

years you are referring to and the specific products you are referring to and year involved.

ANSWER:

Yes. Brake linings are solid and the chrysotile fibers are locked in a plastic matrix.

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:

Defendant objects to Interrogatory No. 44 to the extent it is vague, ambiguous and confusing in that Defendant does not know what Plaintiff means by "removed" or "stripped." Further, Defendant objects because the interrogatory is not limited to those products listed in response to Interrogatory No. 6. Finally, the interrogatory requires Defendant to speculate as to the treatment or use of products after the sale of such. Subject to and without waiving the foregoing objections, brake linings wear out and it is expected that they will be replaced.

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:

Defendant objects to Interrogatory No. 45 to the extent it inquires of "predecessor companies" without identifying or defining such. Moreover, the interrogatory calls for a legal conclusion as to what companies are "predecessors" without setting forth a factual or legal foundation for such an opinion. Further, the interrogatory seeks to invade the attorney work-product, investigative, and third-party communications privileges set forth in Texas Rule of Civil Procedure 166b. The interrogatory is also overly broad, general and global to the extent it is not limited in time. The interrogatory is also vague and ambiguous to the extent it fails to define or identify "dust level counts" or the reason for such. Finally, the interrogatory, like so many others, is duplicative of other interrogatories and is, therefore, harassing and oppressive and seeks