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1 DAVID P. FREITAS, ESQ.
NEIL J. MORAN, ESQ.
2 FREITAS, McCARTHY, BETTINI,
MacMAHON, FREITAS & LEMON
3 960 Fifth Avenue
San Rafael, CA 94901
4 Telephone: (415) 456-7500
5 Attorneys for Defendant
CERTAINTED CORPORATION
6

7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR THE COUNTY OF ALAMEDA
9

10 IN RE: SHIPYARD AND APPLICATOR	)	NO. 537 868-7
ASBESTOS CASES (KAZAN AND	)	
11 KILBOURNE) CONSOLIDATED FOR	)	AMENDED ANSWERS
DISCOVERY	)	<u>TO INTERROGATORIES</u>
12	)	

13
14 COMES NOW defendant CERTAIN-TEED CORPORATION, and responds to the
15 interrogatories propounded by plaintiffs as follows:
16 ANSWER TO INTERROGATORY NO. 1:

- 17 Curtis M. Pontz
Senior Counsel and Assistant Secretary
18 CertainTeed Corporation
P.O. Box 860
19 Valley Forge, PA 19482
20 Charles H. Striegel
General Purchasing Agent
21 Pipe Group
CertainTeed Corporation
22 P.O. Box 860
Valley Forge, PA 19482
23 James R. Alley, Jr.
24 A/C Marketing Specification Engineer
Pipe Group
25 CertainTeed Corporation
P.O. Box 860
26 Valley Forge, PA 19482

FREITAS, MCCARTHY, BETTINI, MACMAHON, FREITAS & LEMON
960 FIFTH AVENUE
SAN RAFAEL, CALIFORNIA 94901
TELEPHONE 456-7500 AREA CODE 415

1 Philip J. Croul
2 Director of Graphic Arts
3 Pipe Group
4 CertainTeed Corporation
5 P.O. Box 860
6 Valley Forge, PA 19482

7 ANSWER TO INTERROGATORY NO. 2:

- 8 (a) CertainTeed Corporation
9 (b) Maryland
10 (c) P.O. Box 860, Valley Forge, PA 19482
11 (d) Yes
12 (e) Publicly held.

13 ANSWER TO INTERROGATORY NO. 3: Certain-teed Products Corporation (1904-1976).

14 ANSWER TO INTERROGATORY NO. 4: This interrogatory is objected to as improper on
15 the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead
16 to the discovery of admissible evidence, and it is objected to more particularly because it
17 is not limited to products used at the facility or facilities where the plaintiff(s) alleges
18 exposure, and because it is not limited in time to the period of the alleged exposure of the
19 plaintiff(s).

20 ANSWER TO INTERROGATORY NO. 5: This interrogatory is objected to as improper on
21 the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead
22 to the discovery of admissible evidence, and it is objected to more particularly because it
23 is not limited to products used at the facility or facilities where the plaintiff(s) alleges
24 exposure, and because it is not limited in time to the period of the alleged exposure of the
25 plaintiff(s). Without waiving the foregoing objections and subject thereto, CertainTeed did
26 purchase the asbestos-cement pipe assets of Keasbey & Mattison Company (hereinafter "K
& M") on June 1, 1962. K & M had manufactured and sold nationally asbestos-cement pipe
since 1938. K & M also produced a variety of asbestos-bearing insulation products.
However, the purchase by CertainTeed of K & M assets was limited solely to the four
asbestos-cement pipe plants of K & M and all machinery, fixtures, tools, supplies, etc.,
which related to and had been used by K & M exclusively in the making of asbestos-cement

1 pipe. Additional K & M assets, and in particular, the assets of K & M which had been used
2 to manufacture insulation materials, were purchased by others. At the time of the
3 purchase of the K & M pipe assets, there was no general assumption of liability by
4 CertainTeed, nor did CertainTeed specifically assume liability for claims growing out of
5 the sale of any K & M products manufactured prior to the date of purchase of K & M's pipe
6 assets.

7 On July 1, 1966, CertainTeed acquired, through merger, the Gustin-Bacon
8 Manufacturing Company (hereinafter "Gustin-Bacon"). Gustin-Bacon had been in the
9 business of manufacturing and selling fibrous glass insulating products. Gustin-Bacon did
10 not manufacture any asbestos-bearing products. It did assemble two special insulation
11 products faced or jacketed with asbestos-bearing material for the railroad car industry,
12 one from 1945 to 1947, and the other from 1945 to 1966 (in the case of the latter product,
13 CertainTeed continued to assemble said product through 1970). From 1945 to 1947,
14 Gustin-Bacon attached purchased reinforced asbestos paper as a facing to its fibrous glass
15 blanket insulation for use in insulating the ceilings, walls, and floors of railroad passenger
16 cars. In addition, from 1945 to 1966 (and CertainTeed through 1970), Gustin-Bacon
17 attached purchased neoprene-coated asbestos cloth as a jacketing for its fibrous glass pipe
18 insulation which was used to insulate railway passenger car steam lines.

19 These two insulation products faced or jacketed with asbestos-bearing material had
20 no applicability to any type of railroad car except passenger cars. Both products were
21 assembled solely for passenger car application. Both products were promoted solely for
22 use in passenger cars. Neither product was ever sold through distributors, but rather were
23 both sold directly to railroad companies and railroad car builders solely for use on
24 passenger cars.

25 Aside from the two aforementioned exceptions, which were assembled for limited
26 use within the railroad industry, Gustin-Bacon never manufactured or assembled any

1 insulating materials other than fibrous glass insulating products, and never incorporated
2 asbestos into any glass fiber component to form any insulation product.

3 The remainder of these interrogatories are objected to, insofar as they may relate
4 to the aforementioned insulation products, on the ground that they are not reasonably
5 calculated to lead to the discovery of admissible evidence.

6 ANSWER TO INTERROGATORY NO. 6: No.

7 ANSWER TO INTERROGATORY NO. 7: This defendant will produce whatever relevant
8 organizational charts it has in its possession without a request to produce.

9 ANSWER TO INTERROGATORY NO. 8:

10 (a) Corporate records are currently located at CertainTeed's executive offices in
11 Valley Forge, PA.

12 (b) T. A. Decker, Secretary, CertainTeed Corporation, P.O. Box 860, Valley Forge,
13 PA 19482.

14 (c) No.

15 ANSWER TO INTERROGATORY NO. 9: \$327,456,000.

16 ANSWER TO INTERROGATORY NO. 10: See objections raised in answer to Interrogatory
17 4. Without waiving said objections and subject thereto, CertainTeed has, since 1962,
18 imported asbestos fiber for incorporation into asbestos-cement pipe and has mixed said
19 fiber with other ingredients to form asbestos-cement pipe. CertainTeed also made two
20 isolated sales in 1964 of small quantities of fiber to a Johns-Manville facility located in
21 Manville, N.J.

22 ANSWER TO INTERROGATORY NO. 11: See objections raised in answer to Interrogatory
23 4. Without waiving said objections and subject thereto, CertainTeed, since June 1, 1962,
24 has manufactured, supplied, distributed, marketed and sold asbestos-cement pipe, in which
25 the asbestos fiber is "bound-in" by a combination of cement, silica, and water through an
26 autoclave (high pressure steam atmosphere) curing process. The asbestos-cement pipe

1 manufactured by CertainTeed, which is sold for use in the underground transmission of
2 water and sewage, contains the following amounts of asbestos by weight:

- 3 ° pressure pipe (15-20% asbestos content);
- 4 ° sewer pipe (10-15% asbestos content);
- 5 ° irrigation pipe (11-20% asbestos content);

6 CertainTeed has on occasion imported asbestos-cement pipe, but none of such pipe
7 has, to the best of our knowledge, been sold in California.

8 ANSWER TO INTERROGATORY NO. 12: This interrogatory is objected to for the reasons
9 set forth in Answer to Interrogatory 4. Without waiving said objections and subject
10 thereto, CertainTeed states as follows:

- 11 (a) The asbestos-bearing pipe manufactured by CertainTeed since 1962 has been known
12 as CertainTeed asbestos-cement pipe. Some of said pipe could have been
13 designated as Fluid-Tite pipe.
- 14 (b) CertainTeed first marketed asbestos-cement pipe following its purchase of the
15 asbestos-cement pipe assets of Keasbey & Mattison Company on June 1, 1962.
- 16 (c) Asbestos-cement pipe is still made and sold by CertainTeed.
- 17 (d) See Answer to Interrogatory 11. In addition, of the total asbestos content of
18 asbestos-cement pipe manufactured by CertainTeed, anywhere from 0% to 24% has
19 been crocidolite (blue) fiber by weight, with the remaining fiber being chrysotile
20 (white), depending on the type of pipe.
- 21 (e) Asbestos-cement pipe is cylindrical in shape, cement gray in color, with a smooth
22 interior, relatively rough textured exterior, with ends machined to given
23 dimensions. Pipe lengths are connected with an asbestos-cement coupling with two
24 rubber rings contained in machined grooves.
25 Sewer pipe contains black lettering, including the name "CertainTeed." Pressure
26 pipe contains either black or orange lettering, including the name "CertainTeed."
Irrigation pipe has black lettering, including the name "CertainTeed."

- 1 (f) See Answer to Interrogatory 11. The maximum temperature limit for any use of
2 asbestos-cement pipe is 200° F.
- 3 (g) See Answer to Interrogatory 11.
- 4 (h) From June 1, 1962, through May 1976, the manufacturer of asbestos-cement pipe
5 was Certain-teed Products Corporation. In May 1976, the name of the company
6 was changed to CertainTeed Corporation.
- 7 (i) Asbestos-cement pipe manufactured by Certain-teed has had diameters ranging
8 from 3" through 24". Standard length of pipe is 13 feet. Special lengths are
9 available in 3 ft. 3 in. and 6 ft. 6 in. sizes. Weight is dependent on length and class
10 of pipe.
- 11 (j) Not applicalbe.
- 12 (k) Crocidolite (blue)
- | | |
|--|--|
| 13 Turners Asbestos Fibre Ltd.
14 Faulkner House, Faulkner St.
Manchester 1, England | Central Asbestos Company, Inc.
Central House, Thomas Road
London E14 7BQ England |
| 15 Brakegate Ltd.
16 6 Broad Street Place
London EC2M 7ND England | Associate Minerals Corp. A.C.
Stadtle 36, P.O. Box 685
FL 9490, Vaduz, Liechtenstein |
| 17 Chrysotile (white) | |
| 18 Cassiar Resources
19 2000-1055 W. Hastings St.
Vancouver, BC, Canada VGE 3V3 | Calaveras Asbestos Ltd.
Box 127
Copperopolis, CA 95228 |
| 20 Bell Asbestos Mines Ltd.
21 P.O. Box 99
Thetford Mines, Canada G6G 4S4 | Huxley Development Corporation
1133 Avenue of the Americas
New York, NY 10036 |
| 22 Rhodesian & Gen. Asbestos Corp.
23 75 Main Street
Bulawayo, Rhodesia | Johns Manville Sales Corp.
600 Sylvan Avenue
Englewood Cliffs, NJ 07632 |
| 24 Asbestos Corporation Ltd.
25 1940 Sun Life Building
1155 Metcalfe Street
26 Montreal, Quebec, Canada H38 2X6 | |

1 (l) This interrogatory is objected to for the reasons set forth in Answer to
2 Interrogatory 4. However, without waiving said objections and subject thereto,
3 asbestos-cement pipe has never been sold to shipyards in connection with the
4 construction or repair of ships, nor to refineries in connection with the transmission
5 fuels. Those records of sales of asbestos-cement pipe which are in the custody of
6 CertainTeed are maintained at the offices of CertainTeed's Pipe Group in Valley
7 Forge, PA.

8 (m) No.

9 (n) This interrogatory is objected to for the reasons set forth in Answer to
10 Interrogatory 4. However, without waiving said objections and subject thereto,
11 asbestos-cement pipe made by CertainTeed has been marketed and/or sold in
12 California by companies other than CertainTeed.

13 (o) Asbestos-cement pipe has never ceased to contain asbestos.

14 (p) Relevant records pertaining to asbestos-cement pipe which are in the custody of
15 CertainTeed are maintained at the offices of CertainTeed's Pipe Group in Valley
16 Forge, PA.

17 ANSWER TO INTERROGATORY NO. 13: This interrogatory is objected to for the reasons
18 set forth in Answer to Interrogatory 4.

19 ANSWER TO INTERROGATORY NO. 14: This interrogatory is objected to for the reasons
20 set forth in Answer to Interrogatory 4. However, without waiving said objections and
21 subject thereto, CertainTeed maintains computerized records, at the offices of its Pipe
22 Group in Valley Forge, PA, of sales of asbestos-cement pipe from 1973 to the present
23 (invoices of sales for the period 1967 through 1972 are maintained on microfilm, but are
24 filed only by invoice number by year).

25 ANSWER TO INTERROGATORY NO. 15: CertainTeed has no knowledge as to the business
26 activities of the defendants listed in Exhibit A regarding sale or supply of asbestos fiber.

1 ANSWER TO INTERROGATORY NO. 16: CertainTeed has no knowledge as to the business
2 activities of the defendant listed in Exhibit A regarding sale or supply of asbestos
3 products.

4 ANSWER TO INTERROGATORY NO. 17: This interrogatory is objected to for the reasons
5 set forth in Answer to Interrogatory 4. However, without waiving said objections and
6 subject thereto, CertainTeed never entered into any such agreements in connection with
7 asbestos-cement pipe.

8 ANSWER TO INTERROGATORY NO. 18: See Answer to Interrogatory 17.

9 ANSWER TO INTERROGATORY NO. 19: This interrogatory is objected to for the reasons
10 set forth in Answer to Interrogatory 4. However, without waiving said objections and
11 subject thereto, CertainTeed first purchased asbestos fiber for incorporation into
12 asbestos-cement pipe subsequent to June 1, 1962.

13 ANSWER TO INTERROGATORY NO. 20: This interrogatory is objected to for the reasons
14 set forth in Answer to Interrogatory 4. However, without waiving said objections and
15 subject thereto, CertainTeed does not believe it ever purchased asbestos-cement pipe with
16 the purpose of reselling it in California under the CertainTeed name.

17 ANSWER TO INTERROGATORY NO. 21: This interrogatory is objected to for the reasons
18 set forth in Answer to Interrogatory 4. However, without waiving said objections and
19 subject thereto, CertainTeed answers as follows:

- 20 (a) GSA - PNDS Baton Rouge Depot, Baton Rouge, LA
21 (b) Grade "S" Crocidolite
22 (c) In 1972 two purchases were made, each involving a 40 ton experimental shipment,
23 one shipment being sent to each of the two CertainTeed plants located in California
24 where asbestos-cement pipe was manufactured.
25 (d) Jute bags
26 (e) Unknown whether health warnings accompanied the two subject shipments.

1 ANSWER TO INTERROGATORY NO. 22: Asbestos-cement pipe has been sold by
2 CertainTeed by banding the pipe together on pallets or in units.

3 ANSWER TO INTERROGATORY NO. 23: Not applicable as to asbestos-cement pipe since
4 no packaging or containers have been used.

5 ANSWER TO INTERROGATORY NO. 24: This interrogatory is objected to for the reasons
6 set forth in Answer to Interrogatory 4. However, without waiving said objections and
7 subject thereto, the following is supplied regarding asbestos-cement pipe:

- 8 (a) The warning, printed on a label, states, "CAUTION: Always use recommended work
9 practices. Do not use abrasive disc saws. When cutting, machining, and tapping,
10 refer to Recommended Work Practice Guides furnished by manufacturer to your
11 employer." Said warning label is placed on the unmachined portion of pipe (quarter
12 lengths and larger) at or near the end of the pipe, is 2-7/8" x 3", black print over
13 white background. Sample label is available.
- 14 (b) The warning label was first placed on asbestos-cement pipe by CertainTeed in 1979.
- 15 (c) Data became available indicating that field-machining of asbestos-cement pipe
16 using abrasive disc saws could result in dust levels in excess of those permitted by
17 pertinent regulation.
- 18 (d) None.
- 19 (e) Curtis M. Pontz, Senior Counsel, CertainTeed Corporation; Lloyd C. Ambler,
20 Senior Vice President, Pipe Group, CertainTeed Corporation; Jay F. Baker, Vice
21 President, Pipe Group, CertainTeed Corporation; John G. Kelso, formerly
22 President, Pipe Group, CertainTeed Corporation.

23 ANSWER TO INTERROGATORY NO. 25: See objections raised in Answer to Interrogatory
24 4. However, without waiving said objections and subject thereto, CertainTeed distributes
25 a booklet entitled "Recommended Work Practices for A/C Pipe" published by the A/C Pipe
26 Producers Association.

- 1 (a) The entire booklet is intended to warn about proper pipe machining techniques.
- 2 (b) 4-3/4" x 8" booklet on gray stock.
- 3 (c) Booklet was and is incorporated into CertainTeed's Installation Guide for Fluid-Tite
- 4 Asbestos-Cement Pressure Pipe. CertainTeed's sales force has also been provided
- 5 with copies of the booklet for distribution to engineers and contractors.
- 6 (d) Late 1977 to present.
- 7 (e) CertainTeed became aware that field-machining of asbestos-cement pipe using
- 8 abrasive disc saws could result in dust levels in excess of those permitted by
- 9 pertinent regulation.
- 10 (f) Unknown.
- 11 (g) Philip J. Croul
- 12 Director of Graphic Arts
- 13 Pipe Group
- 14 CertainTeed Corporation

15 In addition, CertainTeed has printed a warning in certain of its brochures as follows:

- 16 1. CertainTeed Installation Guide Asbestos-Cement Fluid-Tite Non-Pressure Sewer
- 17 Pipe (Code No. 40-31-06)
- 18 (a) On page 21, it is stated, "CAUTION - Asbestos cement pipe contains
- 19 asbestos fibers. Do not cut or machine without protection. Breathing
- 20 asbestos dust may cause serious bodily harm." Warning is in black print on
- 21 white background, approximately 1" x 6".
- 22 (b) 5-1/2" x 8-1/2" brochure.
- 23 (c) CertainTeed's sales force distributes brochure to engineers and contractors.
- 24 (d) Early 1980 to present.
- 25 (e) See answer (e) above.
- 26 (f) Curtis M. Pontz, Lloyd C. Ambler, and Jay F. Baker (see Answer to

Interrogatory 24(e)).

(g) See answer (g) above.

2. Installation Guide Fluid-Tite Pressure Pipe (Code No. 40-21-07)

(a) On inside front cover and on page 31, it is stated as cited in answer (a) above. Warning is in black print on white background, approximately 2" x 3" on inside front cover and 1" x 2" on page 31.

(b) 8-1/2" x 11" brochure.

(c) See answer (c) above.

(d) Early 1977 to present.

(e) See answer (e) above.

(f) See answer (f) above.

(g) See answer (g) above.

3. A/C Pressure Installation Guide - Distribution and Fluid Transmission Piping Systems (Code No. 40-23-07)

(a) On page 9 it is stated, "CAUTION - Asbestos cement pipe contains asbestos fibers. Do not cut or machine without protection. Breathing asbestos dust may cause serious bodily harm. Refer to 'Recommended Work Practices for A/C Pipe.'" Pages 39-47 are a reproduction of the booklet entitled "Recommended Work Practices for A/C Pipe" published by the A/C Pipe Producers Association. Warning on page 9 is in black print on white background, approximately 1" x 3".

(b) 8-1/2" x 11" brochure.

(c) See answer (c) to part 1 above.

(d) March 1982 to the present.

(e) See answer (e) to part 1 above.

(f) See answer (f) to part 1 above.

1 (g) See answer (g) to part 1 above.

2 ANSWER TO INTERROGATORY NO. 26: Not applicable.

3 ANSWER TO INTERROGATORY NO.27: See Answer to Interrogatory 12(e). In addition,
4 asbestos-cement pipe manufactured by CertainTeed has contained the trademark "Fluid-
5 Tite."

6 ANSWER TO INTERROGATORY NO.28: See Answers to Interrogatories 24 and 25.

7 ANSWER TO INTERROGATORY NO. 29: See objections raised in Answer to Interrogatory
8 4. Without waiving said objections and subject thereto, CertainTeed has prepared the
9 following such materials in connection with asbestos-cement pipe:

10 1. CertainTeed Installation Guide Asbestos Cement Fluid-Tite Non-Pressure Sewer
11 Pipe (Code No. 40-31-06)

12 (a) Dr. Morris Cohen (deceased)
13 Research Specialist
14 Cal Affleck (deceased)
15 Advertising Manager, Pipe Group
16 Arthur W. Hunt
17 Director of Communications, Pipe Group
18 (no longer employed by CertainTeed)

19 (b) Philip J. Croul
20 Director of Graphic Arts
21 Pipe Group
22 CertainTeed Corporation

23 (c) CertainTeed's sales force distributes brochure to engineers and contractors.

24 (d) None.

25 (e) All facets of handling and installing product.

26 2. Installation Guide Fluid-Tite Pressure Pipe (Code No. 40-21-07)

(a) Cal Affleck (deceased)
Advertising Manager, Pipe Group

(b) See answer (b) to part 1.

(c) See answer (c) to part 1.

(d) None.

- 1 (e) See answer (e) to part 1.
- 2 3. A/C Pressure Installation Guide - Distribution and Fluid Transmission Piping
- 3 Systems (Code No. 40-23-07)
- 4 (a) Arthur W. Hunt.
- 5 Director of Communications, Pipe Group
- 6 (no longer employed by CertainTeed)
- 7 (b) See answer (b) to part 1.
- 8 (c) See answer (c) to part 1.
- 9 (d) None.
- 10 (e) See answer (e) to part 1.
- 11 ANSWER TO INTERROGATORY NO. 30: No attempt was ever made to recall asbestos-
- 12 cement pipe which had been sold by CertainTeed without such labels.
- 13 ANSWER TO INTERROGATORY NO. 31: See persons cited in Answer to Interrogatory 24.
- 14 ANSWER TO INTERROGATORY NO. 32: See objections raised in Answer to Interrogatory
- 15 4. Without waiving said objections and subject thereto, CertainTeed has prepared sales
- 16 materials in connection with asbestos-cement pipe.
- 17 (a) Cal Affleck (deceased)
- 18 Advertising Manager, Pipe Group
- 19 Arthur W. Hunt
- 20 Director of Communications, Pipe Group
- 21 (no longer employed by CertainTeed)
- 22 (b) Those sales materials presently in the possession of CertainTeed are in the custody
- 23 of:
- 24 Philip J. Croul
- 25 Director of Graphic Arts, Pipe Group
- 26 CertainTeed Corporation
- (c) At various dates between June 1, 1962 and the present.
- (d) See (c) above.
- (e) Sales materials.

1 (f) Said sales materials have generally been furnished to engineers, contractors,
2 distributors, municipalities, and various other categories of customers and potential
3 customers through the CertainTeed sales force and by direct mail.

4 ANSWER TO INTERROGATORY NO. 33: None in connection with persons who have sued
5 CertainTeed alleging illness or injury caused by exposure to asbestos-cement pipe.

6 ANSWER TO INTERROGATORY NO. 34: No.

7 ANSWER TO INTERROGATORY NO. 35: CertainTeed belonged to the Asbestos
8 Information Association since its formation in 1971 through 1982, and has belonged to the
9 Association of Asbestos Cement Pipe Producers since its formation in 1973. The
10 remainder of this interrogatory is objected to on the ground that it is calculated to annoy
11 and oppress this answering party and cause it to incur undue and unreasonable effort and
12 expense.

13 ANSWER TO INTERROGATORY NO. 36: No.

14 ANSWER TO INTERROGATORY NO. 37: CertainTeed has been a member of NIMA since
15 1967. The remainder of this interrogatory is objected to on the ground that it is
16 calculated to annoy and oppress this answering party and cause it to incur undue and
17 unreasonable effort and expense.

18 ANSWER TO INTERROGATORY NO. 38: No.

19 ANSWER TO INTERROGATORY NO. 39: CertainTeed has been a member of the
20 Industrial Health Foundation since 1968. The remainder of this interrogatory is objected
21 to on the ground that it is calculated to annoy and oppress this answering party and cause
22 it to incur undue and unreasonable effort and expense.

23 ANSWER TO INTERROGATORY NO. 40: Asbestos-cement pipe has generally been
24 transported by CertainTeed to the San Francisco Bay Area by truck since 1962.

25 ANSWER TO INTERROGATORY NO. 41: This interrogatory is objected to for the reasons
26 set forth in Answer to Interrogatory 4. Without waiving said objections and subject

FREITAS, MCCARTHY, BETTINI, MACMAHON, FREITAS & LEMON
960 FIFTH AVENUE
SAN RAFAEL, CALIFORNIA 94901
TELEPHONE 458-7500 AREA CODE 415

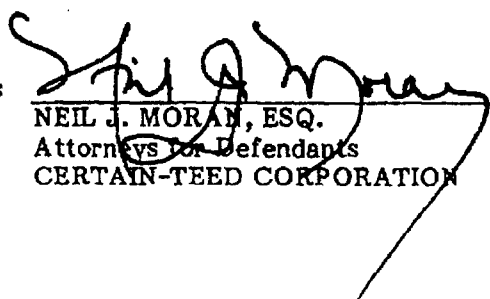
1 thereto, see Answer to Interrogatory 32.

2 ANSWER TO INTERROGATORY NO. 42: This Interrogatory is objected to for the reasons
3 set forth in Answer to Interrogatory 4.

4 ANSWER TO INTERROGATORY NO. 43: See Answer to Interrogatory 5.

5
6 Dated: June 13, 1983

FREITAS, MCCARTHY, BETTINI,
MacMAHON, FREITAS & LEMON

By: 

NEIL J. MORAN, ESQ.
Attorneys for Defendants
CERTAIN-TEED CORPORATION

FREITAS, MCCARTHY, BETTINI, MACMAHON, FREITAS & LEMON
980 FIFTH AVENUE
SAN RAFAEL, CALIFORNIA 94901
TELEPHONE 486-7500 AREA CODE 415

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VERIFICATION

I, the undersigned, declare:

I am Senior Counsel and Assistant Secretary of
CERTAINTED CORPORATION, a defendant in the above entitled matter;
that I have been authorized to make this verification on its
behalf.

I have read the foregoing Answers to Interrogatories
and know the contents thereof. I am informed and believe that
the matters stated therein are true and on that ground I allege
that the matters stated therein are true.

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

Executed at Valley Forge, PA., this 9th day of June,
1983.


Curtis M. Pontz

DECLARATION OF SERVICE BY MAIL (C.C.P. 1013a, 2015.5)

1 I, the undersigned, under penalty of perjury, declare:

2 I am a citizen of the United States, over 18 years of age, a
3 resident of the County of Marin, and not a party to the within
action. I served a true copy of the attached _____

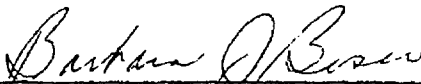
4 Amended Answers to Interrogatories
5 _____
6 _____

7 by placing a true copy thereof, enclosed in a sealed envelope with
8 postage thereon fully prepaid, and on the date last written herein
deposited in the United States post office mail box at San Rafael,
9 California, addressed as follows:

10 Steven Kazan
11 A Law Corporation
171 Twelfth Street, Suite 300
Oakland, CA 94607

12 Moore, Clifford, Wolfe, Larson & Trutner
13 201 19th Street
Oakland, CA 94612
14
15
16
17
18
19
20
21
22
23
24

25 Executed on August 3, 1983 at San Rafael, California.
26


Barbara J. Bosco