlock products pose no health hazard, potential or otherwise to persons using such products.

INTERROGATORY NO. 37: Describe in detail the types of packages which Defendant or any of its subsidiary companies used to sell asbestos material, listing the dates each type of package was used, a physical description of each type of package, a description of any printed material or trademarks that appeared thereon, and attach photographs of such products if available.

ANSWER TO INTERROGATORY NO. 37: Garlock objects to this

Interrogatory on the grounds that it is overly broad and burdensome, and that it is beyond the scope of the products named by the Plaintiff to which he alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it does not have records which would indicate when it started and/or stopped using any particular type or style of packaging. For probably at least 50 years, the dominant colors of our packaging materials have been yellow, red and black. Sometimes black had predominated, and other times yellow has been the dominant color. However, the three colors have usually been used together.

The form in which Garlock asbestos material is shipped varies, depending upon the size and configuration of each item, the number of items called for by the customer's order and the customer's own desires. Among the containers used are burlap bags, cardboard boxes and wooden crates. In addition, asbestos sheet is occasionally shipped flat on wooden pallets. In addition, Garlock would object to the request set forth in this Interrogatory to attach documents to the Answers on the grounds that such request is improper for this type of discovery. Such request is more properly raised in a request for production of documents, pursuant to Federal Rules of Civil Procedure, Rule 34.

INTERROGATORY NO. 38: Has Defendant or any of its subsidiary companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, con-

cerning asbestos materials? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products under the agreement.
- B. The trade name affixed to those products.
- C. The periods to time covered by each such agreement.
- D. The volume, in dollar amount, of the transaction.
- E. The purchaser of the products.

ANSWER TO INTERROGATORY NO. 38: Garlock has no record, knowledge or recollection of any such agreement.

INTERROGATORY NO. 39: List the name and address of each company from which you purchased asbestos materials, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER TO INTERROGATORY NO. 39: See Answers to Interrogatories No. 25 and No. 26.

INTERROGATORY NO. 40: Does Defendant or any of its subsidiaries currently have possession of any writings or contracts on those rebranding agreements set forth in the Answer to Interrogatory No. 34? If the Answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.

- B. A brief description of each such document, including the date and parties' signature.

ANSWER TO INTERROGATORY NO. 40: Not applicable.

INTERROGATORY NO. 41: Prior to 1968, has any person filed a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she has contracted a disease from inhaling asbestos fibers? If so provide:

- A. A list of the claims, including each claimant's name, address and date each claim was filed, including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The person having custody of the records pertaining to each such claim.

ANSWER TO INTERROGATORY NO. 41: Garlock objects to this Interrogatory on the grounds that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The Plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left

Garlock's facilities.

INTERROGATORY NO. 42: Does Defendant admit that it or any of its subsidiaries maintain minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter covered within these Interrogatories. If so, for each such set of minutes, state:

- A. The general subject matter discussed.
- B. The dates of each such meeting.
- C. Who was in attendance.
- D. Where and by whom the minutes are maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER TO INTERROGATORY NO. 42: No.

INTERROGATORY NO. 43: Do you currently manufacture any products containing asbestos? If so, state:

- A. As to each product, state whether such product was mined, manufactured, and/or marketed or sold.
- B. The names of the companies mining, manu-

facturing, marketing and/or selling each of those products.

- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. The date each of the products was removed from the market and the reason or reasons therefore.
- G. A description of the physical appearance of such product.
- H. A detailed description of the intended uses of each of the named products.

ANSWER TO INTERROGATORY NO. 43: Yes. Garlock manufactures some gaskets and gasket materials containing asbestos. See Answer to Interrogatory No. 6.

INTERROGATORY NO. 44: State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents

of a similar nature relating to asbestos products mined, manufactured, marketed, or sold. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product etc., and if by product, whether kept according to asbestos or non-asbestos.
- E. Whether you will permit Plaintiff access to those documents for discovery purposes outside a formal discovery request.

ANSWER TO INTERROGATORY NO. 44: Garlock objects to this Interrogatory on the grounds that the request is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that it does have a record retention policy, a description of which is attached as Exhibit Three. Any request for examination of the documents referred to is more properly raised pursuant to Federal Rules of Civil Procedure, Rule 34.

INTERROGATORY NO. 45: Do you expect to call company representatives as witnesses at the Trial of these cases? If so, list:

- A. The name, address, and job title of each company representative to be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. Any and all previous times that the witness has either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition.

ANSWER TO INTERROGATORY NO. 45: See Answer to Interrogatory No. 30.

INTERROGATORY NO. 46: In what year did Defendant begin selling or distributing products containing asbestos?

ANSWER TO INTERROGATORY NO. 46: See Answer to Interrogatory No. 6.

INTERROGATORY NO. 47: In what year did Defendant last sell products containing asbestos?

ANSWER TO INTERROGATORY NO. 47: See Answer to Interrogatory No. 43.

INTERROGATORY NO. 48: Has Defendant ever acquired

through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted to supply products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not authorized to transact business in the State of Oklahoma;
- F. Attach copies of all papers pertaining to the acquisition.

ANSWER TO INTERROGATORY NO. 48: See Answer to Interrogatory No. 6.

INTERROGATORY NO. 49: Was each of your products generally expected to reach, or was packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER TO INTERROGATORY NO. 49: Yes. However, Garlock does sell gasket sheets and other packing materials that may be cut to proper size by the user or pre-cut by Garlock.

INTERROGATORY NO. 50: Do you admit that asbestos appli-

cators, helpers, mechanics, pipefitter/welders, and/or other construction trade crafts were foreseeable users of Defendant's asbestos-containing products, such as:

- A. Pipe covering;
- B. Blocks;
- C. Asbestos cloth;
- D. Mastics;
- E. Spray-on insulation;
- F. Rope or tape
- G. Asbestos sheeting or millboard;
- H. Cements;
- I. Gaskets or gasket materials.

ANSWER TO INTERROGATORY NO. 50: Garlock objects to this Interrogatory as being overly broad, unduly burdensome and for the further reason that it assumes the truth of matters in dispute in this litigation, specifically that Garlock manufactures asbestos-containing insulation and construction products. In addition, Garlock objects on the grounds that this request is improper for this type of discovery request. Such requests for admissions are more properly raised pursuant to Federal Rule of Civil Procedure, Rule 36. Without waiving such objections, neither Garlock nor its subsidiaries manufacture or sell, and have never manufactured or sold, asbestos-containing insulation and/or building construction products as those terms are commonly used and understood in this litigation. Garlock sealing products

are commonly used by pipefitters, maintenance mechanics and similar workers.

INTERROGATORY NO. 51: Based upon the material contents of your products, the method of manufacturing, and the method of application, can your products be generally applied without liberating asbestos fibers?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by exact manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER TO INTERROGATORY NO. 51: Yes. Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to person using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant

possibility of inhalation of asbestos fibers.

INTERROGATORY NO. 52: Was it a foreseeable use of your asbestos-containing products that they may have to be removed, stripped, or replaced at any time after installation?

ANSWER TO INTERROGATORY NO. 52: It is anticipated that Garlock sealing products, of whatever type of material, will have to be replaced from time to time.

INTERROGATORY NO. 53: Prior to 1970, did you or your predecessor(s) ever have any labor inspectors or anyone from your company whose job it was to go to areas where your products were being used or installed to make dust level counts? If so, state when this procedure started, the purpose of such procedure, and what action, if any, was taken in response to the findings, and attach the results.

ANSWER TO INTERROGATORY NO. 53: Garlock objects to this Interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock's products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any

significant possibility of inhalation of asbestos fibers.

INTERROGATORY NO. 54: If your company performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER TO INTERROGATORY NO. 54: See Answer to Interrogatory No. 53.

INTERROGATORY NO. 55: Has your company or its predecessor(s) ever conducted or caused to be conducted any studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;
- E. Attach copies of the studies.

ANSWER TO INTERROGATORY NO. 55: Garlock objects to this Interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock's products.

Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of asbestos fiber.

INTERROGATORY NO. 56: Does your company have, has it ever had, or has your predecessor(s) ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established.

- A. How much time and money was expended each year on research?
- B. What percentage of gross sales did your company or its predecessor spend on research concerning the health effects of asbestos?
- C. State in detail the purpose, duties, and responsibilities of such Research Department.

ANSWER TO INTERROGATORY NO. 56: A Research and Development Department existed during most of the 1940's. The exact dates of its formation and termination are not available.

A new Research and Development Department was established early in 1984 and functioned for approximately two years. In both instances, the Department worked on the development of new and/or improved products and processes.

INTERROGATORY NO. 57: Does your company have, or has it ever had, or has your predecessor ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address of each;
- D. State in detail the duties and responsibilities of such Medical Department.

ANSWER TO INTERROGATORY NO. 57: See Answer to Interrogatory No. 21.

INTERROGATORY NO. 58: Did your company or its predecessor(s) ever place any warning directly on any of its asbestos-containing products, such as pipe covering itself, block itself, cloth itself, or millboard itself?

ANSWER TO INTERROGATORY NO. 58: See Answer to Interrogatory No. 17.

INTERROGATORY NO. 59: Did your company ever stamp the name of the company, its initials, or any identifying logo on any of its asbestos pipe covering, blocks, cloth, millboard, or gasket material?

ANSWER TO INTERROGATORY NO. 59: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that some of its sealing products are labeled with the company name.

INTERROGATORY NO. 60: Has your company, or your predecessor(s), ever devised a high-temperature heat insulation which does not contain asbestos? If so, state the date that such insulation was first placed on the market.

ANSWER TO INTERROGATORY NO. 60: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 61: Did your company or its predecessor ever recall any products containing asbestos from the common market? If so, state:

A. All details of such recall;

- B. The name of the product recalled;
- C. The time of recall;
- D. Any further action taken in connection with the recall.

ANSWER TO INTERROGATORY NO. 61: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock would state that no recall has ever been made of products from the common market.

INTERROGATORY NO. 62: Prior to 1970, did your company, or any predecessor(s), ever manufacture or sell a high-temperature heat insulation which does not contain asbestos? If so, state the date such insulation was first placed on the market.

ANSWER TO INTERROGATORY NO. 62: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 63: If your company, or its predecessor(s), ever devised a high-temperature heat insulation which does not contain asbestos, state what prompted your company to devise such high-temperature heat insulation not containing asbestos.

ANSWER TO INTERROGATORY NO. 63: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 64: Has such high-temperature heat insulation not containing asbestos performed satisfactorily, e.g., is such insulation suitable for the purpose for which it is to be used?

ANSWER TO INTERROGATORY NO. 64: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 65: Give the trade names of your high-temperature heat insulation products which do not contain

asbestos, and state fully what such insulation contains.

ANSWER TO INTERROGATORY NO. 65: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 66: State the decade that there first existed manufacturing technology for commercial purposes, the use of chemical sand mineral for combining into a high-heat insulation product as a substitute for asbestos in insulation materials.

ANSWER TO INTERROGATORY NO. 66: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 67: To your company's knowledge, in what decade was fiberglass first commercially available for insulation over 350 degrees Fahrenheit?

ANSWER TO INTERROGATORY NO. 67: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly bur-

densome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 68: In what decade was each of the following products commercially available for use and sale:

- A. Fiberglass;
- B. Calcium silicate;
- C. Mineral wool;
- D. Rock wool;
- E. Foamglass;
- F. Ceramics;
- G. Wood pulp;
- H. Organic pulp.

ANSWER TO INTERROGATORY NO. 68: Garlock objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which Plaintiff alleges to have been exposed.

INTERROGATORY NO. 69: Did your company or any predecessor(s) ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If

so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

ANSWER TO INTERROGATORY NO. 69: No.

INTERROGATORY NO. 70: Did any division of your company or subsidiary company engaged in the contract business of applying insulation products, or your worker's compensation insurance carrier, ever have any claims for lung diseases or death from lung diseases, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or any exposure to asbestos products prior to 1972? If the Answer is affirmative, give the name of such employees and attach copies of such claims, along with copies of all documents relating to the disposition and handling of such claims.

ANSWER TO INTERROGATORY NO. 70: Garlock objects to this Interrogatory on the grounds that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The Plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left Garlock's facilities.

INTERROGATORY NO. 71: Was your Medical Department or Industrial Health Department or Industrial Hygienist responsible

for the screening of contracting unit employees?

ANSWER TO INTERROGATORY NO. 71: Not applicable.

INTERROGATORY NO. 72: Did your company or its predecessor(s) ever make any industrial hygiene surveys? If so, give the date of such surveys and attach copies.

ANSWER TO INTERROGATORY NO. 72: Garlock objects to this Interrogatory as being overly broad and vague. Without waiving such objections, Garlock would refer Plaintiff to Answer to Interrogatory No. 11.

INTERROGATORY NO. 73: As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. Attach copies of the instrument(s) communicating such advice.

ANSWER TO INTERROGATORY NO. 73: Garlock does not have those records which would be necessary for it to make a meaningful response to this Interrogatory. Garlock would further object to Plaintiff's request that copies be attached to this Interrogatory on the grounds that such request is improper. Such

request is more properly raised pursuant to Federal Rules of Civil Procedure, Rule 34.

INTERROGATORY NO. 74: Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 73 for total dust, and had not just asbestos dust?

ANSWER TO INTERROGATORY NO. 74: See Answer to Interrogatory No. 73.

INTERROGATORY NO. 75: State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using your asbestos-containing products.

ANSWER TO INTERROGATORY NO. 75: See Answer to Interrogatory No. 11.

INTERROGATORY NO. 76: When did any official with your company first have knowledge, information, or understanding that asbestos would, could, or might produce the disease of:

- A. Asbestosis;
- B. Mesothelioma;
- C. Lung cancer;
- D. Any other diseases.
- E. With reference to your company, give the name of the official who first had such knowledge, information, or understanding.

F. If there are any documents, records, or memoranda of any kind concerning such knowledge, list and attach copies of each.

ANSWER TO INTERROGATORY NO. 76: Garlock objects to this Interrogatory on the grounds that it calls for expert medical opinion which Garlock is not qualified to give. In addition, it assumes the truth of the matter in controversy in this case, specifically that exposure to asbestos causes the disease processes listed. Notwithstanding and without waiving the foregoing objection, some Garlock personnel had been aware for a number of years that excessive exposure to asbestos dust may be hazardous to one's health. Garlock is unable to pinpoint when or how such personnel first became aware of the possible health hazard. However, there has never been any evidence or reason to believe that Garlock products, through normal use, have caused or contributed to any hazardous condition, potential or otherwise, since they are bonded and/or encapsulated. Garlock further objects to

requests to attach documents as such requests are improper and more properly raised pursuant to Rules of Civil Procedure, Rule 34.

DATED this 24 day of June, 1988.

DURBIN, LARIMORE & BIALICK

By:

Stephen S. Boaz
STEPHEN S. BOAZ DBA #10620
920 North Harvey
Oklahoma City, OK 73102-2610
Telephone: 405/235-9584
Attorney for Garlock Inc.

I have read the above and foregoing Answers to Interrogatories and verify that same are true and correct to my best knowledge and belief.

Donald E. O'Keefe
DON O'KEEFE
Agent for Garlock Inc

SUBSCRIBED AND SWORN to before me this 15th day of June, 1988.

Annamaria Carlisi
Notary Public

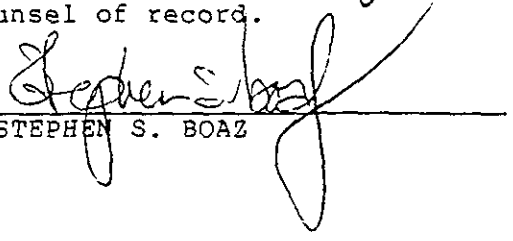
My Commission Expires:

8/31/89
(Seal)

ANNAMARIA CARLISI
Notary Public, State of New York
No. 03-4838163
Qualified in Bronx County
Commission Expires August 31, 1989

CERTIFICATE OF MAILING

This is to certify that on this 24 day of June, 1988, a true and correct copy of the above and foregoing was mailed, postage prepaid, to all counsel of record.


STEPHEN S. BOAZ