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September 5, 2008

VIA HAND DELIVERY

Mr. David W. deBruin, Esq.
Bifferato Gentilotti, LLC
800 North King Street
Plaza Level
Wilmington, DE 19801

Re: Lawrence Dolney v. Gleason Corporation
C.A. No. 08C-02-461
January 2009 Delaware Case

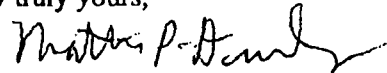
Dear Dave,

Enclosed please find Gleason Corporation's Answers to Plaintiff's Case Specific Interrogatories and Request for Production of Documents. Where available, copies of documents are included in response to the Request for Production.

Gleason will also be forwarding Answers to Plaintiff's Supplemental Interrogatories. I apologize for the delay, but they were inadvertently missed by our office and were not received by our client until approximately two weeks ago.

Should you have any questions or concerns, please do not hesitate to contact me at (302) 504-3250. Thank you for your time and anticipated cooperation.

Very truly yours,



MATTHEW P. DONELSON

enclosures

RECEIVED

SEP 05 2008

Wilmington, Delaware • Boothwyn, Pennsylvania • Bear, Delaware Bifferato Gentilotti LLC

SCF-ABEX-3775

IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

IN RE: ASBESTOS)
LITIGATION:)
)
LAWRENCE DOLNEY, and) C.A. No. 08C-02-461 ASB
CYNTHIA DOLNEY, his wife)
)
Plaintiffs,) Asbestos
)
v.) Non-Arbitration
)
AGCO CORPORATION, et. al.) Trial by Jury of Twelve Demanded
)
Defendants)

PLAINTIFF'S CASE-SPECIFIC MANUFACTURER/DISTRIBUTOR
INTERROGATORIES DIRECTED TO DEFENDANT GLEASON CORPORATION

Please take notice that pursuant to Delaware Superior Court Rule of Civil Procedure 33, defendant is required to serve sworn answers upon the undersigned to the following interrogatories within thirty (30) days after service hereof. The defendant corporation or company shall designate an officer or agent who will answer the interrogatories by providing all of the information available to the organization whether the answering individual personally knows it or not. Each interrogatory is to be answered fully and separately.

Instructions

With respect to all questions, all information is to be divulged which is within the knowledge, possession or control of the corporation or company to whom these interrogatories are addressed, as well as the corporation or company's attorneys, investigators, agents, employees or other representatives.

If defendant cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, then state and answer to the fullest extent possible, specifying defendant's inability to answer the remainder, stating whatever information or knowledge defendant has concerning the unanswered portion and detailing what defendant did in attempting to acquire the information.

Definitions

A. "Defendant," as used herein, includes the above-named defendant.

B. "Predecessor" or "predecessor entity or company" as used herein means any entity which previously owned, controlled or comprised all or any portion of the named defendant, or all or part of which has been acquired by the named defendant whether by asset purchase, merger and stock transaction. "Predecessor" or "predecessor entity or company" as used herein includes, but is not limited to, entities as to which the named defendant is liable as a successor as a successor in interest.

C. "Related entity or company" as used herein means any and all past or present parent companies, subsidiaries, sister companies or like entities which have or have had connected / interlocking ownership with the named defendant.

D. "Asbestos-containing product" as used herein means any product which included any form of asbestos and/or asbestos-containing material as any part of its composition, components, parts and/or ingredients. This term specifically

includes, but is not limited to, any systems, equipment or machinery incorporating such components and/or materials, including, but not limited to, boilers, generators, turbines, pumps, furnaces, ovens, motor vehicles, and/or any component systems thereof.

E. "Documents" as used herein, has the same meaning as set forth in Delaware Superior Court Rules of Civil Procedure. It includes, without limitation, any and all books, records, notes, letters, correspondence, memoranda, writings, invoices, purchase orders, contracts, sales ledgers, recordings, journals or books of account, in the possession, custody or control of this defendant or defendant's attorneys, investigators, agents, or employees. Control includes, but is not limited to, any right or entitlement to obtain access to documents in the possession or custody of another, including, but not limited to, rights conferred under an asset or business sale agreement. "Documents" includes originals and copies, microfilms, computer databases and transcripts made, recorded, produced or reproduced by any every means.

F. Where used with respect to documents, "identify" means to give the date, title, origin, author and addressee of the document and the name, address, position or title of the person who has custody of the document. Whenever identification is requested and defendant is willing to produce the documents voluntarily, defendant may respond by attaching a copy of the responsive document to the answers to these interrogatories.

Where used with respect to a person, "identify" means to give the person's name, employer, title or position with that employer, and business address and last known home address if the person is no longer so employed. If the person identified is, or has been, an employee, officer, director or agent of defendant, also state: the period of time during which he/she has been employed by defendant; all positions, titles or jobs that person has held with the defendant and the years each position was held; and, whether or not plaintiffs should contact said person directly or only through defense counsel.

G. Where appropriate, the singular includes the plural and vice-versa.

ANSWERS

Gleason Corporation (hereinafter referred to as "Gleason") has made a good faith effort to responsively address plaintiffs' discovery to which objections have not otherwise been filed. For this reason, Gleason, relying upon information collected from various sources, including information recently identified. Defendant's exploration of its prior operations is continuing and these responses amend and supersede any previously filed responses to discovery in this and any other jurisdiction. Defendant does not purport to have adopted or applied any definitions set forth at the outset of or at other places in plaintiffs' discovery nor has it assumed the improper, unproved and hypothetical facts or accepted the terminology or substance of plaintiffs' claims incorporated in, implied or alluded to within this discovery.

Due to the broad and diverse nature of Gleason's

operations and business, these answers are limited to Gleason's operations involving the manufacture and sale of Gleason machinery which operations appear to be the basis of the claims asserted.

General Objections

1. Gleason objects to Plaintiffs' Discovery on the grounds that it is overly broad, unduly burdensome, seeks information which is not relevant to Plaintiffs' cause of action, and seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

2. Gleason objects to Plaintiffs' Discovery to the extent that said Discovery seeks information protected by either the attorney-client privilege or the work-product doctrine. Without waiving these objections, and subject to any additional objections herein, Gleason provides its Answers herein.

3. Gleason objects to Plaintiffs' Discovery to the extent that it seeks information that is not within the custody or control of Gleason, is otherwise within the public domain, or is otherwise equally or more available to Plaintiffs than to Gleason. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

4. Gleason objects to Plaintiffs' Discovery to the extent that it asserts and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

5. Gleason objects to Plaintiffs' Discovery to the

extent that it assumes the truth of the allegations which are in dispute in this litigation and/or makes incorrect and/or untrue assertions, and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

6. Gleason objects to Plaintiffs' Discovery to the extent it seeks information regarding Gleason's sales of any asbestos-containing products to any entities other than those specifically identified as being in the chain of distribution of products to which Plaintiffs allegedly were exposed, or to any employers or job sites other than any employers or job locations that Plaintiffs specifically identified as employers and job locations at which Plaintiffs allegedly were exposed to asbestos-containing products. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

7. Gleason objects to Plaintiffs' Discovery to the extent it requires Gleason to identify any product either sold or manufactured by Gleason which may have contained asbestos or components containing asbestos when: Plaintiffs have failed and/or refused to specifically identify any product either sold or manufactured by Gleason to which Plaintiffs claim exposure; Plaintiffs have failed or refused to identify any locations and/or job sites at which Plaintiffs claim exposure to any products sold or manufactured by Gleason or Plaintiffs have failed or refused to identify any time periods during which Plaintiffs claim exposure to any products sold or manufactured by Gleason. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers

herein.

8. Gleason objects to Plaintiffs' Discovery to the extent that it seeks to require it to provide information other than that which may be obtained through a reasonably diligent search of its records.

9. The responses made herein are made without in any way waiving or intending to waive, but on the contrary intending to reserve and reserving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent step or proceeding in this action or any other action; (2) the right to object on any and all grounds at any time, to any other discovery procedure involving or relating to the subject matter of Plaintiffs' Discovery; and (3) the right to supplement these answers should additional information be discovered.

Each and every objection listed above is incorporated into answering defendant's response to plaintiff's interrogatories. Notwithstanding and without waiving these objections, Gleason hereby responds to Plaintiffs' Discovery as follows:

INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person answering these interrogatories on behalf of Defendant.

ANSWER:

Charles P. Clark, Engineer.

INTERROGATORY NO. 2:

Regarding the Ford Plant in Sterling Heights, Michigan

during 1965-2005:

- (a) Identify by type, manufacture name, brand name, trade name, make, model, number and/or like designation each and every asbestos-containing product present at said site during the time of exposure, which was manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity; OR,
- (b) State specifically that Defendant denies that asbestos-containing products attributable to it or any predecessor / related entity were present at said site during the relevant time; OR,
- (c) State that Defendant lacks sufficient information to identify any asbestos-containing products or to specifically deny that any such products were present.

ANSWER:

Answering defendant acknowledges that certain Gleason machines were at the Ford site in question. Specifically, Gleason Model No. 116s and 950s and PHOENIX® machines were at the plant in question. By way of further response, answering defendant states that some of the machines may have contained some asbestos containing parts at the time of original manufacture, such as brake assemblies. However, Gleason PHOENIX® machines did not contain any asbestos parts.

INTERROGATORY NO. 3:

With respect to each site as described in Interrogatory No. 2:

- (a) State whether or not any agent, employee or representative of Defendant and/or any predecessor/related entity and/or of any affiliated distributor thereof was ever present at said site during or prior to the time that plaintiff/decendent was present for any purpose, including, but not limited to, repair, servicing, sales, installation, training, and/or technical support. If your answer is "yes" identify each and every such occasion as follows:
 - (i) state the date and location of the visit;
 - (ii) identify the person(s) (agents, employees, representatives) involved; and,
 - (iii) state the purpose of the visit (e.g. sales call, technical support, repair etc.); and,

- (iv) identify any and all documents referring to, relating to, and/or reflecting said visit(s).
- (b) Identify any and all documents referring to, relating to, and/or reflecting the presence of asbestos-containing products (which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity) at said site, including, but not limited to contracts, invoices, contracts, orders, cancelled checks, bills of lading, blueprints, specifications, note, memoranda and/or correspondence; and,
- (c) Identify any and all persons known by you to have knowledge or information concerning the presence of asbestos-containing products which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity.

ANSWER:

Answering defendant objects to the extent that this interrogatory is overly broad and unduly burdensome in scope and time. Without waiving said objection, answering defendant states that it is unknown what specific persons have been to the plant in question.

INTERROGATORY NO. 4:

As to each site as described in Interrogatory No. 2, for which Defendant maintains that it lacks sufficient information to identify any asbestos-containing products or to specifically deny that any such products were present:

- (a) Describe the basis / reasons for Defendant's inability to either identify such products or to deny that any were present, including, but limited to, specifically stating whether or not Defendant destroyed and/or otherwise disposed of documents that might refer to, relate to, and/or reflect the same;
- (b) State whether or not there Defendant has and/or is aware of information that there were asbestos-containing products present at said site, which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity, but which cannot be specifically identified;
- (c) State whether or not there were ever any non-asbestos-containing products present at said site,

which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity, during the times alleged by plaintiff; and,

- (d) Identify each and every person known to you to knowledge and/or information concerning the same.

ANSWER:

See response to Interrogatory #2.

INTERROGATORY NO. 5:

As to each site as described in Interrogatory No. 2, for which Defendant denies that any asbestos-containing products were present, which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity:

- (a) Describe the basis for said denial;
- (b) State whether or not there were ever any asbestos-containing products present at said site, which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity, within five (5) years of the times alleged by plaintiff;
- (c) State whether or not there were ever any non-asbestos-containing products present at said site, which were manufactured, sold, distributed, installed, applied and/or specified by Defendant and/or any predecessor /related entity, during the times alleged by plaintiff;
- (d) Identify any and all documents referring to, relating to, and/or reflecting the basis for said denial; and,
- (e) Identify each and every person known to you to knowledge and/or information concerning the basis for said denial.

ANSWER:

See response to Interrogatory #2.

INTERROGATORY NO. 6:

With respect to each and every piece /type of equipment (such as a vehicle, turbine, pump, aircraft etc.) that was manufactured, sold and/or distributed by Defendant and/or any predecessor / related entity that incorporated any asbestos-containing component and which has been identified

as equipment (i) that plaintiff/decedent worked with and/or around and/or (ii) that a person through whom plaintiff was exposed worked with and/or around:

- (a) Specifically identify each and every such asbestos-containing component;
- (b) Identify the source of each and every such asbestos-containing component, including, but limited to, components that were manufactured and/or provided by Defendant and/or any predecessor/related entity; and,
- (c) Identify any and all documents referring to, relating to, and/or reflecting the identity and source of said asbestos-containing components.

ANSWER:

- a) Brake assemblies may have contained asbestos brake materials. By way of further response, investigation continues.
- b) Cutler Hammer was supplier of the brake assemblies on the Model No. 116s, which may have contained asbestos containing materials.

Johns Manville and American Brake Block Division were suppliers of brake assemblies for the Model Nos. 950s, which may have contained asbestos.

- c) Documents are being produced.

INTERROGATORY NO. 7:

With respect to each and every piece /type of equipment (such as a vehicle, turbine, pump, aircraft etc.) that was NOT manufactured, sold and/or distributed by Defendant and/or any predecessor/related entity that incorporated any asbestos-containing component and which has been identified as equipment (i) that plaintiff/decedent worked with and/or around and/or (ii) that a person through whom plaintiff was exposed worked with and/or around:

- (a) Specifically identify each and every such asbestos-containing component that was manufactured, sold, distributed, supplied and/or otherwise provided by Defendant and/or any predecessor/related entity; and,
- (b) Identify any and all documents referring to, relating to, and/or reflecting the same.

ANSWER:

Unknown

INTERROGATORY NO. 8:

Identify:

- (a) Each and every location within 150 miles of each and every location where plaintiff/decedent lived, worked and/or was allegedly exposed to asbestos, at which Defendant and/or any predecessor / related entity sold and/or distributed any asbestos-containing product(s); and
- (b) Each and every location within 150 miles of each and every location where plaintiff/decedent lived, worked and/or was allegedly exposed to asbestos, at which any asbestos-containing product(s) was sold and/or distributed, which product was manufactured and/or previously sold/distributed by Defendant and/or any predecessor/related entity.

ANSWER:

Unknown

INTERROGATORY NO. 9:

Other than information previously provided:

- (a) Identify any and all documents referring to, relating to, and/or reflecting plaintiffs'/decedent's exposure to asbestos and/or asbestos-containing products, regardless of the manufacturer, seller and/or distributor; and
- (b) Identify each and every person known by you to have any knowledge and/or information concerning plaintiffs'/decedent's exposure to asbestos and/or asbestos-containing products, regardless of the manufacturer, seller and/or distributor; and,
- (c) Identify any and all written statements obtained by you and/or anyone acting on your behalf from any person concerning the facts of this case, including, but not limited to, statements relating to plaintiffs'/decedent's work history, exposure to asbestos, exposure to other toxins, and/or medical condition.

ANSWER:

Answering defendant does not have any information in its possession related to plaintiff that was not received from plaintiff's counsel.

INTERROGATORY NO. 10:

- (a) Identify each and every lay witness who will testify at trial and the subjects as to which each such lay witness will testify;
- (b) Pursuant to Rule 26, identify each and every independent expert witness, who will testify at trial and the subjects on which each such witness will testify and the opinions you expect to elicit from each such witness;
- (c) Pursuant to Rule 26, for each and every controlled expert who will testify at trial, and for each such witness:
 - (i) state the subject matter on which the expert is expected to testify;
 - (ii) state the conclusions and opinions of the witness and the bases therefore, including, but not limited to, identifying each and every treatise, article or text upon which such expert will rely in testifying;
 - (iii) state the qualifications of such witness;
 - (iv) identify any and all reports prepared by the witness, including drafts thereof, referring to and/or relating to this case.

ANSWER:

Unknown at this time. However, answering defendant reserves the right to supplement this response.

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.

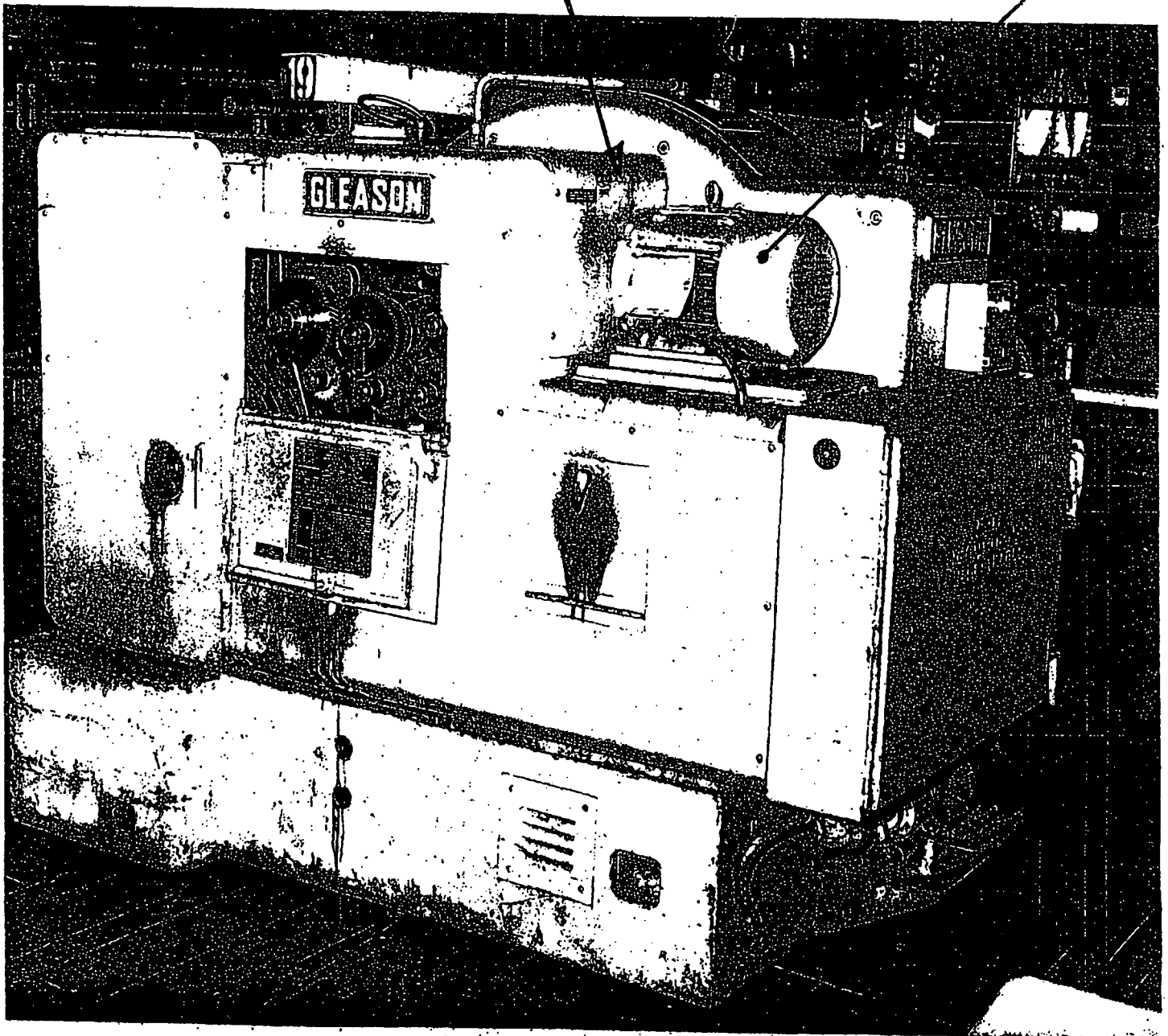
MATTHEW P. DONELSON
Bar No. 4243
300 Delaware Avenue, 17th Floor
P.O. Box 1630
Wilmington, Delaware 19899-1630
(302) 428-3181
Attorney for Defendant
Gleason Corporation

Dated: September 5, 2008
G:\Docs\CLIENT\7012\20640\pleading\00467763.RTP

110 1" HAWKING

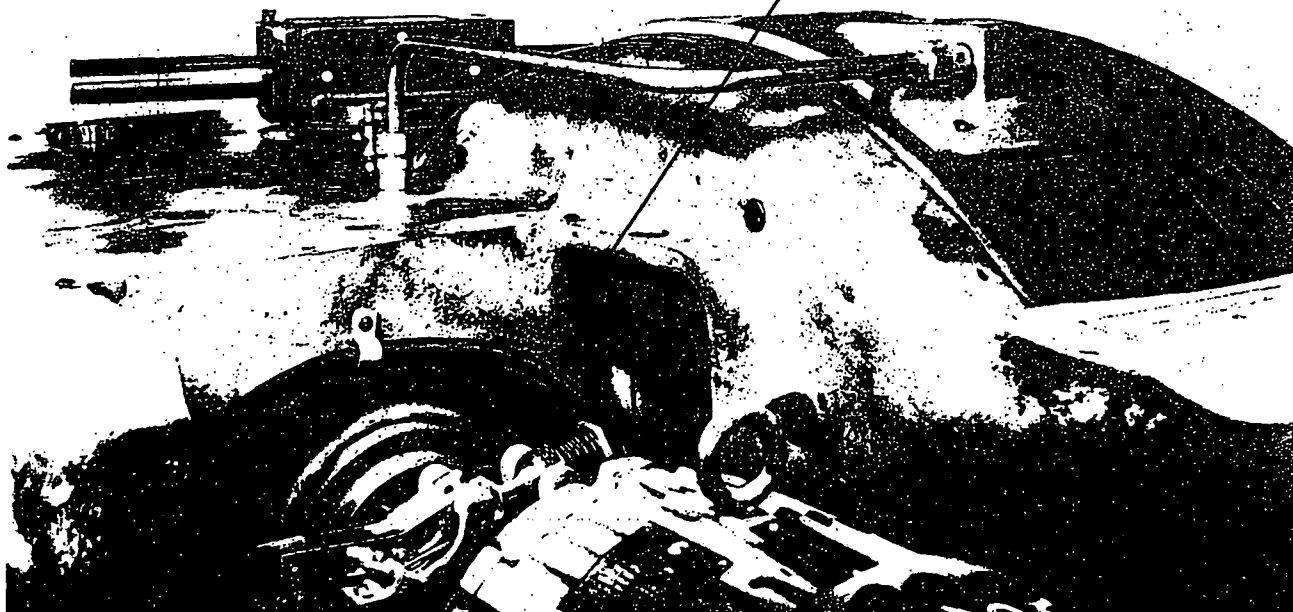
COVER

DRIVE MOTOR

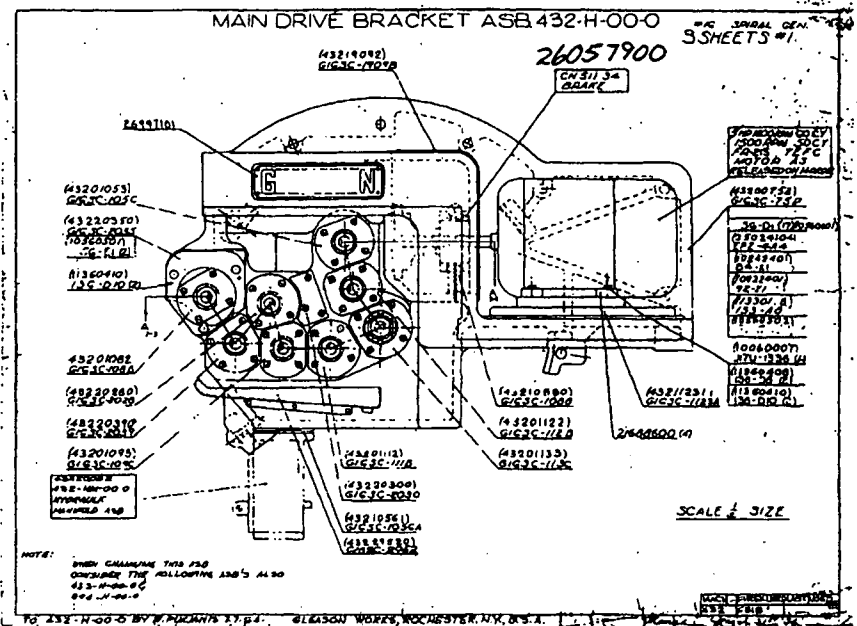


116 151407116

CUTLER HAMMER BRAKE ASB.
26057900

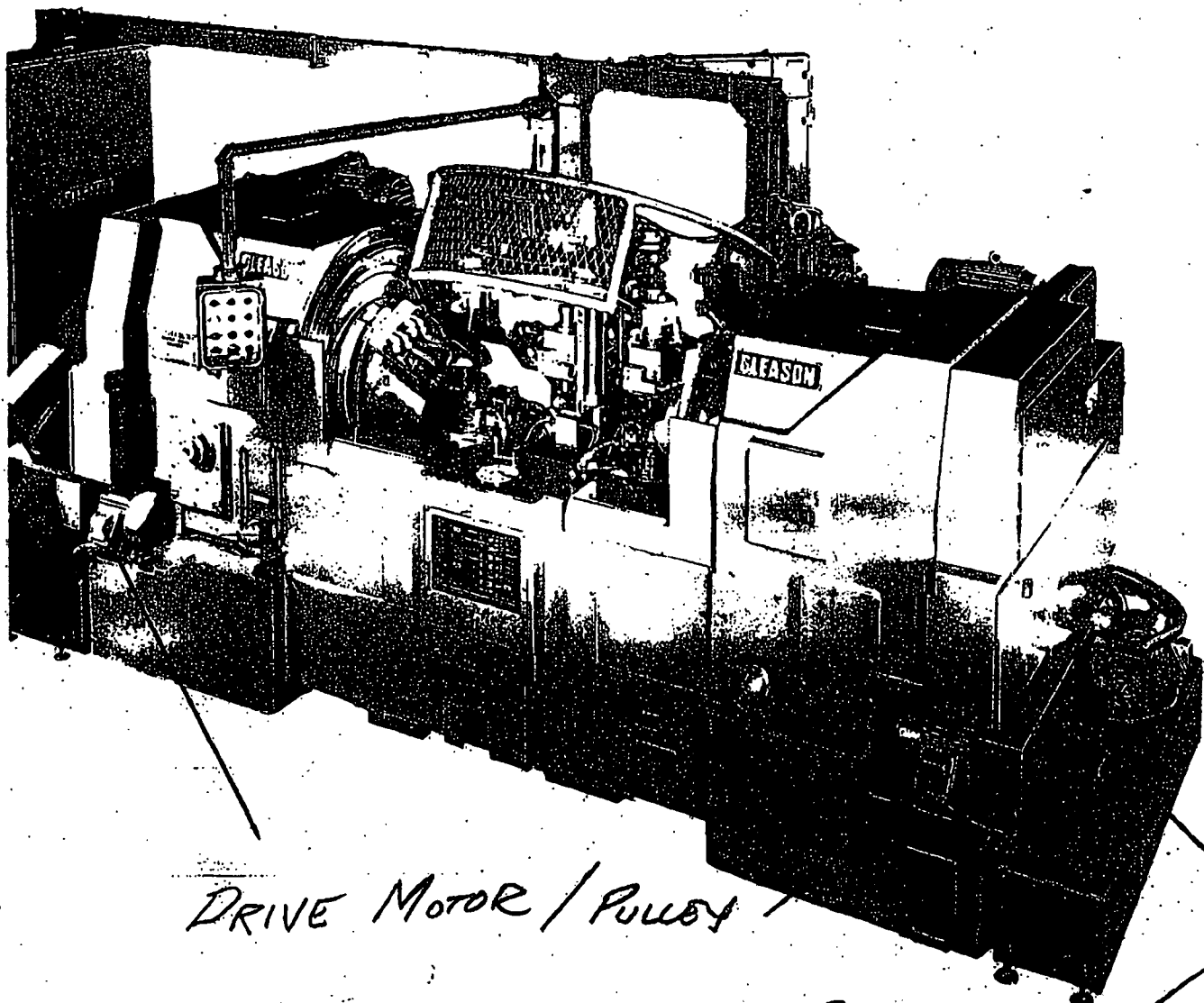


116 MACHINE



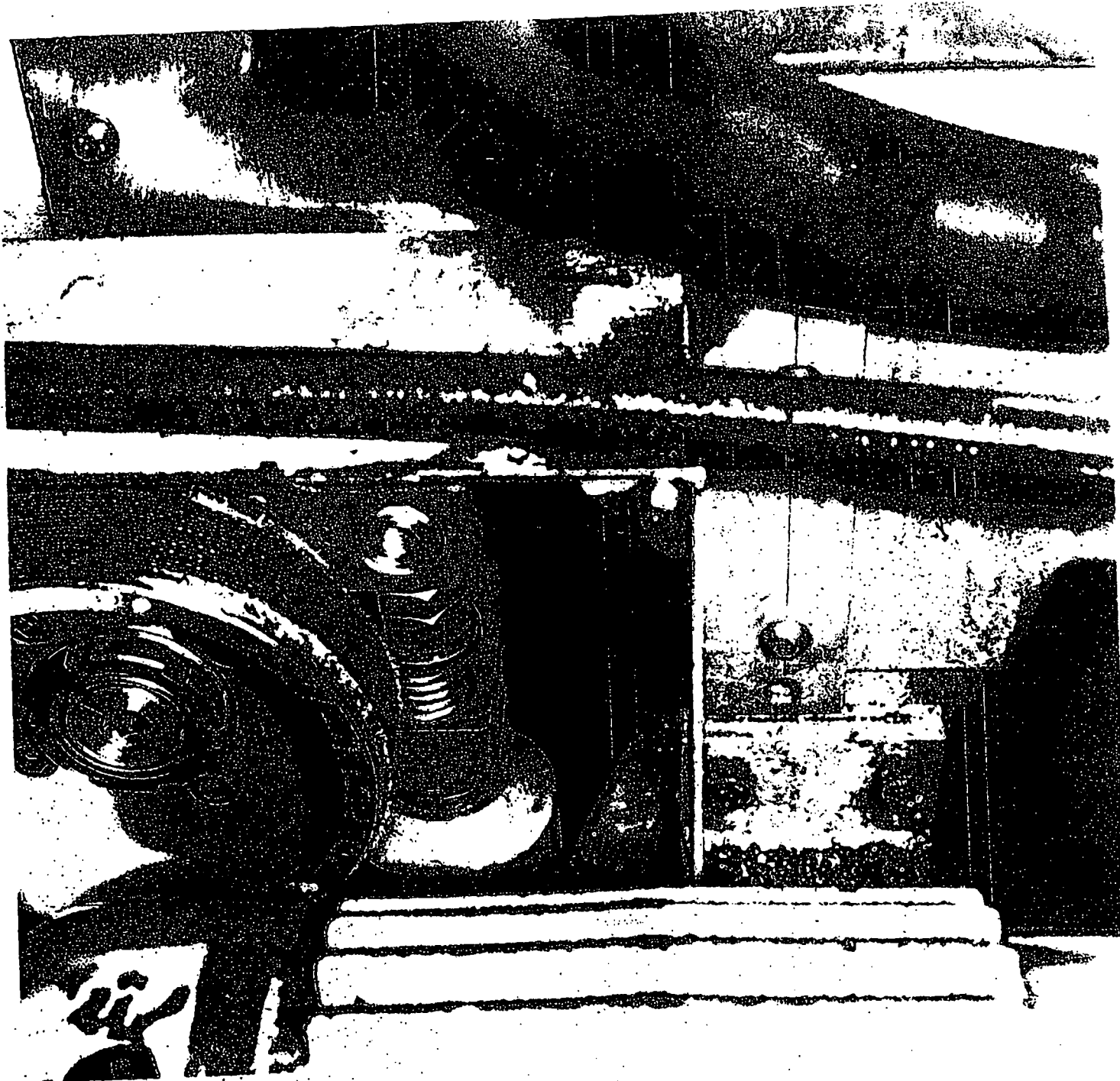
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950 MACHINE



DRIVE MOTOR / PULLEY

BRAKE IS BEHIND PULLEY UNDER
THIS GUARD - SEE NEXT PHOTO.

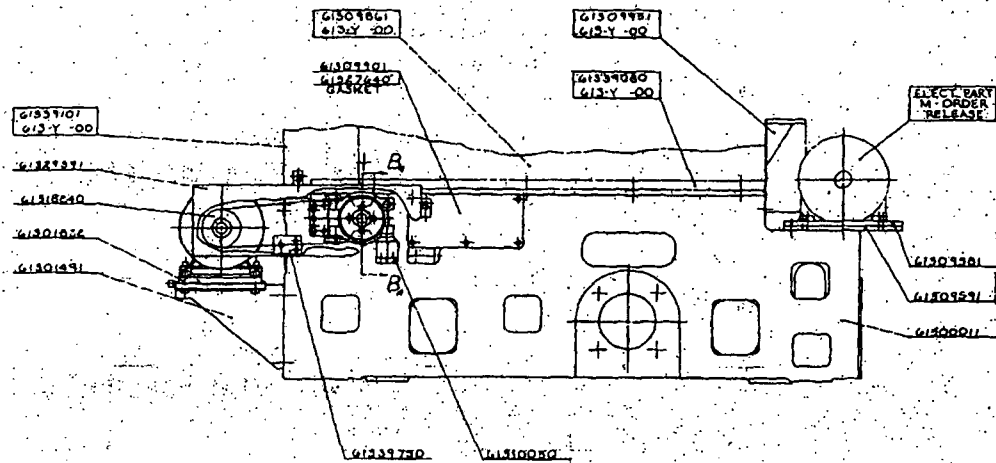


950 MACHINE

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613-A-00-0

613 PINION ROUGHER
5 SHEETS NO. 3



VIEW F-F

SCALE: $\frac{1}{8}$ SIZE

DRAWN BY: R. J. [Signature] DATE: 8-10-70

GLEASON

WORKS

36

ROCHESTER, N.Y. U.S.A.

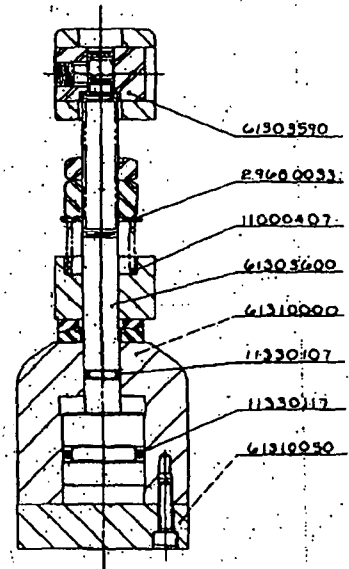
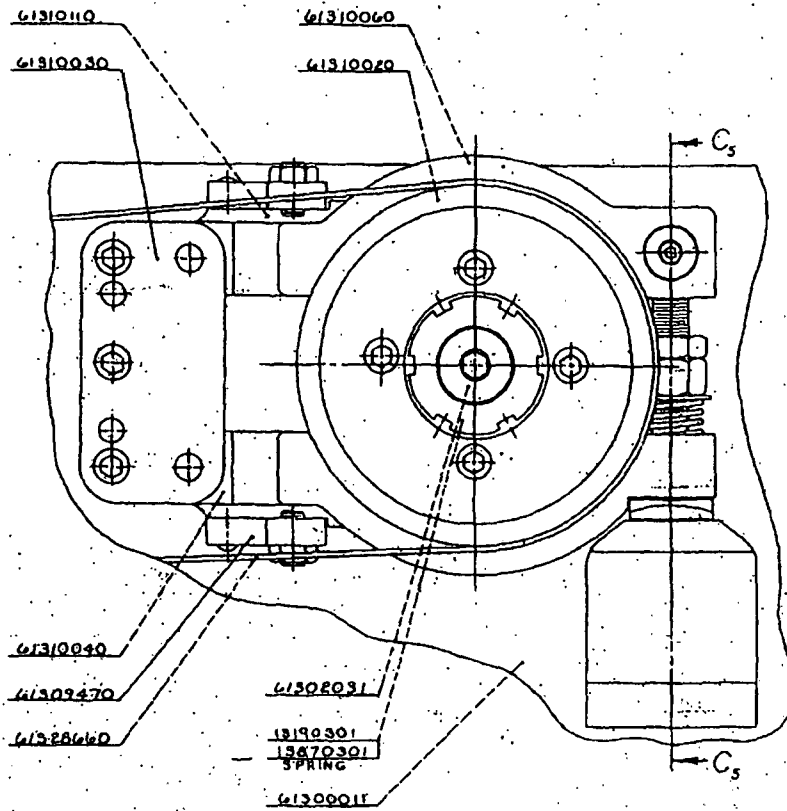
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DATE	REV	BY
8/13	8/10	5

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613-A - 00-0

613 PINION ROUGHER
5 SHEETS NO. 5



SECTION C-C

SCALE: FULL SIZE

VIEW A-A

GUARD 61329391 REMOVED

DRAWN BY: *P. J. L. Smith*

DATE: 8-10-70

2 GLEASON WORKS

3

ROCHESTER N.Y. U.S.A.

4

MACH.	F.U.	L.U.
613	6706	

This image is a high-contrast, black and white photograph of a textured surface. It appears to be a close-up of a material with a grid-like or woven pattern, possibly a book cover or a piece of fabric. The texture is very dense and irregular, with many small, dark, rectangular shapes interspersed with lighter, more uniform areas. The overall effect is one of a complex, almost abstract pattern.

ALSO USED SERIAL NO. 480401

IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

IN RE: ASBESTOS	)	
LITIGATION:	)	
	)	
LAWRENCE DOLNEY, and)	C.A. No. 08C-02-461 ASB	
CYNTHIA DOLNEY, his wife)		
	)	
Plaintiffs,	)	Asbestos
	)	
v.	)	Non-Arbitration
	)	
AGCO CORPORATION, et. al.)	Trial by Jury of Twelve Demanded	
	)	
Defendants	)	

PLAINTIFF'S CASE-SPECIFIC MANUFACTURER/DISTRIBUTOR
REQUEST FOR PRODUCTION OF DOCUMENT DIRECTED TO DEFENDANT
GLEASON CORPORATION

Plaintiffs, by their attorneys, request that defendant produce the documents described below within thirty (30) days hereof due pursuant to Delaware Superior Court Rule of Civil Procedure 34. Plaintiffs further request that defendant provide a verified written response stating that production is complete.

Instructions and Definitions

Plaintiffs herein incorporate by reference the Instructions and Definitions set forth in the Interrogatories served herewith.

Gleason Corporation (hereinafter referred to as "Gleason") has made a good faith effort to responsively address plaintiffs' discovery to which objections have not otherwise been filed. For this reason, Gleason, relying upon information collected from various sources, including information recently identified. Defendant's exploration of its prior operations is continuing and these responses amend and supersede any previously filed responses to discovery in

this and any other jurisdiction. Defendant does not purport to have adopted or applied any definitions set forth at the outset of or at other places in plaintiffs' discovery nor has it assumed the improper, unproved and hypothetical facts or accepted the terminology or substance of plaintiffs' claims incorporated in, implied or alluded to within this discovery.

Due to the broad and diverse nature of Gleason's operations and business, these answers are limited to Gleason's operations involving the manufacture and sale of Gleason machinery which operations appear to be the basis of the claims asserted.

General Objections

1. Gleason objects to Plaintiffs' Discovery on the grounds that it is overly broad, unduly burdensome, seeks information which is not relevant to Plaintiffs' cause of action, and seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

2. Gleason objects to Plaintiffs' Discovery to the extent that said Discovery seeks information protected by either the attorney-client privilege or the work-product doctrine. Without waiving these objections, and subject to any additional objections herein, Gleason provides its Answers herein.

3. Gleason objects to Plaintiffs' Discovery to the extent that it seeks information that is not within the custody or control of Gleason, is otherwise within the public domain, or is otherwise equally or more available to Plaintiffs than to Gleason. Without waiving this objection,

and subject to any additional objections herein, Gleason provides its Answers herein.

4. Gleason objects to Plaintiffs' Discovery to the extent that it asserts and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

5. Gleason objects to Plaintiffs' Discovery to the extent that it assumes the truth of the allegations which are in dispute in this litigation and/or makes incorrect and/or untrue assertions, and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

6. Gleason objects to Plaintiffs' Discovery to the extent it seeks information regarding Gleason's sales of any asbestos-containing products to any entities other than those specifically identified as being in the chain of distribution of products to which Plaintiffs allegedly were exposed, or to any employers or job sites other than any employers or job locations that Plaintiffs specifically identified as employers and job locations at which Plaintiffs allegedly were exposed to asbestos-containing products. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

7. Gleason objects to Plaintiffs' Discovery to the extent it requires Gleason to identify any product either sold or manufactured by Gleason which may have contained asbestos or components containing asbestos when: Plaintiffs have failed and/or refused to specifically identify any product either sold or manufactured by Gleason to which

Plaintiffs claim exposure; Plaintiffs have failed or refused to identify any locations and/or job sites at which Plaintiffs claim exposure to any products sold or manufactured by Gleason or Plaintiffs have failed or refused to identify any time periods during which Plaintiffs claim exposure to any products sold or manufactured by Gleason. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein..

8. Gleason objects to Plaintiffs' Discovery to the extent that it seeks to require it to provide information other than that which may be obtained through a reasonably diligent search of its records.

9. The responses made herein are made without in any way waiving or intending to waive, but on the contrary intending to reserve and reserving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent step or proceeding in this action or any other action; (2) the right to object on any and all grounds at any time, to any other discovery procedure involving or relating to the subject matter of Plaintiffs' Discovery; and (3) the right to supplement these answers should additional information be discovered.

Each and every objection listed above is incorporated into answering defendant's response to plaintiff's interrogatories. Notwithstanding and without waiving these objections, Gleason hereby responds to Plaintiffs' Discovery as follows:

Requests to Produce

1. Any and all documents as described in the following Interrogatories served herewith:

Interrogatory No. 3 (a);

Interrogatory No. 5 (d);

Interrogatory No. 6 (c);

Interrogatory No. 7 (c); and,

Interrogatory No. 9 (a).

See answers to interrogatory Nos. 3(a), 5(d), 6(c), 7(c), and 9(a).

2. Any and all documents of any kind sent to, or received from, anyone that owned, operated, occupied or controlled any site described in Interrogatory No. 2.

Answering defendant objects to the extent that this interrogatory is overly broad and unduly burdensome in scope and time.

3. Any and all written statements, as described in Interrogatory No. 9 (c).

See answer to Interrogatory #9(c).

4. Any and all reports, including drafts thereof, as described in Interrogatory No. 8 (c)(iv).

See answer to Interrogatory #8.

5. Any and all letters, correspondence, memoranda, notes, and/or similar documents referring to, relating to, and/or reflecting communications between Defendant and/or anyone acting on behalf thereof and any of the following persons (excluding anyone as to whom attorney-client privilege properly applies), concerning the subject matter of this case:

(a) Any and all lay witnesses.

(b) Any and all independent expert witnesses,

(c) Any and/all controlled expert witnesses, as defined in Rule 26 and/or

(d) Any and all other persons possessing knowledge and/or information concerning the facts of this case.

See response to interrogatory #10.

6. Any and all depositions and/or trial transcripts (excluding those in matters to which a client of Simmons

Cooper was a party at the time) in any case alleging exposure to asbestos and/or asbestos-containing products / materials, reflecting testimony by:

- (a) Any and all lay witnesses;
- (b) Any and all independent expert witnesses;
- (c) Any and/all controlled expert witnesses;
and/or
- (d) Any and all other persons possessing knowledge and/or information concerning the facts of this case.

N/A.

7. Any and all documents referring to, relating to, and/or reflecting any and/or all of the plaintiff(s)/decendent in this case.

N/A. By way of further response, answering defendant does not have any documents in its possession related to plaintiff that was not received from plaintiff's counsel.

8. Any and all documents and/or exhibits that will and/or might be used by you at trial and/or in any other proceeding in this case.

It is unknown at this time which documents and/or exhibits answering defendant intends to use at trial and/or any other proceeding in this case. Answering defendant reserves the right to supplement this response.

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Dated: September 5, 2008
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