

IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO



ROGER DALE BLAKE, ET AL.,

Plaintiffs,

vs.

A-BEST PRODUCTS COMPANY,

ET AL.,

Defendants.

CASE NO. CV96 01 0191

(Hon. George Elliott)

**INSUL COMPANY, INC.'S SECOND SUPPLEMENTAL ANSWERS
TO PLAINTIFFS' MASTER SET OF INTERROGATORIES**

AND NOW, comes the Defendant, INSUL COMPANY, INC., by and through its attorneys, JONI M. MANGINO, ESQUIRE and ZIMMER KUNZ PROFESSIONAL CORPORATION, and files the within Second Supplemental Answers to Plaintiffs' Master Set of Interrogatories as follows:

GENERAL OBJECTIONS AND PRELIMINARY STATEMENT

Insul Company, Inc. was incorporated in 1960. Its founding fathers and principals have since passed on and therefore, Insul Company, Inc.'s responses to these discovery requests are limited to knowledge and information available at this time. These responses are based on facts known or believed to be true by the Defendant Insul Company, Inc. at the time of the answering of these discovery requests. Much of the information requested date back many years and thus, it is difficult if not impossible to reconstruct or retrieve this information. Insul Company, Inc. reserves the right to amend or supplement these responses, as information becomes available. Insul Company, Inc. objects to these Interrogatories/Production of Documents insofar as they seek information which is subject

to the attorney/client privilege and which constitutes the attorney work product or which is otherwise not discoverable under the Ohio Rules of Court.

This Defendant further objects on the grounds that this discovery is unnecessarily repetitive and therefore oppressive and burdensome and not reasonably calculated to lead to the discovery of admissible evidence. This Defendant further objects to this discovery insofar as the requested information purports to require that this defendant "identify" documents on the grounds that it is overly broad, burdensome and oppressive. This Defendant further objects to this discovery insofar as it calls for responses, which are not relevant to the time period during which the Plaintiffs worked or to the locations at which any of the Plaintiffs worked. Thus, they are irrelevant, overly broad, burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

Insul Company, Inc.'s answers to this discovery are limited to the extent that this discovery request seeks the disclosure of any mental impressions of its attorneys, their conclusions, opinions memoranda or summaries of legal theories.

Insul Company, Inc.'s response to this discovery is in good faith and in the spirit in cooperation and is continuing in an investigation into the subject matter sought, and thus cannot exclude the possibility that its continuing investigation may reveal more complete information or even information which indicates that a response is inaccurate.

The Plaintiffs have requested that this Defendant respond to locations listed in said Interrogatories. To the extent that the locations are titled or otherwise labeled in terms that are unfamiliar to this Defendant, same are objected to. Without waiving this objection, this Defendant admits to selling products to Armco Steel, Hamilton, Ohio; Armco Steel, Middleton Ohio. This Defendant, however, did not sell asbestos-containing products to these facilities.

3. Please describe Defendant's corporate history including any:
- (a) Mergers;
 - (b) Consolidations;
 - (c) Asset purchases;
 - (d) Acquisitions; or
 - (e) Spinoffs.

ANSWER:

This Defendant incorporates by reference its preliminary statement and objection. Without waiving said objection, Insul Company, Inc. was incorporated in the state of Ohio in 1960 and its offices are located at 110 North Market Street, East Palestine, Ohio and its manufacturing facility it also located in East Palestine, Ohio. Insul Company, Inc. has the following wholly owned subsidiaries:

American Exo Corporation Corp. of Texas 1971

Cravens-Insul, Inc. 1972

D.Q.R. Packaging, Inc. 1992

Heather Metallurgical, Inc. 1976

Insul International, Inc. - 1991

Lakewood Chemical and Supply Company, Inc. 1991

Ritetherm, Inc. - 1992

Southern Exo-Chemical Corporation - 1983

The American Runner Company, Inc. - 1981

Triple L Trucking Company, Inc. - 1992

Valley Sportsman and Supply, Inc. - 1971

Wagner-Insul Company, Inc. - 1975

Youngstown Chemicals, Inc. - 1978

4. Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

- (a) The name of each such corporation or entity;

- (b) Date of acquisition;
- (c) The nature of the company as it relates to asbestos.

ANSWER:

This Defendant incorporates by reference its preliminary statement and objection. Without waiving said objection, see response to No. 3 above.

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - 1. The trade or brand name;
 - 2. Its identified number (model, serial number, etc.)
 - 3. The time period it was manufactured, mined, marketed, distributed or sold;
 - 4. It's physical description including color, general composition, and form.
 - 5. A detailed description of its intended use and purpose.
 - 6. A detailed description of the type of package, in which it was sold, listing the dates of each type of package used a physical description of the package, and a description of any printed material or trademarks that appeared thereon.
 - 7. The percent of asbestos which it contained;

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
- (c) The time period during which each of these products were on the market;
 - (d) A description of the physical composition of each product;
 - (e) How each of these asbestos-containing product can be distinguished from those of competitors;
 - (f) A description of the physical appearance of such product;
 - (g) A detailed description of the intended uses.

ANSWER:

It is believed that Insul Company, Inc. did not manufacture, sell or otherwise distribute any asbestos-containing products to Armco Steel, Middleton or Hamilton facilities.

This Defendant incorporates by reference its preliminary statement and objection. Without waiving said objection, this Defendant provides the following response.

Insul Company, Inc. manufactured both asbestos and non-asbestos hot tops/rings from the early to mid 1960s too early to mid 1970s. The product, which was manufactured, was a gray limestone hot top and rings containing no identification number. The hot tops were to provide a liquid reservoir for molten steel, which would flow into the solidifying ingot cavity for an extended period of time. The rings were used in the base of the ladles to prevent the flow and when used, the ring was completely consumed and dissolved within the slag.

Products were palletized and wrapped.

The chemical composition of the hot tops was approximately 71 percent limestone, 21 percent silica, and approximately 3 percent fiber. The rings were approximately 81 percent silica, 9 percent carbon and, five percent asbestos.

ZIMMER KUNZ
PROFESSIONAL CORPORATION

BY

JONI M. MANGINO, ESQUIRE
Attorney for Defendant,
Instal Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **Insul Company, Inc.'s**
Second Supplemental Answers to Plaintiffs' Master Set of Interrogatories has been served
upon Plaintiffs' Counsel, with notice being served upon all remaining counsel of record by
mailing same by United States First Class mail, postage prepaid, this 31st day of October, 1997.

ZIMMER KUNZ
PROFESSIONAL CORPORATION

BY

JONI M. MANGINO, ESQUIRE
Attorney for Defendant,

