

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

BETTY PEERENBOOM, et al.,

Plaintiffs,

vs.

B. F. GOODRICH COMPANY,

Defendant.

Civil Action No. 81-C-0698L(A)

ANSWERS TO
INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND REQUEST FOR ADMISSION
OF DEFENDANT, B. F. GOODRICH
COMPANY, TO PLAINTIFFS

The Defendant, B. F. Goodrich Company, by counsel, propounds the following Interrogatories and Requests for Production of Documents to the Plaintiffs to be answered and supplemented in accordance with the Federal Rules of Civil Procedure.

1. State specifically and in detail all facts or matter of opinion upon which you base your contentions, as set forth in paragraphs 9, 10 and 12 of your Complaint that B. F. Goodrich Company knew of dangerous propensities of vinyl chloride and knowingly and willfully concealed such knowledge from its em-

ployees. Answer: As an active member of the Manufacturing Chemist Association, Defendant knew of the inherent dangerous propensities of vinyl chloride as early as the 1960's but never advised Plaintiff's decedent or any employees until after a newspaper expose in late 1974-early 1975.

2. Give the name and address of each person that you expect to testify at the trial of this case who will testify about the information set out in your answer to Interrogatory #1 herein.

Answer: Courier-Journal & Times archwest, 500 West Broadway, Louisville, Kentucky 40202. (2) John Creech, M.D., B. F. Goodrich, Louisville, Kentucky (3) Maurice John, M.D., B. F. Goodrich, Akron, Ohio. (4) W. E. McCormick, 419 Dorchester Road, Akron, Ohio - as more are discovered Plaintiffs will up response.

3. You are hereby requested to produce each and every document upon which you will rely to support your answer to Interrogatory #1

herein. Answer: The requested documents are already in the possession of the Defendant and were last seen in the conference room of Ogden, Robertson & Marshall, 1200 One Riverfront Plaza, Louisville, Kentucky 40202 on March 25, 1982. Defendant already has produced said items and is aware of their identity.

4. State the specific date when you claim the Defendant, B. F. Goodrich Company, first had the knowledge referred to in paragraphs 9, 10 and 12 of your Complaint, and give the name and address of each witness whom you believe will establish that fact at the trial

of this case. Answer: According to M. W. Larsen's report, which was produce for Plaintiffs by Defendant, the specific date is uncertain, but it would be prior to said report which is dated February 23, 1960.

5. You are hereby requested to produce each and every document upon which you will rely to support your answer to the immediately preceeding Interrogatory. Answer: See Answer to Number 4 above..

6.. You are hereby requested to admit that B. F. Goodrich Company did not have knowledge that there was a reasonable possibility that exposure to vinyl chloride at its Louisville plant was related to the disease of angiosarcoma until Dr. John Creech questioned that possibility and discussed it with Dr. Maurice Johnson in December of 1973. Answer: Plaintiffs, in light of discovery available to date (of which Defendant has knowledge) cannot so admit.

7. If your answer to the immediately preceeding Request for Admission is anything other than an unqualified admission, state each and every fact known to you which prohibits you from making such an unqualified admission. Answer: See Answers to Questions 1 through 4, inclusive, above, plus discovery documents made available to Plaintiffs upon their discovery motion on/about May 25, 1982.

8. If you claim that B. F. Goodrich Company should have informed its employees of any facts about exposure to vinyl chloride at some point in time earlier than when such information was in fact given to its employees, state in specific detail what effect you claim such earlier disclosure would have had upon the health of Clarence Peerenboom, and give the name and address of each witness whom you believe will testify to such facts at the trial of this case. Answer: Had Defendant fulfilled its obligations to Plaintiffs' decedent and other employees, they could have made a knowledgeable choice as to work environment, taken safety precautions, sought preventive medical advice as well as timely curative assistance.

9. Identify each person whom you have consulted with as an expert, including his or her name, address, telephone number, expert qualifications, the fee or compensation to be paid such expert, and in addition thereto, with regard to any such expert who may be called as a witness at the trial, state the following: As yet, Plaintiffs have not so consulted anyone, but will supplement this answer as necessary!

(a) State separately the subject matter upon which each such expert is expected to testify;

(b) State separately the substance of the facts and opinions to which each expert is expected to testify;

(c) State separately a summary of the grounds for each such opinion of each expert.

10. List the names and addresses of all witnesses, other than expert witnesses listed above, who have knowledge concerning the facts or circumstances surrounding the allegations in your Complaint, and state briefly which facts or knowledge each such witness is believed to possess. Answer: As yet, Plaintiffs have not solidified said witness list. Minimally, every present and/or past employee of Defendant who has worked in the VC and/or PVC areas would be a potential witness under this answer category.

11. Identify each exhibit which you intend to either use or introduce into evidence at the trial of this case. Answer: All documents furnished to Plaintiffs as the result of discovery of May 25, 1982 and the newspaper archive documents.

RADOLOVICH, HARRINGTON & LEVY, P.S.C.


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CERTIFICATE

I hereby certify that a copy of this document was served
by mail this 2nd day of March, 1983 upon Hon. Walter Sales, 300
Marion E. Taylor Building, Louisville, Kentucky 40202; and upon Hon.
Stephen F. Schuster, 1200 One Riverfront Plaza, Louisville, Kentucky
40202.


ATTORNEY FOR PLAINTIFFS