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EATON CORP. and
EATON ELECTRICAL, INC. f/k/a
CUTLER-HAMMER, INC.

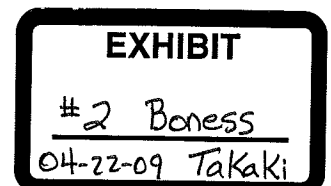
IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN RE:	)	A.C.M.
HAWAII STATE ASBESTOS CASES	)	(Toxic Tort/Asbestos Personal Injury)
	)	
ALL A.C.M. ASBESTOS CASES	)	SPECIMEN RESPONSIVE PLEADING
	)	OF DEFENDANTS EATON CORP. and
MASTER CASE FILE	)	EATON ELECTRICAL, INC. fka
	)	CUTLER-HAMMER, INC.'S RESPONSE
	)	TO PLAINTIFFS' AMENDED MASTER
	)	SET OF INTERROGATORIES
_____	)	

**SPECIMEN RESPONSIVE PLEADING OF
DEFENDANTS EATON CORP. AND EATON ELECTRICAL, INC. FKA
CUTLER-HAMMER, INC.'S
RESPONSE TO PLAINTIFFS' AMENDED MASTER SET OF INTERROGATORIES**

Defendants EATON CORP, individually and as successor in interest to CUTLER-HAMMER, INC. and EATON ELECTRICAL, INC. fka CUTLER-HAMMER, INC. (hereinafter cEaton Electricalc) by and through its counsel, Kessner Umebayashi Bain & Matsunaga, pursuant to Rules 26 and 33 of the Hawaii Rules of Civil Procedure and Case Management No. 1



filed herein on August 2, 2005 hereby answers Plaintiffs' Amended Master Set of Interrogatories as follows:

PRELIMINARY STATEMENT

Plaintiffs' Master Interrogatories to Defendants EATON CORP., individually and as successor in interest to CUTLER-HAMMER, INC. and EATON ELECTRICAL, INC. fka CUTLER-HAMMER, INC. (hereinafter Eaton Electrical) concern events that occurred decades ago. Eaton Electrical's ability to provide the information requested by plaintiff is impacted by the passage of time. These Responses are believed to be accurate as of the date of filing, but Eaton Electrical's investigation of the underlying facts is continuing. Further investigation or discovery may add meaning to the known facts or establish new factual conclusions or legal contentions. Eaton Electrical therefore reserves the right to amend or supplement any and all Responses herein, if permitted or required by applicable law, as additional facts are ascertained, or as the contentions of Plaintiffs herein may be discovered or amended. These Responses are given without prejudice to Eaton Electrical's right to rely at trial on subsequently discovered information or on information inadvertently omitted herein. If the information contained here differs in any material respect from any prior responses to this or any other discovery, these Responses shall be deemed to update and supersede such prior responses.

Eaton Electrical objects to any Interrogatories that impose an unreasonable burden on Eaton Electrical because of Plaintiffs' failure to phrase clearly or tailor these generic Interrogatories to Eaton Electrical, or to draft these Interrogatories as to lead to the discovery of admissible evidence. Eaton Electrical objects to these Interrogatories on the ground that the Interrogatories are so imprecisely phrased and devoid of specificity as to make it impossible to conduct a meaningful search for responsive documents or to frame responses relevant to the

cases or claims currently at issue. Eaton Electrical provides these Responses based upon the Interrogatories as framed by Plaintiffs.

The Responses contained herein are made in good faith effort to respond to Plaintiffs' Interrogatories based on currently available information, but in no way should prejudice Eaton Electrical in relation to further discovery, research or analysis. Eaton Electrical does not concede that any of its Responses or documents produced to Plaintiffs' Interrogatories are or will be admissible evidence at trial. These Responses are made without waiving or intending to waive:

1. All objections as to competency, relevancy, materiality, authenticity, privilege, or admissibility as evidence for any purpose, of any answer or subject matter thereof, in any subsequent proceeding or trial in these or other actions;
2. The right to object on any ground at any time to a demand for further answers to these or any other requests involving or relating to the subject matter of these Interrogatories or Responses therein; and
3. The right at any time to review, correct, supplement or clarify any of the Responses provided herein.

Eaton Electrical does not waive any objections by providing Responses to individual Interrogatories, or by raising additional objections regarding the same. Eaton Electrical incorporates by reference this Preliminary Statement into each and every Response set forth below.

GENERAL STATEMENT

Without admitting liability for any time period, Eaton Electrical states that in responding to these Interrogatories, the term "Cutler-Hammer" and all information provided by Eaton

Electrical is limited to Cutler-Hammer manufactured products. Each Response provided hereafter is subject to and in the context of this General Statement.

GENERAL OBJECTIONS

Eaton Electrical objects to Plaintiffs' Amended Master Set of Interrogatories including but not limited to the Instructions and Definitions, to the extent they seek information or documentation that is protected by the attorney-client privilege or work/product doctrine, or are beyond the scope of permitted discovery in accordance with Hawaii Rules of Civil Procedure. Further, Eaton Electrical objects to the requests to the extent they are vague, overly broad, and unduly burdensome as they are not limited to years, products, work locations or issues that are relevant to the plaintiffs' claim in this case.

In addition to and without limiting the foregoing, Eaton Electrical more specifically raises the following Objections to Plaintiffs' Amended Master Set of Interrogatories and Request for Production of Documents:

1. Overly Broad, Undue Burden - Scope and Time. Eaton Electrical objects to the definitions, instructions and individual requests seeking information concerning products other than those to which Plaintiffs allege exposure. Eaton Electrical objects to providing information concerning divisions or business units other than those involved with the product or products to which Plaintiffs allege exposure. Requests seeking such information are overly broad and unduly burdensome, oppressive, and not reasonably limited to scope or time. Eaton Electrical states that it is a very large corporation with a long history of acquisition and divestiture. As such, attempting to determine every activity engaged in by every such business would be extraordinarily and unreasonably difficult. For these reasons, Eaton Electrical will only

incur the burden and expense of obtaining information which pertains to products to which the Plaintiffs were allegedly exposed.

2. Mining and Processing Inquiries Are Irrelevant. Eaton Electrical further objects to every discovery request that concerns the mining or processing of raw asbestos fiber because they do not apply to Eaton Electrical. Eaton Electrical purchased asbestos containing components and compounds from other parties and/or manufacturers. Eaton Electrical never mined asbestos or processed raw asbestos.

3. Information From Third Parties. Eaton Electrical objects to these discovery requests to the extent that they seek information from or regarding third parties. These responses are limited to Eaton Electrical's knowledge about Eaton Electrical's own activities.

4. Overly Broad, Undue Burden - Lack of Records. Eaton Electrical objects that these discovery requests are overly broad, burdensome and oppressive to the extent they purport to require a search for voluminous historical records, to the extent they exist, that only tangentially relate to plaintiff's claims, if at all. Moreover, such documents that might arguably pertain to these Requests have been lost or discarded in the normal course of business over the last several decades and are unavailable to Eaton Electrical to assist in responding to these discovery requests. Most of the personnel who might have knowledge of historical business records related to Cutler-Hammer asbestos-containing products have either passed away or are no longer working for Eaton Electrical. In responding to these Requests, Eaton Electrical will provide good faith answers based on its continuing investigation of the documents and other information reasonably available to it.

5. Compilation or Speculation. Eaton Electrical further objects to the extent these discovery requests would require Eaton Electrical to engage in unjustly burdensome

activities to extract, compile or develop information from historical documents to determine the answers to plaintiff's Requests, particularly in regard to matters that involve historical records that are decades old and which are incomplete and sporadic, at best. Eaton Electrical objects to the extent that these Requests purport to require Eaton Electrical to guess, speculate, or conjecture about the meaning of documents or inferences that might be drawn therefrom.

6. Overly Broad - Geographic Scope. Eaton Electrical objects that the Requests as a whole are overly broad, burdensome and oppressive in relation to their geographic scope and that plaintiff has not articulated claims or adduced any evidence to justify such oppressive discovery.

7. Not Likely to Lead To Admissible Evidence - Unrelated Businesses. Eaton Electrical further objects to any demand for information that would require Eaton Electrical to conduct investigations of divisions or product lines different from and unrelated to the Eaton Electrical business operation that was involved with the products specifically identified in Plaintiffs' complaint. Such information is neither admissible nor in any way calculated to lead to the discovery of admissible evidence. In responding to these discovery requests, the term "Cutler-Hammer" and all information provided by Eaton Electrical is limited to Cutler-Hammer manufactured products.

8. Vague, Overly Broad and Ambiguous. Eaton Electrical objects to plaintiff's definitions as vague, overly broad and ambiguous.

9. Confidential or Privileged Information. Eaton Electrical objects to plaintiff's Requests to the extent that they seek confidential or proprietary information or information protected by the attorney-client privilege or work-product doctrine and the responses do not provide such information to the extent requested. With regard to confidential, trade secret

or other proprietary information, Eaton Electrical reserves the right to seek an appropriate protective order for any information or documents provided in response to plaintiff's discovery demands.

10. Voluminous. Eaton Electrical objects that the Requests are voluminous, contain inordinate parts and subparts and greatly exceed the number of discovery requests permitted by law or which are reasonable and appropriate under the circumstances of this case.

11. Right to Supplement. Eaton Electrical states that its investigation into the facts and circumstances surrounding the allegations made by the plaintiff is continuing. The information provided in these Responses is derived from the results of Eaton Electrical's investigation to date. Should additional information come to light, Eaton Electrical reserves the right to supplement these Responses as appropriate.

12. No Admission. Except for facts specifically admitted herein, no admission of any nature whatsoever is to be implied or inferred. The fact that any discovery request has been answered should not be taken as an admission or concession of the existence of any facts set forth or assumed by any discovery request, that such answer constitutes evidence of any fact set forth or assumed in the discovery request, or that the discovery request or Eaton Electrical's response thereto is admissible at trial. Any and all objections, whether or not stated herein, are reserved and may be interposed at the time of trial.

13. Impermissible Modification. Eaton Electrical objects to the definitions and instructions as impermissible modifications of controlling law.

14. Incorporation by Reference. These general objections are incorporated by reference into each Response to each Request set forth below.

Without waiving the foregoing, Eaton Electrical further responds as follows:

INTERROGATORIES

1. State the name, address, telephone number and position of the corporate officer answering these Interrogatories.

ANSWER: OBJECTION. No single individual was responsible for collecting the data necessary to respond to these Interrogatories.

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Subject to and without waiving the foregoing objection, Eaton Electrical states that it prepared these Responses with the assistance of counsel. The data collected and used to respond to these Interrogatories is the result of Eaton Electrical's ongoing investigation. Fred R. Boness, Retired Principal Engineer and Consultant supplied some information and verified the responses. Mr. Boness can be contacted through Eaton Electrical's national counsel, Goldberg Miller & Rubin, P.C., 121 S. Broad Street, 15th Floor, Philadelphia, PA.

2. State the full and complete legal name under which your company is now doing business and has done business at all times from the date when it began mining, processing, manufacturing and/or selling asbestos products and materials up until the present time. If your company is presently an unincorporated division of another corporation, please state the name of such corporation.

ANSWER: OBJECTION. Eaton Electrical objects to providing information concerning divisions or business units other than those involved with the product or products to which Plaintiffs allege exposure on the grounds that requests seeking such information are overly broad and unduly burdensome, oppressive, and not reasonably limited in scope or time.

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Subject to and without waiving said objections, Eaton Electrical states that Eaton Corporation was incorporated in Ohio in 1919. Its principal place of business is at World Headquarters, Eaton Center, 1111 Superior Ave., Cleveland, Ohio. Eaton Corporation purchased Cutler-Hammer, Inc. in 1978. In 1993, Cutler-Hammer, Inc. was independently incorporated as a Delaware Corporation, but remained a wholly-owned subsidiary of Eaton Corporation. In late 2002, Cutler-Hammer, Inc. was renamed Eaton Electrical Inc.

3(a). Please state in which state(s) of the United States or what foreign country your business is incorporated, and state your principal place of business.

ANSWER: Please see objection and response to Interrogatory No. 2.

3(b). Please state whether:

- a) Your company is or ever has been authorized to do business in Hawaii. If your company is no longer authorized to do business in Hawaii, please state the years when your company was authorized to do business in Hawaii.
- b) Your company does or has ever done business in Hawaii.
- c) Your products are or have ever been used in Hawaii.

ANSWER: Unknown. It is believed that Cutler-Hammer conducted business in all states since approximately the 1950's, however, Eaton Electrical reserves the right to amend this response if further investigation reveals otherwise. Additionally, Eaton Electrical currently has distributors and sales offices in the State of Hawaii.

4. Has this defendant ever acquired through purchase, reorganization or merger another corporation, company, or business which manufactured, sold, processed, distributed or contracted to apply insulation products containing asbestos including asbestos cloth and/or drywall products and/or brake lining and/or clutch pads containing asbestos?

ANSWER: **OBJECTION.** Eaton Electrical objects to providing information concerning divisions or business units other than those involved with the product or products to which Plaintiffs allege exposure on the grounds that requests seeking such information are overly broad and unduly burdensome, oppressive, and not reasonably limited to scope or time.

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Subject to and without waiving said objection, please see response to Interrogatory No. 2. By way of further answer, Cutler-Hammer Inc. sold friction products including brake lining and clutch components, some of which are believed to have contained asbestos, from the 1930s through the early 1980s.

5. If the answer to Interrogatory No. 4 is "Yes", then state the following concerning such predecessor:

- a) Full and Correct name;
- b) The principal place of business;
- c) State of incorporation;
- d) Date of acquisition by defendant;
- e) Was this business authorized to transact business in the State of Hawaii?
- f) Identify the custodian of all papers pertaining to the acquisition.

ANSWER:

a)-e) Please see objections and responses to Interrogatories Nos. 2 and 3(b).

f) **OBJECTION.** Eaton Electrical objects to Interrogatory No. 5f) on the grounds that it is vague and ambiguous in general, overly broad in time and scope, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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6. As to any product containing asbestos in any form including raw asbestos fibers, has this defendant, or any predecessor(s):

- a) Ever designed such a product?
- b) Manufactured such a product?

- c) Processed such a product?
- d) Sold such a product?
- e) Distributed such a product?
- f) Patented such a product?
- g) Relabeled such a product which was manufactured, sold, or distributed by another company?
- h) Ever mined asbestos material?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 6 and all its subparts on the grounds that this request is vague, overly broad in time and scope in that there is no specific evidence as to which particular Cutler-Hammer asbestos-containing product is at issue in this claim.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer did not mine or manufacture raw asbestos. Cutler-Hammer, Inc. manufactured products that at times contained encapsulated component parts containing asbestos supplied by other manufacturers during certain time periods.

7(a). If your answer to No. 6(b), 6(d) and 6(e) is "Yes," then give the trade name of the product, the first year the defendant or predecessor firms sold or distributed such product, and the year the defendant last sold or distributed such product containing asbestos.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 7(a) on the grounds that this request is vague, overly broad in time and scope in that there is no specific evidence as to which particular Cutler-Hammer asbestos-containing product is at issue in this claim and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that the trade name of all products was Cutler-Hammer.

(1) Arc Shield/chute Component - sold starting in approximately 1940. Component was last sold in approximately the early 1980's. The type of material is believed to be chrysotile of unknown percentage that may have changed over time. Rostone was the only known supplier of a formed component. Some arc shields were phenolic plastic. Discovery is on-going and Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

(2) Ebony Panel Board Component - sold starting in approximately the late 1930's. Component was last sold in approximately the early 1980's. The type of asbestos is believed to be chrysotile of unknown percentage that may have changed over time. This was provided as a formed component, not as asbestos fiber. Suppliers include Nohl Industries, Wisconsin Gasket and Manufacturing Company and Asbesto-Fab. Discovery is on-going and Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure

(3) Insulation Paper/tape Component Part - components with insulation paper sold from 1970's or earlier. Components with insulation paper last manufactured in approximately the early 1980's. The type of asbestos is believed to be chrysotile of unknown percentage that may have changed over time. This was provided as a formed component, not as asbestos fiber. Some of the tape was supplied by Armstrong and was referred to as Synthesal D8080. Discovery is on-going and Eaton Electrical will supplement this answer should become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

(4) Phenolic/melamine Plastic Components - sold starting in the mid-1950's, but possibly earlier. Components were last sold starting in approximately the early 1980's, though phasing out in the mid-1970's. The type of material is believed to be chrysotile of unknown percentage that may have changed over time. Suppliers of the compounds, not raw fiber, which were used to mold these products, include Rostone, Durez, Fiberite, Plenco and Union Carbide. Discovery is on-going and Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

(5) Insulated Wire - sold starting in approximately 1940. Products and components with insulated wire were last sold in approximately the late 1970's to early 1980's. The type of material is believed to be chrysotile of unknown percentage that may have changed over time. Known wire suppliers include Rockbestos. Discovery is continuing and Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

(6) Brake Lining and Clutch Components - sold prior to 1956. Brake lining components were phased out starting in the early 1980's. It is believed clutches were phased out a few years earlier, but discovery is continuing. The type of material is believed to be chrysotile of unknown percentage that may have changed over time. Friction surfaces were provided as fully formed materials by other manufacturers. Known suppliers include Johns-Manville, Raybestos-Manhattan and Asbestos Manufacturing Company. Discovery is continuing and Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

7(b). As to every product of yours which you have identified in Interrogatory 7(a) above, state the specific type or types of asbestos, (i.e., crocidolite, chrysotile, amosite or any others) which your products contained. Also, give the percentage asbestos as to each product.

ANSWER: Please see objection and response to Interrogatory No. 7(a).

7(c). State the names and positions of all corporate officers or officials having responsibility for creating, directing or setting the policy of your firm with regard to whether or not your products should contain asbestos, and whether or not warnings as to the dangers of asbestos should be provided by you from 1930 to the present.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory 7(c) on the grounds that this request is vague, overly broad in time and scope in that there is no specific evidence as to which particular Cutler-Hammer asbestos-containing product is at issue in this claim, not reasonably calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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7(d). What is the name, address, and the job title of each individual who participated in the designing and preparation of manufacturing specifications for each such product identified in Interrogatory No. 7(a).

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory 7(d) on the grounds that this request is vague, overly broad in time and scope in that there is no specific evidence as to which particular Cutler-Hammer asbestos-containing product is at issue in this claim, not reasonably calculated to lead to the discovery of admissible evidence and therefore unduly burdensome and harassing.

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8. Have you at any time from 1959 through 1983 sold, delivered or supplied any "asbestos products" to any entity in Hawaii and/or Pearl Harbor?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 8 on the grounds that it is vague, overly broad in time and scope in that it is not limited to the Plaintiffs in this litigation, not limited to plaintiffs' job site(s), not limited to products that the plaintiffs have identified, and not calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical's records cannot confirm whether Cutler-Hammer delivered or supplied any "asbestos products" to any entity in Hawaii or Pearl Harbor.

8(a). Have you at any time from 1930 through 1959 sold, delivered or supplied any "asbestos products" to any entity in Hawaii and/or Pearl Harbor?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 8(a) on the grounds that this Request is vague, overly broad in that it is not limited to the Plaintiffs in this litigation, not limited to Plaintiffs' job site(s), not limited to products that the Plaintiffs have identified, and not calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical's records cannot confirm whether Cutler-Hammer delivered or supplied any "asbestos products" to any entity in Hawaii or Pearl Harbor.

8(b). Do you have any knowledge of any of your asbestos products ever being used in Hawaii and/or Pearl Harbor between 1930 and 1983, and if so, set forth the facts upon which you base your answer including the years and place of use.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 8(b) on the grounds that it is vague, overly broad in that it is not limited to the Plaintiffs in this litigation, not limited to Plaintiffs' job site(s), not limited to products that the Plaintiffs have identified, and not calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical's records cannot confirm whether Cutler-Hammer products were or were not used in Hawaii or Pearl Harbor.

8(c). Do you contend that none of your asbestos-containing products were sold to or ever reached Hawaii and/or Pearl Harbor?

- a) If so, state all facts upon which you base these contentions.
- b) Identify any witnesses who have personal knowledge that your products were not sold to these concerns.
- c) Identify all documents which support your contention that your products were not sold to these concerns.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 8(c) and its subparts a) through c) on the grounds stated in the General Objections above and on the grounds that it is premature and therefore unduly burdensome.

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Subject to and without waiving said objection, Eaton Electrical states that discovery is continuing and its investigation continues. Eaton Electrical's records cannot confirm whether Cutler-Hammer products were or were not sold to or reached Hawaii or Pearl Harbor. Eaton Electrical will supplement this answer should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

9. If Interrogatory 8 and/or 8(a) and/or 8(b) are answered in the affirmative, state for each such sale and delivery:

- a) The date of each sale or delivery and the name of the entity in Hawaii or at Pearl Harbor receiving the "asbestos product".
- b) The generic name of the "asbestos product".
- c) The brand name of the "asbestos product".
- d) The Trademark name of the "asbestos product".
- e) The chemical composition of such "asbestos product" including the percentage of asbestos content.
- f) The quantity of each such sale or delivery.
- g) The price paid by Pearl Harbor or the entity in Hawaii for the shipment.
- h) The invoice and purchase order number of such shipment and any other information required to identify each such document.
- i) The department and officer or employee at the entity in Hawaii or at Pearl Harbor who:
 - i. placed the order;
 - ii. accepted deliver;
- j) The department and officer or employee at your company who:
 - i. accepted the order;
 - ii. packaged the order;
 - iii. shipped the order;
 - iv. has possession, at the present time, of the records concerning each shipment.

ANSWER: Please see objections and responses to Interrogatory Nos. 8, 8(a) and 8(b).

10. With regard to each order of asbestos products sold or delivered by you to Pearl Harbor and/or any entity in Hawaii, state whether:

- a) You provide Pearl Harbor or said Hawaii entity with specifications concerning the asbestos products sold.
- b) Pearl Harbor or said Hawaii entity provided product specifications to you concerning the asbestos products it ordered from you.
- c) You provided Pearl Harbor or said Hawaii entity with any advertising or promotional material.
- d) You provided any instructions concerning the proper use of the asbestos material.
- e) You provided any warnings regarding the asbestos products you sold and/or delivered.
- f) You provided any warranties concerning the asbestos products.

ANSWER: Not applicable. Please see objections and responses to Interrogatory No. 8.

11. If any part of Interrogatory 10 is answered in the affirmative, identify each such document by:

- a) Date.
- b) Title and identification number.
- c) Name of person who prepared it.
- d) Name of person who authorized its use.
- e) Present location and custodian of the document.

ANSWER: Not applicable.

12. If you performed any acts which altered the asbestos products between the time they came into your possession and the time they were delivered to Pearl Harbor or to any entity in Hawaii, describe:

- a) The form the asbestos products were in when they first came into your possession.
- b) What alteration you made to the asbestos product.
- c) The reason for the alteration made by you before you shipped the asbestos

product to Pearl Harbor or to any entity in Hawaii.

ANSWER: Not applicable. Please see objections and responses to Interrogatory No. 8.

13. Did you provide any warnings, instructions or information as to the dangers of asbestos inhalation when you sold, shipped and delivered each order of asbestos products to Pearl Harbor or to any entity in Hawaii. If so, for each shipment:

- a) Describe in detail each such warning, instruction or information given.
- b) State whether such warning, instruction or information was oral or written.
- c) If oral, identify the substance of the warning, instruction or information given and the date and name of the person at Pearl Harbor or in Hawaii to whom given.
- d) If written, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.
- e) Please state why such warnings were given.

ANSWER: Not applicable. Please see objections and responses to Interrogatory No. 8.

14. Identify all correspondence regarding sales of asbestos, warnings or instructions as to the use of your asbestos products and/or health hazards created by your asbestos products (other than the invoices and purchase orders referred to in Interrogatory 9) between you and Pearl Harbor and/or any entity in Hawaii for:

- a) 1959 through 1978,
- b) 1930 through 1959 by:
 - i. Document number;
 - ii. Subject matter;
 - iii. Date;
 - iv. Name and title of sender;
 - v. Name and title of addressee;

and state where such documents are presently located and the name of the custodian of such documents.

ANSWER: Not applicable. Please see objections and responses to Interrogatory No. 8.

15. Has any officer, employee or representative of your company visited Pearl Harbor or any U.S. military installation in Hawaii regarding the use of your asbestos products by the United States military or any other Hawaii entity? If so, state:

- a) The name, address and title of each employee who visited Pearl Harbor or any U.S. military installation in Hawaii.
- b) The date of the visit.
- c) The purpose of the visit.
- d) Who at Pearl Harbor or any U.S. military installation in Hawaii he saw or spoke to.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 15 and its subparts a) through d) on the grounds that the Request is vague, overly broad in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions and therefore is unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of Eaton Electrical.

16. Have you at any time from 1930 through 1978 bought from any other company any "asbestos products" including raw asbestos fiber for resale (or for inclusion as a component part in a product to be sold by you)?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 16 on the grounds that it is vague, overly broad in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers. Cutler-Hammer did not mine or manufacture raw asbestos.

16(a). Have you at any time from 1930 through 1978 sold to, delivered to or supplied any "asbestos products" including raw asbestos fiber to any other company for resale (or for inclusion as a component part in a product to be sold by such other company)?

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 16(a) on the grounds that it is vague, overly broad in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of Eaton Electrical.

17. If Interrogatory 16 and/or 16a are answered in the affirmative, state for each such sale and delivery:

- a) The date such products were bought, sold and delivered.
- b) The generic name of the "asbestos product".
- c) The brand name of the "asbestos product".
- d) The Trademark name of the "asbestos product".
- e) The chemical composition of such "asbestos product".
- f) The quantity of each such purchase, sale and delivery.
- g) The price paid by the buyer for the shipment.

- h) The invoice and purchase order number of such shipment and any other information required to identify each such document.
- i) The department who placed the order.
- j) The department who accepted the order.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 17 and its subparts a) through j) on the grounds that the Request is vague, overly broad in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, please see objections and answers to Interrogatories Nos. 16 and 16a. By way of further answer, Eaton Electrical states as follows:

- a) – e) Please see objection and answer to Interrogatory No. 7(a).
- f) Unknown.
- g) Unknown.
- h) Unknown.
- i) Unknown.
- j) Unknown.

18. With regard to each order of asbestos products bought from or sold or delivered by you to another company, state whether:

- a) You provided other company with specifications concerning the asbestos products sold.
- b) The other company provided product specifications to you concerning the asbestos products it ordered from you.
- c) You provided or were provided by other company with any advertising or promotional material.

- d) You provided or were provided any instructions concerning the proper use of the asbestos material.
- e) You provided or were provided any warnings regarding the asbestos products you sold and/or delivered.
- f) You provided any warranties concerning the asbestos products.
- g) You received any warranties concerning the asbestos products.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 18 and its subparts a) through g) on the grounds that it is vague and ambiguous in general, and as to "each order," "other company," and the term "asbestos products" in particular, is overly broad in time and scope as it is not limited to the time period to which Plaintiffs allege exposure; irrelevant and not reasonably calculated to lead to the discovery of admissible evidence; and it is therefore unduly burdensome, harassing and argumentative.

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Subject to and without waiving said objections, Eaton Electrical states that discovery in this matter is continuing, and Eaton Electrical will supplement this response pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure, should it become appropriate to do so. See also, Response to Interrogatory No. 6, above.

19. If any part of Interrogatory 18 is answered in the affirmative, identify each such document by:

- a) Date.
- b) Title and identification number.
- c) Name of person who prepared it.
- d) Name of person who authorized its use.
- e) Present location and custodian of the document.

ANSWER: Please see objection and response to Interrogatory No. 18.

20. If you performed any acts which altered the asbestos products between the time they came into your possession and the time they were delivered to any other company, describe:

- a) The form the asbestos products were in when they first came into your possession.
- b) What alteration you made to the asbestos products and in which years the alterations were made.
- c) The reason for the alteration made by you before you shipped the asbestos product to any other company.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 20 and all its subparts on the grounds that it is vague, ambiguous as to "any acts that altered," and "abestos products," overly broad, unduly burdensome, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions.

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Subject to and without waiving said objections, Eaton Electrical states that discovery is on-going, and Eaton Electrical will supplement this response should it become appropriate to do so pursuant to Rule 26(e) of the Hawaii Rules of Civil Procedure.

21. Did you receive or give any warnings, instructions, or information as to the dangers of asbestos inhalation when you purchased, sold, shipped and/or delivered each order of asbestos products to or from any other company? If so, for each shipment, state:

- a) Describe in detail each such warning, instruction or information given or received.
- b) State whether such warning, instruction or information was oral or written.
- c) If oral, identify the substance of the warning, instruction or information given and the date and name of the person to whom given or from whom

received by other company.

- d) If written, attach a copy of each warning, instruction or information, identifying it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 21 and all its subparts on the grounds that it is vague, ambiguous, in general, and as to the phrases "dangers of asbestos inhalation" and "asbestos products," in particular; overly broad in time and scope, as it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions; and is therefore unduly burdensome, and harassing.

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Subject to and without waiving this objection, Eaton Electrical states that Cutler-Hammer manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers and has no knowledge that it provided warnings.

22. Please state when, if ever, defendant removed asbestos material in the manufacture of any of your asbestos products? If so, please state:

- a) What was the asbestos material removed?
- b) What substitute product was used in its place?
- c) The type of material is believed to be chrysotile of unknown percentage that may have changed over time.
- d) Unknown.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 22 and all its subparts on the grounds that it is vague, ambiguous, in general and as to the phrases "removed" and "asbestos products," and "your asbestos products" in particular; overly broad in time and scope, as it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers. All products that contained asbestos components or materials were eventually able to be manufactured without asbestos components. Asbestos free components were generally phased in during the late 1970's and early 1980's.

23. With respect to each of your asbestos products identified in 7(a) and 9(b) and (c), state whether there has been any change, alteration, or modification regarding the type of asbestos used, the percentage of asbestos, and the ability of asbestos fibers in your product to become airborne (hereinafter collectively called "change") from when it was first developed to the present. If so, state:

- a) The nature of each such change.
- b) The reason for each such change.
- c) The details of how the changed product differed from the original product.
- d) The names of each person recommending and/or approving such change.
- e) The date each change was accepted by you and made commercially available.
- f) Whether there were any studies, evaluations or tests made in connection with such change, and if so, identify each such study by title, date, name of author and present location and custodian.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 23 and all its subparts on the grounds that it is compound, duplicative, vague and ambiguous in general, and as to the phrase "asbestos products," in particular; overly broad in time and scope, as it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, none other than the removal of asbestos components or materials. Please see response to Interrogatory No. 22. By way of further answer, Eaton Electrical states that the products that contained asbestos component parts or materials were discontinued due to product changes, manufacturing advancements, perceived health hazard and unavailability of certain component parts.

24. Have you stopped producing, distributing and/or selling any of the asbestos products listed in Answers 7(a) and 31? If so, state:

- a) The reason you stopped.
- b) When you stopped.
- c) Who authorized or directed the stopping.
- d) Whether any studies were conducted before you directed that production and sale be stopped and if so, identify each study by date, author, title and subject matter and attach a copy.

ANSWER: Yes. Please see objections and answers to Interrogatories Nos. 22 and 23.

25. Is it possible to distinguish the defendant's asbestos products from those manufactured by a competitor?

- a) If the answer is "yes", please describe how you contend your product can be distinguished and identify the products by trade and generic name.
- b) If there are products which cannot be, in your opinion, distinguished from products of a similar kind manufactured by a competitor, please state the name of such product, who manufactures it, as well as the trade name of the product manufactured by your competitor.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 25 and all its subparts on the grounds that it is is vague and ambiguous, in general, overly broad in time and scope, as it is not limited to applicable time periods; not limited to the Plaintiffs in this litigation; not limited to applicable work-sites; not limited to products that the Plaintiffs have identified, not

relevant to the subject matter involved in the pending actions; and is therefore unduly burdensome and harassing.

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26. Did your company ever stamp the name of the company, its initials, or any identifying logo on any of your asbestos products identified in your answers to Interrogatories Nos. 7(a), 9 and 17?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 26 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions; and therefore is unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical states that Cutler-Hammer, Inc. manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers and has no knowledge of Cutler-Hammer stamping its logo, initials or company name on any of these asbestos component parts, though the name and/or logo was stamped or otherwise affixed to various types of equipment.

27. With respect to each asbestos products identified in your answers to 7(a), 9 and 17 or which were directly or indirectly made available to Pearl Harbor and/or any Hawaii entity or any other shipyard, state:

- a) The intended use of the product.
- b) The form in which the product is sold, e.g., bags, drums, boxes, etc.

- c) Does the asbestos product have to be cut, sawed, shaped, mixed or otherwise worked before or during application. If so, describe what the user had to do to process the product before applying and using the product.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 27 and all its subparts on the grounds that the phrases "each asbestos product" and "directly or indirectly made available" are vague and ambiguous, the phrase "your asbestos products" is vague, ambiguous, overly broad, calls for speculation, is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions; and is therefore unduly burdensome and harassing

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Subject to and without waiving said objections, Eaton Electrical states as follows:

- a) (1) Enclosure for Definite Purpose Contactor: A strip of asbestos paper measuring 1/32" thick by 4 1/4" long by 2 1/8" wide was affixed to the inside of the enclosure. Standards required at least 1/2" of airspace between the wall of the enclosure and the switch. Because of the configuration of the switch, in lieu of this 1/2" of airspace, existing standards at the time of its manufacture allowed for an alternative insulator which could be used inside the cover.
- (2) Insulated wire: May have been found in the "guts" of Cutler-Hammer Inc. control panels.
- (3) Arc shield/chute component: The purpose of arc shields is to cool and extinguish arcs which may come off motor contacts when they are triggered to open. Arc shields/chutes are safety devices that prevent arcs from damaging the other components in the control panel.
- (4) Ebony panels board component: Normally mounted to the back inside wall of control panels. In turn, the contents of the control panel are mounted onto the Ebony Asbestos Panel insulator.
- (5) Phenolic/Melamine Plastic Asbestos Components serve various functions.

Citation Motor Starters contain a contactor and overload relay that monitors the magnitude of currents passing through the device. When the current is excessive, the contactor opens, breaking the circuit and stopping the motor to which the power is being supplied. Contactors/motor starters come in various sizes or NEMA ratings, depending upon the size of the equipment to which it is attached.

(6) Brake lining and clutch components – customary usage

b) **OBJECTION.** Eaton Electrical objects to Interrogatory 27b) on the grounds that the Request is vague, overly broad, not limited to products that the plaintiffs have identified, not calculated to lead to the discovery of admissible evidence, and therefore, unduly burdensome and harassing.

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Subject to and without waiving said objections, Cutler-Hammer, Inc. manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers. Said products were often large enclosed steel boxes.

c) **OBJECTION.** Eaton Electrical objects to Interrogatory No. 27c) on the grounds that the Request is vague, overly broad, not limited to products that the plaintiffs have identified, not calculated to lead to the discovery of admissible evidence, and therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Cutler-Hammer, Inc. manufactured products that at times contained encapsulated component parts or materials containing asbestos

supplied by other manufacturers and are not aware of its products being “applied” by any workers. By way of further answer, the asbestos component part or material was encapsulated in Cutler-Hammer products and would not have to be cut, sawed, shaped or mixed by the end user.

28. For each product referred to in Answers 7(a), 9 and 17, state
 - a) The date the product was first commercially sold.
 - b) The date and place where the product was designed or developed.

- c) The identity and present whereabouts of the person or persons responsible for the design or development of the product.
- d) The identity and present location of all records describing and dealing with the design and development of the process.
- e) The identity and present location of all records dealing with the testing of the product.
- f) The professional qualifications of the person or persons responsible for the design or development of the process, including:
 - i. his education
 - i. his experience in various professional positions that he has held in the past with your company or any previous employer;
 - iii. whether he has had any special training in this specific area of asbestos use;
 - iv. whether he is licensed by any government agency or holds membership in a professional society or association;
 - v. whether he has published any papers or books or given lectures on subjects dealing with use of asbestos, and if so, the title of each paper and the date and place of publication;
 - vi. what trade or professional journals he subscribes to or reads on a regular basis;
 - vii. those fields in which he feels that he qualifies as an expert.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 28 and all its subparts on the grounds that the Request is vague, overly broad, not limited to products that the plaintiffs have identified, not calculated to lead to the discovery of admissible evidence, and therefore unduly burdensome and harassing.

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29. With respect to each asbestos product referred to in Answer 7(a), 9 and 17, state whether you gave any consideration to the possibility of inhalation of asbestos fibers by users of the product. If so:

- a) Describe, in detail, the factors considered.

- b) Give the date, location and names of participants at each meeting where the matter was discussed or considered.
- c) Identify each document recording such consideration by date, title, file designation, author and present location.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 29 and all its subparts on the grounds that the Request is vague, overly broad, not limited to products that the Plaintiffs have identified, not calculated to lead to the discovery of admissible evidence, and therefore is unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of any such consideration.

30. At the time of the development of each of your asbestos products identified in Interrogatories 7(a), 9 and 17, did you attempt to determine whether the product complied with the then applicable safety standards, safety orders, regulations, laws, rules and design requirements of any city, county, state or Federal Government of the United States which related to asbestos exposure?

- a) If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis.
- b) If the answer is the affirmative, identify those safety standards, safety orders, regulations, laws, rules, or other ordinances which you contend your asbestos product(s) conforms.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 30 and its subparts on the grounds that it is vague, ambiguous as to "asbestos products", overly broad in time and scope, assumes facts not in evidence, is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to

products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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30(b). At the time of the development of each of your asbestos products, did you attempt to determine whether the product complied with any applicable safety standards, orders or rules, regulations or design requirements promulgated by any professional society or association which related to asbestos exposure?

- a) If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis.
- b) If the answer is the affirmative, identify those safety standards, safety orders, rules or regulations which you claim you considered by naming the title, number, page and date of the regulation, and identifying the place where a copy can be obtained of said regulations.

ANSWER: **OBJECTION.** Eaton Electric objects to Interrogatory No. 30(b) and its subparts on the grounds that it is vague and ambiguous as to "asbestos products," assumes facts not in evidence, is overly broad in time and scope, is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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31. In what year did the defendant first begin selling or distributing insulation products containing asbestos?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 31. on the grounds that it is vague, overly broad, in time and scope, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical/Cutler-Hammer was not in the business of selling insulation products as generally defined. Cutler-Hammer Inc. manufactured and sold electrical equipment, some of which may have incorporated asbestos-containing components, from the 1930s through early 1980s. In addition, Cutler-Hammer Inc. sold friction products during that time, some of which are believed to have contained asbestos.

31(b). In what year did the defendant last sell the insulation product which contained asbestos?

ANSWER: Please see objection and answer to Interrogatory No. 31.

32. Is your company, as of the date of answering these interrogatories, still manufacturing, selling, or distributing any insulation products containing asbestos? If so, give the brand names and such products, the binding material and date first manufactured.

ANSWER: No.

33. With respect to each asbestos product referred to in Answer 7(a), 9 and 17, state whether any instructions, operating instructions or warnings were given to purchasers and/or users of the product pertaining to the inhalation of asbestos dust and/or health hazards of asbestos. If so, state separately for each product:

- a) The name, title and present address of the author of each such warning and/or instructions.
- b) The verbatim content of each warning or instructions.
- c) The inclusive dates of use of such warnings or instructions.
- d) Whether the instructions were communicated or delivered to the

distributors and/or purchasers of the product, and if so, state the name, address and telephone number of the persons who communicated and who received the instructions and the date delivered to the purchaser.

- e) Describe how the warnings and/or instructions were communicated including whether the warnings and instructions were attached to the product when sold and/or delivered by you, and if so, the method of attachment, or were included in the sales literature, and/or were placed directly on the asbestos product itself (i.e., the block itself, cloth itself, pipe covering itself, brake lining itself, clutch pad itself, etc.).
- f) Whether you have a copy of the warning and/or instructions in your possession at the present time, and if so, where it is located.
- g) Whether any studies, evaluations or analyses were conducted by you prior to your use of each warning and/or instructions. If so, identify the study by date, author, title and file number and state its present location.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 33 and its subparts on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of any such warnings or instructions.

34. If warnings were printed or otherwise regarding the hazards of asbestos were given to purchasers or consumers of any of your asbestos products, please state why such warnings were given.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 34 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical states that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of any such warnings.

35. Have you ever imposed or considered any restrictions or limitation on the use of your asbestos products because of their asbestos content? If so, state separately for each product:

- a) The verbatim content of each limitation indicating which product it applied to.
- b) The date it was first imposed.
- c) The reason for imposing the restriction or limitation.
- d) If the reason for the restriction is stated in any document, identify each document by date, author, title and state where it is presently located.
- e) The person responsible for imposing the restriction or limitation.
- f) If the limitation or restriction was communicated to purchasers of the product, state how this was communicated and if in writing, identify the communication and attach a copy to your answer.
- g) If not imposed, state why not.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 35 and all its subparts on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, assumes facts not in evidence, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of any such restrictions of limitations.

36. Did defendant ever recommend to purchasers or users of its asbestos products that respirators, protective masks and/or protective clothing be worn with the product? If so, state:

- a) The date or dates when such recommendation was made to Pearl Harbor or any other shipyard.
- b) The date or dates when each such recommendation was made to each user.
- c) Who made the recommendation?
- d) Who received the recommendation?
- e) If oral, manner and substance of the recommendation.
- f) If written, identify the document by title, date, file designation and author of each such recommendation and the location and present custodian of each such recommendation.

ANSWER: OBJECTION. Eaton Electrical Objects to Interrogatory No. 36 and all its subparts on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of any such recommendations.

37. Have you ever provided a warning directly to workers at Pearl Harbor or in Hawaii concerning the danger of exposure to asbestos inhalation as a result of use of your asbestos products? If so:

- a) State the date, manner and location of each such direct warning.
- b) Identify the name of your employee who provided the direct warning.
- c) If the warning was in writing, identify each document containing the warning and state the content of each warning.
- d) If the warning was oral, state the substance of the warning, where given and the names of the Pearl Harbor employees and/or other Hawaii employees to whom it was given.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 37 and all its subparts on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions, and therefore is unduly burdensome and harassing.

Subject to and without waiving said objections, not to the knowledge of the answering Defendant.

38. Prior to 1972, did your company, or any predecessor(s), ever at any time give insulation workers, brake and clutch mechanics, or insulation helpers who would be applying or removing your products instructions concerning safety precautions to use in applying such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 38 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical states that Cutler-Hammer manufactured products that at times contained encapsulated component parts or materials containing asbestos supplied by other manufacturers and has no knowledge that it provided any such instructions.

39. Had you done anything prior to 1972 to notify users of your products of the dangers of inhalation of asbestos dust and fibers? If so, explain in detail what you did and give the date.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 39 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

Subject to and without waiving said objections, not to the present knowledge of answering defendant.

40. Has your company or its predecessor(s), ever directly advised any contractor to whom you sell your products containing asbestos of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienists? If so, state the date or dates that you so advised such contractors, the manner in which you advised such contractor, and the name of each contractor.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 40 on the grounds that it is, overly broad, not limited to applicable time periods, not limited to the Plaintiffs

in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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41. Have you ever conducted any inspection or made any dust count of areas at Pearl Harbor or at other facilities where workers used asbestos products manufactured by your company?

- a) .If you have not, explain why this was not done.
- b) If you have, explain what action, if any, was taken by your company following the inspection or the taking of dust counts at any location referred to above. Also, please give the dates and places, if any, that your company first started making such dust counts, and set forth in detail the dates and places this has been done since the results.

ANSWER: OBJECTION. Eaton Electric objects to Interrogatory No. 41 and its subparts on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objection, not to the present knowledge of answering defendant.

42. State whether any of the defendant's asbestos products (including but not limited to brake lining and clutch pads, but not including automobiles or other vehicles) were the subject

of any type of advertisement regardless of media, issued in behalf of your company. If so, state for each product:

- a) The subject matter of the advertisement.
- b) The media in which the advertisement was placed.
- c) When the advertisement(s) was so placed.
- d) The geographic area(s) in which the advertisement was used.
- e) Whether any photographs or diagrams were included in the copy of the advertisement.
- f) Identify the advertisement by author, date, and present location and custodian, and attach copies of all advertisements.
- g) Was anyone, besides you, involved in the preparation of the copy for the advertisement, and if so, state such other person's name and address.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 42 and its subparts on the grounds that it is vague, ambiguous, compound, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, is not reasonably calculated to lead to the discovery of admissible evidence, and is therefore unduly burdensome and harassing.

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43. State whether any brochures, writings, or other materials, written or photographic, were made available to distributors, ultimate users or the general public concerning the design, manufacture, distribution, selling, and/or use of the Defendant's asbestos products. If so, for each such brochure or material: State the purpose of the brochure and material. When the material was approved on behalf of the company for general distribution.

- a) Give the name, present address and telephone number of the person responsible for the preparation and acceptance of the material for general distribution on behalf of the company.

- b) Identify the brochure or material by author, date and present location and custodian.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 43 and its subparts on the grounds that it is vague, overly broad in time and scope, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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44. Have you conducted, participated, financed or had conducted for you any tests, studies, investigations or analyses (hereinafter referred to collectively as "studies") to determine the effects of your asbestos product on workers working with your asbestos product? If so, state for each study:

- a) The subject matter, title and date of each study.
- b) The date and name of the person authorizing the study.
- c) The reason for the study.
- d) The names of the person who conducted the study.
- e) The date the study was completed.
- f) Whether the results were published and disseminated, and if so, where and to whom.
- g) The results of each study.
- h) If statistical analyses were made, state the results and describe the date and assumptions upon which they were based.
- i) If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 44 and all its subparts on the grounds that the Request is vague, compound, duplicative, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

45. Has defendant conducted or had conducted for it any investigation, study, test, review or analysis (hereinafter referred to as "study") concerning asbestos-related diseases, asbestosis, pulmonary diseases and/or the safety aspects concerning use of defendant's product? If so, identify each study by:

- a) The date each study was conducted.
- b) The person authorizing the study.
- c) The person in charge of the study.
- d) The people participating in the study.
- e) The title and the subject of the study.
- f) The results of the study.
- g) If statistical analyses were made, state the results and describe the date and assumptions upon which they were based.
- h) If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 45 and all its subparts on the grounds that the Request is vague, compound, duplicative, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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46. Have you undertaken or financed any studies to determine which types of protective devices (including but not limited to masks and respirators) would either eliminate or afford maximum protection against the inhalation of asbestos fibers by users of your products? If so, state:

- a) Who made the study.
- b) When the study was made.
- c) What the results of the study was.
- d) If the result was written, identify the document by title, date, file designation and author of each such study, and the location and present custodian thereof.
- e) Was any action take as a result of said studies, and if so, describe what action was taken.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 46 and all its subparts on the grounds that it is vague, compound, duplicative, overly broad in time and scope, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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47. Have you undertaken or financed any tests or studies to determine what type of ventilators or ventilating systems would eliminate or decrease the number of airborne asbestos fibers in confined spaces? If so, state:

- a) Who made the study.
- b) When the study was made.

- c) What the results of the study was.
- d) If the result was written, identify the document by title, date, file designation and author of each such study, and the location and present custodian thereof.
- e) Was any action take as a result of said studies, and if so, describe what action was taken.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 47 on the grounds that it is vague, compound, duplicative, overly broad in time and scope, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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48. State whether you considered or made any design changes in your asbestos products or took any other action as a result of any of the studies listed in your answers to interrogatories 44, 45, 46 or 47. If so:

- a) Describe the factors you considered.
- b) Describe the design changes or other action made or taken.
- c) Identify who authorized or directed the action.
- d) When was the action taken.
- e) Identify all documents discussing the study, the action considered and the action taken by date, title, subject, author and present custodian and location and produce the documents.

ANSWER: Please see objections to Interrogatory Nos. 44, 45, 46 and 47.

49. Have you contributed any funds to research concerning asbestos and its relation to

lung, heart and larynx disease? If so, please state for each year the amount of money contributed, when and to whom, attaching any report or reports from each individual or organization to whom your funds were contributed.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 49 on the grounds that it is vague and ambiguous as to "research," overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections not to the present knowledge of answering defendant.

50. Did you in any way assist or participate in the 1929 Metropolitan Insurance Company study of asbestos? If so:

- a) State what role or action you took.
- b) Identify all documents by name, date, title, file number and present location.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 50 and its subparts on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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51. State whether from 1930 to 1972 defendant has promulgated any rules, written or oral, for the handling of asbestos products by its own employees? If so, state:

- a) When such rules were promulgated.
- b) The substance of the rules, if oral, and the name, address and title of the person who disseminated them.
- c) If in writing, either attach a copy of the rules or identify the written rules by date, title, identification, number, present location and the name and address of the custodian thereof.
- d) Whether any such material was provided to Pearl Harbor or any entity in Hawaii or any other company and, if so, when and to whom.

ANSWER: **Objection.** Eaton Electrical objects to Interrogatory No. 51 and all its subparts on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections not to the present knowledge of answering defendant.

52. State whether you had knowledge prior to 1972 of any deaths or cases of lung disease or lung impairment among your employees which are or may be attributable to the

inhalation of asbestos dust or fibers. If so, please give the number, name and address of such person, together with the dates of treatment and the names and addresses of the doctors who administered treatment to such persons and reports of occupational disease furnished Industrial Commission of the states and attach copies of the latter.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 52 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

53. Prior to 1972, did you have any statistical data showing the number of your employees who have been exposed to asbestos dust and fibers for more than ten years who have asbestos-related lung disease or lung impairment? If so, identify the date and provide the figures.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 53 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

54. Prior to 1972, have any Workmen's Compensation claims based on asbestosis or asbestos-related diseases been filed against you? If so, state:

- a) When and where the claims were filed.
- b) The number of claims filed.
- c) The outcome of the claims.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 54 on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

Subject to and without waiving said objections, not to the present knowledge of answering defendant.

55. When did you learn for the first time of a diagnosed case of asbestosis or any asbestos-induced carcinoma:

- a) Within your own employees?
- b) Involving users of asbestos insulation products?
- c) Involving users of asbestos products manufactured, sold or distributed by you.
- d) Involving families of workers using your products.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 55 on the grounds that it is vague, overly broad, assumes facts not in evidence, is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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56. When and where did you first begin monitoring asbestos dust levels in your own plant and manufacturing facilities?

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 56 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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57. Was the monitoring of asbestos dust levels required by any Government regulation or rule of any government, agency or insurance company? If so, state the substance of the rule, the source imposing it and the date it was first imposed.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 57 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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58. What technique, if any, do you use to take asbestos dust samplings, explaining the technique, when it was commenced, what the purpose was and what action has been taken in response to the findings as to the dust samples.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 58 on the grounds that it is vague, overly broad, assumes facts not in evidence, is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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59. Did your company or any predecessor(s) ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

ANSWER: No. Eaton Electrical/Cutlet-Hammer was not in the business of applying insulation products as generally defined.

60. Did any division of your company or subsidiary company engaged in the contract business of applying insulation products or your workmen's compensation insurance carriers ever have any claims for lung diseases or death from lung diseases, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or any exposure to asbestos products prior to 1972? If the answer is "Yes," give the name of such employees and attach copies of such claims and copies of all documents relating to the disposition and handling of such claims.

ANSWER: Not applicable. Please see response to Interrogatory No. 59.

60(b). Give the name and address of the state industrial accident board handling each such claim, the disposition of such claims, the amounts paid in workmen's compensation benefits to each such employee, and the name of the compensation carrier.

ANSWER: Not applicable.

61. Prior to 1972, had you ever been named as a defendant in any other action in which damages were sought for personal injuries, sickness or death, as a result of use of your asbestos product? If so, state:

- a) What products were involved.
- b) The name of the court, the docket number and each party to the lawsuit.
- c) The date the action was filed.
- d) The judgment that was rendered in the action.
- e) The date set for trial of any action not yet concluded.
- f) State the terms by which any settlement was arrived at and disposition of any such aforementioned legal action.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 61 and all its subparts on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

62. If any employee or officer of defendant has testified (1) at trial or by deposition in any asbestos-related workers' compensation proceeding or litigation prior to 1972, or (2) before any Congressional Committee or administrative agency concerning asbestos exposure, pulmonary or asbestos-related diseases or industrial hygiene relating to asbestos use, state:

- a) The name, address and title of each person who testified.
- b) The date, location and forum of such testimony.

- c) Whether defendant has a copy of such testimony.
- d) Whether defendant will voluntarily produce such testimony.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 62 and all its subparts on the grounds that the Request is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, no such testimony has been given to the present knowledge of answering defendant.

63. Prior to 1972, state whether any claims (other than workers' compensation claims or lawsuits) have been made against the defendant concerning any injury or disease caused by asbestos exposure and as to each claim, state the name and address of the claimant, the date of the claim, the forum, if any, in which such claim was made and the disposition of each claim.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 63 on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, and not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

64. When did you first learn that there were health hazards associated with the use and fabrication of asbestos: state the date, source, nature and extent of such information.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 64 on the grounds that the Request is vague and ambiguous as to "health hazards," "use and fabrication," and "asbestos"; assumes facts not in evidence, namely that there were "health hazards" associated with the "manufacture, process, sale, distribution or use" products manufactured by Eaton Electrical/Cutler-Hammer; is overly broad, is not relevant to the subject matter involved in the pending actions, is vague and calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years; and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that while Defendant is now aware of some literature and/or studies discussing the potential harmful side effects of certain types of asbestos exposure, it is unknown when it became aware of the literature, when its awareness led to the conclusion that asbestos was, in fact, potentially hazardous under certain conditions and/or could cause disease of the respiratory system in certain conditions and/or exposures.

65. Has defendant ever maintained a library dealing with industrial hygiene, medicine, safety and engineering? If so, state:

- a) The date defendant established the library.
- b) The location of the library.
- c) The name or names of the librarian(s) since 1930.
- d) All books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 65 and all its subparts on the grounds that it is vague and ambiguous as to "industrial hygiene, medicine, safety and engineering"; compound, assumes facts not in evidence, is overly broad, is not relevant to the

subject matter involved in the pending actions, is not reasonably calculated to lead to the discovery of admissible evidence, calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years; and is therefore argumentative, unduly burdensome and harassing.

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66. Have you, at any time since 1940, maintained any office or department dealing with medical research? If so, state:

- a) The name of such department.
- b) The location of such department.
- c) The name, address and title of each person who has been in charge of the department.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 66 and all its subparts on the grounds that it is vague and ambiguous as to "dealing with medical research"; compound, assumes facts not in evidence, is overly broad, is not relevant to the subject matter involved in the pending actions, is not reasonably calculated to lead to the discovery of admissible evidence, calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years; and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

67. When was the first time you hired a "medical director"? Please state:

- a) The reason for hiring such a medical director.
- b) The location where the medical director was assigned.
- c) The duties of the medical director.
- d) The names and addresses of the persons hiring such medical director and of the medical director.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 67 and all its subparts on the grounds that it is vague and ambiguous as to "medical director", overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, assumes facts not in evidence, is not relevant to the subject matter involved in the pending actions, is not reasonably calculated to lead to the discovery of admissible evidence, and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical has not located any evidence that Cutler-Hammer employed, retained or engaged physicians, medical advisors, industrial hygienists or other employees in other fields specifically to research, investigate or study asbestos specifically, though certain employees, such as safety director Donald Zwirlein, now deceased, may have had some responsibility in this area.

68. When was the first time you hired an "industrial hygienist"? Please state:
- a) The reason for hiring such a hygienist.
 - b) The location where the hygienist was assigned.
 - c) The duties of the hygienist. The names and addresses of the persons hiring such hygienist and of the hygienist.

ANSWER: Please see objection and answer to Interrogatory No. 67.

69. Have you, at any time, used the services of an industrial health organization? If so, state:

- a) The name of the organization.
- b) The dates such services were used.
- c) The name of the persons in your company and in the health organization who negotiated the agreement or understanding.
- d) Whether any reports or documents concerning asbestos hazards were prepared and, if so, identify the documents by name, date, title, file number and present location.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 69 and all its subparts on the grounds that it is vague, overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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70. Do you maintain a library or file of pathological findings, slides, x-rays and related material concerning asbestos induced injuries, disability or impairment? If so, state:

- a) The date such file was first organized.
- b) All past and present custodians of the file.
- c) Where the file is presently located.
- d) Identify the material included in the file.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 70 and all its subparts on the grounds that it is compound, vague and ambiguous as to "asbestos induces injury, disability or impairment"; assumes facts not in evidence, is overly broad in time and scope, is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not reasonably calculated to lead to the discovery of admissible evidence, is not relevant to the

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71. Since 1930, state the names and addresses of all professional, industrial and safety associations you have been a member of, indicating the date you originally joined and the date of termination.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 71 on the grounds that it seeks information that is irrelevant, is overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, it is believed that employees of Cutler-Hammer were members of the National Safety Council during parts of the 1960's and 1970's and possibly later. Employees of Cutler-Hammer were also members of the National Electric Manufacturers Association (NEMA) during certain time periods.

72. Since 1930, state the names and addresses of any organizations to which you have belonged having anything to do with the setting of standards, regulations, information, lobbying, research, engineering, or use of asbestos products, materials or fibers.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 72 on the grounds that it seeks information that is irrelevant to the pending actions, is overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, overly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is not aware of any.

73. State when you first learned that any state in the United States had a Workmen's Compensation law covering the occupational disease of asbestosis.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 73 on the grounds that it is overly broad, not relevant to the subject matter involved in the pending actions, vague and ambiguous as to "Workmen's Compensation law," calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of how or when it came to learn of this law.

74. When did your company first learn that in 1931, the English Parliament passed legislation making asbestosis a compensable disease and requesting improved methods of exhaust ventilation and dust suppression in asbestos textile factories, and also instituted periodical medical examinations for workers engaged in particularly dusty processes in the asbestos textile industry? State what action, if any, your company took in response to such knowledge in any effort to prevent, reduce or eliminate the effects of asbestos to those using your products.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 74 on the grounds that it is overly broad, not relevant to the subject matter involved in the pending actions, vague and ambiguous as to "legislation," calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years, and is therefore argumentative, unduly burdensome, and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of how or whenever, if at all, it came to learn of this legislation.

75. State what efforts your company has made from 1930 to 1972 to keep informed of legislation and programs adopted to reduce or eliminate the disease of asbestosis in those using asbestos products. If you do not keep in touch with legislation and programs adopted to reduce or eliminate the disease of asbestosis in those using asbestos products, please state why you do not do so.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 75 on the grounds that it is vague and ambiguous as to "legislation and programs," overly broad, not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing .

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76. State the year that this defendant or any predecessor(s) was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, and state the name of the employee/official of the company receiving such advice and attach copies of the instrument communicating such advice.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 76 on the grounds that it is compound, vague and ambiguous as to "threshold limit values or maximum allowable concentrations," is overly broad, not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of how or whenever, if at all, it came to learn of any alleged threshold limit value or TLV for asbestos-containing products.

77. Was such threshold limit or maximum allowable concentrations inquired about in the above interrogatory total dust or just asbestos dust?

ANSWER: Not applicable. Please see objection and response to Interrogatory No. 76.

78. Were you or any of your agents, servants or employees aware of any of the articles described in Exhibit "A" prior to the year 1950?

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 78 on the grounds that it is compound, vague and ambiguous as to "aware," overly broad, not reasonably calculated to lead to the discovery of admissible evidence, calls for the collective knowledge of a former corporation over a span of many decades which makes it impossible to pinpoint exact years, and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of how or whenever, if at all, it came to learn of these articles.

79. If you answered the foregoing question "Yes," then set forth such article you had knowledge of and the date you acquired such knowledge.

ANSWER: Not applicable. Please see objections and answer to Interrogatory No. 78.

80. State in detail what tests, if any, your company ever made with regard to the quantity, quality or threshold limit values of asbestos dust or particles to which insulators and/or

brake and clutch mechanics were exposed while using your asbestos products.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 80 on the grounds that it is vague and ambiguous as to "tests"; overly broad in time and scope as it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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81. Would any respirators or other breathing devices prevent inhalation of the asbestos dust and fibers in your product? If so, state:

- a) When the respirator was sold.
- b) Give the detailed description of such respirator or other breathing device.
- c) The basis of your claim that such respirator or other breathing device will prevent the inhalation of such dust and fibers.
- d) Identify any tests performed by date, title, author and number.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 81 and all its subparts on the grounds that it is vague and ambiguous as to "respirators or other breathing devices"; overly broad in time and scope in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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82. Has your company, or your predecessor(s), ever devised a high temperature heat insulation, brake lining, or clutch pads which do not contain asbestos? If so, state the date that such products was first placed on the market.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 82 on the grounds that it is vague and ambiguous as to "high temperature heat insulating"; overly broad in time and scope in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objection, Eaton Electrical states that Cutler-Hammer Inc. sold friction products from the 1930s through early 1980s, some of which are believed to have contained asbestos materials. All products that contained asbestos components or materials were eventually able to be manufactured without asbestos components. Brake lining components were phased out starting in the early 1980's and last manufactured and sold in approximately 1984. . It is believed clutches were phased out a few years earlier.

83. Prior to 1970, did your company or any predecessor(s), ever manufacturer and/or sell a high temperature heat insulation, brake lining, and/or clutch pads which did not contain asbestos? If so, state the date that such product was first placed on the market.

ANSWER: Please see objection and answer to Interrogatory No. 82.

84. If your answers to Interrogatories No. 82 and/or 83 are in the affirmative,

- a) State what prompted your company to devise such products not containing asbestos.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 84a) on the grounds that it is vague and ambiguous as to "what prompted your company"; overly broad, in time and scope in that it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence, and is therefore argumentative, unduly burdensome and harassing

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Subject to and without waiving said objections, Eaton Electrical states that these products that contained asbestos component parts or materials were discontinued due to product changes, manufacturing advancements, perceived health hazard and unavailability of certain component parts.

- b) Give the trade names of your high temperature heat insulation products, brake linings, and/or clutch pads which do not contain asbestos, and state fully what such product contains in lieu of asbestos.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 84b) on the grounds that it is vague and ambiguous as to "what such products contain"; is overly broad in time and scope in that it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states trade name of all products was Cutler-Hammer and the remaining requested information is unknown.

- c) State whether each of such products was suitable for the purpose for which it was intended to be used?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 84d) on the grounds that it is vague and ambiguous in general; overly broad in time and scope in that it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence; seeks information beyond the scope of Rule 26 of the Hawaii Rules of Civil Procedure; and is therefore argumentative, unduly burdensome and harassing.

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85. State the decade that there first existed technology for manufacturing a substitute for asbestos in insulation materials for commercial use.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 85 on the grounds that it is vague and ambiguous in general, overly broad in scope and time as it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence; seeks information beyond the scope of Rule 26 of the Hawaii Rules of Civil Procedure, and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of when, if at all, this technology first existed.

86. To your company's knowledge, in what decade was fiberglass first commercially available for insulation over 350 degrees F.?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 86 on the grounds that it is vague and ambiguous in general, overly broad in scope and time in that it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence; seeks information beyond the scope of Rule 26 of the Hawaii Rules of Civil Procedure, and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of how or whenever, if at all, it came to learn of this.

87. In what decade was each of the following products commercially available to you for use and sale in thermal insulation products, brake lining and/or clutch pads:

- a) Fiberglass;
- b) Calcium silicate;
- c) Mineral wool;
- d) Rock wool;
- e) Foamglass;
- f) Ceramics;
- g) Wood pulp;
- h) Organic pulp.

ANSWER: **OBJECTION.** Eaton Electric objects to Interrogatory No. 87 and all its subparts on the grounds that it is vague and ambiguous in general; compound; duplicative; overly broad, in scope and time in that it is not limited to products that the Plaintiffs have identified; is not reasonably calculated to lead to the discovery of admissible evidence; seeks information beyond the scope of Rule 26 of the Hawaii Rules of Civil Procedure and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical states that it is presently unaware of when these products became available.

88. List all insulation products sold by you in the 1940's, 1950's and 1960's which did not contain asbestos and give the physical and tensile strength and temperature decomposition data for each product.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 88 on the grounds that it is vague and ambiguous in general, overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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89. Did your company or its predecessor ever recall any product(s) containing asbestos from the commercial market because of its asbestos content or health hazards created by asbestos? If so, state the product recalled, the reason for the recall, and the year of the recall.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 89 on the grounds that it is vague and ambiguous in general, and the term "recall" in particular; is overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, not to the present knowledge of answering defendant.

90. Do you contend that your asbestos product(s) were expected to reach, or were packaged to reach, the consumer or user, with substantial change in the condition in which it was sold?

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 90 on the grounds that it is vague and ambiguous in general, and in particular as to "substantial change," overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and therefore is argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical responds: No.

91. If your answer to Interrogatory No. 90 above is "Yes," with respect to any product, explain in what way the defendant claims its products were altered or substantially changed after sale or distribution and before reaching the insulation helper or mechanic.

ANSWER: Not applicable. Please see objection and answer to Interrogatory No. 90.

92. Do you contend that asbestos insulation applicators and/or helpers were not foreseeable users of defendant's asbestos products, such as:

- a) Pipe covering;
- b) Blocks;
- c) Asbestos cloth;
- d) Mastics;
- e) Spray-on insulation;
- f) Rope or tape;
- g) Asbestos sheeting or millboard;

h) Asbestos-containing cements.

ANSWER: Not applicable. Eaton Electrical/Cutler-Hammer, Inc. did not manufacturer or sell these types of products.

92(b). Do you contend the brake and clutch mechanics were not foreseeable users of your asbestos containing brake lining and clutch pads?

ANSWER: **OBJECTION:** In addition to the grounds stated in the General Objections above, Eaton Electrical objects to Interrogatory No. 92b) on the grounds that it is vague and ambiguous as to "users," overly broad in time and scope, excessive, calls for a legal conclusion and is therefore argumentative, unduly burdensome and harassing.

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93. Based upon the material contents of your asbestos products, the method of manufacturing, and the method of application for the purpose of insulation, can your asbestos products be generally applied by any insulator without liberating asbestos fibers?

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

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 93 and all its subparts on the grounds that it is vague and ambiguous in general, overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions, and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical advises that Cutler-Hammer manufactured products which at times contained component products containing asbestos supplied by other manufacturers and is not aware of its products being "applied" by any workers, including insulators.

94. Was it a foreseeable use of your asbestos products that they may have to be removed, stripped or replaced at any time after installation?

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 94 on the grounds that it is vague and ambiguous in general, overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is not limited to products that the Plaintiffs have identified, states facts not in evidence in that the terms "removed" and "stripped" do not apply to Eaton Electrical/Cutler-Hammer's component parts, calls for a legal conclusion, is not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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95. List and identify by name of insurer, date of issue, term, policy number and amount of coverage of every policy of liability insurance insuring you against losses as a result of claims for bodily injury or death as a result of use of your asbestos products.

ANSWER: OBJECTION. Eaton Electrical objects to Interrogatory No. 95 on the grounds it is vague and ambiguous in general, is overly broad in that it is not limited to time period at issues in this litigation, is compound, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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96. State separately for each year from 1930 to the present:

- a) Total sales.
- b) Asbestos product sales.

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 96 on the grounds that it is overly broad in time and scope in that it is not limited to applicable time periods, is not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, not limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore argumentative, unduly burdensome and harassing.

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97. Did your company ever sell any vehicles to the U.S. military from 1925 to 1980?

ANSWER: Eaton Electrical/Cutler-Hammer, Inc. did not manufacture or sell vehicles.

98. a) State which years you began selling and ceased selling any such vehicles.
- b) Identify the types of vehicles you sold to the U.S. military and the number of vehicles sold per year from 1925 to 1980.

(You may identify such vehicles by model number and/or by descriptive type, i.e. tanks, bulldozers, dump trucks, 3-ton trucks, etc.)

ANSWER: Not applicable.

99. Were any of the vehicles mentioned in the above interrogatory shipped directly to the U.S. military in Hawaii? If so, state the number of vehicles shipped directly to Hawaii per year.

ANSWER: Not applicable.

100. Did the vehicles identified in Interrogatory No. 98(b) contain asbestos:

- a) In the brake linings? If so, state which vehicles.
- b) In the clutch linings? If so, state which vehicles.
- c) In the insulation material around the crew area? If so, state which vehicles.
- d) In the insulation material around the manifold? If so, state which vehicles.
- e) In any other part of the vehicle?
- f) If you answer to the above subinterrogatory (e) is in the affirmative, state which parts of the which vehicles contained asbestos materials.

ANSWER: Not applicable.

101. When did said vehicles first start containing asbestos materials in the brake lining, clutch lining, insulation and/or any other part described above?

ANSWER: Not applicable.

102. When did said vehicles stop containing asbestos materials in the brake lining, clutch lining, insulation and/or any other parts described above?

ANSWER: Not applicable.

103. Did you purchase the asbestos materials used in said vehicles (including brake lining, clutch lining, insulation, and other vehicle parts containing asbestos) from another company, firm, or entity?

ANSWER: Not applicable.

104. If you answer to the above interrogatory is in the affirmative, state the name of the asbestos containing parts you purchased and the company from whom you purchased them and the years during which you purchased said parts from said company.

ANSWER: Not applicable.

105. Have you, at any time from 1925 to 1980, manufactured, sold and/or distributed brake lining, clutch lining, insulation material for vehicles, or any other U.S. military vehicle component containing asbestos to any other company, firm or entity (including the U.S. military)? Were said brake linings, clutch linings, insulation materials and/or other components placed in vehicles sold to the U.S. military?

ANSWER: **OBJECTION.** Eaton Electrical objects to Interrogatory No. 105 on the grounds that it is vague and ambiguous in general, overly broad in time and scope in that it is not limited to applicable time periods, not limited to the Plaintiffs in this litigation, is not limited to applicable work-sites, is limited to products that the Plaintiffs have identified, is not relevant to the subject matter involved in the pending actions and is therefore unduly burdensome and harassing.

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106. With reference to the above interrogatory, state the name of the products you sold and the years you sold the products, the company or entity to whom you sold the products, and the amount of each product sold per year.

ANSWER: Please see objection to Interrogatory No. 105.

107. With respect to Interrogatory No. 105 above, state the company or entity from which you purchased any asbestos or asbestos products which were used by you in brake linings, clutch linings, vehicle insulation, and/or other U.S. military vehicles components, the years you purchased such asbestos or asbestos products from each such company, and the amount of asbestos or asbestos products you purchased each year from each company.

ANSWER: Please see objection to Interrogatory No. 105.

108. When did you start and when did you stop using asbestos materials in the brake linings, clutch linings, insulation material and/or other parts of vehicles used by the U.S. military?

ANSWER: Not applicable. Please see objection and answer to Interrogatory No. 97.

109. Are you asserting any cross-claims for indemnity against any other co-defendant?

- a) If so, state which co-defendant you are asserting a cross-claim for indemnity against.
- b) State the factual basis for your cross-claim for indemnity.
- c) Identify any and all documents upon which you base your cross-claim for indemnity.

ANSWER: **OBJECTION.** In addition to the grounds stated in the General Objections above, Eaton Electrical objects to Interrogatory No. 109 on the grounds it is vague and ambiguous in general, compound, calls for a legal conclusion, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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110. Are you aware that other co-defendants prior to 1972 had actual knowledge of the dangers or hazards of asbestos dust?

ANSWER: OBJECTION. In addition to the General Objections stated above, Eaton Electrical objects to Interrogatory No. 110 on the grounds it is vague and ambiguous in general, as to "dangers or hazards of asbestos dust" in particular, compound, overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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111. If your answer to the above interrogatory is anything other than an unequivocal "no", state all information you possess as to any other co-defendant's actual knowledge of the danger or hazards of asbestos dust.

- a) Identify all documents you possess that any other co-defendant had actual knowledge of the dangers or hazards of asbestos.

ANSWER: OBJECTION. In addition to the General Objections above, Eaton Electrical objects to Interrogatory 111 and its subpart on the grounds that it is vague and ambiguous in general, compound, overly broad, not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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112. Have you settled any cross-claim for indemnity, or reached an agreement or tentative agreement concerning your cross-claims for indemnity with any other co-defendant? If so, state with whom you have settled or reached such an agreement.

ANSWER: OBJECTION. In addition to the General Objections stated above, Eaton Electrical objects to Interrogatory No. 112 on the grounds it is vague and ambiguous in general,

compound, overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical responds: No.

113. Have you agreed with any co-defendant not to settle with Plaintiffs in any asbestos cases in the above-captioned court? If so, state which co-defendants you have agreed with and the Civil Number of each case you have agreed not to settle.

ANSWER: OBJECTION. In addition to the General Objections stated above, Eaton Electrical objects to Interrogatory No. 113 on the grounds that it is vague and ambiguous in general, compound, overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical responds: No.

114. Have you agreed with any co-defendant that in any trial in which a verdict is returned against you that you and a co-defendant will apportion the judgment between yourselves according to an agreed-upon ration, or according to an agreed-upon amount? If so, state the names of the co-defendants with whom you have reached such an agreement, the Civil Numbers for which you have reached such an agreement, and the substance of such agreement(s).

ANSWER: OBJECTION. In addition to the General Objections stated above, Eaton Electrical objects to Interrogatory No. 114 on the grounds it is vague and ambiguous in general,

compound, overly broad, is not reasonably calculated to lead to the discovery of admissible evidence and is therefore argumentative, unduly burdensome and harassing.

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Subject to and without waiving said objections, Eaton Electrical responds: No.

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN RE:	)	A.C.M.
HAWAII STATE ASBESTOS CASES	)	(Toxic Tort/Asbestos Personal Injury)
	)	
ALL A.C.M. ASBESTOS CASES	)	CERTIFICATE OF SERVICE
	)	
MASTER CASE FILE	)	[Re: Specimen Responsive Pleading of
	)	Defendants Eaton Corp. And Eaton Electrical,
	)	Inc. fka Cutler-hammer, Inc.'S Response to
	)	Plaintiffs' Amended Master Set of
	)	Interrogatories]
	)	

CERTIFICATE OF SERVICE

I hereby certify that on this date copies of the "Specimen Responsive Pleading of Defendants Eaton Corp. And Eaton Electrical, Inc. fka Cutler-hammer, Inc.'S Response to Plaintiffs' Amended Master Set of Interrogatories" were duly served upon the following parties via hand delivery (or via U.S. Mail if so indicated):

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