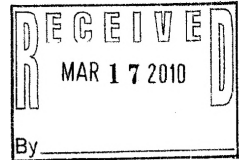


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DOCUMENT DESCRIPTION: Legal - Responses to Form Interrogatories
Set One



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8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

10 RHODA EVANS and BOBBY EVANS) (*Unlimited Civil Case*)
11)
12 Plaintiffs,) Case No.: BC 418867
13 v.) Judge: Conrad R. Aragon, Dept. 49
14) **RESPONSES TO FORM**
A.W. CHESTERTON COMPANY, et al.) **INTERROGATORIES SET ONE**
15 Defendants.) Date: February 5, 2010
16) Action Filed: July 29, 2009

17 **PROPOUNDING PARTIES: RHODA EVANS AND BOBBY EVANS**

18 **RESPONDING PARTY: KUBOTA CORPORATION**

19 **SET NO.: ONE**

20 Defendant **KUBOTA CORPORATION** (“Defendant” or “KUBOTA”) hereby responds
21 to Plaintiffs Rhoda Evans and Bobby Evans’ (“Plaintiffs”) Form Interrogatories, Set No. 1 as
22 follows:
23

24 **PRELIMINARY STATEMENT**

25 These responses are made solely for the purpose of, and in relation to, this action. Each
26 response is given subject to all appropriate objections including, but not limited to, objections
27 concerning competency, relevancy, materiality, propriety and admissibility, which would require
28 the exclusion of any statement contained herein where made by a witness present and testifying

1 in court. All such objections and grounds therefore are reserved, and may be interposed at the
2 time of trial.

3 It should be noted that this responding party has not fully completed its investigation of
4 the facts relating to this case, has not yet fully completed its discovery in this matter, and has not
5 completed its preparation for trial. All of the responses contained herein are based only upon
6 such information and documents which are presently available to and specifically known to this
7 responding party and disclose only those contentions which presently occur to such responding
8 party. It is anticipated that further discovery, independent investigation, legal research and
9 analysis will supply additional facts, add meaning to the known facts, as well as establish
10 entirely new factual conclusions and legal contentions, all of which may lead to substantial
11 additions to, changes in, and variations from the contentions herein set forth.

12 As Responding Party ceased the sale of asbestos cement pipe in 1975 and during the
13 ensuing 32 years, potentially knowledgeable witnesses have left the employ of the asbestos
14 cement pipe division of Kubota Corporation or have become deceased and, through standard
15 company record destruction policies, potentially responsive documents have been destroyed, it
16 should be noted that Responding Party lacks sufficient information and belief to respond to many
17 of the interrogatories. These responses are made on behalf of Kubota Corporation only with
18 regard to information existing during the time asbestos cement pipe was exported to the United
19 States.
20

21 The following responses are given without prejudice to Kubota Corporation's right to
22 produce evidence of any subsequently discovered facts which this responding party may later
23 recall. Kubota Corporation accordingly reserves the right to change any and all responses herein
24 as additional facts are ascertained, analyses are made, legal research is completed and
25 contentions are made. Any interrogatory deemed as continuing is objected to as oppressive, over
26 burdensome, improper, and not in compliance with *Code of Civil Procedure Sections 2033*, et
27 seq., and will not be regarded as continuing in nature.
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1 **RESPONSE TO FORM INTERROGATORY NO. 17.1**

2 See Preliminary Statement and General Objections. KUBOTA objects on the grounds
3 that this interrogatory is vague, overbroad, ambiguous, and not reasonably calculated to lead to
4 the discovery of admissible evidence. KUBOTA objects to the extent it calls for speculation or
5 information equally available to plaintiffs. Additionally, KUBOTA objects insofar as this
6 interrogatory seeks information protected by the attorney-client privilege and work product
7 doctrine. To the extent that the information requested by this interrogatory has already been
8 answered by KUBOTA in its responses to Standard Interrogatories and/or Special Interrogatories
9 propounded by plaintiffs, KUBOTA further objects under General Order No. 22's protection that
10 no party must answer any interrogatory more than one, and, therefore, as allowed under General
11 Order No. 22, KUBOTA incorporates herein such responses, copies of which plaintiffs already
12 have or will have in their possession. Finally, KUBOTA objects on the grounds that Los
13 Angeles General Order No. 22 only allows plaintiffs to serve one individual set of
14 interrogatories, and plaintiffs have already served a set of interrogatories on this defendant.
15

16 Dated: March 15 , 2010

17 WILSON, ELSER, MOSKOWITZ,

18 EDELMAN & DICKER LLP

19
20 By: 

21 Thomas C. Corless
22 Aide C. Ontiveros
23 Attorneys for Defendant.
24 KUBOTA CORPORATION
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PROOF OF SERVICE
1013a(3) CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 555 South Flower Street, 29th Floor, Los Angeles, California 90071.

On **March 15, 2010** I caused the foregoing document described as **DEFENDANT KUBOTA CORPORATION'S RESPONSES TO PLAINTIFFS' FORM INTERROGATORIES, SET ONE, No. 17.1** to be served on the interested parties in this action by placing a true copy thereof enclosed in seal envelopes addressed as follows:

SEE ATTACHED SERVICE LIST

[X] **(BY FACSIMILE)** I caused said document to be telephonically transmitted to each addressee's telecopier (Fax) number as noted on Proof of Service List

AND

[X] **(BY MAIL)** I caused such envelope(s) fully prepaid to be placed in the United States Mail at Los Angeles, California. I am "readily familiar" with the firm's practice of collection and processing correspondence or mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] **(BY OVERNIGHT-FEDERAL EXPRESS)** I caused said document(s) to be picked up by U.S. Federal Express Services for overnight delivery to the offices of the addressees listed on the Service List.

[] **(BY HAND DELIVERY/PERSONAL SERVICE)** I caused said document(s) to be personally delivered by a courier/attorney service to the addressee as noted on the Service list.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **March 15, 2010**, Los Angeles, California.


Irene Guzman-Buelna

SERVICE LIST
RHODA EVANS, et al. v. KUBOTA CORPORATION, et al.
Case No.: BC418867
Our File No.: 00495.06997

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