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PLAINTIFF'S EXHIBIT

ACS-338

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7
8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

9
10 In Re: COMPLEX ASBESTOS
LITIGATION

NO. 828684

11
12 ANSWERS OF DEFENDANT
ACandS, INC. TO PLAINTIFFS'
STANDARD INTERROGATORIES

13 PROPOUNDING PARTY: Plaintiffs

14 RESPONDING PARTY: Defendant, ACandS, INC.

15 SET NUMBER: ONE (Served pursuant to
16 General Order No. 29.)

17 INTRODUCTORY STATEMENT

18 Defendant ACandS, Inc. ("ACandS") submits these
19 responses to plaintiffs' standard interrogatories in accordance
20 with the provisions of General Order No. 29 of the California
21 Superior Court, City and County of San Francisco. However,
22 it continues to be ACandS' position that various interrogatories
23 are in fact overbroad, vague, ambiguous and/or unduly burdensome
24 and ACandS reserves its right to assert any and all such
25 objections at a later stage of these or future proceedings
26 as well as all objections pertaining to the admissibility
27 of the responses at trial. ACandS further states that
28 it is and was a contracting company primarily engaged in
the installation of thermal insulation materials and, as

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such, the nature of its records and involvement with asbestos-containing products differ significantly from the majority of the defendants in these actions who are or were engaged in the manufacture and/or distribution of such products. Therefore, ACandS' ability to respond to these interrogatories as drafted is limited by the fact that they are form interrogatories primarily directed to questions and issues pertaining to the business of manufacturing and distributing asbestos-containing products.

The information used in answering these interrogatories was derived primarily from an ongoing review of the Company's existing business records and information compiled from past and ongoing discussions with past and present employees, no one of which was primarily responsible for the information used in answering these interrogatories. The information used in answering these interrogatories has been assembled by authorized employees and counsel for the Company. It is not possible to identify by name each person who could be said to have participated in the preparation of the answers or to identify all documents that may have provided information. Since much of the information sought in these interrogatories deals with facts and events which occurred many years ago and which is therefore difficult or impossible to reconstruct or retrieve, ACandS reserves the right to amend these responses as appropriate if new or better information becomes available to it or if errors are discovered. These responses are given without prejudice to relying at trial on subsequently discovered information or information inadvertent.

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omitted from these answers as a result of a mistake, error or oversight.

ACandS' introductory statement shall be considered to be incorporated in each of the Company's answers to these interrogatories as if set forth in full.

ANSWERS TO INTERROGATORIES

1. (a) R.E. Fink.

(b) 120 North Lime Street, Lancaster, PA 17603.

(c) Secretary-Treasurer, ACandS, Inc.

(d) 6/1/72 - 2/25/75 Assistant Secretary

2/25/75 - 4/29/82 Secretary

4/29/82 - Present Secretary-Treasurer

2. Yes.

(a) ACandS, Inc.

(b) Delaware.

(c) November 26, 1957.

(d) 120 North Lime Street, Lancaster, PA 17603.

(e) ACandS has held a certificate of authority to do business in the State of California from 12/16/57 to the present.

(f) Yes: J.R. McCarville in c/o ACandS, Inc., 304 Shaw Road, South San Francisco, 94080.

(g) Irex Corporation, 120 North Lime Street, Lancaster, PA 17603.

3. Yes: From November 26, 1957 to June 18, 1969 the Company was known as Armstrong Contracting and Supply Corporation.

4. None relevant to this litigation.

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5. No.

6. (a) 120 North Lime Street, Lancaster, PA 17603.

(b) R.E. Fink, Secretary-Treasurer, ACandS,
Inc., 120 North Lime Street, Lancaster, PA 17603.

7. (a)-(h) No.

8. (a)-(g) Since it began operations in January, 1958, ACandS has been a contracting company primarily engaged in the installation of thermal insulation materials. As a contracting company, ACandS' association with asbestos-containing products cannot be fairly or accurately described or categorized in the manner in which this interrogatory seeks to define defendants' activities. ACandS did not manufacture any asbestos-containing products. The Company did not label any asbestos-containing products for others, however, some manufacturers relabeled products for ACandS. During the period from January 1, 1958, when the Company began operation, until approximately 1973, the Company utilized and provided various thermal insulation materials containing asbestos when called for by contract requirements/specifications. Those materials were manufactured by others. In connection with its contracting business, ACandS sold some of those products to other entities, but the sales were minor and were not a primary business activity of the Company. Some of the asbestos-containing products purchased by ACandS were purchased from companies outside the U.S.

9. Not applicable.

10. (a) ACandS incorporates herein its response to Interrogatory No. 8. As a contracting company primarily

engaged in the installation of thermal insulation materials, ACandS used a wide variety of asbestos-containing products, including products from virtually every major manufacturer of asbestos-containing thermal insulation products. The particular product used on a given job would vary according to the specific requirements and specifications of that contract. Due to its record retention program and the fact that ACandS has operated branches throughout the country since it began operations in 1958, ACandS is not able to identify every asbestos-containing product ever used by it in the course of its contracting operations throughout the United States and it is impossible for ACandS to respond to this interrogatory and its various subparts with the specificity requested. However, ACandS states that as a contracting company primarily engaged in the installation of thermal insulation materials, it used a variety of insulation materials and products including such general types of asbestos-containing materials as: 85% magnesia pipe covering and block insulation; calcium silicate pipe covering and block insulation; asbestos insulating and finishing cement; asbestos-containing spray-applied insulation products; and a variety of other materials which contained asbestos, including mastics, cloth and fire resistant jackets. In the course of its operations throughout the United States, ACandS obtained such materials from virtually every major manufacturer of asbestos-containing insulation products as well as from other companies.

(b)-(h) Insofar as ACandS did not manufacture

1 the asbestos-containing products which it used, it does
2 not possess sufficient information to respond to these
3 subparts with the specificity requested. Information such
4 as the dates on which a given product was first placed
5 on or withdrawn from the market, the composition of the
6 product, etc. is information which would be known to and
7 obtainable from the manufacturer. Some of the information
8 which is requested in these subparts may be contained in
9 descriptive pamphlets or brochures provided to ACandS by
10 various manufacturers or distributors of thermal insulation
11 products. To the extent such documents have been retained
12 by ACandS, they are available at ACandS' headquarters in
13 Pennsylvania for inspection by the plaintiff at plaintiff's
14 expense at a mutually-agreeable time. In so responding,
15 ACandS does not represent that it used each of the products
16 which may be identified in those materials.

17 (1) Not applicable. ACandS did not manufacture
18 any asbestos-containing products.

19 (j) ACandS incorporates herein its response
20 to subparts (a)-(i) above. In light of the extremely broad
21 and general nature of this request and the fact that this
22 interrogatory is apparently designed for application to
23 manufacturers of asbestos-containing products, it is impossible
24 for ACandS to identify each and every type of record which
25 might include some of the information requested by this
26 interrogatory. However, see ACandS' response to subparts
27 (b)-(h) relating to the manufacturers' product brochures
28 and descriptive materials.

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11. Not applicable.

12. Not applicable.

13. As a result of ACandS' document retention program, the Company does not have available complete documentation concerning relabeled products. However, based upon the recollection of current management and information provided to ACandS by other companies, ACandS states that during the period 1/1/58 until 8/1/69, the Company dealt with products which were relabeled for it under tradenames owned by Armstrong Cork Company and utilized by Armstrong Contracting and Supply Corporation. Effective August 1, 1969, Armstrong Cork Company transferred the tradenames associated with products then being relabeled to ACandS. ACandS is currently preparing a list of relabeled products which contained asbestos, the type of product involved, the manufacturer and the approximate years or periods of time during which the products contained asbestos based upon its current information and will supplement this response.

14. Not applicable. See ACandS' response to Interrogatory No. 7.

15. ACandS incorporates herein its response to Interrogatory No. 8. To the extent the manufacturers or distributors of the products utilized by ACandS affixed warnings or cautionary labels to their products, such labels would have accompanied the product or product packaging in question at the time of its delivery at the jobsite or to ACandS. Further, in compliance with OSHA requirements, ACandS provided warning labels for use on asbestos-containing products

1 and asbestos waste materials. The OSHA required warning
2 read:

3 CAUTION: CONTAINS ASBESTOS FIBERS
4 AVOID BREATHING DUST
5 BREATHING ASBESTOS MAY
6 CAUSE SERIOUS BODILY HARM

7 The warning labels used by ACandS were worded in accordance
8 with the applicable OSHA regulations and were first made
9 available within the Company in 1972.

10 16. Not applicable.

11 17. Not applicable. ACandS did not manufacture any
12 asbestos-containing products nor did the Company's "name,
13 a trademark, logos, color coding, or other identifying
14 marking" appear on an "actual product itself".

15 18. Not applicable. ACandS did not manufacture any
16 asbestos-containing products and/or raw asbestos fibers.
17 Furthermore, ACandS is without knowledge as to how plaintiffs
18 define the term "supervisory officials". However, see
19 the list attached to these responses. In so responding
20 ACandS does not represent that each of the individuals
21 named therein is authorized to speak on behalf of the company.
22 Furthermore, ACandS reserves its right to object to the
23 admissibility or use of any of the listed depositions in
24 these actions.

25 19. No.

26 20. To the extent ACandS has maintained such materials
27 they are available for inspection in Pennsylvania at plaintiffs'
28 expense at a mutually-convenient time. See ACandS' response
to Interrogatory No. 10 (b)-(h).

21. Not applicable.

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22. Assuming that this interrogatory relates to the defined geographic area, see ACandS' response to Interrogatory No. 24.

23. ACandS has not formed within its corporate structure an entity known as a "contract unit" as that term has been defined in these interrogatories. ACandS is itself a contracting company.

24. Not applicable. See ACandS' response to Interrogatory No. 23. However, ACandS' information concerning contracts performed by ACandS in the defined geographic area would be contained in ACandS' contract files which are maintained at the Company's headquarters in Lancaster, Pennsylvania and are available for inspection by the plaintiffs at plaintiffs' expense at a mutually convenient time.

25. Not as such. However, since its formation, ACandS has purchased and maintained primary and excess insurance covering claims arising out of the operation of its business. The Company's primary general liability carriers are:
(1) Travelers - January 1, 1958 to January 1, 1963; (2) Aetna Casualty and Surety Company - January 1, 1963 to December 31, 1980; (3) American Home Assurance Co. - January 1, 1981 to January 1, 1982. The amount of coverage varied from year to year. Policies are available for inspection by plaintiffs in Pennsylvania at plaintiffs' expense at a mutually convenient time.

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26. See ACandS' response to Interrogatory No. 25.

DATED: November , 1985 VAN DE POEL, STRICKLAND & HAAPALA

BY: _____
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DEPOSITION LIST

ACandS, INC.

F. L. Gardner	5/2/77	State of New York, Supreme Court, Erie Co., <u>McKee v. Johns-Manville Corp.</u> <u>et al.</u>
	2/24/78	State of South Carolina, Greenville Co., Court of Common Pleas - <u>In Re</u> <u>Asbestosis Cases</u>
	2/20/81 *	U.S.D.C., E.D. Missouri, Eastern Div., <u>Dana Bond, et al. v. Atlas Asbestos,</u> <u>et al., CA 78-1345C(B)</u>
J. W. Liddell	6/16/76	Superior Court, State of Delaware, Newcastle County, <u>Farrall v. Keene,</u> <u>Corp., et al., CA #77-1973</u>
	3/20/78	State of South Carolina, Greenville Co., Court of Common Pleas - <u>In Re</u> <u>Asbestosis Cases</u>
	1/13/81 * 2/18/81 *	U.S.D.C., E.D. Missouri, Eastern Div., <u>Dana Bond, et al. v. Atlas Asbestos,</u> <u>et al., CA 78-1345C(B)</u>
	4/29/85	U.S.D.C., ED. PA, <u>Hearon, et al.</u> No. 83-3414
C. Q. Livingston	6/11/75	Superior Court, State of Delaware, Newcastle County, <u>Farrall v. Keene, Corp.</u> <u>et al. CA#77-1973</u>
	3/20/78	State of South Carolina, Greenville Co., Court of Common Pleas - <u>In Re</u> <u>Asbestosis Cases</u>
	1/13/81 * 2/18/81 *	U.S.D.C., E.D. Missouri, Eastern Div., <u>Dana Bond, et al. v. Atlas Asbestos,</u> <u>et al., CA 78-1345C(B)</u>
Robert Mitchell	4/30/79	U.S.D.C., E.D., Pennsylvania <u>Krebs v. Johns-Manville, et al.,</u> <u>CA #78-2299</u>
Andrew C. Richardson	10/23/78	Superior Court, State of Delaware, Newcastle County, <u>Farrall v. Keene,</u> <u>Corp., et al., CA #77-1973</u>
	7/6/79	" "
	6/10/82	Superior Court, State of Delaware, Newcastle County, <u>Shewsbrooks, et al.,</u> <u>v. ACandS, Inc., et al., CA #82C-AP-98</u>

*Subject to a Protective Order; not to be used in any other litigation.

John Zeller	1/14/81 * 2/17/81 *	<u>U.S.D.C., E.D. Missouri, Eastern Div., Dana Bond, et al. v. Atlas Asbestos, et al., CA 78-1345C(B)</u>
C. J. Snader, Jr.	6/18/80	<u>Superior Court of New Jersey, Camden County, Greenday v. Armstrong Cork, et al., No. 1-L2548-76</u>
Nelson L. White	6/16/76	<u>Superior Court, State of Delaware, Newcastle County, Farrall v. Keene Corp., et al., CA#77-1973</u>
John S. Taylor	5/11/81 *	<u>U.S.D.C., E.D. Missouri, Eastern Div., Dana Bond, et al., v. Atlas Asbestos, et al., CA 78-1345C(B)</u>
Hugh C. Holdt	5/17/82	<u>U.S.D.C., W.D., Washington at Tacoma Myhran v. Johns-Marville Corp., et al., No. C81-626T</u>
Edward F. Keane	12/22/77	<u>U.S.D.C., E.D., Wisconsin Presechnik v. Owens Corning Fiberglas, et al., CA No. 77-C-491</u>
	6/25/80	<u>U.S.D.C., E.D., Wisconsin Neubauer, et al. v. Owens Corning Fiberglas, et al., CA No. 77-C-52</u>
Lex Svabs	5/5/82	<u>Superior Court, State of Delaware, Newcastle County, Nutt, et al. v. ACandS, Inc., et al., CA No. 80-C-FE8</u>
James Ockerman	1/18/83	<u>Court of Common Pleas of Allegheny County, Pennsylvania, Birx and Kurchina v. Johns-Marville Corp., et al. GD 81-27648 and 81-24095</u>
Donald Thompson	6/23/83	<u>Superior Court, State of Washington King County, Bartholomy v. Johns- Marville Corp., et al., Nos. 80-2-09710-5 and 80-2-14801-0</u>
Sheldon Dingley	1/11/82	<u>Bruce DeCosse, et al. v. Armstrong Cork Co., et al., District Court, Fourth Judicial District of Minnesota, City of Hennepin</u>

*Subject to, a Protective Order; not to be used in any other litigation

Glenn E. Tomlinson	2/2/84	In the Circuit Court of Jackson County, MO <u>Boyle v. Celotex, Inc., and Gilmore v. Armstrong World Industries,</u> Nos. CV82-06165 and CV83-21240
George C. Follmer	1/24/84	In the Circuit Court of Jackson County, MO <u>Boyle v. Owens-Corning, CA CV82-06165,</u> <u>Wolkey v. Eagle-Picher, CA CV81-05333,</u> <u>Janesko v. GAF, CA CV83-7841,</u> <u>Lorance v. United States Gypsum, CA CV83-2</u> <u>Gilmore v. Armstrong World Ind., CA CV83-2</u> <u>Williams v/ Fibreboard, CA CV83-13186</u>
	6/8/84	U.S.D.C., S.D., Ohio, Eastern Division, <u>Dotson v. Standard Asbestos Manufacturing</u> CA No. C-2-83-1940
	10/29/85	Superior Court, State of Delaware, New Castle County, <u>Earl R. Nutt, et al.</u> CA 81C-JA-79
Francis D. Rupprecht	1/17/84	U.S.D.C., for the District of MD, <u>Key Highway, Fairfields & Sparrows Point Shipyards Asbestos Cases, B.M.L. No. 1</u> All Cases
Kirk Liddell	6/84	U.S.D.C., D. MD - B.M.L.
William E. Picard	3/28/84	<u>Fallon, Bonesteel, Farrell and Eworonsky v. Pittsburgh Corning Corp. - U.S.D.C. Northern District of NY</u>
Peter Thompson	8/7/84	<u>Vincent L. Meyer, U.S.D.C., W.D. WA, at Tacoma No. C81-684R (T)</u>
Clarence A. Pate	12/20/84	<u>Donald J. Ubrey, U.S.D.C., N.D. WA, at Wheeling CA No. 83-0018 (W)</u>
Tommy McGrellis	5/9/85	Superior Court State of DE, New Castle County <u>In Re: Asbestos Litigation</u>
A. L. Stokley	12/17, 22/83 1/30/84	U.S.D.C., D. MD - <u>In Re: Key Highway, Fairfield and Sparrows Point Shipyards Asbestos Cases, BML No. 1</u>

Francis D. Rupprecht

6/17/85

U.S.D.C., E.D. PA -

John T. Flood, CA No. 84-1860

John T. Hannon, et al., U.S.D.C., LA.
Case No. 80-1175

James N. Poche, Jr.

12/12/83

12/15/83

U.S.D.C., E.D. LA - In Re: Ralph C.
Manguno CA No. 82-1570, et al.

7/26/84

U.S.D.C., E.D. LA John A. Schneider,
CA # 83-787, et al.

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10 Counsel Listed on Signature Page

11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

13 IN RE: COMPLEX ASBESTOS) No. 828684
14 LITIGATION,)
15) SUPPLEMENTAL RESPONSE OF
16) DEFENDANT ACandS, INC., TO
17) PLAINTIFFS' STANDARD
18) INTERROGATORIES

19 PROPOUNDING PARTY: Plaintiffs.
20 RESPONDING PARTY: Defendant ACandS, Inc.
21 SET NO.: ONE (Served pursuant to General Order 29)

22 COMES NOW DEFENDANT ACandS, Inc. (hereinafter
23 "ACandS"), and further responds to plaintiffs' standard
24 interrogatories propounded herein as follows:

25 INTRODUCTORY STATEMENT

26 Defendant ACandS, Inc. ("ACandS") incorporates herein
27 the Introductory Statement and responses set forth in its
28 original response to plaintiffs' standard interrogatories. By
way of further response, ACandS hereby supplements its original
response as follows:

Preliminary Statement: Plaintiffs contend that ACandS'
statement that "[t]hese answers are given without prejudice to

1 relying at trial on subsequently discovered information or
2 information inadvertently omitted from these Answers as a result
3 of mistake, error or oversight", set forth on page 2, line 26, of
4 its preliminary statement, is unacceptable. Whether ACandS may
5 be permitted to rely at trial on subsequently discovered
6 information inadvertently omitted from answers as a result of
7 mistake, error or oversight is a question to be determined by the
8 Court. ACandS has in the past and continues to comply with its
9 obligations under the applicable rules of the California Code of
10 Civil Procedure.

11 Interrogatory No. 1: A signed verification was
12 inadvertently omitted from the original response forwarded to
13 plaintiffs. ACandS encloses herewith a signed verification for
14 its original response together with a signed verification for its
15 supplemental response.

16 Interrogatory No. 4: Plaintiffs have asked ACandS to
17 respond yes or no "as to both ACandS and Armstrong Contracting
18 and Supply Corporation." This statement evidences a basic
19 misunderstanding. All answers which were submitted by ACandS
20 were made on behalf of ACandS and Armstrong Contracting and
21 Supply Corporation which are one and the same entity. The
22 Company was incorporated in November 1957 under the name
23 Armstrong Contracting and Supply Corporation; the Company's name
24 was changed to ACandS, Inc. in 1969. By way of further response,
25 ACandS has a wholly-owned subsidiary, ACandS Contracting Ltd.
26 (originally named Armstrong Contracting Canada Ltd.) which was
27 formed on November 18, 1958. ACandS Contracting Ltd. is a
28 thermal insulation contracting company in Canada and is not and

1 was not a manufacturer of asbestos-containing products. In
2 connection with with business, it has installed and utilized
3 insulation products manufactured by other entities pursuant to
4 contract requirements. At times, some of those products
5 contained asbestos. In connection with its contracting business,
6 ACandS Contracting Ltd. may have sold some small amounts of those
7 products, but the sales were limited to Canada. In so responding.
8 ACandS does not represent that this subsidiary falls within the
9 description set forth in this interrogatory. Furthermore,
10 insofar as this subsidiary did not operate in the relevant
11 geographic area, it is not relevant to this litigation.

12 Interrogatory No. 8: Plaintiffs insist that ACandS has
13 not directly addressed subparts (a), (c) and (d) of this
14 interrogatory relating to supply, distribution and marketing.
15 ACandS disagrees. ACandS has provided a fair and accurate
16 description of its activities as a contracting Company in its
17 original response to this interrogatory. As ACandS stated in its
18 response, as a contracting company, ACandS' association with
19 asbestos-containing products cannot be fairly or accurately
20 described or categorized in the manner-in which this
21 interrogatory seeks to define defendants' activities. Plaintiffs
22 are attempting to force ACandS to describe the activities
23 associated with its operation as a contracting Company in terms
24 generally associated with manufacturing operations.

25 Plaintiffs also seek information regarding relabeling
26 of products by others for use by ACandS. The interrogatory,
27 however, does not ask for such information. It asks whether
28 ACandS engaged in the labeling of asbestos-containing products.

1 ACandS did not. With respect to relabeled products, see ACandS'
2 response to Interrogatory No. 13.

3 Interrogatory No. 10: ACandS stands by its response to
4 this interrogatory. Plaintiffs would have ACandS research every
5 contract performed by the Company to determine each and every
6 asbestos-containing product used by the Company and then provide
7 specific information concerning the appearance and composition of
8 each such product. As set forth in its original responses,
9 ACandS did not manufacture, design or patent the asbestos-
10 containing products which it used. Various manufacturers of those
11 products are parties to this suit and product-specific
12 information is available from those sources. Furthermore, ACandS
13 has stated in its original responses that the contract files for
14 work performed by the Company in the relevant geographic area are
15 available for inspection in Pennsylvania by the plaintiffs as are
16 various product brochures which were provided to ACandS by
17 manufacturers and which may contain some of the product-specific
18 information requested. Since ACandS does not have a compilation,
19 abstract, audit or summary containing the information requested
20 by the plaintiffs in this interrogatory, its proffer of these
21 documents for inspection by the plaintiffs is a sufficient
22 response under the California Code of Civil Procedure.

23 Interrogatory No. 13: Based upon the information
24 discovered by ACandS to date, the following is a list of
25 relabeled products which contained asbestos, the type of product
26 involved, the manufacturer and the approximate years or period of
27 time during which the products contained asbestos:
28

RELABELED NAME	TYPE OF PRODUCT	MANUFACTURER	YEAR/PERIOD OF TIME PRODUCT CONTAINED ASBESTOS
LK Pipe- covering & Block	Light Weight Molded Hydrous Silicate	Keene Corporation (and its predecessor companies)	To November 1972
		Owens-Corning	To Approx. 1962
		Ruberoid/GAF	To Approx. 1971
		Atlas Asbestos	To late 1972
		Fibreboard	1964-1971
Armtemp Cement No. 10	Mineral Wool Insulating & Finishing	Keene Corporation	Never
		Eagle-Picher Industries, Inc.	Approximately 3/63 to 1971
		Rockwool Mfg. Co.	Late 1960's to 1970s
		Ryder Industries	Approx. mid-1960's to 1972
Armtemp Cement No. 166	Mineral Wool Insulating Cement	Keene Corporation	Up to Feb. 1971
		Eagle Picher Industries, Inc.	8/1/64 to 1971
		Rock Wool Mfg. Co.	Late 1960's through 1970
		Ryder Industries	Approx. mid-1960's through 1972
Armabestos		Atlas Asbestos	Dates currently unavailable

Interrogatory No. 14: Plaintiffs state that ACandS' response -- that the Company did not purchase or sell raw asbestos fiber from the GSA or anyone else -- is insufficient because it refers only to raw asbestos fibers whereas this interrogatory "seeks information as to any asbestos used". Plaintiffs' demand for a further response to interrogatory No. 14 is perplexing. It is not clear what distinction is being made by

1 the plaintiffs between raw asbestos fibers and "asbestos".
2 Furthermore, the text of the interrogatory clearly refers to "the
3 grade and types of asbestos purchased or acquired". ACandS was
4 not a manufacturer of asbestos-containing products and never
5 purchased any grade or type of asbestos fiber from the General
6 Service Administration or any branch or agency of the United
7 States Government.

8 Interrogatory No. 15: Plaintiffs assert that, "your
9 answer is non-responsive as to warnings issued by Armstrong
10 Contracting and Supply Corporation and Armstrong Cork Company."
11 This statement displays a lack of understanding regarding the
12 identity of ACandS. See ACandS' supplemental response to
13 Interrogatory No. 4. Furthermore, ACandS is not and was not the
14 Armstrong Cork Company. The Armstrong Cork Company is a separate
15 corporation which is now known as Armstrong World Industries and
16 which is itself a defendant in this action.

17 ACandS' response to this interrogatory is sufficient.
18 The warning tags and labels used by ACandS were worded and placed
19 in accordance with applicable OSHA regulations and were made
20 available within the Company in 1972. The precise date that the
21 first OSHA-required warning tag or label was used by the Company
22 is unknown. A photocopy of sample OSHA tags and labels is
23 attached to these answers.

24 Interrogatory No. 20: Plaintiffs seek to require
25 ACandS to assume the burden of preparing detailed information
26 regarding each and every product pamphlet or brochure which the
27 Company has maintained. However, the Company does not maintain a
28 compilation, abstract, audit or summary of the information

1 requested. ACandS has stated that to the extent it has
2 maintained this type of material, it is available for inspection
3 in Pennsylvania. Such documents are maintained either at ACandS,
4 120 N. Lime Street, Lancaster, PA or at the offices of the
5 Company's National Defense Counsel in Philadelphia. The
6 documents are under the general care and custody of ACandS'
7 Secretary/Treasurer, R.E. Fink, and its National Defense Counsel
8 located in Philadelphia.

9 Interrogatory No. 22: ACandS has not located among its
10 existing records any documents identifying the direct sale of any
11 asbestos-containing products by the Company to the GSA in the San
12 Francisco area. Furthermore, ACandS incorporates herein its
13 response and supplemental response to interrogatory No. 10. To
14 the extent that this interrogatory is intended to relate to
15 ACandS' activities as a contracting company in the relevant
16 geographic area, ACandS incorporates herein its response to
17 interrogatory No. 24.

18 Interrogatory No. 24: ACandS' response to this
19 interrogatory is sufficient. Indeed, insofar as this
20 interrogatory expressly refers to "contract units" it is not
21 applicable to ACandS which did not operate "contract units" as
22 that term is defined in these interrogatories. ACandS is and was
23 a contracting Company. The Company has, however, stated that the
24 contract files for contracts performed in the relevant geographic
25 area are available for inspection by the plaintiffs at
26 plaintiffs' expense at a mutually agreeable time, in
27 Pennsylvania. The information sought in this interrogatory may
28 be derived from those documents and no further response is

1 required.

2 Interrogatories 25 and 26: Again plaintiffs evidence
3 their lack of understanding as to the identity of ACandS, Inc.
4 by requesting responses for Armstrong Contracting and Supply
5 Corporation and the Armstrong Cork Company. See ACandS'
6 supplemental responses to Interrogatory Nos. 4 and 15. By way of
7 further response, ACandS reiterates that it did not engage in
8 each of the activities set forth in this interrogatory and
9 supplements its original response as follows:

10

11	The Travelers	1/1/58 to 1/1/59	RSL-7226998
12	Indemnity Co. and		
13	The Travelers		RSL-7226999
	Insurance Co.		
	("Travelers")		

14	Travelers	1/1/59 to 1/1/60	RSL-7595413
15			RSL-7595414

16	Travelers	1/1/60 to 1/1/61	RSL-8659239
17			RSL-8659241

18	Travelers	1/1/61 to 1/1/62	RSL-9041867
19			RSL-9041864

20	Travelers	1/1/62 to 1/1/63	RSL-9321346
21			RSL-9321347

22	The Aetna Casualty	1/1/63 to 1/1/65	98 AL 1100 SR(Y)
23	and Surety Company		
24	("Aetna")		

25	Aetna	1/1/65 to 1/1/68	98 AL 2406 SR(Y)
26	Aetna	1/1/68 to 4/1/69	98 AL 115000 SR(Y)
27	Aetna	4/1/69 to 1/1/70	98 AL 115501 SS(Y)
28	Aetna	1/1/70 to 1/1/73	98 AL 116500 SR(Y)

1 Aetna 1/1/73 to 1/1/76 98 AL 219002 SRA(Y)
2 Aetna 1/1/76 to 1/1/77 98 AL 119857 SCA
3 Aetna 1/1/77 to 1/1/78 98 AL 119859 SCA
4 Aetna 1/1/78 to 1/1/79 98 AL 119864 SCA
5 Aetna 1/1/79 to 1/1/80 98 GL 1 SCA
6 98 AL 119867 SCA
7 Aetna 1/1/80 to 1/1/81 98 GL 8 SCA
8 98 AL 119869 SCA
9 American Home 1/1/81 to 1/1/82 CE 1159287
Assurance Co.

10 The amount of each policy varied. Further specific information
11 relating to the contents of these policies may be obtained by
12 reviewing the policies which are available to inspection in
13 Pennsylvania and are under the general care and custody of
14 ACandS' Secretary/Treasurer, R.E. Fink, and the Company's
15 National Counsel located in Philadelphia.

16 Dated: May 11, 1987

17 JAMES N. PENROD, ESQ.
18 N. KATHLEEN STRICKLAND, ESQ.
19 HASSARD, BONNINGTON, ROGERS & HUBER

20
21 By: N. Kathleen Strickland
22 N. Kathleen Strickland

23 Attorneys for the ASBESTOS CLAIMS
24 FACILITY DEFENDANTS WHO HAVE
25 APPEARED IN AND REMAIN PARTIES TO
26 THIS ACTION
27
28

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28

CAUTION

CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

320

CAUTION

CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

CAUTION

CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

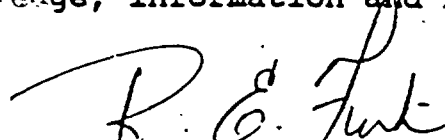
CAUTION

CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

A F F I D A V I T

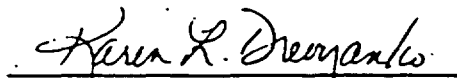
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF LANCASTER :

R. E. Fink, being duly sworn according to law, deposes and says that he is the Secretary/Treasurer of ACandS, Inc., one of the defendants herein named; that he is authorized to take this Affidavit on its behalf; and that the facts set forth in the foregoing response to plaintiffs' interrogatories are true and correct to the best of his knowledge, information and belief.



R. E. Fink

Sworn to and subscribed
before me this 28th day
of April, 1987.



Notary Public

KAREN L. DREYANKO, Notary Public
Lancaster, Lancaster County, PA
My Commission Expires Oct. 30, 1989

1 PROOF OF SERVICE BY MAIL (C.C.P. §1013, 2015.5)

2
3 I, the undersigned, hereby certify that I am a citizen
4 of the United States, over the age of eighteen years, and not a
5 party to the within action. I am employed in San Francisco and
6 my business address is Five Fremont Center, 50 Fremont Street,
7 Suite 3400, San Francisco, California 94105. On June 18,
8 1987, I served the within
9

10 Supplemental Response Of DEFENDANT AC and S, INC. TO
11 PLAINTIFFS' STANDARD INTERROGATORIES (Pursuant to GENERAL
12 ORDER 29)

13 in said action by placing a true copy thereof, enclosed in a
14 sealed envelope with postage thereon fully prepaid, in the United
15 States mail at San Francisco, California, addressed as follows: **
16

17
18 PLEASE SEE ATTACHED LISTS.
19
20
21
22
23
24
25
26
27
28
29
30

31 I declare under penalty of perjury that the foregoing
32 is true and correct. Executed at San Francisco, California,
33 on June 18, 1987
34
35
36


Louisa Johannessen

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CALIFORNIA SUPERIOR COURT
CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT NUMBER FIVE

Plaintiffs,
vs.
Defendants.

No. . . .
PLAINTIFFS' STANDARD
INTERROGATORIES
TO DEFENDANTS

These written questions are "interrogatories" to be answered pursuant to the provisions of General Order No. 29.

DEFINITIONS

"This Defendant" means "The named defendant herein" and all predecessors in interest, successors in interest of the named defendant herein.

"You" and "Your" refer to the defendant who is named above as the responding party. If more than one responding party is named, "you" and "your" refer to each responding party separately, not jointly. A separate copy of these questions has been provided for each

///

1 "Raw asbestos" means asbestos fiber mined or milled,
2 either packaged in bulk, not compounded with other substances and
3 essentially pure with the exception of naturally occurring trace
4 amounts of other substances.

5 A request to "Identify" the product shall mean a request
6 to describe the product, the material or compound by the following
7 means: (1) by nickname or slang name used in your industry and/or
8 occupation; (2) by the name under which it is sold in the market-
9 place (trade name); and (3) by its generic name.

10 "Business Activities" shall mean all activities in which
11 this defendant engaged during the period of time stated. Such
12 activities, for example, may include, but are not limited to, the
13 mining, supply, sale, labelling, distribution, importing, process-
14 ing or manufacture of products, for example.

15 "Asbestos-Containing Product(s)" shall mean a product(s)
16 which this defendant knows or believes to contain any amount of the
17 mineral asbestos.

18 A request to describe the "Nature" of such products means
19 to describe the: (a) color; (b) texture; (c) form (i.e., powder,
20 liquid, paste, solid, board, cloth, blanket, wire insulation,
21 etc.); (d) physical dimensions, if solid (length, width and
22 height); (e) the type of shipping package and shipping package
23 dimensions if not solid; (f) type of asbestos fiber used in the
24 composition of the product (e.g., chrysotile, amosite, crocido-
25 lite); (g) the intended use or function of such product as
26 recommended by this defendant as the miner, producer, supplier,
27 manufacturer, distributor or seller; and (h) the worksite in which
28 it was intended to be used (e.g., shipyard, refinery, commercial

1 building construction, manufacturing plant, home, power generating
2 plant).

3 "Document(s)" or "Writing(s)" shall include all writings
4 as defined by Section 250 of the California Evidence Code.

5 Request to identify a "Writing" or "Document" or study
6 shall mean a request to either attach such an exhibit to your
7 answers to these interrogatories, or to describe such with
8 sufficient particularity that it may be made the subject of a
9 request for production of documents. Your description should
10 include an indication of: (a) the author; (b) addressee(s); (c)
11 date of origin; (d) the nature of the writing or document (e.g.,
12 letter, telephone memorandum, audio tape recording, photograph,
13 etc.); and (e) its present location, name and present address of
14 custodian thereof.

15 A request to "Identify" an oral communication shall mean
16 a request to describe the communication with particularity, and
17 shall include the following information: (a) the identity of all
18 parties to the communication; (b) the identity of the person whom
19 you contend initiated the communication; (c) the identity of all
20 persons present at the time of the communication; and (d) the time,
21 date, and place of the communication.

22 A request to "Identify" a person or individual means to
23 state his or her name, the place of employment, present business or
24 present or last known home address, and present business telephone
25 number.

26 "Company" means any profit making private enterprise,
27 including, but not necessarily limited to: Corporations, partner-

28 / / /

1 ships, joint ventures, and sole proprietorships and/or utility
2 company.

3 "Geographic Area" means the the forty six (46) counties
4 of Northern California (Alameda, Alpine, Amador, Butte, Calaveras,
5 Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn,
6 Humboldt, Kern, Kings, Lake, Lassen, Marin, Mariposa, Mendocino,
7 Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas,
8 Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara,
9 Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus,
10 Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba) and military
11 facilities/installations in the State of California.

12 A "Contract Unit" shall mean a branch or division of a
13 defendant which has been or is now engaged in installation and/or
14 removal of "raw asbestos fibers" and/or "asbestos-containing
15 products".

1 PLAINTIFF'S INTERROGATORIES TO DEFENDANTS

2 INTERROGATORY NO. 1:

3 With respect to the individual verifying these answers on
4 your behalf, state the following:

5 (a) Their name;

6 (b) Their present business address;

7 (c) Their present job title;

8 (d) Their date of first employment with you, and the
9 dates and titles of each job position they have held
10 while they were employed by you.

11 ANSWER:
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1 INTERROGATORY NO. 2:

2 Please state whether or not you are a corporation, and if
3 so, state:

- 4 (a) Your correct corporate name;
5 (b) Your state of incorporation;
6 (c) The date of your incorporation;
7 (d) The address of your principal place of business;
8 (e) Whether or not you have ever held a certificate of
9 authority to do business in this state, and if so,
10 the inclusive dates of any certificate;
11 (f) Whether or not you have a registered agent for the
12 purpose of accepting service of process in this
13 state, and if so, their name and present address;
14 (g) If you are wholly owned or the majority interest of
15 your company is owned by another business entity,
16 state that entity's name and principal place of
17 business.

18 ANSWER:
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1 INTERROGATORY NO. 3:

2 Have you ever been identified, known, or done business
3 under any other name? If so, please state such name or names and
4 the time period during which this defendant was so known or
5 identified.

6 ANSWER:
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1 INTERROGATORY NO. 4:

2 State whether you have controlled, purchased, or in any
3 way acquired any interest in any corporation or business entity
4 which has mined, manufactured, produced, processed, compounded,
5 sold, supplied, distributed and/or otherwise placed asbestos or
6 asbestos-containing products in the stream of commerce, and if so,
7 state:

8 (a) The name and address of said corporation or business
9 entity;

10 (b) The dates you controlled, purchased or acquired any
11 interest; and

12 (c) Set forth the nature of the business as it pertains
13 to asbestos.

14 ANSWER:

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1 INTERROGATORY NO. 5:

2 Since 1930, at any time did you own any shares of stock
3 or otherwise have an ownership interest in a company that either
4 mines, produces, or sells raw asbestos fiber? If the answer is in
5 the affirmative, state the following:

- 6 (a) The name of such corporation or entity;
7 (b) The date of incorporation or charter;
8 (c) The state or country of incorporation;
9 (d) Each ownership interest owned in each corporation,
10 setting forth any change in such interest;
11 (e) The date such interest was acquired;
12 (f) The date of formation of such corporation or entity;
13 (g) The names of all shareholders owning more than 5% of
14 the shares of stock of such corporation;
15 (h) The date such interest changed or terminated, if
16 applicable;
17 (i) The name and location of each asbestos mine so
18 owned;
19 (j) The grade and type of asbestos mined at each mine.

20 ANSWER:
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1 INTERROGATORY NO. 6:

2 Please state the following:

- 3 (a) The address where the corporate records of this
4 defendant are currently located; and
5 (b) The name, job title, and current address of the
6 custodian for this defendant's corporate records.

7 ANSWER:

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1 INTERROGATORY NO. 7:

2 Please state whether this defendant, between 1930 and
3 1985, has ever engaged in the following activities with regard to
4 raw asbestos fiber, and if so, please state the inclusive dates of
5 such activity:

- 6 (a) Mining;
- 7 (b) Milling;
- 8 (c) Supply;
- 9 (d) Importing;
- 10 (e) Processing;
- 11 (f) Distribution;
- 12 (g) Marketing;
- 13 (h) Sale.

14 ANSWER:

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1 INTERROGATORY NO. 8:

2 Please state whether this defendant, between 1930 and
3 1985, has ever engaged in the following activities with regard to
4 asbestos-containing products, and if so, please state the inclusive
5 dates of such activity:

- 6 (a) Supply;
7 (b) Importing;
8 (c) Distribution;
9 (d) Marketing;
10 (e) Sale;
11 (f) Labelling;
12 (g) Manufacturing.

13 ANSWER:
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1 INTERROGATORY NO. 9:

2 If your answer to Interrogatory No. 7 regarding "raw
3 asbestos fiber" is in the affirmative, please state the following:

4 (a) The trade, brand name, and/or generic name of each
5 such raw asbestos fiber mined, milled, supplied,
6 distributed, processed, imported, labelled, and/or
7 marketed in any form or quantity between 1930 and
8 1985;

9 (b) The date(s) each such raw asbestos fiber was first
10 placed on the market, including the date(s) each
11 such raw asbestos fiber was first marketed:

12 (i) on an experimental basis;

13 (ii) on a test basis; or

14 (iii) for sale.

15 (c) The date(s) each such raw asbestos fiber:

16 (i) ceased to be produced; or

17 (ii) was recalled from the market, if ever.

18 (d) A description of the chemical composition of each
19 such raw asbestos fiber, including the type and/or
20 grade of asbestos;

21 (e) A description of the physical appearance and nature
22 of each such raw asbestos fiber, including any color
23 coding, distinctive marking and/or logo;

24 (f) A detailed description of the intended use of each
25 such raw asbestos fiber, including any temperature
26 limits for each such use;

27 (g) Whether such raw asbestos fiber was on the U.S. Gov-
28 ernment's "Qualified Products List", and if so, the

1 inclusive dates it was on such list;

2 (h) Whether any of this defendant's "raw asbestos fi-
3 bers" have, at any time, been sold to any companies
4 (including power companies or utilities), shipyards,
5 distributors, refineries, suppliers and/or manufac-
6 turers in the defined geographic area. If so,
7 please state:

8 (i) The names of each such company, shipyard,
9 distributor, supplier, manufacturer or
10 refinery;

11 (ii) The inclusive dates of each such sale, and
12 the amount (volume) and the trade or brand
13 name of each such raw asbestos fiber sold;

14 (iii) Whether you have any records indicating any
15 such sale and, if so, the name, address and
16 job classification of each individual who
17 currently has possession of such records.

18 (i) Describe the types of records sufficiently to iden-
19 tify them for discovery purposes which set forth any
20 of the foregoing information and the custodian
21 thereof (giving name and address) of each such
22 records.

23 ANSWER:
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ANSWER:

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1 INTERROGATORY NO. 10:

2 If your answer to Interrogatory No. 8 regarding "ashes-
3 tos-containing products" is in the affirmative, please state the
4 following:

5 (a) The trade, brand name, and/or generic name of each
6 such asbestos-containing product sold, supplied,
7 distributed, processed, imported, labelled, manufac-
8 tured, and/or marketed in any form or quantity
9 between 1930 and 1985;

10 (b) The date(s) each such asbestos-containing product
11 was first placed on the market, including the
12 date(s) each such asbestos-containing product was
13 first marketed:

14 (i) on an experimental basis;

15 (ii) on a test basis; or

16 (iii) for sale.

17 (c) The date(s) each such asbestos-containing product:

18 (i) ceased to be produced; or

19 (ii) was recalled from the market, if ever.

20 (d) A description of the chemical composition of each
21 such asbestos-containing product, including the type
22 and/or grade of asbestos and/or asbestos fiber
23 contained in each such product and the quantitative
24 percentage of asbestos or asbestos fiber in each
25 such product;

26 (e) A description of the physical appearance and nature
27 of each such asbestos-containing product, including
28 any color coding, distinctive marking and/or logo;

- 1 (f) A detailed description of the intended use of each
2 such asbestos-containing product, including any
3 temperature limits for each such use;
- 4 (g) Whether any such asbestos-containing product was on
5 the U.S. Government's "Qualified Products List", and
6 if so, the inclusive dates it was on such list;
- 7 (h) The name and address of the supplier's of the raw
8 asbestos fiber used in each such product and the
9 time period of such supply;
- 10 (i) Whether any of this defendant's "asbestos-containing
11 products" have, at any time, been sold to any com-
12 panies (including power companies or utilities),
13 shipyards, distributors, refineries, suppliers
14 and/or manufacturers in the defined geographic
15 area. If so, please state:
- 16 (i) The names of each such company, shipyard,
17 distributor, supplier, manufacturer or
18 refinery;
- 19 (ii) The inclusive dates of each such sale, and
20 the amount (volume) and the trade or brand
21 name of each such asbestos-containing product
22 sold;
- 23 (iii) Whether you have any records indicating any
24 such sale and, if so, the name, address and
25 job classification of each individual who
26 currently has possession of such records.
- 27 (j) Describe the types of records sufficiently to iden-
28 tify them for discovery purposes which set forth any

of the foregoing information and the custodian thereof (giving name and address) of each such records.

ANSWER:

ANSWER:

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1 INTERROGATORY NO. 11:

2 If any of the distributors identified in your answer to
3 Interrogatory Nos. 9 and 10 above was an exclusive distributorship,
4 please so state and identify the relevant time period.

5 ANSWER:

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1 INTERROGATORY NO. 12:

2 If this defendant entered into any agreements for the
3 rebranding of any asbestos-containing product(s) and/or material(s)
4 mined, imported, manufactured, sold, distributed, and/or supplied
5 by this defendant for resale or distribution by another company,
6 describe each agreement's terms and the parties to said agreement,
7 the duration of the agreement, and name of each product(s) and/or
8 material(s) covered by each such agreement.

9 ANSWER:

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1 INTERROGATORY NO. 13:

2 If this defendant entered into any agreements for the
3 rebranding of asbestos-containing products and/or materials mined,
4 imported, manufactured, sold, distributed, and/or supplied by ano-
5 ther company for resale or distribution by your company, describe
6 each of the agreements and the parties to said agreement, the
7 terms, the duration, and the names of each product(s) and/or
8 material(s) covered by each such agreement.

9 ANSWER:

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1 INTERROGATORY NO. 14:

2 State whether any asbestos used, processed, mined,
3 manufactured, imported, supplied, distributed, labelled, and/or
4 sold by this defendant was purchased from or acquired from the
5 General Service Administration or any branch or agency of the
6 United States government during the period 1930 to 1985. If your
7 answer is in the affirmative, state:

8 (a) The name and address of the agency which supplied
9 the asbestos;

10 (b) The grade and types of asbestos purchased or
11 acquired;

12 (c) The quantities of each type of asbestos purchased or
13 acquired annually during the period 1930 to 1985;

14 (d) The means of packaging;

15 (e) The health warnings, if any, which accompanied each
16 shipment of asbestos, and indicate when said
17 warnings were first made part of the shipments.

18 ANSWER:

1 INTERROGATORY NO. 15:

2 As to each such asbestos-containing product listed in
3 defendant's preceding answers to interrogatories, did defendant put
4 on such products or their containers any warning of their hazards
5 to health by virtue of the asbestos content of such products? If
6 so, state for each such warning:

7 (a) Each such warning with particularity, with regard to
8 size, color, and location; whether the warning was
9 contained on the material or on the container;
10 whether the warning was printed, stamped, and/or
11 placed on a tag; and nature and wording or other
12 content. State whether you have any photographs
13 thereof;

14 (b) The inclusive date on which you began using each
15 such warning on each of your asbestos-containing
16 products; and

17 (c) All changes you made in such warnings and the dates
18 of such changes.

19 ANSWER:

1 INTERROGATORY NO. 16:

2 As to any of the bags of raw asbestos fiber referred to
3 in defendant's preceding answers to interrogatories, did defendant
4 put on such bags any warning of the hazards to health by virtue of
5 the asbestos contained therein? If so, state for each such
6 warning:

- 7 (a) Each such warning with particularity, with regard to
8 size, color, location, wording or other content;
9 whether the warning was contained on the material or
10 on the container; whether the warning was printed,
11 stamped, and/or placed on a tag attached to the
12 material or container;
- 13 (b) The inclusive dates each such warning was issued on
14 your bags of raw asbestos fiber;
- 15 (c) All changes you made in such warnings, the dates of
16 such changes, and the inclusive dates of such
17 changes; and
- 18 (d) The name, address and job title of each person who
19 presently has possession of samples or documents
20 relating to the above warnings.

21 ANSWER:
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1 INTERROGATORY NO. 17:

2 With respect to each of your asbestos-containing prod-
3 ucts, state whether this defendant's name, a trademark, logos,
4 color coding, or other identifying markings ever appeared on the
5 actual product itself. If so, identify each such product, state
6 when the practice to place such identifying markings upon the
7 product was begun and when it ended, if applicable, and describe in
8 detail the pertinent marking(s) and the purpose, if any, of such
9 markings.

10 ANSWER:

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1 INTERROGATORY NO. 18:

2 Identify all present or former executives, officers, or
3 other supervisory officials of defendant whose depositions have
4 been taken by plaintiffs, other than those herein, in cases
5 involving workers or their heirs who are suing this defendant or
6 who have sued this defendant for illnesses or injuries allegedly
7 caused, in whole or in part, by exposure to asbestos dust allegedly
8 created by defendant's asbestos-containing products and/or raw
9 asbestos fibers. Identify the name of the case, the court of
10 filing, the court docket number, and the date of the deposition.

11 ANSWER:
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1 INTERROGATORY NO. 19:

2 Between the years 1930 to 1985, did this defendant pur-
3 chase or otherwise acquire any asbestos-containing product line
4 from another company? If so, please state for each such purchase:

5 (a) Date of contract of sale;

6 (b) Terms of purchase and sale agreement, or if you will
7 do so without a motion to produce, attach a copy of
8 said agreement(s) to your answers;

9 (c) Trade, brand, and/or generic name of each such
10 product line so acquired;

11 (d) Name of company from whom you purchased each such
12 asbestos-containing product line; and

13 (e) Location of any manufacturing facilities so ac-
14 quired, and the type of asbestos products manufac-
15 tured therein.

16 ANSWER:

1 INTERROGATORY NO. 20:

2 Identify all brochures, pamphlets, catalogs or other
3 advertising relating to asbestos-containing products and/or raw
4 asbestos fibers which this defendant manufactured, sold, distribu-
5 ted or supplied from the year 1930 to 1985. For each such document
6 please state:

- 7 (a) A description of the document;
8 (b) The year it was printed;
9 (c) The period of time in which it was used;
10 (d) The purpose of such document;
11 (e) Whether the documents or copies of said document
12 presently exist;
13 (f) If said documents or copies still exist, where they
14 are located; and
15 (g) The name, job title, and current address of the
16 custodian of such documents.

17 ANSWER:
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1 INTERROGATORY NO. 21:

2 Were any of the raw asbestos fibers identified in Inter-
3 rogatory No. 9 sold, shipped or distributed to the General Services
4 Administration (GSA)? If so, specify the type of raw asbestos
5 fiber and state the period of time.

6 ANSWER:

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1 INTERROGATORY NO. 22:

2 Were any of the asbestos-containing products identified
3 in Interrogatory No. 10 sold, shipped or distributed to General
4 Services Administration (GSA)? If so, specify the name of the
5 asbestos-containing products and state the period of time.

6 ANSWER:
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1 INTERROGATORY NO. 23:

2 Please state if you formed within your corporate struc-
3 ture an entity known as a "contract unit".

4 ANSWER:

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1 INTERROGATORY NO. 24:

2 Please state whether or not any of your "contract units"
3 were employed in the installation and/or removal of raw asbestos
4 fiber and/or asbestos-containing products at any time in the de-
5 fined geographic area for the years 1930 to 1985. If so, please
6 state:

7 (a) The inclusive periods of time the contract units
8 were working in the defined geographic area;

9 (b) The business addresses and names of the contract
10 units;

11 (c) Any records showing the locations of the jobsites
12 where the contract units worked, and if so, describe
13 them sufficiently to identify them for discovery
14 purposes, and their present custodian;

15 (d) Did your contract units work in any shipyards, re-
16 fineries, power plants, utility companies, brewer-
17 ies, or other jobsites in the defined geographic
18 area? If so, state the name of those jobsites and
19 the dates the contract units worked at those
20 jobsites;

21 (e) For each jobsite listed above, state the type and
22 nature of the work that was done.

23 ANSWER:
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1 ANSWER:

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1 INTERROGATORY NO. 25:

2 From 1930 to present, did you have insurance against
3 liability for the design, manufacture, distribution and sale of
4 asbestos-containing products?

5 ANSWER:

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1 INTERROGATORY NO. 26:

2 If your answer to the preceding interrogatory is in the
3 affirmative, please state:

- 4 (a) Name and address of each insurance company;
5 (b) Date and number of each policy;
6 (c) Limits of each policy, including the deductible; and
7 (d) Name, address, and company position of person who
8 has custody of each policy.

9 ANSWER:

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AUTHORIZATION

FOR RELEASE OF MEDICAL RECORDS

TO: _____

I, _____,
hereby authorize you to release to and/or permit inspection and
copying by MAJOR LEGAL SERVICES, 444 Townsend Stret, 2nd Floor,
San Francisco, California 94107, or their representatives, any and
all medical information including but not limited to, charts,
records, reports, histories, laboratory studies, x-rays and/or
out-patient records pertaining to _____,
DOB: _____ SS#: _____, for
purposes of review, evaluation and evidence in connection with a
lawsuit filed _____.

This authorization is given in compliance with the
Federal Privacy Act (52 U.S.C. Section 552a(b)) and the California
Confidentiality of Medical Information Act (C.C. subsections 65,
et seq.), the restrictions of which have been specifically con-
sidered and are hereby expressly waived. A photocopy of this
authorization shall be as valid as the original.

This authorization is effective immediately and shall
remain in effect for 180 days.

I understand that I have a right to receive a copy of
this authorization upon request.

Copy requested and received: (☐) Yes (☐) No Initials: _____

It is also understood that pursuant to General Rule 29
of the San Francisco Asbestos Litigation, any copy service or
person using this authorization to obtain records is required by
law to provide my attorneys _____

with copies of my records for a 21-day first-look before sending
them to any defendant involved in my asbestos case.

DATED: _____

EXHIBIT "K-1"

AUTHORIZATION

FOR RELEASE OF EMPLOYMENT RECORDS

TO: _____

I, _____,
hereby authorize you to release to and/or permit inspection and
copying by MAJOR LEGAL SERVICES, 444 Townsend Stret, 2nd Floor,
San Francisco, California 94107, or their representatives, any and
all employment information including but not limited to, job
description, promotions, payroll, medical, injury and/or Workers'
Compensation records pertaining to _____,
DOB: _____ SS#: _____, for
purposes of review, evaluation and evidence in connection with a
lawsuit filed _____.

This authorization is given in compliance with the
Federal Privacy Act (52 U.S.C. Section 552a(b)) and the California
Confidentiality of Medical Information Act (C.C. subsections 65,
et seq.), the restrictions of which have been specifically con-
sidered and are hereby expressly waived. A photocopy of this
authorization shall be as valid as the original.

This authorization is effective immediately and shall
remain in effect for 180 days. -

I understand that I have a right to receive a copy of
this authorization upon request.

Copy requested and received: (____) Yes (____) No Initials: _____

It is also understood that pursuant to General Rule 29
of the San Francisco Asbestos Litigation, any copy service or
person using this authorization to obtain records is required by
law to provide my attorneys _____

with copies of my records for a 21-day first look before sending
them to any defendant involved in my asbestos case.

DATED: _____

Please attach notarial acknowledgment

EXHIBIT "K-2"

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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
10 DEPARTMENT FIVE

11) No.
12)
13 Plaintiffs,) STIPULATION RE RELEASE
14) OF RECORDS AND ORDER
15 v.)
16)
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19 Defendants. -)
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17 Plaintiff above named and defendant _____
18 do hereby stipulate and agree to entry of an order of this Court
19 compelling release of all records in the possession, custody
20 and/or control of the Custodian of Records, National personnel
21 Records Center, St. Louis, Missouri, including, but not limited
22 to, medical, employment, Workers' Compensation and military
23 records pertaining to: _____;
24 DOB: _____; Place of Birth: _____;
25 _____; DOD: _____; SS#: _____;
26 Employed at _____;
27 from _____ to _____; Military Serial No.: _____;
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1 Branch of Military Service: _____;
2 from _____ to _____; Government Serial No.: _____.

3 The Federal Privacy Act has been specifically considered
4 in entering this stipulation.

5 It is further stipulated that all records be released
6 directly to MAJOR LEGAL SERVICES, 444 Townsend Street, 2nd Floor,
7 San Francisco, California 94107, for copying, without the neces-
8 sity of a formal motion and that Major Legal Services is required
9 by law to send any records they obtain to plaintiff's counsel for
10 a first look pursuant to General Order 29 of the San Francisco
11 Complex Litigation.

12 Dated: _____

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15 By: _____
16 Attorney for Plaintiff

17 Dated: _____

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20 By: _____
21 Attorney for Defendant

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23 ORDER

24 IT IS HEREBY ORDERED that the Custodian of Records,
25 National Personnel Records Center, St. Louis, Missouri, produce
26 all records in its possession, custody and/or control pertaining
27 to _____,

28 including, but not limited to, medical, employment, Workers

1 Compensation and military records, all pursuant to 5 U.S.C.
2 Section 552a(b)11. The Federal Privacy Act has been specifically
3 considered in ordering the release of these records and this order
4 is pursuant to that Act. It is ordered that the records be
5 released directly to MAJOR LEGAL SERVICES, 444 Townsend Street,
6 2nd Floor, San Francisco, California 94107, and that copies of any
7 records received will be provided to plaintiff's counsel for a
8 first look pursuant to General Order Number 29 of the San
9 Francisco Complex Litigation.

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11 DATED: _____
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14 _____
Judge of the Superior Court
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SUPERIOR COURT OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT FIVE

	)	No.
	)	
Plaintiffs,	)	REQUEST FOR IDENTIFICATION
	)	<u>AND PRODUCTION OF RECORDS</u>
v.	)	
	)	
	)	
Defendants.	)	
	)	

PROPOUNDING PARTY: Defendant
RESPONDING PARTY: Plaintiff
SET NUMBER: One

Plaintiff above named is hereby requested, within thirty (30) days, to identify and produce for inspection and copying the records described herein below.

The records shall be produced at _____ (time) _____, on _____ (date) _____, at the law offices of _____, located at _____.

The above-described documents are currently in your possession, custody or control, are not privileged, and are

1 relevant to the subject matter of this action or reasonably cal-
2 culated to lead to the discovery of admissible evidence in this
3 action.

4 RECORDS TO BE PRODUCED

- 5 1. All your business records, as defined below.
6 2. All your work records, as defined below.

7 DEFINITIONS

8 1. Business records are: Purchase orders, purchase
9 receipts, bills of lading, shipping and/or receiving documents,
10 invoices, or bills relating to the purchase, sale or use of any
11 asbestos-containing products in your business; cancelled checks,
12 check registers, accounts payable ledgers, accounts receiveable
13 ledgers, general ledgers, accounting books and papers relating to
14 your business; architectural specifications, books product bro-
15 chures or other literature, manuals, catalogues, price lists,
16 reference guides, books, or other papers received from suppliers
17 or manufacturers relating to asbestos-containing products;
18 packages or containers of asbestos-containing materials.

19 2. Work records are: Work diaries; union assignment
20 slips; union cards; W-2 forms; paycheck stubs; work rules or
21 safety rules; any other papers received by you, or prepared by
22 you, which identify, describe or refer to products designated as:
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Dated:

Attorney for

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SUPERIOR COURT OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT FIVE

	)	No.
	)	
Plaintiffs,	)	NOTICE OF COMPLETION OF
	)	<u>PRELIMINARY DISCOVERY</u>
v.	)	
	)	
	)	
	)	
Defendants.	)	
	)	

Plaintiff hereby gives notice that the following discovery has been completed and the case may be set for settlement conference:

	<u>Date Completed</u>
1) Plaintiff's responses to Standard Defense Interrogatories:	_____
2) Record authorizations provided:	_____
3) Preliminary Deposition of Plaintiff:	_____
4) Preliminary Medical Screening and/ or Full examination of Plaintiff:	_____

EXHIBIT "L"

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5) All necessary interrogatories
have been answered by defendants:

yes no

DATE: _____

Attorney for Plaintiff