

ELLIOTT, J.

COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

ROGER DALE BLAKE, ET AL : CASE NO. CV96 01 0191
Plaintiffs :
VS. :
A-BEST PRODUCTS COMPANY, ET AL :
Defendants :

DEFENDANT CROWN CORK & SEAL COMPANY'S
SUPPLEMENT TO ANSWERS TO INTERROGATORY NO. 3 AND
INTERROGATORY NO. 4 PLAINTIFFS' MASTER SET OF INTERROGATORIES
PROPOUNDED TO CROWN CORK AND SEAL COMPANY, INC. AND
SUPPLEMENT TO RESPONSE NO. 40 TO REQUEST TO PRODUCE

I am Vice President, General Counsel and Secretary for Crown Cork & Seal Company, Inc. As such, I am Custodian of Records for Crown Cork & Seal Company, Inc. and have access to the records of Crown Cork & Seal Company, Inc. Because of Crown Cork & Seal Company's having been sued as an alleged manufacturer or distributor of asbestos products in "asbestos litigation," I have caused a review of the files of Crown Cork & Seal Company, Inc. to be made to determine whether Crown Cork & Seal Company, Inc. has ever manufactured, sold, processed or distributed asbestos or asbestos-containing products. Crown Cork & Seal Company, Inc. has never manufactured, processed, sold or distributed asbestos or asbestos-containing products. In November of 1963, Crown Cork &

Seal purchased some stock (16,689 shares of 25,000 outstanding, or about 65%) of Mundet Cork Corporation, from the Estate of Joseph J. Mundet, Deceased. At the time of the stock purchase, Mundet Cork Corporation had two divisions: a Cork Products Division and a Thermal Insulation Contract Division. This purchase of stock by Crown Cork & Seal Company, Inc. was done for the purpose of acquiring Mundet Cork Corporation's Cork Products Division, which fit into Crown Cork & Seal's line of business of bottle caps. Crown Cork & Seal Company, Inc. had no interest in acquiring or in having anything to do with the Thermal Insulation Contract Division. The Cork Products Division did not manufacture, process, sell or distribute any asbestos products. Immediately upon acquisition of the Mundet Cork stock, efforts were made by Crown Cork and Seal to sell off the Thermal Insulation Division, and three months later, on February 8, 1964, Mundet Cork Corporation sold the entire Thermal Insulation Contract Division to Baldwin-Ehret-Hill, Inc. Pursuant to that sale, Baldwin-Ehret-Hill, Inc. took over all of the equipment, inventory, contracts and all personal property, including all files and records of the Thermal Insulation Contract Division of Mundet Cork. That sale included all the debts, obligations and liabilities of the Thermal Insulation Contract Division. Crown Cork has no records or

documentation in its files that during the interval November 7, 1963 - February 8, 1964, there was any asbestos activity by the Thermal Insulation section of Mundet Cork Company. Crown Cork does not have documentation in its files that the insulation division of Mundet Cork engaged in any mining of asbestos in the period November 7, 1963 to February 8, 1964. The sale to Baldwin-Ehret-Hill included an assumption by Baldwin-Ehret-Hill of all liabilities and obligations of Mundet Cork Corporation after February 8, 1964 and the closing statement listed a "cut-off date" of February 8, 1964. (Responses To Request to Produce 40)

The Mundet Cork documents attached to Request to Produce No. 40 refer to certain exhibits or schedules attached to a document dated February 8, 1964. The files of Crown Cork & Seal do not contain these exhibits or schedules or whether Mundet Cork's Thermal Insulation Division had any asbestos activity, and, to the best of my knowledge, no employees of Crown Cork & Seal who had any connection with Mundet Cork in the period November 7, 1963 to February 8, 1964, are presently employed by Crown Cork & Seal and I have no knowledge as to whether the Thermal Insulation Division

engaged in any asbestos activity in the period November 7, 1963 to February 8, 1964.

CROWN CORK & SEAL COMPANY, INC.

BY: Richard L. Krzyzanowski
Richard L. Krzyzanowski
Its Vice President
One Crown Way
Philadelphia, PA 19154-4599

Dated: June 19, 1997.

STATE OF PENNSYLVANIA)
) ss:
COUNTY OF PHILADELPHIA)

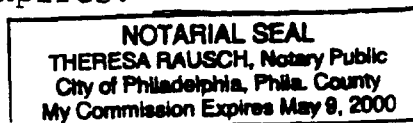
Richard L. Krzyzanowski, being first duly sworn, deposes and says that he is Vice President of Crown Cork & Seal Company, Inc., that he has read the foregoing DEFENDANT CROWN CORK & SEAL COMPANY'S SUPPLEMENT TO ANSWERS TO INTERROGATORY NO. 3 AND INTERROGATORY NO. 4 PLAINTIFFS' MASTER SET OF INTERROGATORIES PROPOUNDED TO CROWN CORK AND SEAL COMPANY, INC. by him subscribed and knows the contents thereof, and that the foregoing answers are true to the best of his knowledge and belief.

Richard L. Krzyzanowski
Richard L. Krzyzanowski

Subscribed and sworn to before me, a notary public, by Richard L. Krzyzanowski, this 19th day of June, 1997.

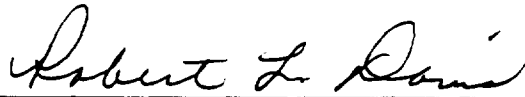
Theresa Rausch
Notary Public, Philadelphia County,
Pennsylvania

My commission expires:



PROOF OF SERVICE

I hereby certify that I have this date mailed a copy of the foregoing DEFENDANT CROWN CORK & SEAL COMPANY'S SUPPLEMENT TO ANSWERS TO INTERROGATORY NO. 3 AND INTERROGATORY NO. 4 PLAINTIFFS' MASTER SET OF INTERROGATORIES PROPOUNDED TO CROWN CORK AND SEAL COMPANY, INC. AND SUPPLEMENT TO RESPONSE NO. 40 TO REQUEST TO PRODUCE to Steven D. Wolens, Esq., Baron & Budd, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, Texas 75219; Bruce Carter, Esq., Baron & Budd, 43-B New Garver Road, Monroe, Ohio 45050; and Andrew S. Lipton, Esq., Manley, Burke, Lipton & Cook, 225 West Court Street, Cincinnati, Ohio 45202, Attorneys for Plaintiffs; and notice of filing of these Answers was given to all other defendants and/or their counsel by copy of the Distribution List attached.



ROBERT L. DAVIS (SCT #0014831)
Counsel for Defendant, Crown
Cork and Seal Company, Inc.

6-20-97

Date

dr

ROBERT L. DAVIS
ATTORNEY AT LAW
3600 CAREW TOWER
CINCINNATI, OHIO 45202

TELEPHONE
(AREA CODE 513)
241-3500

June 20, 1997

RE: Asbestos Litigation
Court of Common Pleas, Butler County, Ohio
Roger Dale Blake, etal v. A-Best Products Company, etal
Case No. CV96 01 0191

TO DEFENDANTS and/or DEFENSE COUNSEL OF RECORD:

Please be advised that I am filing Defendant Crown Cork & Seal Company's Supplement to Answers to Interrogatory No. 3 and Interrogatory No. 4 Plaintiffs' Master Set of Interrogatories Propounded to Defendant Crown Cork & Seal Company, Inc. and Supplement to Response No. 40 Request to Produce in the case listed above and all related cases filed or to be filed by Baron & Budd, P.C. in Butler County, Ohio. No copy of said Supplement is enclosed; however, if you desire a copy, please advise.

Very truly yours,



ROBERT L. DAVIS

RLD:dr

cc: Andrew S. Lipton, Esq.
Bruce Carter, Esq.
Steven D. Wolens, Esq.

DISTRIBUTION LIST

Counsel for A-Best:

Ruth A. Antinone, Esq.
Willman & Arnold, LLP
705 McKnight Park Drive
P.O. Box 15276
Pittsburgh, PA 15237
(412) 366-3333
FAX: (412) 366-3462

Counsel for Anchor Packing and Garlock, Inc. :

Matthew C. O'Connell, Esq.
Reminger & Reminger
The 113 St. Clair Building
Cleveland, OH 44114
(216) 687-1311
FAX: (216) 687-1841

Counsel for Beazer East, Inc.:

Laurel E. Queeno, Esq.
Baker & Hostetler
3200 National City Center
1900 East 9th Street
Cleveland, OH 44114-3485
(216) 621-0200
FAX: (216) 696-0740

Counsel for Foseco, Inc.:

Kathleen Pettingill, Esq.
Baker & Hostetler
3200 National City Center
1900 East 9th Street
Cleveland, OH 44114-3485
(216) 621-0200
FAX: (216) 696-0740

Counsel for Clark Industrial Insulation Company:

Maria A. Kortan, Esq.
Warren Rossman, Esq.
Weston, Hurd, Fallon, Paisley & Howley
2500 Terminal Tower
50 Public Square
Cleveland, OH 44113-2241
(216) 241-6602
FAX: (216) 621-8369

Counsel for U.S. Mineral Products Company:

Vincent A. Errante, Jr.
Danaher, Tedford, Lagnese & Neal, P.C.
700 Capital Place
21 Oak Street
Hartford, CT 06106-8000
(860) 247-3666
FAX: (860) 547-1321

Counsel for Combustion Engineering, Inc.:

David C. Patterson
Arter & Hadden
10 West Broad Street
Columbus, Ohio 43215
(614) 221-3155
(614) 221-0479

Counsel for CSR, Ltd. :

Stephen K. Shaw, Esq.
Dinsmore & Shohl
1900 Chemed Center
255 East Fifth Street
Cincinnati, OH 45202-4797
(513) 977-8200
FAX: (513) 977-8141

Counsel for O.K.L.:

Mike Eagan
Dinsmore & Shohl
1900 Chemed Center
255 East Fifth Street
Cincinnati, OH 45202-4797
(513) 977-8200
FAX: (513) 977-8141

Counsel for The Flintkote Company:

Barbara J. Arison, Esq.
Elizabeth B. Wright, Esq.
Gary M. Glass, Esq.
Thompson, Hine & Flory, P.L.L.
3900 Society Center
127 Public Square
Cleveland, OH 44114-1216
(216) 566-5500
FAX: (216) 566-5800

Counsel for Foster Wheeler:

Nicholas L. Evanchan
Evanchan & Palmisano
Twin Oaks Estate
1225 West Market Street
Akron, OH 44313
(330) 869-9977
FAX: (330) 869-5411

Counsel for General Refractories Company:

James F. Israel, Esq.
Israel, Wood & Puntil, P.C.
501 Grant Building
Pittsburgh PA 15219
(412) 391-1114
FAX: (412) 391-3017

Counsel for Georgia-Pacific Corporation:

Thomas L. Czechowski, Esq.
Porter, Wright, Morris & Arthur
One South Main Street
P.O. Box 1805
Dayton, OH 45402-2028
(513) 228-2411
FAX: (513) 449-6820

Counsel for Insul Company, Inc.:

Joni M. Mangino
John W. Thomas
Zimmer Kunz, P.C.
600 Grant Street
Suite 3300
Pittsburgh, PA 15219-2702
(412) 281-8000
FAX: (412) 281-1765

Counsel for Janos Industrial Insulation and M.H. Detrick Company:

William A. Viscomi, Esq.
Ernest W. Auciello, Esq.
Edward J. Cass, Esq.
Gallagher, Sharp, Fulton & Norman
Seventh Floor, Bulkley Building
1501 Euclid Avenue
Cleveland, OH 44115
(216) 241-5310
FAX: (216) 241-1608

Counsel for Metropolitan Life Insurance Company:

Mark R. Chilson, Esq.
Young & Alexander Co., L.P.A.
P.O. Box 668 Mid-City Station
367 West Second Street
Suite 100
Dayton, OH 45402-0668
(513) 224-9291
FAX: (513) 224-9679

Counsel for Minnesota Mining & Manufacturing Co., a/k/a 3M:

R. Gary Winters, Esq.
McCaslin, Imbus & McCaslin
632 Vine Street, Suite 900
Cincinnati, OH 45202-2442
(513) 421-4646
FAX: (513) 421-7929

Counsel for North American Refractories Company:

David Peck, Esq.
Baron, Peck & Bennie
1400 Central Trust Tower
One West 4th Street
Cincinnati, OH 45202
(513) 721-1350
FAX: (513) 7221-2301

Counsel for Oglebay Norton Company:

Regina M. Massetti, Esq.
The Law Offices of Regina M. Massetti
113 St. Clair Avenue, Suite 530
Cleveland, OH 44114
(216) 621-9702
FAX: (216) 621-5366

Counsel for Ohio Valley Insulating Company:

W. Andrew Hoffman, Esq.
Friedman & Hoffman
Three Commerce Park Square
23200 Chagrin Blvd., Suite 720
Cleveland, Ohio 44122
(800) 470-4878
(216) 292-1148
FAX: (216) 292-1143

Counsel for Owens-Corning Fiberglas Corporation:

Thomas M. Green, Esq.
Green & Green
One Citizens Federal Centre, Suite 950
12 N. Main Street
Dayton, OH 45402-1769
(513) 224-3333
FAX: (513) 224-4311

Counsel for Pittsburgh Corning Corporation:

Gary D. Hermann, Esq.
Kerry S. Volsky, Esq.
Romney B. Cullers, Esq.
Hermann, Cahn & Schneider
1301 E. 9th Street, Suite 500
Cleveland, OH 44114
(216) 781-5515
FAX: (216) 781-1030

Counsel for PPG Industries, Inc., General Electric Company and Synkoloid Company:

Donald A. Powell, Esq.
Reginald S. Kramer
Buckingham, Doolittle & Burroughs
50 S. Main Street
P.O. Box 1500
Akron, OH 44309-1500
(330) 376-5300
FAX: (330) 258-6559

Counsel for Proko Industries, Inc.:

Steven R. Bartram, Esq.
Lamp, Odell, Bartram & Entsminger
River Tower, Suite 700
1108 Third Avenue
P.O. Box 2488
Huntington, WV 25725
(304) 523-5400
FAX: (304) 523-5409

and

Thomas F. Dougall
Bowers, Orr & Dougall, L.L.P.
1401 Main Street
Suite 1100
P.O. Box 7307
Columbia, SC 29200
(803) 252-0494
FAX: (803) 252-1068

Counsel for Rapid American Corporation:

David A. Schaefer, Esq.
McCarthy, Lebit, Crystal & Haiman Co., L.P.A.
1800 Midland Building
101 Prospect Avenue, West
Cleveland, OH 44155-1088
(216) 696-1422
FAX: (216) 696-1210

Counsel for Union Boiler Company and Plibrico:

John J. Repcheck, Esq.
Sharlock, Repcheck & Mahler
3280 USX Tower
600 Grant Street
Pittsburgh, PA 15219-2702
(412) 391-6171
FAX: (412) 391-8804

Counsel for W.R. Grace & Co.-Conn.:

Kenneth Harris, Esq.
Harris, Carter, Mahota & Mazza
500 S. Front Street, Suite 1010
Columbus, OH 43215
(614) 221-2112
FAX: (614) 221-2217

Counsel for Westinghouse and Uniroyal:

Robin E. Harvey, Esq.
Christie N. Reilly, Esq.
Benesch, Friedlander, Coplan & Aronoff
2800 Cincinnati Commerce Center
600 Vine Street
Cincinnati, OH 45202-2409
(513) 762-6200
FAX: (513) 762-6245

Counsel for ICF Kaiser Engineers, Inc.:

Kevin O. Kadlec
Jacobson, Maynard, Tuschman & Kalur
1001 Lakeside Avenue
Suite 1600
Cleveland, OH 44114-1192
(216) 736-8600
FAX: (216) 621-3947

Counsel for International Minerals and Chemical Corp.:

Thomas L. Eagan, Jr.
Cash, Cash, Eagen & Kessel
1000 Tri-State Building
432 Walnut Street
Cincinnati, OH 45202
(513) 621-4443
FAX: (513) 621-5231

Counsel for George P. Reintjes Company:

William A. Viscomi
Gallagher, Sharp, Fulton & Norman
Seventh Floor
Bulkeley Building
1501 Euclid Avenue
Playhouse Square
Cleveland, OH 44115
(216) 241-5310
FAX: (216) 241-1608

Counsel for McGraw/Kokosing, Inc.:

James L. Childress
Calhoun, Kademenos & Heichel Co., L.P.A.
Six West Third Street
Suite 200
P.O. Box 268
Mansfield, OH 44901-0268
(419) 524-6011
FAX: (419) 526-1431

Counsel for ACandS and Harbison-Walker:

Mary Ellen Fairfield
Vorys, Sater, Seymour & Pease
P.O. Box 1008
52 East Gay Street
Columbus, OH 43216-1008
(614) 464-6400
FAX: (614) 464-6350

Counsel for R.E. Kramig:

Christopher M. Bechhold

Renee S. Filiatraut

Thompson, Hine & Flory

312 Walnut Street

Suite 1400

Cincinnati, OH 45202

(513) 352-6700

FAX: (513) 241-4771

Counsel for Frank W. Schaefer, Inc.:

Michael Robic

Richard C. Polley

Dickie, McCamey & Chilcote

Two PPG Place, Suite 400

Pittsburgh, PA 15222-5402

(412) 281-7272

FAX: (412) 392-5367

Counsel for Raymark Industries, Inc.

Joseph G. Ritzler

Keller & Curtin

330 Hanna Building

1422 Euclid Avenue

Cleveland, OH 44115-1901

(216) 566-7100

FAX: (216) 566-4530

