

IN RE: ASBESTOS LITIGATION § IN THE DISTRICT COURTS
PERSONAL INJURY OR §
DEATH CASES FILLED OR § DALLAS COUNTY, TEXAS
TO BE FILED IN DALLAS §
COUNTY, TEXAS § 68th JUDICIAL DISTRICT

DEFENDANT BELL HELICOPTER TEXTRON, INC.'S
FIRST AMENDED RESPONSES TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION

Preliminary Statement

The responses provided herein have been prepared pursuant to a reasonable and diligent investigation and search for the information requested of Bell Helicopter Textron, Inc. (sometimes referred to herein as "Bell") in accordance with Bell's understanding of the discovery, as drafted. Over the course of its history, Bell has employed numerous individuals, many of whom have worked at more than one company facility or department in the United States and/or abroad, a number of which, in turn, have been closed or relocated. In addition, new departments were created and facilities built. In conducting business, these employees have generated a multitude of documents, many of which are not retained, indexed or kept in a specific location. Furthermore, old files have been deleted, new files created and many files recategorized or renamed as employees change job responsibilities and locations. Accordingly, Bell does not represent that the responses contained herein provide all of the information requested. Rather, these responses reflect information obtained before this date by Bell pursuant to a reasonable and diligent search and investigation in those areas where information is expected to be found.

Bell further states that in preparing and making these responses, it has not accepted or acquiesced in the purported directions, conditions or definitions imposed at the time these interrogatories or requests were propounded. Further, Bell incorporates herein by reference such other specific objections as may be contained hereinafter in its responses.

In addition, much of the information sought consists of documents and information that either or both of Bell and/or affiliated companies consider proprietary and in the nature of trade secrets, the disclosure of which would or could harm either or both of Bell and/or affiliated companies suppliers if disclosed without the protection of a confidentiality agreement or protective order. The aircraft industry is extremely competitive and the information sought herein could, if disclosed to competitors, damage Bell's ability to compete and compromise certain business prospects it is currently pursuing. Accordingly, Bell cannot provide such information without the execution of a mutually satisfactory confidentiality agreement or agreed protective order.

Bell objects to each discovery request to the extent that it uses argumentative terms or otherwise implies facts which Bell denies. The use of phrases such as "your asbestos-containing products," "your products" or "asbestos-containing products manufactured by you" make the

requests misleading because they imply or assume that Bell manufactured asbestos-containing products, which it did not. Obviously, such requests are not directed to Bell and are not applicable to it. In responding to these requests, Bell has attempted to give words their usual, commonly understood meanings.

Bell objects to each discovery request to the extent that it seeks information protected from discovery by any privilege or by the work product doctrine.

Bell objects to these discovery requests to the extent that they seek disclosure of information generated by persons other than Bell that has come into the possession of Bell's attorneys during the course of discovery and trial preparation in asbestos-related litigation.

Bell objects to plaintiffs' instructions and definitions to the extent that they are vague and ambiguous and seek to impose on Bell any obligations greater than those imposed by the Texas Rules of Civil Procedure.

In accordance with the Rules, Bell asserts that as to each Interrogatory set forth below, there may be documents responsive, and Bell makes available for inspection and copying at Plaintiff's expense and at mutually agreeable time those documents at Kirkley, Schmidt & Cotton, L.L.P.

Bell does not waive any objections by providing responses to individual discovery requests or by raising additional objections to individual discovery requests. This statement is incorporated by reference in each response set forth below.

INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER:

Bell objects to this Interrogatory as overbroad, unduly burdensome, and not reasonably calculated to the discovery of admissible evidence. Subject to the previous objection, Bell responds that its legal department answered these interrogatories with the assistance of counsel.

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER:

**Bell Helicopter Textron, Inc. is a Delaware corporation.
Registered Agent: R.N. Kohn, P.O. Box 482, Fort Worth, Texas 76101.
Principal Place of Business: 600 East Hurst Blvd., Hurst, Texas.
Bell does have a certificate of authority to do business in Texas.**

INTERROGATORY NO. 3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER:

No.

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad and seeks information not reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period, geographic area, or to the products to which the plaintiffs allege exposure. Bell further objects to this interrogatory on the ground that it assumes and implies that Bell was something other than a manufacturer of aircraft. Bell is not now and never has been a miner or manufacturer of asbestos-containing products and is not now and has not in the past engaged in the business of selling asbestos-containing products.

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Bell further objects to this interrogatory on the grounds that it incorrectly assumes or implies that Bell engaged in each of the listed activities. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Bell further objects to this interrogatory on the grounds that it incorrectly assumes or implies that Bell engaged in each of the listed activities. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Bell further objects to this interrogatory on the grounds that it incorrectly assumes or implies that Bell engaged in each of the listed activities. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is in the affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER:

The text of this interrogatory indicates that it is intended for the manufacturers of the products and is not applicable to Bell. Without waiving its objections, Bell did not conduct, engage in or participate in any tests, studies and/or research outside of the context of litigation but reasonably expected the manufacturers of the products it used to conduct all necessary testing. Bell further objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Bell further objects to this interrogatory on the grounds that it incorrectly assumes or implies that Bell engaged in each of the listed activities. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 9:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Bell further objects to this interrogatory on the grounds that it incorrectly assumes or implies that Bell engaged in each of the listed activities. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade name of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.

- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

Not applicable. Bell did not manufacture or design asbestos-containing products and did not conduct any such tests. By way of further reply, Bell incorporates by reference its response to Interrogatory No. 8. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER:

The text of this interrogatory indicates that it is intended for the manufacturers of the products and is not applicable to Bell. By way of further reply, Bell incorporates by reference its response to Interrogatory No. 8.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.

- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

Bell incorporates by reference its response to Interrogatory No. 8.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 8 or 11? If the answer is affirmative, state:

- A. The name of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

Not applicable. Bell did not manufacture or design asbestos-containing products and did not conduct any such tests. By way of further reply, Bell incorporates by reference its response to Interrogatory No. 8. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or[sic] any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.

- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad since it is not limited to the relevant time period or geographic area and therefore is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.
- E. The name and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to claims filed during the relevant time period or involving claims of exposure similar to those asserted in a particular lawsuit.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

Not applicable. Use of the phrase "your asbestos products" and the text of this interrogatory indicates that it is intended for entities other than Bell, which was not a marketer or manufacturer of asbestos-containing products.

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

ANSWER:

No. Use of the phrase "your products" and the text of this interrogatory indicates that it is intended for entities other than Bell, which was not a manufacturer of asbestos-containing products. By way of further reply, as a contracting company, Bell did not employ "distributors or sales representatives of asbestos products." Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks identification of experts obtained or consulted for purposes of litigation. Bell further objects to this request in that it is not limited to a relevant time period. Without waiving these objections, Bell states that the following persons may have acted in a medical advisory capacity:

J.H. Kendrick - 3/14/88 to present
Manager Industrial Safety & Hygiene

T.R. Racicot - 11/30/87-4/15/93
Senior Safety Engineer, Manager Industrial Safety & Hygiene

W.E. George, Jr. - 09/21/87-10/30/87
Industrial Hygienist, Manager of Industrial Safety & Hygiene

N.S. Blatnick - 01/07/85-06/20/86
Supervisor-Safety Engineer, Manager Safety

E.A. Shurman - 02/25/55-12/29/67
Manager Safety

Alan Schijf - 08/19/85-08/20/90
Industrial Hygienist

Barbara Wilds - 12/13/90 to present
Industrial Hygienist / RAD Safety Administrator

Medical Department-

C.C. Kennard - (unknown) - 03/19/54 (may have supervised medical department)

E.A. Schurman - 02/28/55-02/26/66 (may have supervised medical department)

D.C. Reifel - 02/26/66-01/14/72

C.L. Watkins - 01/10/72-01/10/75

T.W. Harris - 02/24/75-08/01/88

J.T. Small - 02/06/89-01/29/90

K. Redman - 04/27/90-07/23/93

K. Coleman - 03/26/94-01/15/99

Safety Department-

C.C. Kennard - early 50s to 3/19/54 (deceased)

E.A. Schurman - 02/28/55-12/29/57

J.A. Moriarty, Jr. - 07/01/63-12/31/80 (deceased)

M. Gross - 10/26/79-01/31/85

N.S. Blatnik - 01/07/85-06/20/86

T.R. Racicott - 11/27/87-04/15/93
J.H. Kendrick, Jr. - 04/23/93 to present

Bell further states, without waiving the forgoing objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad, unduly burdensome and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to "books, pamphlets, memoranda or written materials" published, made available or received during the relevant time period. In addition, this interrogatory is vague and ambiguous and calls for the opinions and mental impressions of defendant's attorneys insofar as it seeks the identification of materials "that would indicate." Further, to the extent it seeks work-product and/or documents or information protected by the work-product privilege, it is improper. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.

- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publications.
 - 4. The method or manner in which such publications are maintained.

ANSWER:

Bell objects to this interrogatory on the ground that it incorrectly assumes that Bell engaged in each of the listed activities, is vague, ambiguous and lacks reasonable specificity and particularity in its reference to "any trade organizations or associations." Bell also objects to this interrogatory on the ground that it is overbroad since, among other things, it is not limited to the relevant time period or to documents pertaining to asbestos-containing products. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER:

The text of this interrogatory indicates that it not applicable to Bell, which was not a manufacturer of asbestos-containing products and did not have "plants or manufacturing facilities." This interrogatory is intended for and should be directed to the manufacturers of the products.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period, jobsites or to the products at issue. Bell also objects to the use of the phrase "sales materials" which incorrectly implies or assumes that Bell was in the business of selling asbestos-containing products. Bell is not now and has not in the past engaged in the business of directly selling asbestos-containing products. Without waiver of its objections, Bell was not in the business of marketing or advertising. By way of further reply, Bell incorporates by reference its response to Interrogatory No. 6. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO 23:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.

- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

The text of this interrogatory and the use of the phrase "Defendant's products" indicate that it is directed to manufacturers of asbestos-containing products and not to companies such as Bell. Bell further objects to this interrogatory on the ground that it is overbroad in that it is not limited to the relevant period of time. Bell also objects to this interrogatory on the ground that the interrogatory is vague and ambiguous in its application to a company such as Bell. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER:

Because the primary and excess insurance purchased and maintained from time to time by Bell since its formation provides protection against certain claims, it may cover claims of the type made by the plaintiffs in the asbestos litigation. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.

- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks an expert medical opinion and also on the grounds that it is vague, ambiguous and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks an expert medical opinion and also on the grounds that it is vague, ambiguous and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks an expert medical opinion and also on the grounds that it is vague, ambiguous and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.

- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information:
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks an expert medical opinion and also on the grounds that it is vague, ambiguous and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 29:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.

- D. Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.

ANSWER:

Bell objects to this interrogatory to the extent that it seeks an expert medical opinion and also on the grounds that it is vague, ambiguous and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

Bell objects to this interrogatory on the ground that it seeks irrelevant information, an expert opinion and is vague and ambiguous in that it did not specify the types of products or conditions referred to. Further this defendant is not now and never has been engaged in the manufacture of insulation products containing asbestos. Furthermore, this interrogatory seeks irrelevant information insofar as it seeks information concerning present day state of the art with respect to the manufacture of insulation products.

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad, unduly burdensome and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the relevant time period, geographic area. Without waiving its objections, Bell incorporates by reference its response to Interrogatory Nos. 4 and 6. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad, unduly burdensome and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the relevant time period, geographic area. Subject thereto, Bell answers no. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 33:

List the names and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence

since among other things, it is not limited to the relevant time, geographic area. Bell also objects to this interrogatory on the ground that it improperly implies or assumes Bell's primary business. Without waiving its objections, Bell incorporates by reference its response to Interrogatory Nos. 4 and 6. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the relevant time period. Subject thereto, Bell asserts that this Interrogatory is not applicable to it.

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- A. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad in that it is not limited to the relevant time period or to claims involving the same conditions of alleged exposure and injury similar to those asserted in a particular lawsuit. Bell further objects to this interrogatory on the ground that it seeks information in the possession of others which is equally available to the plaintiff, seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence and is unduly burdensome.

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

Bell objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, seeks confidential information, and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the relevant time period or to discussions relating to asbestos-containing products allegedly used at sites where the plaintiffs in a particular lawsuit claim exposure. Subject to the above objection, Bell answers no.

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.

- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed in the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

No. Bell is not now and has never been a manufacturer of asbestos-containing products. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to information about relevant jobsites, products or time period. Moreover, this interrogatory by its terms appears to be directed to manufacturers of asbestos-containing products and not to Bell. Without waiving its objection, Bell incorporates by reference its response to Interrogatory Nos. 4 and 6. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 39:

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

J.H. Kendrick, Jr.
Current Manager, Safety for Bell Helicopter Textron
Individual has knowledge of Bell's safety and hygiene policies and procedures.

T.R. Racicot - Former Manager, Safety
Individual has knowledge of Bell's safety and hygiene policies and procedures.

W.E. George, Jr. - Former Manager, Safety
Individual has knowledge of Bell's safety and hygiene policies and procedures.

N.S. Blatnick - Former Manager, Safety/Hygiene
Individual has knowledge of Bell's safety and hygiene policies and procedures.

M. Goss - Former Manager, Safety

Individual has knowledge of Bell's safety and hygiene policies and procedures.

E. A. Schurman - Former Manager, Security

Individual has knowledge of Bell's safety and hygiene policies and procedures.

Barbara Wilds - Current Industrial Hygienist for Bell Helicopter Textron Inc.

Individual has knowledge of Bell's industrial hygiene monitoring at Plants 2 & 7, asbestos materials, if any, at these locations and any asbestos abatement activity at these locations.

Alan Schijf - Former Industrial Hygienist

Individual has knowledge of Bell's industrial hygiene monitoring at Plants 2 & 7, asbestos materials, if any, at these locations and any asbestos-abatement activity at these locations.

Gary Kelly - Current Manager, Labor Relations/Placement/Medical

Has knowledge of employee status and position at Bell.

Jim Acreback

Individual has knowledge of Bell's industrial hygiene monitoring at Plants 2 & 7, asbestos materials, if any, at these locations and any asbestos-abatement activity at these locations. Individual also has knowledge of the type and nature of work performed at Plants 2 & 7.

Each of the above can be reached at the following addresses and telephone number:

745 W. Hurst Blvd.
Hurst, Texas

Post Office Box 482
Fort Worth, Texas 76101

(817) 280-2011

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the relevant time period or to entities operating in the relevant geographic area. Without waiving its objections, Bell answers no.

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your asbestos products" indicate that this interrogatory is not applicable to Bell. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

Not applicable. The use of the phrase "Defendant's asbestos-containing products" and the text of this interrogatory indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise 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 year involved.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrases "your asbestos-containing products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your asbestos-containing products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. This request is intended for and should be directed to the manufacturers of the products. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

Bell incorporates by reference its response to Interrogatory No. 18. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers.

ANSWER:

Bell objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period. Moreover, this interrogatory appears to be directed to manufacturers of asbestos-containing products. Bell also objects to this interrogatory to the extent it seeks to imply an obligation on the part of Bell, which did not manufacture asbestos-containing products and which did not own or operate a research or medical facility, to conduct such research or testing. Without waiving its objections, and as Bell understands this interrogatory, Bell states that it has not conducted such research or studies. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Bell incorporates by reference its response to Interrogatory No. 4. Without waiving these objections, documents that may be responsive to this Interrogatory are available for inspection at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

Yes, as an aircraft manufacturer, Bell has a Research & Engineering Group. However, it does not research asbestos. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;

- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER:

Yes. Bell incorporates by reference its response to Interrogatory No. 18. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation.

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

Bell objects to this interrogatory on the grounds that it is overbroad and seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since, among other things, it is not limited to the relevant time period, geographic area or to the products at issue. Further, the text of this interrogatory indicates that this interrogatory is more appropriately directed to the manufacturers of asbestos-containing products. Without waiving its objections, Bell states that it was not a manufacturer of asbestos-containing products and incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "its asbestos-containing products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. This request is intended for and should be

directed to the manufacturers of the products. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your asbestos-containing products" indicate that it is not applicable to Bell, which was not a manufacturer of asbestos-containing products. This interrogatory is intended for and should be directed to the manufacturers of the products. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER:

Not applicable. The text of this interrogatory indicates that it is not applicable to Bell, which was not a manufacturer of asbestos-containing products. This interrogatory is intended for and should be directed to the manufacturers of the products. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your asbestos-containing products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. This interrogatory is intended for and should be directed to the manufacturers of the products. Bell incorporates by reference its response to Interrogatory No. 4.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory No. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

Bell incorporates by reference its response to Interrogatory Nos. 52 and 54.

INTERROGATORY NO. 56:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

Bell objects to this interrogatory on the grounds that the term "industrial hygiene surveys" is vague, ambiguous and undefined. Further, Bell objects to this interrogatory on the ground that it is overbroad since it is not limited to surveys relating to issues relevant to this litigation. Bell further responds that it has no predecessors and no subsidiaries relevant to the asbestos litigation. Without waiving its objection, Bell incorporates by reference its response to Interrogatory No. 18.

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

Bell objects to this interrogatory on the ground that it is overbroad insofar as it relates to dust in general. Without waiving its objections, and to the extent this interrogatory seeks to determine whether this defendant was ever directly advised of threshold limit values concerning asbestos dust by the American Conference of Governmental Industrial Hygienists, Bell has no record of having been contacted by that organization regarding such limits. Without waiving its objection, Bell incorporates by reference its response to Interrogatory No. 18.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 57 for total dust, and not asbestos dust alone?

ANSWER:

Bell incorporates by reference its response to Interrogatory No. 18.

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

Not applicable. The text of this interrogatory and the use of the phrase "your asbestos-containing products" indicate that this interrogatory is not applicable to Bell, which was not a manufacturer of asbestos-containing products. Bell incorporates by reference its response to Interrogatory No. 18.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness you [sic] that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;
- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;
- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;
- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER:

Bell, subject to the reservations set forth herein, includes a non-exclusive list of witnesses that it may seek to call at the trial of any case. This list is not exclusive of any other witness list filed by Bell or its counsel and is not intended to amend, supersede or replace any other witness list. Bell reserves its right to call witnesses designated by any other party. Bell also reserves its right to utilize additional witnesses, should that be necessary based on a plaintiff's case-in-chief. Bell further reserves its right to amend or supplement this list in response to ongoing discovery or further pleading by plaintiffs in a particular case. Such additional witnesses may include persons or entities that cannot be determined until discovery in a specific case is complete. By virtue of this designation, Bell does not waive its right to object to the admissibility of any testimony on any grounds. Bell reserves the right to utilize as a witness any present or former Bell managers, officers, employees, or the like whose testimony becomes necessary and relevant as a result of a plaintiff's case-in-chief. Further, Bell reserves its right to call the persons and/or entities herein as expert witnesses and/or fact witnesses. Bell reserves its right to present the testimony of any of its witnesses either by way of deposition or in person at trial. Bell incorporates by reference the witness lists filed by all other defendants or plaintiffs and reserves the right to call any witness listed on those lists as an expert witness and/or fact witness. Bell further objects citing Tex. R. Civ. Pro. 195.1. Subject the forgoing objections:

1. Bell incorporates by reference its response to Interrogatory No. 18 and 39.
- 2a. The custodian of records for every health-care provider treating or examining each plaintiff. Because the resumes or curriculum vita of each expert witness is voluminous, and in most instances already in possession of plaintiffs' counsel, they will be provided only upon a specific request by plaintiffs' counsel.
- 2b. Any and all experts listed by any and all defendants or plaintiffs in a particular case or in answer to Master Discovery Requests, even if the defendant naming that witness is no longer a party at the time of trial, which lists are incorporated herein by reference. Bell reserves its right to call any such witness listed on the list of expert witnesses or provided in a co-defendant's response to plaintiffs' interrogatories or on witness lists. The substance and facts of those opinions to which experts are expected to testify and the summary grounds for each opinion have been provided by co-defendants, and in the interest of conservation and brevity, will not be repeated in this response.
3. Dr. R. Keith Wilson
Respiratory Consultants of Houston
6550 Fannin, Suite 2403
Houston, Texas 77030
Phone: (713) 790-6250

Dr. Wilson is a specialist in the area of respiratory disease. He will testify to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communications with the plaintiff or plaintiff's family; review of x-rays of the plaintiff, the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

4. Dr. Paul Stevens
Professor of Medicine
Baylor College of Medicine
6516 Bertner
Houston, Texas 77030
Phone: (713) 790-6492

Dr. Stevens is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

5. Dr. Kathryn Hale
Professor of Medicine
Baylor College of Medicine
6516 Bertner
Houston, Texas 77030
Phone: (713) 790-2076

Dr. Hale is a specialist in the area of respiratory disease. She will testify as to all matters pertaining to her examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; her opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

6. Dr. Robert Ross
17030 Nanes Drive, Suite 214
Houston, Texas 77090
Phone: (713) 383-6100

6550 Fannin, Suite 2403
Texas Medical Center
Houston, Texas 77030

Dr. Ross is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; her opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

7. Dr. Brian Bradley
4003 Woodlawn
Pasadena, Texas 77504
Phone: (713) 941-0088

Dr. Bradley is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; her opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

8. Dr. Philip T. Cagle
Department of Pathology
Baylor College of Medicine
One Baylor Plaza
Houston, Texas 77030
Phone: (713) 798-4661

Dr. Philip T. Cagle is an Assistant Professor, Baylor College of Medicine, Department of Pathology, and is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

9. Dr. George L. Delclos
6550 Fannin, #2403
Smith Tower
Houston, Texas 77030
Phone: (713) 790-6250

Dr. Delclos is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

10. Dr. Gregory H. Foster, F.C.C.P.
Pulmonary / Critical Care Medicine
375 Municipal Drive, Suite 218
Richardson, TX 75080
Phone: (972) 680-0666

Dr. Foster is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

11. Dr. Robert O'Neal
Rt. 1, Box 168
1910 King Bee Road
Perkinston, Mississippi 39573

Phone: (601) 984-1100

Dr. Robert O'Neal is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

12. Dr. Scott Donaldson
375 Municipal Drive, Suite 218
Richardson, Texas 75080
Phone: (972) 680-0666

Dr. Donald is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

13. Dr. Elliott Hinkes
301 North Prairie Avenue, Suite 311
Inglewood, California 90301-4574
Phone: (310) 674-0050

Dr. Hinkes is a specialist in the area of oncology. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

14. Dr. Russell P. Sherwin
2011 Zonal Avenue, HMR-201
Los Angeles, California 90086
Phone: (323) 342-1165

Dr. Russell P. Sherwin is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

15. Dr. John R. Holcomb
4410 Medical Drive, Suite 440

San Antonio, Texas 78229
Phone: (210) 692-9400

Dr. Holcomb is a specialist in the area of respiratory disease. He will testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

16. Dr. Gail D. Stockman
815 N. 4th Street, Suite A
Longview, Texas 75601
Phone: (903) 753-0787

Dr. Stockman is a specialist in the area of respiratory disease. She will testify as to all matters pertaining to her examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; her opinion as to whether plaintiff suffers from asbestos related diseases and the basis for such opinion; the plaintiff's current medical condition and prognosis.

17. Dr. Jon H. Ritter, F.C.A.P., F.A.S.C.P.
Division of Surgical Pathology
Peters Building
Washington University Medical Center
One Barnes Hospital Plaza, Suite 300
St. Louis, Missouri 63110
Phone: (314) 362-0101

Dr. Ritter is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

18. Dr. Mark Wick, F.C.A.P., F.A.S.C.P.
Division of Surgical Pathology
Peters Building
Washington University Medical Center
One Barnes Hospital Plaza, Suite 300
St. Louis, Missouri 63110
Phone: (314) 362-0101

Anatomic & Clinical Pathology
Route 1, Box 150-A
Road 610
New Canton, Virginia 23123
Phone: (434) 581-1353

Dr. Wick is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

19. Dr. Horton Corwin Hinshaw, Sr.
Deceased

By deposition taken November 19, 20 and 21 and December 10 and 11, 1984 in Cause No. C-83-6251-RFP, In Re: Related Asbestos Cases, In the United States District Court, In and For the Northern District of California; and In Re: Related Shipyard and Applicator Cases: Alameda County Asbestos Litigation, In the Superior Court of The State of California, In and For the County of Alameda; In Re: Shipyard and Applicator Cases (Clapper & Brayton) Consolidated for Discovery; In the Superior Court of The State of California, In and For the County of Solano.

20. Dr. John G. Weg, and/or Custodian of Records
Division of Pulmonary & Critical Care Medicine
University of Michigan Medical Center
1500 East Medical Center Drive, Suite 3916
Ann Arbor, Michigan 48109
Phone: (734) 936-5245

Dr. Weg is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

21. Dr. Thomas Wheeler
Department of Pathology
Baylor College of Medicine
One Baylor Plaza
Houston, Texas 77030
Phone: (713) 394-6475

Dr. Thomas Wheeler is an Assistant Professor, Baylor College of Medicine, Department of Pathology, and is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

22. Dr. I.A. Feingold, F.R.C.P.(C), FCCP
Chief, Division of Pulmonary Medicine
South Miami Hospital
6200 Southwest 73rd Street
Miami, Florida 33143
Phone: (305) 661-4611

Dr. Feingold is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

23. Dr. Mario Saldana
Department of Pathology & Laboratory Medicine
Cedars Medical Center, 4th Floor
1400 N.W. 12th Avenue
Miami, Florida 33136
Phone: (306) 364-1453

Dr. Saldana is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

24. Dr. William Lee Eschenbacher
Pulmonary Function Laboratory
The Methodist Hospital
6565 Fannin, Suite 1236
Houston, Texas 77030
Phone: (713) 790-2076

Dr. Eschenbacher is a specialist in the area of pulmonary disease. He may testify as to all matters pertaining to his examination of the plaintiff and plaintiff's medical records; any communication with the plaintiff or plaintiff's family; review of x-rays of the plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether plaintiff suffers from asbestos related disease and the basis for such opinion; the plaintiff's current medical condition and prognosis.

25. Dr. Donald Greenberg
The Methodist Hospital
Department of Pathology
6565 Fannin Street, 2nd Floor
Houston, Texas 77030
Phone: (713) 798-4661

Dr. Greenberg is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

26. Michael A. Graham
St. Louis University School of Medicine
3556 Caroline, Room C305
St. Louis, MO 63104
Phone: (314) 577-8298

Chief Medical Examiner
City of St. Louis Medical Examiner's Office
1300 Clark Avenue
St. Louis, MO 63103-2718
Phone: (314) 622-4974

County of St. Louis Medical Examiner's Office
6039 Helen Avenue
St. Louis, MO 63134
Phone: (314) 522-6410 ext 6410

Dr. Graham is a specialist in pulmonary pathology. He may testify as to all matters pertaining to his review/examination of the plaintiff's pathological tissue samples, autopsy results, and medical records to offer medical opinion regarding asbestosis diagnosis and cancer.

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly

was exposed or facts disputing the identification of asbestos-containing products in this case.

- (b) each and every individual Plaintiff's separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) each of the Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

Bell incorporates by reference its response to Interrogatory Nos. 4, 18, 39 and 60.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

Bell objects to this Interrogatory, in that, it is overbroad, vague and ambiguous. Subject to the reservations and objections set forth herein (including any previous reservations and/or objections made in response to these Interrogatories), Bell will supplement the responses to this Interrogatory as needed and in accordance with the Texas Rules of Civil Procedure as a particular cases calls for it. Bell reserves its right to adopt as exhibits any additional documents designated as exhibits by any other party. Bell also reserves its right to utilize other exhibits or documents, should that be necessary based on a Plaintiff's case-in-chief. Bell further reserves its right to amend or supplement this response to ongoing discovery or further pleading by Plaintiffs in a particular case. Such additional exhibits may include demonstrative or visual aids that cannot be determined until discovery in a specific case is complete. By virtue of this designation, Bell does not waive its right to object to the admissibility of any exhibit on any grounds, including, but not limited to, authenticity, hearsay, relevance, unfair prejudice or otherwise. Subject to the forgoing objections, Bell attaches and incorporates by reference to this document its "In Re" list of exhibits, Bates numbered 00001-01051. Those documents are available for inspection and copying at Plaintiff's expense at Kirkley, Schmidt & Cotten, L.L.P. at a mutually agreeable time.

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER:

Bell objects to this interrogatory on the grounds that it seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the time period relevant to this litigation. Bell also objects to this interrogatory to the extent that it seeks information protected by the work product doctrine. Without waiving its objections, Bell states that it does not appear that anyone at Bell was ever aware of this document or learned about it outside the context of asbestos-related litigation. The document does not exist among Bell's existing records, and Bell has no knowledge of every having received this article in the course of its business operations.

INTERROGATORY NO. 64:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry" published in 1938 in Public Health Bill No. 241, U.S. Public Health Service and authored by W.C. Dreessen ("the Dreessen Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. Please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;
- c. Please produce all documents upon which your responses above are based;
- d. Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. Did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. If so, please produce every document which evidences in any way that Defendant relied on the

Dreessen Report in whole or in part for the proposition stated in Interrogatory 63(a) above;

- g. If your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen Report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

Bell objects to this interrogatory on the grounds that it seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence since it is not limited to the time period relevant to this litigation. Bell also objects to this interrogatory to the extent that it seeks information protected by the work product doctrine. Without waiving its objections, Bell states that it does not appear that anyone at Bell was ever aware of this document or learned about it outside the context of asbestos-related litigation. The document does not exist among Bell's existing records, and Bell has no knowledge of every having received this article in the course of its business operations.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

ANSWER:

Bell incorporates by reference its response to Interrogatory Nos. 4, 6, and 18.

REQUEST FOR PRODUCTION NO. 2:

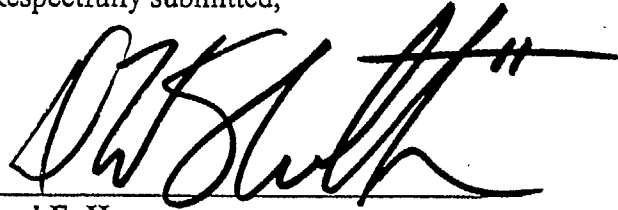
Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

ANSWER:

Bell objects to this request on the ground that it is overbroad, seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection, Bell has no predecessors or successors, no "divisions" as it understands

that term, and does not have any subsidiaries which do or did business in the State of Texas. Therefore, there are no relevant documents responsive to this request.

Respectfully submitted,



Paul E. Hanson
State Bar No. 08934410

Donald W. Shelton, II
State Bar No. 50511731

KIRKLEY, SCHMIDT & COTTEN, L.L.P.

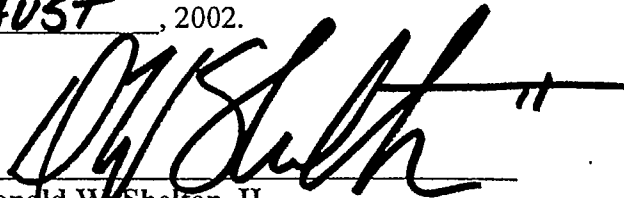
420 Throckmorton Street
Suite 500
Fort Worth, Texas 76102

Telephone: (817) 338-4500
Telecopier: (817) 338-4599

ATTORNEYS FOR
BELL HELICOPTER TEXTRON, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the transmittal letter for this document has been served upon all known asbestos plaintiffs' counsel and all known asbestos defense counsel on this the 28th day of AUGUST, 2002.



Donald W. Shelton, II

BELL HELICOPTER TEXTRON, INC. -- IN RE EXHIBITS

1. RESPIRATORY PROTECTION			
	A.	Bell Helicopter Company Fire and Accident Prevention Standard Department Instruction, Instruction No. 20 dated March 23, 1970 regarding Respiratory Protection.	BHT 00001- BHT 00002
	B.	Bell Helicopter Company Fire and Accident Prevention Standard Department Instruction, Instruction No. 20A, Supersedes 20 dated 3/23/70, dated March 26, 1981.	BHT 00003- BHT 00017
	C.	Bell Helicopter Textron Safety and Health Procedure, Procedure No. 20 issued 11/1/88 regarding Respiratory Protection (Obsolete).	BHT 00018- BHT 00029
	D.	Bell Helicopter Textron Industrial Safety and Hygiene Department Personal Protective Equipment Catalog; Material Safety Data Sheet Locations and Chemical Labels.	BHT 00030- BHT 00066
	E.	Bell Helicopter Textron Inc., Personal Protective Equipment, Chemical Labels, Material Safety Data Sheet Locations, Industrial Safety and Hygiene Dept., Plant 1, Bld. 2, Ext. 2146.	BHT 00067- BHT 00097
	F.	1992 Bell Helicopter Textron, Personal Protective Equipment Catalog, Material Safety Data Sheet Locations and Chemical Labels.	BHT 00098- BHT 00155
	G.	Bell Helicopter Textron Industrial Safety and Hygiene Department, Personal Protective Equipment Catalog, Material Safety Data Sheet Locations and Chemical Labels.	BHT 00156- BHT 00205
2. MEMOS			
	A.	Bell Helicopter Textron Inter-Office Memo September 10, 1980, from R. D. Cathey, Engineer, Methods and Materials Lab, to Mr. G. Felker regarding Progress on Asbestos-Filled Adhesives.	BHT 00206- BHT 00207
	B.	Bell Helicopter Textron Inter-Office Memo January 8, 1980, from R. D. Cathey, Engineer, Methods and Materials Lab, to Mr. G. Felker regarding Progress on Asbestos-Filled Adhesives.	BHT 00208- BHT 00209
	C.	Bell Helicopter Textron Inter-Office Memo November 8, 1979, from R. D. Cathey, Test Engineer, Methods and Materials Lab, to Mr. G. Felker regarding Progress on Asbestos-Filled Adhesives.	BHT 00210- BHT 00211
	D.	Bell Helicopter Textron Inter-Office Memo October 29, 1979, from Neil Blatnick, Industrial Hygienist to G. Rodriguez regarding Asbestos Substitutes.	BHT 00212- BHT 00223
	E.	Bell Helicopter Textron Inter-Office Memo March 15, 1988, from C. L. Cabe, Group Engineer, Standards Engineering, to B. Alapic, R. Battles, R. Conrad, E. Covington, M. Ernest, P. Welsh, Engineering Supervision, regarding Identification of Asbestos, Authorized by BHTI Engineering Drawings and Documents.	BHT 00224- BHT 00226
	F.	Bell Helicopter Textron Inter-Office Memo March 24, 1988, from M. E. Hines, Powerplant Design, to D. Sims, regarding Identification of Parts Containing Asbestos Used in Powerplant Design.	BHT 00227- BHT 00251
	G.	July 10, 1990 Memo from Chesterton Environmental, Health & Safety Department to All National Distributors, Specialists and Salesmen regarding United States EPA Asbestos Ban (40 CFR Part 763).	BHT 00252- BHT 00253
3. ASBESTOS STANDARDS			
	A.	MSA Information - OSHA Asbestos Standards with Federal Register, June 20, 1986, Part II,	BHT 00254-

		Department of Labor, Occupational Safety and Health Administration, 29 CFR Parts 1910 and 1926, Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Final Rules.	BHT 00295
	B.	Asbestos Standard for Construction Industry, OSHA 3096, U. S. Department of Labor, Occupational Safety and Health Administration, 1987.	BHT 00296- BHT 00301
	C.	Asbestos Standard for General Industry, OSHA 3095, U. S. Department of Labor, Occupational Safety and Health Administration, 1987 (Revised).	BHT 00302- BHT 00307
	D.	Asbestos Standard: Management's Role, OSHA 3070, U. S. Department of Labor, Occupational Safety and Health Administration, 1980.	BHT 00308- BHT 00314
	E.	EPA Asbestos Hazards, A Selected Bibliography, United States Environmental Protection Agency, Region I, EPA 901/9-78-004.	BHT 00315- BHT 00337
	F.	Recommended Work Practices, Use and Handling of Asbestos Textile Products, Asbestos Information Association, Washington, D.C.	BHT 00338- BHT 00377
4.	OSHA INSPECTIONS		
	A.	Bell Helicopter Textron Inter-Office Memo October 17, 1979, from I. Mike Gross, Chief, Industrial Safety & Hygiene, to Mr. J. A. Moriarty, Jr., regarding OSHA Inspections - Plant 1 & Plant 2, October 3-5, 1979 with attachments: October 12, 1979, Bell Helicopter Textron Inter-Office Memo from Neil Blatnick, Industrial Hygienist, to Mr. I. Mike Gross, regarding OSHA Inspections; October 15, 1979, transmittal slip from John L. Graham, R.S., Tarrant County Health Department to Paul Vogelsane, OSHA, forwarding requested documents; multiple reports from Fort Worth City Health Department Laboratory regarding testing related to Bell Helicopter; OSHA Complaint 10/2/79 regarding contaminated drinking water, Bell Helicopter, Plant #2, Blue Mound, Texas.	BHT 00378 BHT 00379- BHT 00382 BHT 00383 BHT 00384- BHT 00398 BHT 00399- BHT 00402
5.	OSHA SAFETY TRAINING GUIDES		
	A.	Safety Training Guide - Asbestos Awareness, Vol. 1, November 1995, OSHA 1910.1001, Subpart Z.	BHT 00403- BHT 00404
	B.	Safety Training Guide - Accident Prevention Signs and Tags, Vol. 1, February 1995, OSHA 1910.145, Subpart J.	BHT 00405- BHT 00406
6.	ABATEMENT		
	A.	Industrial Compliance Final Report, IC Project No. 230-1687, December 3, 1992, Bell Helicopter Textron, Plant 7, Building 1, Hurst, Texas, Project Manager: Russ Gout.	BHT 00407- BHT 00496
	B.	Bell Helicopter Textron Inter-Office Memo November 5, 1992, from Barbara Wilds, CIH, Industrial Hygienist and Radiation Safety Administrator, to W. Kirkpatrick regarding Schedule for Contractor Work at BHTI (11/5/92 - 12/1/92). Bell Helicopter Textron Inter-Office Memo November 4, 1992, from Barbara Wilds, CIH, Industrial Hygienist and Radiation Safety Administrator, to P. D. Shabay regarding Removal of Asbestos Ceiling Tiles in Plant 7.	BHT 00497 BHT 00498- BHT 00499

	Bell Helicopter Textron Purchase Requisition 467479 dated 10/15/92 written by D. Tweedy to furnish the labor, material, equipment and supervision to remove and dispose of asbestos contaminated ceiling tiles, ceiling grid and insulation per BHTI specifications (IHA Asbestos Abatement). Quote from L. A. Environmental on Bell Helicopter Textron Request for Quotation No. 186028 dated 10/22/92 to furnish the labor, material, equipment and supervision to remove and dispose of asbestos contaminated ceiling tiles, ceiling grid and insulation per BHTI specifications (IHA Asbestos Abatement). October 26, 1992 Addendum #1, Project: Bell Helicopter, Plant 7 regarding Removal of asbestos-containing ceiling tile. Bell Helicopter Textron Specification IHA Asbestos Abatement. Bell Helicopter Plant No. 7, IC Job #230-1496 10/1/92 sample report for samples taken 8/14/92 - 10/12/92. Floor plan of offices. October 8, 1992, Proposal for Budgetary Review Purposes Only from Phil Hall, Project Management, Tri-Pro Services, Inc., to Barbara Wilds, Industrial Safety and Hygiene, Bell Helicopter Textron, Inc. re Asbestos Abatement - Ceiling Tile in Plant Seven. (Faxed copy at BHT 00534). 10/9/92 Inter-Office Communication from Barbara Wilds, Ind. Safety & Hygiene, to Wally McCurry, Facilities Engineering, regarding Asbestos Ceiling Tile Removal Project. Undated Bell Helicopter Textron Telecopy Lead Sheet from Barbara Wilds to Russ Gout, Ind. Compliance. 10/2/92 hand-written note regarding Plant 7 - Complete Removal. Bell Helicopter Plant No. 7, IC Job #230-1496 10/1/92 sample report for samples taken 8/14/92 - 9/24/92. 8/17/92 Meeting with Tri-Pro, Ind. Compliance & Facilities on Asbestos Ceiling Tiles - Plant 7 B. Wilds hand-written notes. Plant 7 Asbestos-Containing Ceiling Tiles Schedule of Actions. Hand-written notes regarding Plant 7 - Ceiling tiles. Hand-written notes regarding 8/30/92 meeting with J. Ramsey, W. McCurry & J. Stump and recommended actions until ceiling tiles could be removed. 08/18/92 Diagnostic Engineering, Inc. Bulk Sample Log. Bell Helicopter Plant No. 7 IC Job #230-1496 sample report 8/17/92 for samples taken 8/14/92.	BHT 00500 BHT 00501- BHT 00511 BHT 00512- BHT 00513 BHT 00514- BHT 00528 BHT 00529- BHT 00530 BHT 00531 BHT 00532, BHT 00534 BHT 00533 BHT 00535 BHT 00536 BHT 00537 BHT 00538 BHT 00539 BHT 00540 BHT 00541 BHT 00542 BHT 00543
C.	Tri-Pro Services, Inc. Asbestos Abatement, Bell Helicopter Textron, Inc., Plants 1 and 7,	BHT 00544-

		Post-Job Submittal 7/91.	BHT 00592
	D.	Memo for the Record, August 29, 1989, from Alan J. Schijf, Sr. Industrial Hygienist, regarding Plant 7 - Asbestos Containing Material Removal.	BHT 00593- BHT 00594
	E.	Recommendations for Asbestos Rework Operations, April 22, 1980.	BHT 00595- BHT 00597
	F.	3/26/01 computer Purchase Order Inquiry relating to P. O. 790035-33 dated 01/04/00, ATC Associates, Farmers Branch, TX, Time and Material Contract for Asbestos Oversight and Air Monitoring Services.	BHT 00598- BHT 00611
	G.	3/26/01 computer Purchase Order Inquiry relating to P. O. 790037-33 dated 12/23/99, National Abatement, Dallas, TX, Time and Material Contract for Asbestos Abatement and Disposal Services.	BHT 00612- BHT 00621
7.	SAFETY MANUALS		
	A.	Bell Helicopter Textron Industrial Safety and Health Manual.	BHT 00622- BHT 00791
	B.	Bell Helicopter Textron Accident Prevention Handbook for All Employees.	BHT 00792- BHT 00809
	C.	April 1998 Bell Helicopter Textron Inter-Office Memo from L. M. Horner, President, to All Employees, with enclosed copy of Accident Prevention Handbook for All Employees prepared by the Industrial Safety and Hygiene Department.	BHT 00810- BHT 00828
8.	ASBESTOS HAZARD LABEL		BHT 00829
9.	AIR SAMPLING AND ABATEMENT		
	A.	Airborne asbestos sampling results for Department 72 01/03/79-08/18/89 with related Asbestos Dust Analyses, Bell Industrial Hygiene Sampling Data Worksheets, Analytical Request Forms, Environmental Health Laboratory of Ctek lab results. Safety Survey Report from Neil Blatnick 10/31/78 to Safety Files, Plant 2, Dept. 72. Reply to Work Simp Proposal. Hand-written note from Murl Gamble to Mike with anonymous typed note from a Department 72 employee regarding equipping Department 72 with a full safety asbestos facility.	BHT 00830- BHT 00846 BHT 00847- BHT 00849 BHT 00850 BHT 00851- BHT 00854
	B.	Industrial Hygiene Sampling Summary. OSHA Citation Summary and OSHA Citation issued April 9, 1975, regarding April 2, 1975, inspection of Plant #2, Saginaw, Texas.	BHT 00855- BHT 00857 BHT 00858- BHT 00862
	C.	Bell Helicopter Textron Inter-Office Memo October 30, 1989, from Alan J. Schijf, Sr. Industrial Hygienist to H. Reynolds, U.S. Army Safety Officer/GFR regarding Asbestos Exposure - Plant 7, with Asbestos Air Monitoring Report Forms and The PLM Company Report 8/31/89 regarding Asbestos Abatement Project, Bell/Textron Plant No. 7, Air Monitoring Results and Asbestos Abatement Procedures.	BHT 00863- BHT 00874
10.	BELL SAFETY INSTRUCTIONS AND PROCEDURES		
	A.	Bell Helicopter Textron Inter-Office Memo August 22, 1989, from Timothy R. Racicot,	BHT 00875-

		Manager, Industrial Safety/Hygiene to All Employees regarding Personal Protective Equipment with Personal Protective Equipment Program Questions and Answers and Eye, Foot, Hearing, and Respiratory Protection Policies Questions and Answers, all effective September 1, 1989.	BHT 00890
	B.	Bell Helicopter Company Management Directive No. 63 dated 11/3/76 regarding Safety Program issued by Information Systems.	BHT 00891- BHT 00895
	C.	Bell Helicopter Textron Management Directive No. 8-1C dated 12/17/85 regarding Safety Program, prepared by E. D'Acosta.	BHT 00896- BHT 00901
	D.	Bell Helicopter Textron Management Directive No. 8-1D dated 09/01/90 regarding Safety Program, prepared by B. Harbort.	BHT 00902- BHT 00909
	E.	Bell Helicopter Company Standard Practice Instruction No. 19.205.4 dated 10/29/76 regarding Industrial Safety Program issued by Information Systems.	BHT 00910- BHT 00914
	F.	Bell Helicopter Textron Standard Practice Instruction No. 803A dated 12/19/84 regarding Industrial Safety Program, prepared by E. E. D'Acosta.	BHT 00915- BHT 00920
	G.	Bell Helicopter Textron Standard Practice Instruction No. 803B dated 02/06/89 regarding Industrial Safety and Hygiene Program, prepared by E. D'Acosta.	BHT 00921- BHT 00925
	H.	Bell Helicopter Company Fire and Accident Prevention Standard, Department Instruction, Instruction No. 1 dated April 2, 1970, regarding Clothing and Personal Hygiene.	BHT 00926- BHT 00927
	I.	Bell Helicopter Company Fire and Accident Prevention Standard, Department Instruction, Instruction No. 12 dated March 30, 1970, regarding Dusts, Fumes, and Mists. Bell Helicopter Textron Fire and Accident Prevention Standard, Department Instruction, Instruction No. 12A dated October 28, 1982, regarding Dusts, Fumes, and Mists.	BHT 00928- BHT 00931 BHT 00932- BHT 00935
	J.	Bell Helicopter Company Fire and Accident Prevention Standard, Department Instruction, Instruction No. 40 dated September 30, 1971, regarding Ventilation. Bell Helicopter Textron Fire and Accident Prevention Standard, Department Instruction, Instruction No. 40A dated October 28, 1982, regarding Ventilation.	BHT 00936- BHT 00937 BHT 00938- BHT 00939
	K.	Bell Helicopter Company Fire and Accident Prevention Standard, Department Instruction, Instruction No. 42 dated October 6, 1971, regarding Labeling of Hazardous Materials.	BHT 00940
	L.	Bell Helicopter Textron Safety and Health Procedure, Procedure No. 26, issued 05/25/86 regarding Hazard Communication Program.	BHT 00941- BHT 00948
11.	REPLACING ASBESTOS CONTAINING MATERIALS		
	A.	Bell Helicopter Textron Engineering Laboratories September 17, 1980, memo from R. D. Cathey, Engineer, Methods and Materials Lab, to G. Felker regarding Qualification Test of Metalset A-4NA (Evaluation of Adhesive without Asbestos Filler). Bell Helicopter Textron Inter-Office Memo December 7, 1983, from K. Anderson, Test Engineer, Methods & Materials Lab, to P. Montes, regarding Qualified Products List (QPL) Changes. Bell Helicopter Textron Inter-Office Memo September 28, 1987, from Alan J. Schijf, Sr.	BHT 00949- BHT 00950 BHT 00951

		Industrial Hygienist, to R. Lynn regarding Replacement of Asbestos Containing Materials.	BHT 00952
12.	MATERIAL SAFETY DATA SHEETS AND MISCELLANEOUS MATERIAL NOTES		
	A.	Hand-written notes labeled Asbestos File, Plant 2 - Dept. 72 8/28/78.	BHT 00953- BHT 00954
		Bell Helicopter Textron telecopy lead sheet from Safety Dept to Lynda Mabry at Lori, QC Dept.	BHT 00955
		Outside Requestor Material Safety Data Sheet(s) Request regarding Asbestos and Black Gold.	BHT 00956
		11/8/88 hand-written pages from Alan J. Schiejf, Sr. Industrial Hygienist, Bell Helicopter Textron, to Lynda Mabry, Lori - QC, providing safety and health information related to two part numbers, one a gasket material and the other, tadpole tape.	BHT 00957- BHT 00959
		February 1985 Material Safety Data Sheet - ASBESTOS, Material Safety Data Sheet Series No. 1, The Industrial Commisison of Ohio, Division of Safety and Hygiene.	BHT 00960- BHT 00963
		Manville Material Safety Data Sheet No. 4783, Rev. No. 1, prepared 06/05/85 regarding Black Gold, Style 978, NBR (Asbestos-Free Compressed Sheet Packing).	BHT 00964- BHT 00965
		BHTI Materials & Processes, Qualification of Non-Asbestos Version, 4/21/95, D. Sims.	BHT 00966
		Bell Helicopter Textron Inter-Office Memo March 15, 1988, from C. L. Cabe, Group Engineer, Standards Engineering, to B. Alapic, R. Battles, R. Conrad, E. Covington, M. Ernest, P. Welsh, Engineering Supervision, regarding Identification of Asbestos, Authorized by BHTI Engineering Drawings and Documents.	BHT 00967- BHT 00969
		Draft from Charles L. Middleton, Program Management Officer, to Commander, Navail Air Systems Command, Attn: R. Schmidt, regarding attempts to identify asbestos containing parts.	BHT 00970- BHT 00971
13.	BELL HELICOPTER HANDBOOKS		
	A.	January 4, 1957 Memorandum from Bell Helicopter President Harvey Gaylord to All Members of Managment regarding new Supervisor's Handbook and copy of same.	BHT 00972- BHT 00986
	B.	New Employee Handbook	BHT 00987- BHT 01051

VERIFICATION

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this date personally appeared _____, who being sworn by me stated under oath that he has read the foregoing *Defendant Bell Helicopter Textron, Inc.'s First Amended Responses to Plaintiffs' Master Interrogatories and Requests for Production*; that he is authorized to sign this verification on behalf of Bell Helicopter Textron, Inc.; and, that all factual statements contained therein are true and correct to the best of his knowledge and belief.

SWORN AND SUBSCRIBED before me this ____ day of August, 2002.

Notary Public, State of Texas

[Seal]

AUG.29.02*054599

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Via CMRRR

Rosemary Delacerda
Court Clerk
68th Judicial District
George Allen, Sr. Courts Bldg., 3rd Floor
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IN RE: ASBESTOS LITIGATION, PERSONAL INJURY OR DEATH
CASES FILLED OR TO BE FILED IN DALLAS COUNTY,
TEXAS.

Dear Ms. Delacerda:

Enclosed please find an original and one copy of *Defendant Bell Helicopter Textron, Inc.'s First Amended Responses to Plaintiffs' Master Interrogatories and Requests for Production*. Please file the original with the court and return the enclosed copy with your file-mark in the self-addressed, postage pre-paid envelope.

If you have any questions, please do not hesitate to contact the undersigned at your convenience.

All known asbestos plaintiffs' counsel and defense counsel are being provided a copy of this transmittal letter by fax and may request a copy of the document.

Sincerely,



Donald W. Shelton, II

cc:
All known plaintiffs' counsel
All known defense counsel