

FILE NAME: Azrock-Domco (AZD)

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DOCUMENT DESCRIPTION: Legal - Domco Responses to Plaintiffs Manufacturer Interrogatories

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS LITIGATION	)	
FILED BY MAUNE RAICHLE HARTLEY	)	
FRENCH & MUDD, LLC,	)	
	)	No. 95 AS ALL LIT
Plaintiffs.	)	
	)	
vs.	)	
	)	
DOMCO PRODUCTS TEXAS INC., F/K/A	)	
DOMCO INC. FLOOR PRODUCTS (TEXAS)	)	
F/K/A AZROCK INDUSTRIES, INC.,	)	
F/K/A UVALDE ROCK ASPHALT	)	
COMPANY (DOMCO), et al.,	)	
	)	
Defendants.	)	

RESPONSES OF DOMCO PRODUCTS TEXAS INC. TO
PLAINTIFFS'
MANUFACTURER INTERROGATORIES

COMES NOW, Defendant Domco. Products Texas Inc. (f/k/a Azrock Industries, Inc.)(hereinafter "Domco"), by and through its attorneys, Beth Kamp Veath and Brown and James P.C., and for its objections and answers to Plaintiff's Manufacturer Interrogatories hereby states:

THESE RESPONSES ARE SUPPLEMENTAL AND UPDATE RESPONSES TO ANY AND/OR ALL PREVIOUSLY FILED DISCOVERY RESPONSES FILED BY DOMCO PRODUCTS TEXAS INC. AND DOMCO PRODUCTS TEXAS, L.P. IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, MADISON COUNTY, ILLINOIS IN RESPONSE TO ANY AND ALL PLAINTIFFS' REQUESTS FOR WRITTEN DISCOVERY INCLUDING ANY AND ALL REQUESTS BY VARIOUS PLAINTIFFS' FIRMS

not, and may not have been, within the personal knowledge or possession or control of Domco, its employees or its agents.

3. Domco notes that certain of Plaintiffs' discovery requests seek the production or disclosure of communications prepared by or for Domco's lawyers, which communications (a) were made by or to legal counsel in anticipation of or in connection with litigation, or (b) reflect confidential and privileged communications between or among counsel, representatives of Domco and/or non-testifying experts retained for purposes of assisting Domco or its counsel in litigation. For purposes of responding to Plaintiffs' discovery, therefore, Domco will not produce or disclose such communications; in addition, Domco will not disclose or otherwise identify such communications in response to written discovery or on any listing of documents or things withheld from production.

4. Domco states that certain of Plaintiffs' discovery requests seek information about products that have not been put in issue by Plaintiffs' pleadings in this action. As such, Plaintiffs' discovery requests are an improper and unfair attempt by Plaintiffs to avoid their fundamental burden of establishing product identification as a basis for initiating this suit against Domco. Domco objects to the discovery requests to the extent that they are directed towards information and specifications about products that are not related in any way to Plaintiffs' case. Domco objects to Plaintiffs' discovery requests in their entirety on the grounds that requiring Domco to provide the requested information with respect to each and every asbestos-containing product that Domco allegedly designed, manufactured, distributed, supplied or sold, prior to requiring Plaintiffs to identify the specific Domco products, if any, to which they allege Plaintiff was exposed, is highly prejudicial.

Plaintiffs should be required to specifically identify to which, if any, of Domco's products Plaintiff was allegedly exposed. Only then, and if, such products contained asbestos should Domco be obliged to respond to proper discovery. Moreover, Plaintiffs seek discovery, which, if complied with fully, would require Domco to provide responses that are speculative and to incur unreasonable time and expense in searching for documents relating to products that the Plaintiffs have failed to identify. Moreover, as explained below, such discovery is unreasonable because, even if Plaintiffs

11. Domco objects to each and every discovery request to the extent that it is overly broad, unduly burdensome, and seeks to impose obligations not required under the Illinois Code of Civil Procedure and/or any applicable case management Order in this litigation.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person answering these interrogatories on behalf of Defendant.

ANSWER:

Frank Dolan, Senior Consultant, c/o Domco Products Texas Inc., 1705 Oliver Street, Houston, Texas 77007. Mr. Dolan was assisted by counsel for 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, including, but not limited to, identifying any and all records or documents reviewed and persons providing information.

ANSWER:

Responses have been obtained from investigations by person believed to be reliable and capable of ascertaining the facts in said Responses. On the basis of these investigations, and due to the best information and belief, the matters set forth in these Responses are true and correct. Previous discovery responses have been reviewed in addition to the following documents: product catalogs, installation manuals, advertisements, RFCI manuals/brochures, Defendant's tests on finished floor products done at the offices of Defendant in Houston and San Antonio, Texas and published tests relating to floor covering products.

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;
- i. 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:

Domco Products Texas, L.P. became Domeo Products Texas Inc. on December 10, 2008. Domco Products Texas, L.P. was formed on December 23, 1997 with Domco Inc. Floor Products (Texas) as general partner. Domco Inc. Floor Products (Texas) was known as Azrock Industries, Inc. from March 27, 1981 to December 4, 1996. Azrock Industries, Inc. was known as Elvalde Rock

Asphalt Company from its inception on June 13, 1912 to March 27, 1981. Domco Inc. Floor Products (Texas) changed its name to Tarkett Floor Products Texas Inc. on November 1, 2003 which merged with Domco Products Texas Inc. on December 31, 2008. Domco Products Texas Inc. is a Delaware corporation with its principal place of business at 1705 Oliver Street, Houston, TX 77007. Defendant does not have an agent for service of process in Illinois.

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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 3.

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.

ANSWER:

Objection. Defendant objects to this interrogatory because the requested information is beyond the scope of information relevant to Azrock Industries, n/k/a/ Domco Products Texas Inc., and is not relevant or reasonably calculated to lead to the discovery of admissible evidence.

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.

ANSWER:

Objection. Defendant objects to this interrogatory because the requested information is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Defendant responds as follows: See Response to Plaintiffs' Manufacturer Interrogatory No. 3 for corporate history.

INTERROGATORY NO.7:

With respect to each corporation, company, business or joint venture identified in response to Interrogatory No. 6 state:

- a. The type of business, conducted by such related company;
- b. The past and present business relationship(s) 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 6.

INTERROGATORY NO. 8:

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:

- 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:

Objection. Defendant objects to this interrogatory as unduly burdensome, overly broad, beyond the scope of information relevant to Azrock Industries, Inc. n/k/a Domco Products Texas Inc., and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: Any such information is unknown at this time, investigation continues. This response will be supplemented if any such applicable information becomes available.

INTERROGATORY NO. 9:

Has Defendant ever acquired -- through purchase, reorganization, merger, or through any other means -- another company, corporation or business which manufactured, sold, processed, distributed or contracted to apply, asbestos and/or asbestos-containing products?

ANSWER:

No.

INTERROGATORY NO. 10:

If the answer to Interrogatory No. 9 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, referring to, relating to or reflecting the acquisition.

ANSWER:

Not applicable.

INTERROGATORY NO. 11:

Other than any transaction identified in response to Interrogatories Nos. 9-10, 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, or 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; and/or
- c. The purchase/sale or transfer or liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

ANSWER:

No.

INTERROGATORY NO. 12:

If the answer to any sub-part of Interrogatory No. 11 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 11. Not Applicable.

INTERROGATORY NO. 13:

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:

- (a) Not Applicable
- (b) 1932 to October 1982
- (c) Not Applicable

INTERROGATORY NO. 14:

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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 13. Uvalde Rock Asphalt Company/Azrock Industries, Inc. did not specify, apply or install asbestos-containing products.

INTERROGATORY NO. 15:

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:

All sales were performed at Azrock's place of business in San Antonio, Texas and were made to wholesale distributors. Azrock has no direct knowledge of sales which its distributors may or may not have made. Nor does Azrock have direct knowledge of the first and last dates regarding sales, distribution, application or installation after products went to wholesale distributors.

INTERROGATORY NO. 16:

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;

- i. Specified; or
- j. Re-labeled.

ANSWER:

Uvalde Rock Asphalt Company/Azrock Industries, Inc. manufactured and distributed asphalt floor tile, vinyl asbestos floor tile and moulded wall cove base. They only distributed asphalt cutback adhesive. They did not apply, install, patent or specify these products. The products and time periods are as follows:

Asphalt products:

- Azrock Asphalt Tile 1932-1980
- Azrock Asphalt Industrial Tile 1933-1944
- Azrock Asphalt Carpet Tile 1933-1944
- Duraco Greaseproof Industrial Tile 1952-1957
- Azphlex Thermoplastic Tile 1951-1952
- Azphlex Vinylized Tile 1952-1961

Vinyl products:

- Azrock Vinyl Asbestos Tile 1965-1977
- Vina-Lux Reinforced Vinyl Tile 1952-1958
- Vina-Lux Vinyl Asbestos Tile 1958-1964
- Duraco Vinyl Industrial Tile 1958-1959
- Azrock Vinyl Composition Tile 1978-1982

Moulded Resilient Wall Cove Base:

- Azrock Asphalt Cove Base 1933-1952
- Vina-Lux Flexible Cove Base 1952-1957

Asphalt Cutback Adhesive (distributed only):

- Azrock Type Z 1933-1988

INTERROGATORY NO. 17:

With respect to each asbestos-containing product listed for each subpart of Interrogatory No.

16:

- 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 16 for products manufactured and sold by Uvalde Rock Asphalt Company/Azrock Industries, Inc. Uvalde Rock Asphalt Company/Azrock Industries, Inc. did not apply, install, patent or specify floor products. Azrock's Asphalt Cutback Adhesive Type Z was marketed under the Azrock trade name but was not manufactured by them. Sources of adhesive and dates purchased include:

Gulf States Asphalt Co., Inc. - 1969- 1988
601 Jefferson, Suite 535, Houston, TX 77002

W.W. Henry Company - 1976-1986
Foot of Whitehead Avenue, South River, New Jersey 00882

W.W. Henry Company - 1975-1986
5608 Soto Street, Huntington Park, California 90255

The Flintkote Company - 1933/34 to 1969
East Rutherford, New Jersey
New Orleans, Louisiana
Vernon, California

INTERROGATORY NO. 18:

With respect to each product listed in response to Interrogatory No. 16, 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;
- i. 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:

(a-b) Defendant's asphalt floor tile was a thoroughly blended composition of thermoplastic binder of asphaltic or resinous type, asbestos and other fibers and inert materials as fillers or pigments, formed under pressure while hot and cut to size. Fillers of calcium carbonate such as limestone, oyster shell and coral. Asbestos fibers of short fiber chrysotile. Periodic changes were made in the composition of these products, however, dates are unknown. Percentage of asbestos in these products was between 0.1 percent and approximately 20 percent.

Defendant's vinyl asbestos floor tile was a thoroughly blended composition of thermoplastic binder, asbestos fibers, mineral fillers, and pigments. Binder of polyvinyl chloride resin or a copolymer resin compound with suitable plasticizers and stabilizers, formed under pressure while hot and cut to size. Fillers of calcium carbonate such as limestone, oyster shell, coral and marble. Asbestos fibers of short fiber chrysotile. Periodic changes were made in the composition of these products, however, dates are unknown. Percentage of asbestos in these products was between 0.1 per cent and approximately 20 per cent.

Moulded Wall Cove Base: Composition generally similar to vinyl asbestos tile or asphalt tile with respect to its major constituents.

Azrock Cutback Adhesive: Liquid asphalt, solvent, asbestos fibers. Periodic changes were made in the composition of these products, however, dates are unknown. The percentage composition of this product is information proprietary to the manufacturer of the product and unknown to Defendant.

(c, h-i) Objection. Defendant objects to these subparts on the grounds that they are overly broad, unduly burdensome and vague. Subject to and without waiving the foregoing objections, Defendant responds as follows: Azrock Thru Onyx was completely reformulated to contain no asbestos fibers by January 1977. By October 4, 1982, the entire product line was completely reformulated to eliminate the use of asbestos, based on a variety of factors including modified federal specifications which allowed for non-asbestos products, improved manufacturing processes, and marketing considerations. Senior management at Azrock, including Mr. Clark, were involved in making the reformulation decision.

(d) Objection. Defendant objects on the grounds that subpart is vague and unduly burdensome as to the variety of products manufactured over 50 years. Subject to and without waiving the foregoing objections, Defendant responds as follows: See Response to Interrogatory No. 24.

(e) Azrock's 12"x12" or 9"x9" tile products were of various colors and patterns.

(f) See Response to Plaintiffs' Manufacturer Interrogatory No. 16.

(g) Not applicable.

(i) The addition of asbestos provided strength, consistency, dimensional stability, and processibility to floor tile, which could not be achieved at the same levels at that time under then-existing manufacturing equipment controls.

To be in compliance with the U.S. Government Federal Specifications for asphalt floor tile, the use of asbestos fiber was required. The applicable federal specifications for asphalt floor tile have been:

1. SS-I-306, issued May 1, 1934;
2. SS-T-306a, issued May 18, 1943;
3. SS-T-306b, issued July 14, 1952;
4. SS-T-312, Type I issued June 2, 1966;
5. SS-T-312a, Type I issued May 30, 1972;
6. SS-T-312b, Type I issued October 10, 1974;

The U.S. Government Federal Specifications for vinyl asbestos tile required the use of asbestos fiber as an ingredient to comply with its specifications until amended on November 14, 1970, to change the product description from vinyl asbestos floor tile to vinyl composition floor tile, allowing the product to be made with or without asbestos fibers.

The federal specifications for vinyl asbestos floor tile have been.

1. L-I-751 (GSA-FSS) Interim Federal Specification issued March 18, 1952;
2. L-I-00345 (COM-NBS) Interim Federal Specification issued August 28, 1959;
3. SS-T-312, Type IV issued June 2, 1966;
4. SS-T-312a, Type IV issued May 30, 1972;

5. SS-T-312b, Type IV issued October 10, 1974;
6. SS-T-312b, Interim Amendment-1 (YD) issued November 14, 1979.

Only after technological developments and computer control systems became available was it possible to reformulate this type of product, eliminating asbestos fibers, and still produce a reliable and quality product.

INTERROGATORY NO. 19:

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. 16.

ANSWER:

Objection. Defendant objects to this interrogatory as overly broad, vague and unduly burdensome. Subject to and without waiving the foregoing objections, Defendant responds as follows: Given the lengthy passage of time since October 4, 1982, the date Azrock Industries, Inc. last manufactured asbestos-containing floor tiles, employees with the knowledge described in this interrogatory are deceased or retired. Retired employees include Henry A. Carrington, Richard Zaruba, Calvin Robertson, C. Wayne Crow, and Frank Dolan.

INTERROGATORY NO. 20:

Were any of the products, which were listed in response to Interrogatory No. 16 as having been specified, sold, distributed, applied or installed by Defendant, its predecessor or related company(ies), purchased from another company and re-labeled 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 17 for Azrock's Asphalt Cutback Adhesive Type Z.

INTERROGATORY NO. 21:

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:
 - (i) 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:

No

INTERROGATORY NO. 22:

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 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. 23:

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. 24:

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. 16.

ANSWER:

Objection. Defendant objects to this Interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant cannot identify the source of the chrysotile asbestos prior to 1942. Uvalde Rock Asphalt Company and subsequently Azrock Industries, Inc. purchased only chrysotile asbestos fiber from the following suppliers for the years noted:

<u>Asbestos Supplier</u>	<u>Dates</u>
Carey Canadian Mines Ltd., East Broughton Station, Quebec, Canada	1942 to 1955
Johns-Manville Sales Corp., Manville, New Jersey	1950 to 1957
Huxley-Westfried Corp., 350 Fifth Ave., New York, New York 10020	1955 to 1956
Huxley Development Corp., Time & Life Bldg., Rockefeller Center, New York, New York 10020	1957 to 1974
Union Carbide Corp., Mining and Metal Div., P.O. Box 579, Niagara Falls, New York 14302	February 1974 to 1982

INTERROGATORY NO. 25:

With respect to each and every product listed in response to Interrogatory No. 16, 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:

Objection. Defendant objects to this interrogatory as overly broad, vague and not likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: Virtually everyone who could have described the original changes in cartons is deceased. Upon information and belief the basic character of the carton in which tile was packaged has been similar for the relevant times. Cartons have been corrugated to hold usually 45 square feet of one-eighth inch tile or approximately 30 square feet of three-sixteenth inch tile, to fit the size of tile. In this gauge, normal weight was approximately 60 pounds. In thinner gauges, the carton was smaller and weighed less. During certain periods of time, the government required wooden cartons for export shipment, but very few of these were executed. The visual appearance was normally craft-colored corrugate printed with Azrock insignia on the carton and marked with the color number, size, gauge, carton weight, and run date. The specifics changed at various times over the years. Additional printing on the shipping cartons included: "Important: When installing Azrock tile, use installation procedures and adhesives as recommended in Azrock Installation Instructions." Individual copies of the Azrock Manual of Installation were made available to installers, dealers, architects and distributors. Copies were available from all Azrock distributors or direct from Azrock.

INTERROGATORY NO. 26:

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. 16, 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. 16 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. 16;
- d. Any picture, drawing, photograph or like representation of the items described in subparts a., b. and/or c. of this Interrogatory.

ANSWER:

a.-b. Objection. Defendant objects to this interrogatory on the basis that it requests information about items that are not relevant, not likely to lead to the discovery of admissible evidence and beyond the scope of discovery. Subject to and without waiving the foregoing

objections. Defendant responds as follows: Defendant has no knowledge of the existence of such products or packaging.

c.-d. Objection. Defendant objects to this interrogatory on the basis that it requests information spanning a 50-year time period, and therefore is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant maintains possession of a limited number of catalogs, installation manuals, and advertising materials.

INTERROGATORY NO. 27:

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. 16?

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 25. Defendant did not stamp, affix or glue its name to any finished product made for installation.

INTERROGATORY NO. 28:

If your answer to Interrogatory No. 27 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 27.

INTERROGATORY NO. 29:

Was each of the asbestos-containing products listed in response to Interrogatory No. 16 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:

Yes.

INTERROGATORY NO. 30:

If your answer to Interrogatory No. 29 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 29. Not Applicable.

INTERROGATORY NO. 31:

With respect to each product listed in response to Interrogatory No. 16, 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:

Objection. Defendant objects to this interrogatory on the basis that it is vague, overly broad, and not likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: The products could be applied or installed without releasing respirable asbestos fibers in sufficient quantities, if any, to pose a health hazard.

potential or otherwise, to persons using said products, due to the fact that only short fiber chrysotile asbestos was used. Additionally, the asbestos fibers are totally encapsulated by the thermoplastic binder within a homogenous mixture during the manufacturing process, making release of respirable, friable asbestos fiber virtually impossible. Defendant denies that use of, or exposure to, its encapsulated asbestos-containing products poses a health hazard.

INTERROGATORY NO. 32:

With respect to each product listed in response to original Interrogatory number 16, could it be expected or anticipated that the product might have to be removed, stripped or replaced at any time after application or installation?

ANSWER:

Objection. Defendant objects to this interrogatory on the basis that it is vague, overly broad, and not likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: It is recognized that at times, products might have to be removed.

INTERROGATORY NO. 33:

Identify each person who participated in the design and/or preparation of manufacturing specifications for each product listed in response to Interrogatory No. 16.

ANSWER:

J. Blewett Smyth, President and Chairman of the Board 1912-1937 (all dates are approximations); Glenn H. Alvey, President and Chairman of the Board 1937-1966; H. Randolph Brown, President and Chairman of the Board 1966-1974; William K. Clark, President 1974-1986, Chairman of the Board and CEO 1986-1991. Defendant further answers that, from time to time, other persons may have been involved in the topic of inquiry.

INTERROGATORY NO. 34:

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. 16.

ANSWER:

Objection. Defendant objects to this interrogatory as overly broad, vague and not likely to lead to the discovery of admissible evidence. The relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant maintains possession of a limited number of product catalogs, installation manuals and advertising materials relating to its products. Additionally, Defendant maintains possession of a limited number of manuals/brochures prepared by the Resilient Floor Covering Institute relating to floor covering products.

INTERROGATORY NO. 35:

Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufacturing 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:

Uvalde Rock Asphalt Company and subsequently Azrock Industries, Inc. did not process raw asbestos fiber. They manufactured flooring products at their facility at 1705 Oliver Street, Houston, Texas.

INTERROGATORY NO. 36:

Identify any and all entities to which the 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 original Interrogatory number 16, and which the Defendant has any reason whatsoever to suspect, believe, think or otherwise conclude that said asbestos-containing product was installed, applied, stored, or anyway made use of at any site identified in the interrogatory answers of any plaintiff with a claim against this Defendant, at any site located in Madison County, Illinois, or at any site within a 200 mile radius of Madison County Illinois.

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to the area specified above as to vagueness and burdensome to determine. Subject to and without waiving the foregoing objections, Defendant responds as follows: Most paper documentation for the period prior to October 4, 1982, the date Defendant last manufactured asbestos containing products, has been destroyed in accordance with its records retention policy based on the federal government's guidelines for records retention. For sales prior to October 4, 1982, the only documents defendant maintained was microfilm dating from approximately the late 1950s to sometime during the 1980s. Remaining records are maintained in Houston, Texas. All sales were performed at Azrock's place of business in San Antonio, Texas and were made to wholesale distributors. Defendant has no direct knowledge of what sales its distributors may or may not have made.

INTERROGATORY NO. 37:

With respect to the products listed in response to Interrogatory No. 16, 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:

To the extent this Interrogatory is intended to cover air monitoring studies of Azrock's finished flooring products, yes.

INTERROGATORY NO. 38:

If your answer to Interrogatory No. 37 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:

(a,d) Air monitoring studies relating to finished products at the offices of Defendant in Houston and San Antonio, Texas. Tests were conducted December 10, 13-16 1976; February 24 & 25, 1977; October 6-8, 1982; and December 21, 1982.

(b) Howard Mitschke, Environmental Chemist; Professional Service Industries-Shilstone Engineering Testing Laboratory, Inc.

(c) Concentrations well below OSHA limits.

(e) Asbestos Air Sampling Memorandum of December 22, 1976 with December 1976 studies;

Asbestos Toxicology Report of March 2, 1977 regarding February 24, 1977 study;

Asbestos Toxicology Report of March 2, 1977 regarding February 25, 1977 study;

Laboratory Report of October 15, 1982 with October 1982 studies;

Professional Service Industries, Inc., Shilstone Engineering Testing Lab Letter of January 28, 1983 with December 21, 1982 studies.

(f) R.S. Zaruba, W.C. Clark, H.W. Reeves, J. Tant, C. Dickschat, R.W. Van Buren, Alex F. Cuevas, P. Thomas

INTERROGATORY NO. 39:

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:

No.

INTERROGATORY NO. 40:

If your answer to Interrogatory No. 39 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:

Not applicable.

INTERROGATORY NO. 41:

Identify any and all persons employed by, hired by or otherwise utilized by Defendant, its predecessor or related company at any time from 1940 to date as an industrial hygienist or in a similar position.

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: The following individuals served as industrial hygienists: Carlos Díaz (1960's) David M. Dewan (1970's) and Howard Mitschke (mid 1970's).

INTERROGATORY NO. 42:

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 effects 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:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is vague, overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Azrock had a laboratory with minimal staff of one or two chemists whose primary responsibilities concerned the evaluation of incoming raw materials, proposing and implementing formula changes, and monitoring quality control. Managers included Richard Zarba 1950-1988 and Calvin Robertson 1956-1985. Chemists also included Tom Swift. Defendant has no knowledge as to budgets, if any.

INTERROGATORY NO. 43:

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:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant did not maintain a library as that term is commonly understood.

INTERROGATORY NO. 44:

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:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds

as follows: Any periodical subscriptions during the time Defendant's products contained asbestos are no longer known or maintained.

INTERROGATORY NO. 45

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:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Any such memberships, to the extent they existed, during the time Defendant's products contained asbestos are no longer known.

INTERROGATORY NO. 46

If your answer to any subpart of Interrogatory No. 45 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 Plaintiffs' Manufacturer Interrogatory No 52. Not Applicable.

INTERROGATORY NO. 47:

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, conducted any industrial hygiene surveys concerning any product identified in response to Interrogatory No. 16, including, but not limited to, surveys concerning the manufacture, processing, application, installation, use and/or removal of said products?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: To the extent the Defendant's air monitoring studies related to its finished products can be characterized as "industrial hygiene surveys", see Defendant's Response to Plaintiffs' Manufacturer Interrogatory No. 38.

INTERROGATORY NO. 48:

If your answer to Interrogatory No. 47 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, 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 47

INTERROGATORY NO. 49:

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 No. 16 was being manufactured, used, applied or installed to perform a dust level count or similar test?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: See Response to Plaintiffs' Manufacturer Interrogatory No. 38.

INTERROGATORY NO. 50:

If your answer to Interrogatory No. 49 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:

See Responses to Plaintiffs' Manufacturer Interrogatories No. 49 and 39.

INTERROGATORY NO. 51:

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 No. 16?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: No.

INTERROGATORY NO. 52:

If your answer to Interrogatory No. 51 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 51. Not Applicable.

INTERROGATORY NO. 53:

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. 49 and 51? 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:

As to studies identified in Response to Interrogatory No. 49: See Response to Plaintiffs' Manufacturer Interrogatory No. 50. As to Response to Plaintiffs' Manufacturer Interrogatory No. 51: Not Applicable.

INTERROGATORY NO. 54:

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 No. 16?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Additionally, this interrogatory assumes facts and lacks foundation as to the alleged inhalation of asbestos dust and fibers from Defendant's products. To Defendant's knowledge, it has never been established that there is a health hazard from asphalt floor tile or vinyl asbestos floor tile

during installation, use or removal due to the fact that only short fiber chrysotile asbestos was used. Additionally, the asbestos fibers are totally encapsulated by the thermoplastic binder within a homogenous mixture during the manufacturing process, making release of respirable, friable asbestos fiber virtually impossible. Defendant states that there has never been any evidence or reason to believe that its asbestos-containing products release respirable asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Defendant denies that use of, or exposure to, its encapsulated asbestos-containing products poses a health hazard. Subject to and without waiving the foregoing objections, Defendant responds as follows: No.

INTERROGATORY NO. 55:

If your answer to Interrogatory No. 54 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 54. Not applicable.

INTERROGATORY NO. 56:

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 No. 16, any

instructions or guidelines concerning precautions, warning, 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 Responses to Plaintiffs' Manufacturer Interrogatories No. 25, 34 and 58.

INTERROGATORY NO. 57:

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 No. 16 were packaged?

ANSWER:

Yes.

INTERROGATORY NO. 58:

If your answer to Interrogatory No. 57 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
- i. 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:

Objection. Defendant objects to this interrogatory on the grounds it is unduly burdensome. Subject to and without waiving the foregoing objections, Defendant responds as follows: To defendant's knowledge, it has never been established that there is a health hazard from asphalt floor tile or vinyl asbestos floor tile during installation, use or removal due to the fact that only short fiber chrysotile asbestos was used. Additionally, the asbestos fibers are totally encapsulated by the thermoplastic binder within a homogenous mixture during the manufacturing process, making release of respirable, friable asbestos fiber virtually impossible. Defendant states that there has never been any evidence or reason to believe that its asbestos-containing products release respirable asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Defendant denies that use of, or exposure to, its encapsulated asbestos-containing products poses a health hazard. Defendant has always provided to architects, specifiers and customers product catalogs including specifications and technical information, advertising and promotional material and installation and maintenance instructions, including warnings and warranties upon individual request from anyone or through Azrock. It is impossible to identify all documents. Beginning in approximately 1978, the following warning was placed in the Azrock Manual of Installation:

To prevent any release of encapsulated asbestos fiber, do not sand asphalt tile or vinyl asbestos tile floors.

Additional printing on the shipping cartons included: "Important: When installing Azrock tile, use installation procedures and adhesives as recommended in Azrock Installation Instructions."

Beginning in July 1980, the following language was included in the Azrock Manual of Installation.

IMPORTANT NOTICE ... Warnings and instructions set forth in the manual and incorporated on Azrock Floor Products accessory labels should be strictly followed.
WARNING: DO NOT SAND EXISTING RESILIENT FLOORING, BACKING OR

LINING FELT. THESE PRODUCTS MAY CONTAIN ASBESTOS FIBERS THAT CANNOT BE IDENTIFIED READILY. INHALATION OF ASBESTOS DUST MAY CAUSE ASBESTOSIS OR OTHER SERIOUS BODILY HARM.

In June 1986, the following language was added by the Defendant:

SMOKING GREATLY INCREASES THE RISK OF SERIOUS BODILY HARM.

This warning was developed by the president of Azrock, in conjunction with the Resilient Floor Covering Institute. There has been some discussion prior to this time that release of asbestos fiber from sanding of asphalt floor tile or vinyl asbestos floor tile was doubtful since friction heat generated from sanding softens the thermo-plastic binder further encapsulating the fiber. However, it was thought that it would be safer to include these products in the warnings since other asbestos containing products manufactured by other entities might cause problems when sanded.

INTERROGATORY NO. 59:

With respect to each product identified in response to Interrogatory No. 58 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 58.

INTERROGATORY NO. 60:

With respect to each different warning which accompanied each product listed in response to Interrogatory No. 58:

- 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 warning(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:

Objection. Defendant objects to this interrogatory as overly broad and unduly burdensome. Subject to and without waiving the foregoing objections, Defendant responds as follows: See Response to Plaintiffs' Manufacturer Interrogatory No. 58.

INTERROGATORY NO. 61:

Prior to the date on which Defendant first directed that a warning accompany any product identified in response to Interrogatory No. 16, 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:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: To defendant's knowledge, it has never been established that there is a health hazard from asphalt floor tile or vinyl asbestos floor tile during

installation, use or removal due to the fact that only short fiber chrysotile asbestos was used. Additionally, the asbestos fibers are totally encapsulated by the thermoplastic binder within a homogenous mixture during the manufacturing process, making release of respirable, friable asbestos fiber virtually impossible. Defendant states that there has never been any evidence or reason to believe that its asbestos-containing products release respirable asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Defendant denies that use of, or exposure to, its encapsulated asbestos-containing products poses a health hazard.

The first time Azrock received any notice indicating an alleged connection between asbestos-containing products and lung cancer, mesothelioma, asbestosis or other illnesses was in June of 1969 when Azrock received a copy of a memorandum from Union Carbide to its field sales force dated May 26, 1969. Nothing in this notice suggested that products formerly manufactured by Azrock had any connection with asbestos-related diseases.

Since that time, Azrock received information concerning the alleged connection between asbestos-containing products and various health hazards. However, Azrock is not aware of any evidence or information indicating that any asbestos-containing products manufactured by Azrock release respirable asbestos fibers in sufficient quantity, if any, to pose a health hazard, potential or otherwise, to persons using said products. Azrock did not receive any recommendation to place any warnings on the products previously identified or prior to the time it formulated the warnings referenced in Response to Plaintiffs' Manufacturer Interrogatory No. 58.

INTERROGATORY NO. 62:

If your answer to Interrogatory No. 61 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 61. Not applicable.

INTERROGATORY NO. 63:

Did Defendant, any predecessor, or any related company ever place any warning directly upon any of the products listed in response to Interrogatory No. 16?

ANSWER:

See Responses to Plaintiffs' Manufacturer Interrogatory No. 25 and No. 58.

INTERROGATORY NO. 64:

If your answer to Interrogatory No. 63 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:

Objection. Defendant objects to this interrogatory on the grounds it is vague, overly broad and unduly burdensome. Subject to and without waiving the foregoing objections, Defendant responds as follows: See Responses to Plaintiffs' Manufacturer Interrogatories No. 25 and 58.

INTERROGATORY NO. 65:

Did any warning of any type concerning the products listed in response to Interrogatory No. 16 ever appear in any sale 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 Responses to Plaintiffs' Manufacturer Interrogatories No. 25 and 58

INTERROGATORY NO. 66:

If your answer to Interrogatory No. 65 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 No. 16 which was provided to distributors, sellers, purchasers, consumers or users after the above date and which contained no warning.

ANSWER:

Each and every location of warning labels is unknown, however, see Responses to Plaintiffs' Manufacturer Interrogatories No. 25 and 58.

INTERROGATORY NO. 67:

Does Defendant, any predecessor, 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 No. 16?
- b. Any picture, photograph or like reproductive representation of any item described in subpart a.?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds it is unduly burdensome. Subject to and without waiving the foregoing objections, Defendant responds as follows. See Responses to Plaintiffs' Manufacturer Interrogatories No. 56 and 58. Defendant is in possession of a limited number of installation manuals and Resilient Floor Covering Institute brochures.

INTERROGATORY NO. 68:

If 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 16, did such raw asbestos and/or asbestos-containing material contain any warning of any type – either affixed to the container, contained within the container, or affixed to the product itself – when received by Defendant, any predecessor or related company?

ANSWER:

Objection. Defendant objects to this request on the grounds that it is overly broad, unduly burdensome and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities.

INTERROGATORY NO. 69:

If the answer to Interrogatory 68 is "Yes,":

- a. State, verbatim, each and every warning which appeared on the received product.
- b. State the size, color, and location of each such warning and describe the manner in which it was placed upon the received product.
- c. State the dates on which each such warning first and last appeared on the received product.
- d. State whether Defendant, any predecessor or related company left each warning in place, or removed or attend such warning at any time.
- e. If such warnings were removed or altered in any manner, describe in detail how such warnings were removed or altered.

ANSWER:

See Response to Manufacturer Interrogatory No. 68. Not applicable.

INTERROGATORY NO. 70:

State the year that Defendant, or any predecessor or related company 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:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant has no knowledge of receiving the information described in this interrogatory from the American Conference of Governmental Industrial Hygienists.

INTERROGATORY NO. 71:

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 No. 16, 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:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: To the extent this Interrogatory is intended to cover air monitoring studies as to Azrock's finished flooring products, see Response to Plaintiffs' Manufacturer Interrogatory No. 38, above.

INTERROGATORY NO. 72:

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 No. 16, 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 advise 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:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Because Defendant did not sell its product directly to any "worksite," Defendant would not have had any communications concerning threshold limit values with the owners or management employees of such worksites.

INTERROGATORY NO. 73:

State the date on which any official of Defendant or any predecessor or any related company 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:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: See Response to Plaintiffs' Manufacturer Interrogatory No. 61.

INTERROGATORY NO. 74:

With respect to each disease set forth in Interrogatory No. 73:

- 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;
- c. 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; and
- d. 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 Plaintiff's Manufacturer Interrogatory No. 73.

INTERROGATORY NO. 75:

As to any knowledge or information referred to in Interrogatories 73-74, 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. 16?

ANSWER:

See Responses to Plaintiffs' Manufacturer Interrogatories No. 58 and 73.

INTERROGATORY NO. 76:

If your answer to Interrogatory No. 75 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:

See Responses to Plaintiffs' Manufacturer Interrogatories No. 58 and 73.

INTERROGATORY NO. 77:

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:

No.

INTERROGATORY NO. 78:

If your answer to Interrogatory No. 77 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 77. Not applicable.

INTERROGATORY NO. 79:

Did Defendant at any time during the period that the products listed in response to Interrogatory No. 16 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 Plaintiffs' Manufacturer Interrogatory No. 58. Not applicable.

INTERROGATORY NO. 80:

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 asbestos, mesothelioma, lung cancer, or exposure to asbestos-containing products?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: No workers' compensation claims involving an alleged asbestos-related injury has been filed against Azrock relating to an employee's exposure or handling of a finished floor covering product manufactured by Azrock. With respect to finished floor covering products, Azrock has received claims for alleged personal injuries beginning in approximately 1980.

INTERROGATORY NO. 81:

If your answer to original Interrogatory number 80 was "Yes," please provide the following information for each and every employee of the defendant, predecessor or related company with such a claim. If the claimant was a non-employee, please provide the information for the first 100 cases of which the defendant had notice.

- 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 location(s) at which claimant was exposed to asbestos;

- c. Identify each and every board, administrative body, commission or court which handled or reviewed said claim and state the 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
- i. Identify any and all documents referring to, relating to or reflecting said claim.

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Defendant further objects to (g) as to benefits paid on the grounds it is irrelevant, and many of the settlement values are confidential.

INTERROGATORY NO. 82:

How many past or present employees of Defendant, its predecessors or related companies are known by you to be suffering from, to have suffered from, or to have suffered deaths caused by:

- a. Asbestosis?
- b. Lung Cancer?
- c. Mesothelioma?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities.

INTERROGATORY NO. 83:

For each employee referenced in your answer to Interrogatory No. 82, state the date that Defendant first knew, or had notice or information, that such past or present employee was suffering, or had suffered from:

- a. Asbestosis;
- b. Lung Cancer;
- c. Mesothelioma.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 82.

INTERROGATORY NO. 84:

Identify any and all material safety data sheets concerning the products listed in response to Interrogatory No. 16 prepared, at any time, by, or on behalf of, Defendant, any predecessor or any related company.

ANSWER:

Objection. Defendant 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. It requests data on a variety of products over a fifty year period. Subject to and without waiving the foregoing objections, Defendant responds as follows: None. Defendant is not subject to the federal regulation concerning the issuance of material safety data sheets for the manufacture of the products previously listed. Furthermore, the federal regulation in question did not become effective until after Defendant had removed asbestos from its products.

INTERROGATORY NO. 85:

Identify any and all trade organizations, associations, or other entities, including but not limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers Assn. (NIMA), National Insulation Contractors Assn. (NICA), National Safety Council (NSC), American

Ceramics Society (ACS), National Building Materials Distributors Assn. (NIA), Sprayed Mineral Fiber Manufacturers Assn. (SMFMA), Thermal Insulation Manufacturers Assn. (TIMA), Quebec Asbestos Mining Assn. (QAMA), to which 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:

Azrock has been a member of the Resilient Floor Covering Institute and its predecessor entities since at least the early to mid 1950s; the Producers' Council of America (from the early 1950s to unknown); the National Association of Home Builders (from as early as 1959 to unknown); the Construction Specifications Institute (from as early as 1959 to unknown); the National Association of Floor Covering Distributors (from as early as 1978); the Western Floor Covering Association (dates unknown); the American Floor Covering Association (dates unknown); and the Asbestos Information Association (from 1972 to 1980).

INTERROGATORY NO. 86:

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 Interrogatory No. 85.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 87.

INTERROGATORY NO. 87:

Did any officer, employee, agent or representative of Defendant, of any predecessor, or of any related company, serve, at any time, as:

- a. An officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 85?
- b. A member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 85?

- c. The chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 85?
- d. The representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 85 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:

Objection. Defendant objects to this interrogatory as being overly broad, beyond the scope of discovery and not likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: William K. Clark served on the Board of Directors or was an officer of the Resilient Floor Covering Institute and its predecessor entities from the mid 1950s to approximately 1968. Mr. Clark was active in the Promotion & Publicity Committee, Distribution Committee, Market Research, and Membership Committee. H.R. Brown and G.H. Alvey also represented Uvalde/Azrock at various times during their tenure. Defendant has no information as to whether or not Mr. Brown or Mr. Alvey attended meetings or were members of any committees or subcommittees.

INTERROGATORY NO. 88:

For each subpart of Interrogatory No. 87 to which your answer is "Yes," identify each and every person serving in such capacity and:

- 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 Plaintiffs' Manufacturer Interrogatory No. 87.

INTERROGATORY NO. 89:

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. 85 and/or 88:

- 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:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Unknown.

INTERROGATORY NO. 90:

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. 85 and/or 88 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:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's

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:

Objection. Defendant objects to this interrogatory as being overly broad and not likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows: No.

INTERROGATORY NO. 93:

If your answer to Interrogatory No. 92 is "Yes":

- a. Identify any and all documents received by Defendant, its predecessor(s), 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 predecessor(s) 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 predecessor(s) 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:
 - (i) Adequacy or inadequacy of threshold limit values;
 - (ii) Substitution of materials other than asbestos to be used in the insulation process.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 92. Not applicable.

INTERROGATORY NO. 94:

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 No. 16;
- 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 No. 16; 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 No. 16.

ANSWER:

Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities.

INTERROGATORY NO. 95:

If your answer to any one or more of the subparts of Interrogatory No. 94 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 location(s) 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 Plaintiffs' Manufacturer Interrogatory No. 94.

INTERROGATORY NO. 96:

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:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant has no knowledge of any former employees or officers who may or may not have attended meetings as described.

INTERROGATORY NO. 97:

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. 96.

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Defendant has no knowledge of any documents as described.

INTERROGATORY NO. 98:

With respect to each job site within 200 miles of Madison County and/or identified by any plaintiff (who has asserted claims against this defendant) i. 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 No. 16 by, for, to or at said site; and, (ii) identify any and all persons known by Defendant to have knowledge concerning the same:

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that it is vague, overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to the area specified above as to vagueness and burdensome to determine. Subject to and without waiving the foregoing objections, Defendant responds as follows: Most paper documentation for the period prior to October 4, 1982, the date Defendant last manufactured asbestos containing products, has been destroyed in accordance with its records retention policy based on the federal government's guidelines for records retention. For sales prior to October 4, 1982, the only documents defendant maintained was microfilm dating from approximately the late 1950s to sometime during the 1980s. Remaining records are maintained in Houston, Texas. All sales were performed at Azrock's place of business in San Antonio, Texas and were made to wholesale distributors. Defendant has no direct knowledge of what sales its distributors may or may not have made.

INTERROGATORY NO. 99:

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 No. 16.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 36.

INTERROGATORY NO. 100:

Other than cases identified in Interrogatory numbers 80 and 81, has defendant, any predecessor or any related company, ever appeared as a party in any lawsuit involving a claim or claims based upon allegations of property damage or seeking recovery of the costs of abatement from the use, application, installation or presence of asbestos or asbestos-containing products?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the information sought is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff does not raise any property damage claim.

INTERROGATORY NO. 101:

If your answer to Interrogatory No. 100 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:

See Response to Manufacturer Interrogatory No. 100.

INTERROGATORY NO. 102:

In any lawsuit, as described in Interrogatory numbers 80, 81, 100, and 101, 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:

No.

INTERROGATORY NO. 103:

If your answer to Interrogatory No. 102 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 document(s), 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, whichever 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 102.

INTERROGATORY NO. 104:

In any lawsuit involving a claim or claims based upon allegations of injury, impairment, disease or death allegedly caused by exposure to asbestos, has any document or conversation as to which the defendant, any predecessor or related company, asserted the attorney/client privilege been held by any court to be not privileged on the basis of the crime/fraud exception?

ANSWER:

No.

INTERROGATORY NO. 105:

If your answer to Interrogatory No. 104 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 104.

INTERROGATORY NO. 106:

Identify any and all expert witnesses who have testified on behalf of the defendant, any predecessor or related company, in the last ten years in any lawsuits involving a claim or claims based upon allegations of injury, impairment, disease or death caused by exposure to asbestos, or a claim or claims based upon allegations of property damage from the use, application, installation or presence of asbestos or asbestos-containing products, or issues of insurance coverage for any claims

of personal injury or property damage arising out of the exposure to, use of, application of, installation of, or presence of asbestos or asbestos-containing products.

ANSWER:

Objection. Defendant objects to this interrogatory as overly broad and unduly burdensome and beyond the scope of discovery.

INTERROGATORY NO. 107:

Identify any and all present or former directors, officers, employees, or agents of defendant, any predecessor or related company, who have testified in any manner whatsoever including a discovery or evidence deposition, or in a trial, in the last 20 years on behalf of or against the defendant, any predecessor, or related company, in any lawsuits involving a claim or claims based upon allegations of personal injury or property damage caused by exposure to, the use of, the application of, the installation of, or the presence of any asbestos or asbestos-containing product, other than persons who testified as plaintiffs in their own cases. Specifically included within the scope of this request are any suits involving the issue of insurance coverage for claims of personal injury or property damage resulting from the exposure to, the use, application, installation or presence of asbestos or asbestos-containing products.

ANSWER:

Objection. Defendant objects to this interrogatory as overly broad, unduly burdensome and on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: For the time period requested, the following individuals have testified by deposition: Calvin A. Robertson, Richard Steve Zaruba, Henry A. Carrington, Mandeep Sekhon, C. Wayne Crow, Frank Dolan and Joseph Jared.

INTERROGATORY NO. 108:

Identify any and all present or former directors, officers, employees, or agents of the defendant, any predecessor or any related company, other than persons appearing as adverse parties, who have testified against the defendant, any predecessor, or any related company in the last 20 years, in any proceeding involving the subject of asbestos, including, but not limited to, workers' compensation hearings, or any hearing before any governmental body.

ANSWER:

Objection. Defendant objects to this interrogatory as overly broad, unduly burdensome and on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: None.

INTERROGATORY NO. 109:

With respect to your answers to Interrogatory numbers 106, 107, and 108, 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, directors, officers, or agents.

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the information sought is vague, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Defendant incorporates its objections to Interrogatories No. 106, 107 and 108. Subject to and without waiving the foregoing objections, Defendant responds as follows: Deposition transcripts of individuals identified in Response to Plaintiffs' Manufacturer Interrogatory No. 107.

INTERROGATORY NO. 110:

Has Defendant, any predecessor or any related company, ever been cited, warned, fined, sanctioned or otherwise officially written up for, any violations of a federal, state or local statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal, state or local governmental entity, which violation concerned asbestos in any way?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: No, as to finished asbestos-containing products.

INTERROGATORY NO. 111:

If your answer to Interrogatory No. 110 is "Yes," with respect to each such violation:

- 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 110. Not applicable.

INTERROGATORY NO. 112:

Has any federal, state or local 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 No. 16 were manufactured, processed, applied, used or removed?

ANSWER:

Objection. Defendant objects to this interrogatory on the grounds that the information sought irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Yes.

INTERROGATORY NO. 113:

If your answer to Interrogatory No. 112 is "Yes," then with respect to each such inspection, test or survey:

- 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:

Objection. Defendant objects to this interrogatory on the grounds that the information sought is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: No governmental entity has conducted tests of Defendant's facility as to finished floor covering products.

INTERROGATORY NO. 114:

Identify:

- a. Any expert whom you intend to call as a witness;
- b. This 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:

Unknown at this time. Defendant reserves the right to supplement this Response.

INTERROGATORY NO. 115:

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:

At one point in time Defendant had the benefit of some primary coverage that is no longer available to satisfy any judgment. From 1972 to 1983, primary coverage was issued by Employers Casualty Company which was declared insolvent in 1994. From 1983 to 1985, primary coverage was issued by Western Employers Insurance Company, which was declared insolvent in 1991. From 1985-1986 primary coverage was issued by North American Insurance Company of California which exhausted its limits in 1996. First layer excess coverage for the policy period 1985-1986 was issued by Guaranty National Insurance Company which denied coverage in 1998. The resolution of the dispute seeking a declaration of GNIC's coverage obligations occurred in 2006 and called for GNIC to reimburse Defendant for certain past defense costs and indemnity payments and to make available only a limited amount for future liabilities. Defendant has been attempting to resolve issues relating to its other excess coverage also. All insurance policies after July 1986 contain asbestos exclusions and, therefore, are not available to satisfy any judgment. As additional information becomes available this response will be supplemented.

INTERROGATORY NO. 116:

If your answer to Interrogatory No. 115 is "Yes," identify each such policy of insurance as follows:

- a. Identify the insurer(s);
- b. Identify the insured(s);

- c. State the date on which the policy was first purchased and the date on which the policy expired or was terminated;
- d. Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and
- c. State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 115.

INTERROGATORY NO. 117:

With respect to each policy described in response to Interrogatory No. 116, state:

- a. The dollar amount of coverage which remains unexpended;
and
- b. Whether any dispute exists between insurer and insured with respect to coverage.

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 115.

INTERROGATORY NO. 118:

Other than the policies of insurance described in response to Interrogatory No. 116, 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 attorney's fees?

ANSWER:

See Response to Plaintiffs' Manufacturer Interrogatory No. 115.

INTERROGATORY NO. 119:

If your answer to Interrogatory No. 118 is "Yes," for each such agreement:

- 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:

See Response to Plaintiffs' Manufacturer Interrogatory No. 118.

INTERROGATORY NO. 120:

Was the 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 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. 121:

From 1940 to present, state whether Defendant and/or any predecessor or related company ever provided worker's compensation, health, accident and disability and/or life insurance coverage for its employees, and if so:

- a. Identify each insurance carrier which provided worker's 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:

Objection. Defendant objects to this interrogatory on the grounds that the information sought is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 122:

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

ANSWER:

No.

INTERROGATORY NO. 123:

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

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

ANSWER:

Unknown at this time. Defendant reserves the right to supplement this Response.

INTERROGATORY NO. 124:

State whether this defendant has ever generated reports in compliance with the Asbestos Information Act of 1988, Pub. L. 100-577, 15 U.S.C. Section 2607 and if so for each such document, please state:

- a. The date said documents were generated and filed;
- b. The location of any copies of said reports under the control of this defendant;
- c. The location of any draft reports, memos or any other notes concerning the preparation of said reports; and
- d. The name, address and phone number of the individual having custody and control of each said report.

ANSWER:

Objection. Defendant objects on the grounds that this Interrogatory is vague, overly broad, unduly burdensome, and seeks information not relevant to the subject matter, is not reasonably calculated to lead to the discovery of admissible evidence, and is without reasonable limitation and scope. The only relevant issues in this action against Defendant pertain to finished floor covering products after such products left Defendant's facilities. Subject to and without waiving the foregoing objections, Defendant responds as follows: Investigation is continuing. Defendant reserves the right to supplement this response.

INTERROGATORY NO. 125:

If the answer to the preceding interrogatory is in the negative, please state whether any documents, memos, notes or any other writing exist describing or memorializing the research and decision whether or not to generate or file any report as required by the said Act and if so for each such document please state:

- a. The date said document was generated;
- b. The location of said documents; and,
- c. The name, address and phone number of the individual(s) having custody and control of each said document.

ANSWER:

See Response to Manufacturer Interrogatory No. 124.

INTERROGATORY NO. 126:

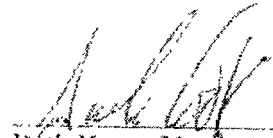
Identify any and all parties or entities which have supplied, distributed, and/or applied any of the asbestos-containing products listed in response to Interrogatory No. 16. For such parties / entities:

- a. Identify the name(s) of the supplier(s)/distributor(s);
- b. Provide the last known address(es) of the supplier(s)/distributor(s);
- c. Provide the dates which the supplier(s)/distributor(s) supplied, distributed or applied the asbestos-containing products listed in response to Interrogatory No. 16.

ANSWER:

Domco objects to this interrogatory on grounds that it is overly broad, irrelevant, unduly burdensome, ambiguous, and not appropriately limited in scope. Domco further objects that a response to this interrogatory would impose undue burden and expense upon Domco unless and until Plaintiff's satisfy the fundamental burden of identifying a

product manufactured by Domco to which Plaintiffs were allegedly exposed, the date of such alleged exposure, the location of such alleged exposure and the circumstances of such alleged exposure.



Beth Kamp Veahr 6186523

Sandra Cook #6288089

BROWN & JAMES, P.C.

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(618) 235-5590

(618) 355-5159 (fax)

Attorneys for Defendant

DOMCO PRODUCTS TEXAS INC.

AFFIDAVIT OF SERVICE

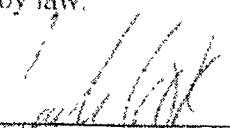
I, the undersigned, on the 21st day of August, 2012 at 5pm,
deposited a copy of this document, postage prepaid, in the United States Mail, addressed to: Maune
Raichle Hartley French & Mudd, One Metropolitan Square, 211 North Broadway, #2940, St. Louis,
Missouri 63102 Responses of Domco Products Texas Inc. to Plaintiffs' Manufacturer Interrogatories.

Under penalties of perjury as provided by law, I certify that the statements in this affidavit are
true.

James Anderson

9914069

Under penalties of perjury as provided by law.

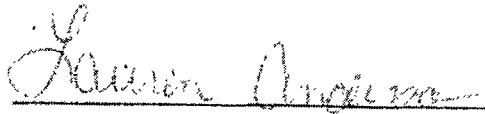

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Attorneys For Defendant
Domco Products Texas Inc.

AFFIDAVIT OF SERVICE

I, the undersigned, on the 1st day of August, 2012, at 5:00 p.m., deposited a copy of this document, postage prepaid, in the United States Mail, addressed to: Maune Raichle Hartley French & Mudd, LLC, One Metropolitan Square, 211 North Broadway, #2940, St. Louis, MO 63102 and via *LexisNexis* to defense attorneys.

Under penalties of perjury as provided by law, I certify that the statements in this affidavit are true.



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