

FILE NAME: John Crane (JC)

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Supplemental Responses to Plaintiffs' 1st Set of Interrogatories

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NEWPORT NEWS

**IN RE: NEWPORT NEWS CIRCUIT COURT
 ALL ASBESTOS CASES**

**CL90-10000W-01
CL90-10000C-03**

**DEFENDANT JOHN CRANE, INC.'S 8TH SUPPLEMENTAL
RESPONSES TO PLAINTIFF'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION TO JOHN CRANE INC.**

The Defendant, John Crane, Inc., states the following as its Eighth Amended Supplemental Responses to Plaintiff's First Set of Interrogatories and Request for Production:

GENERAL OBJECTION

John Crane, Inc. objects to each and every Interrogatory that relates to periods of time, geographical areas, or activities outside the scope of the allegations of the underlying complaint in that such Interrogatory is overly broad, not reasonably calculated to lead to the discovery of admissible evidence, and would impose an unnecessary burden on John Crane, Inc., to search out, review, organize and produce information and documents not related to any issue in this case, and it would be oppressive to require this party to do so. Defendant has never manufactured, supplied, sold or produced asbestos insulation products. Defendant manufactures engineered sealing products, some of which, at differing times historically have contained asbestos, which asbestos was encapsulated in the lubricants, binders and adhesives used to make the product so as to prevent release in normal use and installation. Without waiving any of the foregoing objections, John Crane Inc. hereby responds regarding its U. S. operations and facilities as follows:

1. 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 Virginia.

ANSWER: John Crane, Inc. is a Delaware corporation with its principal place of business at 6400 Oakton Street, in Morton Grove, Illinois 60053. CT Corporation is the registered agent authorized to accept service of summons in Virginia.

2. Describe in detail your corporate history, including, but not limited to, your place and date of incorporation, and any mergers, consolidations, asset purchases, acquisitions or spin-offs which concern or affect the manufacture, sale, distribution, installation, use and/or removal of any product containing or incorporating any amount of asbestos fiber.

ANSWER: Crane Packing Company was organized in Illinois in 1917. It merged with John Crane-Houdaille, a Delaware corporation, on August 3, 1981. On March 27, 1988, Defendant changed its name to John Crane Inc. Defendant does not deny that it is the corporate successor to Crane Packing Company and John Crane-Houdaille, Inc. Upon information and belief, in 1936, Crane Packing Co., sold its interest in its English subsidiary, Crane Packing Ltd. to local management. In 1947, Crane Packing Ltd. was purchased by Tube Investments, located in London. In 1987 John Crane-Houdaille, Inc. was purchased by TI Group plc (formerly known as Tube Investments). After a series of acquisitions and divestitures this Defendant, John Crane, Inc. and John Crane UK, Ltd (as Crane Packing Ltd is now known) have common ownership but neither has any control or authority over the other's operations, employees, or records, nor have they since 1937.

3. If you ever acquired another company corporation, company, or business which manufactured, sold, processed, distributed, installed or contracted to apply products containing asbestos, please state the following concerning such other entity:

- a. the full and correct name;
- b. the principal place of business;
- c. the state of incorporation;
- d. the date of its acquisition by you; and
- e. the products that the other entity manufactured, distributed, sold, used, installed or contracted to apply.

ANSWER: Not applicable.

4. For any predecessor corporation or subsidiary identified in the preceding interrogatories, state whether you agreed to be, or had been held by any court to be, legally responsible for the past liabilities of any nature of any such corporation or entity. For each court which has so held, identify the case, the jurisdiction of the court, and the date of the order.

- e. Whether any such information is still maintained by Defendants 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 the disease was caused by inhalation or asbestos fibers.

ANSWER: As a general response to Interrogatory 14 a-g Defendant states that it first learned of the health hazards related to respirable asbestos in approximately 1970 from the general news media surrounding the passage of OSHA and at a meeting of the Mechanical Packing Association, at which a representative of Johns-Manville spoke about the health hazards to employees who smoked cigarettes and used raw asbestos in the fabrication of asbestos-containing products. Defendant's President, Karl Rohlen, now deceased, and George McKillop, retired Product Manager, were present. One document has been found relating to that meeting: a memo establishing a company medical screening program for employees, a copy is attached. As to the specific sub-parts a-g, defendant believes the above general answer covers each of the sub-parts. As further response, John Crane states that it did not obtain any knowledge from John Crane Canada, Inc. regarding any asbestos hazards, nor did it receive any such knowledge from Crane Packing Ltd. in England. Even with the passage of OSHA and the general news media coverage, related to it, encapsulated products containing asbestos were exempted from the placement of warning labels. Gaskets and packing were also exempt because of the nature of the products.

15. Do you have knowledge of any asbestos-related deaths or any diagnosis of asbestos-related lung disease or abnormality prior to 1986 among any of your employees or any of their family members. If so:

- a. identify each such employee or family member;
- b. provide the job description and years of employment of each such person; and if the person is a family member of an employee, identify the employee and state the employee's job description and years of employment or agency;
- c. identify all medical records that you received in relation to each such person;
- d. identify and produce reports of asbestos related disease or abnormality that you furnished to any state or federal governmental body or agency; and
- e. identify the date you first obtained knowledge of this asbestos-related death, diagnosis, or abnormality.

All of the records related to these claims that are available have been provided to Plaintiff's counsel.

16. Did you receive any reports or communications from your workmen's compensation insurance carrier or products liability insurance carrier with regard to any alleged hazards associated with the use or handling of asbestos-containing products, including but not limited to asbestos containing insulation products? If so, identify and produce each such report and identify the custodian of those records.

ANSWER: At various times subsequent to 1970, Defendant believes it received communications from the Kemper Insurance Group. A list of those communications is attached hereto.

17. State the names and addresses of all professional, trade, industrial, safety, hygiene, health associations, and/or research foundations or organizations you have been a member of since 1930, including but not limited to

- a. Asbestos Textile Institute (ATI);
- b. Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF);
- c. Mineral Wool Institute;
- d. Industrial Mineral Insulation Manufacturers Institute;
- e. Magnesia Silica Insulation Manufacturers Institute;
- f. National Insulation Manufacturers Association (NIMA);
- g. Thermal Insulation Manufacturers Association (TIMA);
- h. Asbestos Information Association (AIA);
- i. Quebec Asbestos Mining Association (QAMA);
- j. National Safety Council;
- k. Asbestos Cement Producers Association;
- l. Refractories Institute;
- m. Chemical Manufacturers Association and/or its predecessor, the Manufacturing Chemist Association;
- n. any other organization or associations of manufacturers, asbestos insulation contractors, miners, distributors, importers, labelers, suppliers, and/or sellers of products containing asbestos fibers.

ANSWER: a. through m: John Crane Inc. was not a member.

n. John Crane Inc. was a member of the Mechanical Packing Association, now known as the Fluid Sealing Association, from the mid-1950's until approximately 1970. John Crane rejoined the Association in the late 1980's. John Crane was also a member of the Illinois Manufacturers Association (the IMA), a trade association for manufacturers, from 1926 to the present. Two of John Crane's former employees, Karl Rohlen and Frank Payne, were individual members of the IMA in the past. Neither is now alive. Their participation in the IMA is unknown.

18. For each organization listed in response to the preceding Interrogatory,
- state the date(s) of membership;
 - identify all persons attending any of the organization's meetings on your behalf;
 - identify the name(s) and nature of any and all notes, reports, minutes, studies, publications and other writings submitted by you or received by you from such organizations or associations relating to asbestos exposure, the sale, use, or handling of asbestos products, or any alleged health hazards associated with asbestos, any recommendation or discussion of warnings, caution labels, safety procedures, or testing for the asbestos products, any claims for compensation arising out of persons who alleged asbestos related death, disease, abnormality or impairment.

ANSWER: See Answer to Interrogatory No. 17.

19. State, whether your Board of Directors, prior to 1986, at any time had any meetings which included discussion of or reference to installation, removal, asbestos exposure, the sale, use, or handling of asbestos products, or any alleged health hazards associated with asbestos, any recommendation or discussion of warnings, caution labels, safety procedures, or testing for the asbestos products, any claims for compensation arising out of persons who alleged asbestos related death, disease, abnormality or impairment; and if so, (a) identify and produce all minutes of every meeting of your Board of Directors which makes reference to (directly or indirectly) these discussions or references; and (b) identify the location(s) and custodian(s) of such notes,

- b. Unknown because arrangements were made by trial counsel in individual cases.
- c. Unknown because arrangements were made by trial counsel in individual cases.
- d. See above and representative depositions are available upon request.
- e. Any exhibits were either case specific or they have been included in John Crane's Master Exhibit List filed in each case at the time required by the Pre Trial Scheduling Order.

50. Produce all documents which relate, directly or indirectly, to your answers to any and all interrogatories above, including all subparts of each such interrogatory.

ANSWER: The documents are attached and identified by the paragraph number of the Interrogatory

JOHN CRANE, INC.
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CERTIFICATE OF SERVICE

I certify that on this 16th day of October, 2007, a true and accurate copy of the foregoing was e-mailed and mailed, postage prepaid, to the following:

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