FILE NAME: Kaiser Gypsum (KG)

DATE: 0000

DOC#: KG049

DOCUMENT DESCRIPTION: Legal - Responses to 1st Set of Interrogatories and Requests for Production

IN THE SUPERIOR COURT OF WASHINGTON

FOR KING COUNTY

SYLVIN W. PICKNER and EVELYN I. PICKNER, a married couple, Plaintiffs, v. OWENS CORNING, et al., Defendant.	No. 98-2-09390-1 SEA KAISER GYPSUM COMPANY, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

PROPOUNDING PARTY: SYLVIN W. PICKNER and EVELYN I. PICKNER

RESPONDING PARTY: KAISER GYPSUM COMPANY, INC.

PRELIMINARY STATEMENT

No single person associated with Kaiser Gypsum has the knowledge necessary to supply every answer to these interrogatories and request for production, and a number of individuals who might have had personal knowledge of the matters addressed by these interrogatories are either deceased or no longer employees of Kaiser Gypsum.

ORIGINAL

Williams, Kastner & Gibbs PLLC
Two Union Square, Suite 4100
Mail Address: P.O. Box 21926
Seattle, Washington 98111-3926
(206) 628-6600

Further, Kaiser Gypsum objects to these interrogatories on the grounds that they are vague, ambiguous, overbroad as to time, scope, products and location not in issue, and seek information not relevant to the issues in this lawsuit.

Without waiving said objections and in the interest of full disclosure, Kaiser Gypsum responds solely with regard to its Seattle facility and with regard to products identified by plaintiff.

Kaiser Gypsum continues its ongoing investigation to locate information regarding the subject matter of these interrogatories and reserves its right to supplement these interrogatory responses as may be necessary, if and when, such further information becomes available.

INTERROGATORY NO. 1:

State your full legal name, date of incorporation, principle place of business and whether you are a private or public corporation.

RESPONSE:

Kaiser Gypsum Company, Inc. was incorporated on December 1, 1952 in the State of Washington. Its principal place of business is Pleasanton, California, and it is a privately held corporation.

INTERROGATORY NO. 2:

For each year between 1950 and 1978, identify your officers and directors.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, burdensome, ambiguous, and overbroad, as it contains years when Kaiser Gypsum was not doing business, and thus it is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, Kaiser Gypsum responds: see Exhibit A attached hereto.

INTERROGATORY NO. 3:

Please relate your corporate history from 1948 to the present, including, but not limited to, any mergers, acquisitions, name changes or re-incorporations or secession of business operations.

RESPONSE:

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Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad, as it contains years when Kaiser Gypsum was not doing business, and thus it is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, Kaiser Gypsum responds:

Kaiser Gypsum was organized and incorporated in 1952. On June 19, 1952, Permanente Cement Company (later known as Kaiser Cement Corporation) formed a wholly owned subsidiary named Kaiser Gypsum Company. On December 1, 1952, Kaiser Gypsum Company was merged with Pacific Coast Cement Company, a Washington corporation and another subsidiary of Permanente Cement Company. At the time of the merger, Pacific Coast Cement Company had no assets or operations. The name of the combined company was then changed to Kaiser Gypsum Company, Inc. In 1978, Kaiser Gypsum Company, Inc. ceased all business operations.

INTERROGATORY NO. 4:

Have you at any time engaged in the sale of a product which contained asbestos fibers? If so, please identify

(a) the names of your entities selling each of those products;
(b) the trade or brand name of each asbestos containing product sold by you;
(c) the dates each product was manufactured or sold;
(d) a description of each product including the type and percentage of asbestos contained in said product;
(e) how each product was packaged; and
(f) your gross sales of each asbestos containing product between 1950 and 1978.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad, as it seeks information about types of products and places not at issue in this litigation and years when Kaiser Gypsum was not in business. Thus, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence. As to subsection (f), Kaiser Gypsum objects to this on the grounds that it is unduly burdensome, harassing and not reasonably calculated to lead to the

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discovery of admissible evidence. Further, Kaiser Gypsum responds that it does not possess complete information for its Seattle facility for said years.

Without waiving said objections, Kaiser Gypsum responds that the following products which contained asbestos fibers for various periods of time were manufactured at its Seattle facility.

1. Joint Compound Powder

This product was manufactured at Seattle from 1969 to 1975 and contained 7.5% to 10% chrysotile asbestos. This off-white powder was packaged and sold in sacks of 10 and 25 pounds.

2. Finishing Compound Powder

This product was manufactured at Seattle from 1969 to 1975 and contained 3.5% to 11% chrysotile asbestos. It was white to off-white powder and packaged in sacks of 25 pounds.

3. One-Day Joint Compound Powder

This product was manufactured at Seattle from 1970 to 1975 and contained 3.5% chrysotile asbestos. It was a white to off-white powder and packaged in sacks of 25 pounds.

4. Three Purpose Compound Powder

This product was manufactured at Seattle from 1969 to 1975 and contained 5% to 11% chrysotile asbestos. This was a white to off-white powder and packaged in sacks of 25 pounds.

5. Dual-Purpose Pre-Mix Compound

This product was manufactured at Seattle from 1969 to 1975 and contained 2.5% to 4% chrysotile asbestos. This was a white to off-white or light buff colored paste and packaged in buckets or cartons of 4 to 5 gallons.

6. Pre-Mix Topping Compound

This product was manufactured at Seattle from 1971 to 1975 and contained 1% chrysotile asbestos. This was a white to off-white colored paste, packaged and sold in buckets of 4 or 5 gallons and cartons of 4 gallons.

INTERROGATORY NO. 5:

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Identify the date, if any, on which you ceased the sale of asbestos-containing products.

RESPONSE:

By 1975, Kaiser Gypsum's Seattle plant ceased to manufacture products containing asbestos.

INTERROGATORY NO. 6:

For each product identified in response to Interrogatory No. 4, identify all warnings you employed to protect the purchasers said products from asbestos-related harm including in your answer the text of said warning and the date on which it commenced.

RESPONSE:

Beginning in 1972, Kaiser Gypsum affixed caution labels to the packages and containers of its asbestos-containing products. The warning label, as prescribed by OSHA, read:

> CAUTION: contains asbestos fibers; avoid creating dust; breathing asbestos dust may cause serious bodily harm.

INTERROGATORY NO. 7:

State the date on which you learned that asbestos poses a hazard to human health.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, and assumes that any type of asbestos, in any condition or in any amount, poses a hazard to human health.

Without waiving said objections, Kaiser Gypsum responds that it became aware generally sometime in the 1970s that users of some asbestos-containing building products could be at risk of inhaling quantities of respirable asbestos fibers sufficient to pose a potential hazard to their health.

INTERROGATORY NO. 8:

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Mail Address: P.O. Box 21926
Seattle, Washington 98111-3926
(206) 628-6600

Identify all measures you employed to protect the users of your asbestos-containing products from any asbestos-related harm.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, and not sufficiently limited in time or scope. Without waiving said objections, Kaiser Gypsum responds that it placed warning labels on its asbestos-containing products upon learning that such products posed potential health hazards to end users.

INTERROGATORY NO. 9:

Identify all measures you employed to protect your employees from any asbestos-related harm.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad. Further, Kaiser Gypsum is informed and believes that plaintiff was neither employed by Kaiser Gypsum, nor present at any of its plants at any time. Thus, events occurring at any Kaiser Gypsum plant have no relevance to the conditions allegedly experienced by plaintiff. Therefore, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 10:

Identify all trade publications to which you subscribed between 1950 and 1978.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, and unintelligible as to the word "trade publications". Furthermore, this interrogatory contemplates years when Kaiser Gypsum was not in business. Thus, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, Kaiser Gypsum responds that it is informed and believes it was a member of the Gypsum Association from approximately 1952 to approximately 1978, and believes it may have received its publications.

INTERROGATORY NO. 11:

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Do you maintain a computerized listing of the sales of your asbestos-containing products? If so, describe the information stored on said computer including whether said sales are broken down by geographic area, the type of computer program and the manner in which specific sales information can be retrieved.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad in time, place, and scope. Furthermore, this interrogatory calls for information which seeks to invade the purview of the attorney-client privilege and doctrine of attorney-work product.

INTERROGATORY NO. 12:

For each asbestos product identified in response to Interrogatory 4, state the gross sales of said product in the State of Oregon between 1965 and 1980.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is burdensome, harassing, vague, ambiguous, overbroad and unintelligible as written. Additionally, this interrogatory seeks information regarding time periods when Kaiser Gypsum was either not in business, was not selling to the State of Oregon, and/or was not manufacturing asbestos-containing products. Thus, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence. Further, Kaiser Gypsum responds that it does not possess complete information for Oregon sales for said years.

INTERROGATORY NO. 13:

For each asbestos product identified in response to Interrogatory No. 4, identify the entity from whom you purchased the asbestos for use in said product.

RESPONSE:

Kaiser Gypsum is informed and believes that the following at one time or another were its suppliers of chrysotile asbestos:

1. John K. Bice
2. Harrison & Crosfield
3. Carmonia Chemical Company

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4. Philip Carey Corporation (Carey Canadian Asbestos)

5. Western Chemical Company

6. Johns-Manville

7. Union Carbide

8. E.S. Browning

9. Loomis Chemical Company

10. Benson Chemical

11. Paul W. Wood (Johns-Manville)

INTERROGATORY NO. 14:

Identify the legal relationship between Kaiser Gypsum Corporation and Kaiser Cement Corporation.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, and unintelligible as written, as there was no such entity as "Kaiser Gypsum Corporation". Furthermore, this interrogatory is vague and ambiguous as to "legal relationship" and calls for "legal" opinion beyond the scope of responding defendant's knowledge. Without waiving said objections, and as Kaiser Gypsum understands this question, Kaiser Gypsum responds, it was a wholly-owned subsidiary of Kaiser Cement Corporation.

INTERROGATORY NO. 15:

For each year between 1955 and 1975, identify the plant manager of your Seattle plant and his/her four principal subordinates.

RESPONSE:

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Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad. Without waiving said objections, Kaiser Gypsum responds that, as of November 1, 1970, the manager of the Kaiser Gypsum Seattle plant was M. Slavich. At this juncture, Kaiser Gypsum is unable to discern who the plant manager's "four principal subordinates" would have been. Thus, discovery is ongoing into this matter and Kaiser Gypsum reserves its right to supplement this response, should further information be discovered.

INTERROGATORY NO. 16:

For each year between 1955 and 1975, identify the plant manager of each of your Oregon plants and his/her four primary subordinates

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad as to time, place and scope. Further, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence, as Kaiser Gypsum's Oregon plant never made the types of asbestos-containing products at issue in this case. Without waiving said objections, Kaiser Gypsum responds that as of November 1, 1970, the manager of Kaiser Gypsum Oregon plant was J. Cassidy. At this juncture, Kaiser Gypsum is unable to discern who the plant manager's "four principal subordinates" would have been. Thus, discovery is ongoing into this matter and Kaiser Gypsum reserves its right to supplement this response, should further information be discovered.

INTERROGATORY NO. 17:

Identify all contracts and/or re-branding agreements between you and Owens-Corning Fiberglas including in your answer the date said contract was entered into, the terms of said contract and the dates that said contract was in effect.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad as to time, place and scope. Without waiving said objections, Kaiser Gypsum responds

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that, it never had a "contract and/or rebranding" agreement with Owens-Corning Fiberglas as to the types of products at issue in this litigation.

INTERROGATORY NO. 18:

For each of the following individuals (named in Documents PLTF 001 - PLTF 1384) please state (a) the individual's full name;
(b) whether they are alive or deceased;
(c) their current address and telephone number or, if you do not know these individuals' current address, their last known address;
(d) what position, they held in your company;
(e) whether they are currently employed by you.

R.L.Allgood
L. Beck
L.M. Bryan
J.W. Blewett
C.E. Caprye
R.C. Crowle
G.J. Chavalas
D.R. Canham
J.D. Cassidy
J.D. Chambers
P.D. Crelman
H.C. Dupuis
G.C. David
N.D. Dicks
L.R. Flicker
P.J. Franklin
P.T. Framlom
J.W. Glweitt
R.W. Grigg
C.R. Grimme
J.M. Garoutte
D.H. Homan
J.P. Hughes
P.A. Hawkins
W.D. Hopper
R.J. Hoffman
R.L. Jones
G. James
J. B. Kirk
R.L. Murh
J.F. Modaff
Richard Madden
William McKinnon
B.J. Murphy
P.D. Orleman

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J.W. Post
G.M. Perry
J.K. Parker
J.C. Reilly
C.F. Radier
E.N. Reddick
J.P. Rohrer
Al Raffaelli
Mike Slavich
F.H. Schaper
T.V. Smith
E.M. Schaper
E.W. Schaper
S. Steffens
J. Schlenner
J.H. Scheahan
A.J. Trommershausan
W.L. Traub
S.R. Witt
R.J. Wiborn
H.L. Weightman
J.I. Walker
J.H. Walton
V. Whitecage

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, burdensome, oppressive, and violative of said employees' rights to privacy. Given the fact that Kaiser Gypsum has not manufactured a product since 1978, there is no one currently employed who is able to identify the full names of said individuals, their names and addresses, any positions which they may have held or whether they are living or dead. Additionally, Kaiser Gypsum objects to this interrogatory on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. See response to Interrogatory No. 19.

INTERROGATORY NO. 19:

For each individual identified in Interrogatory 18, state whether that person has ever been deposed in asbestos-related litigation and identify the case, jurisdiction, cause number and the attorneys who represented the defendant and plaintiff at said deposition.

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RESPONSE:

Kaiser Gypsum incorporates its response to Interrogatory No. 18 as though fully set forth herein. Without waiving said objections, Kaiser Gypsum responds that W.L. McKinnon, former research engineer, was deposed on August 2, 1984 in the following case: *Robert Butts v. Kaiser Gypsum Company, Inc., et al.*, Contra Costa Superior Court No. 251401; Harlan C. Dupuis, former manager of research and development, was deposed on April 16, 1985 in the following case: *Kathryn Maksim v. USG, et al.*, San Francisco County Superior Court Case No. 768674; Thomas V. Smith, former technical advisor for accessory products was deposed on March 11, 1992 in the following case: *Michael Richie, et al. v. Raybestos Manhattan, et al.*, San Francisco Superior Court No. 933324; Richard C. Crowle, former merchandising manager, was deposed on July 26, 1995 in the following case: *Central Weslyn College v. W.R. Grace, et al.*, U.S. District Court, District of South Carolina, Charleston Division, Civil Action No. 2:87-1860-8. The attorneys who represented the various parties at those depositions are identified in the transcripts.

INTERROGATORY NO. 20:

Your attention is directed to documents PLTF 0001 to PLTF 1384 that were served upon your counsel by the undersigned in the Winter of 1998. If you contend that any of the foregoing documents is not genuine, set forth the factual and legal basis for your contention.

RESPONSE:

Kaiser Gypsum objects to this interrogatory on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome. Without waiving said objections, Kaiser Gypsum responds that, as to those documents authored by or directed to Kaiser Gypsum, Kaiser Gypsum does not contest their genuineness. However, Kaiser Gypsum is unable to attest to the genuineness of any document not authored or directed to Kaiser Gypsum, including, but not limited to, the following documents: PLTF 0001 through PLTF 0003; PLTF 0366 to PLTF 0372. Additionally, Kaiser Gypsum cannot attest to the genuineness of any document referring to Permanente Cement, Kaiser Cement and Gypsum Company or Kaiser Cement Corporation.

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INTERROGATORY NO. 21:

Identify every person who supplied information to answer these Interrogatories including in your answer the specific interrogatory for which each person supplied information.

RESPONSE:

As previously stated above, Kaiser Gypsum ceased all marketing activities in 1978, thus no one person associated with Kaiser Gypsum provided information for a specific interrogatory herein. The information provided in response to the interrogatories comes from a collection of information gathered throughout the years from various different sources.

REQUEST FOR PRODUCTION

1. Produce all documents in your possession that were generated before 1978 and refer or relate to any human health hazard associated with asbestos including, but not limited to, memoranda, letters, journal articles or notes.

RESPONSE:

Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad and not limited in time, scope, or location. Furthermore, this request is burdensome and oppressive and assumes that Kaiser Gypsum possesses such documents. Without waiving objections, Kaiser Gypsum refers plaintiff to documents PLTF 0001 to PLTF 1384, which were served upon responding defendant's counsel in the Winter of 1998.

2. Produce minutes of all meetings of your Board of Directors held between 1950 and 1980 that refer or relate to your asbestos-containing products.

RESPONSE:

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Mail Address: P.O. Box 21926
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Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad and not reasonably limited in time, scope, or location. Furthermore, this request is violative of Kaiser Gypsum's right to privacy as a privately held corporation and seeks information which is proprietary in nature. Additionally, this request is vague and ambiguous as to "refer or relate to". Without waiving objections, Kaiser Gypsum responds, as it understands the request, that none of the minutes of its Board of Directors' meetings "refer or relate to" its asbestos-containing products.

3. Produce, for inspection and copying, original copies of all documents used to promote the sale of any product identified in response to Interrogatory 4, including, but not limited to, catalogues, magazine advertisements, product lists, photographs, technical specifications and flyers.

RESPONSE:

Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and harassing. Furthermore, this request is not limited in time or scope and thus seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving objections, Kaiser Gypsum refers plaintiffs to documents PLTF 0001 to PLTF 1384, which were served upon responding defendant's counsel in the Winter of 1998.

4. Produce all manuals, specifications and instructions that you provided to the customers of any asbestos-containing products sold by you between 1965 and 1978.

RESPONSE:

Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and harassing. Furthermore, this request is not limited in time or scope and thus seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Moreover, plaintiff has testified that he did not pay attention to or read any literature regarding any products used by other trades. Thus, this interrogatory is not reasonably calculated to lead to the

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discovery of admissible evidence. Without waiving objections, Kaiser Gypsum refers plaintiffs to documents PLTF 0001 to PLTF 1384, which were served upon responding defendant's counsel in the Winter of 1998.

5. Produce all documents that refer or relate to your decision to stop manufacturing asbestos-containing products including, but not limited to, board minutes, technical and safety advisories and unprivileged legal opinions.

RESPONSE:

Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and harassing. Furthermore, this request is not limited in time or scope and thus seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving objections, Kaiser Gypsum refers plaintiffs to documents PLTF 0001 to PLTF 1384, which were served upon responding defendant's counsel in the Winter of 1998.

6. Produce for inspection and copying, original photographs of all products identified in response to Interrogatory 4 in their packaged form.

RESPONSE:

Kaiser Gypsum objects to this request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and harassing. Furthermore, this request is not limited in time or scope and thus seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving objections, Kaiser Gypsum refers plaintiffs to documents PLTF 0001 to PLTF 1384, which were served upon responding defendant's counsel in the Winter of 1998

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7. Produce deposition or trial transcripts of any individual identified in Interrogatory 18 in any asbestos-related litigation.

RESPONSE:

Kaiser Gypsum would be willing to produce any deposition or trial transcripts of any individuals identified in its response to Interrogatory 18 at a mutually convenient location at the expense of propounding party.

INTERROGATORIES AND REQUESTS FOR PRODUCTION SUBMITTED this 14th day of May, 1998

WEINSTEIN & BERGMAN

_____

Matthew P. Bergman, WSBA #20894

Williams, Kastner & Gibbs PLLC
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Mail Address: P.O. Box 21926
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KAISER GYPSUM COMPANY, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT KAISER GYPSUM COMPANY, INC.

VERIFICATION

I am an authorized representative of Kaiser Gypsum Company, Inc. and am authorized to make this affidavit on its behalf. I have read the foregoing responses to interrogatories and requests for production and believe the responses to be correct.

By: _____

SUBSCRIBED AND SWORN TO before me on the 24 day of August 1998.

Diane Marie Hayes
Notary Public in and for the State of California
residing at Contra Costa County
My commission expires: May 29, 2002

DIANE MARIE HAYES
COMM. # 1185147
NOTARY PUBLIC-CALIFORNIA
CONTRA COSTA COUNTY
COMM. EXP. MAY 29, 2002

EXHIBIT A

As of October 1953, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Henry J. Kaiser
L. S. Corey
E. H. Heller
D. V. McEachern
E. E. Trefethen, Jr.
G. J. Shea
H. W. Morrison
W. Marks
W. A. Marsh
C. R. Olsen
Paul S. Marrin
C. E. Harper
Paul E. Rogers
Bryce Simpson
Chad F. Calhoun

As of September 1954, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Henry J. Kaiser
E. E. Trefethen, Jr.
H. W. Morrison
G. J. Shea
D. V. McEachern
E. H. Heller
A. Christensen
W. Marks
Alan Christensen
W. A. Marsh
Coral R. Olsen
Peter S. Hass
C. E. Harper
Paul E. Rogers
Bryce Simpson
Chad F. Calhoun
Paul Marrin

As of October 1955, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
G. J. Shea
E. H. Heller
D. V. McEachern
E. E. Trefethen, Jr.
Henry J. Kaiser
W. Marks
Claude E. Harper
W. A. Marsh
Paul Rogers
Bryce Simpson
Chad F. Calhoun
Paul S. Marrin

As of November 1956, the following were officers/directors of Kaiser Gypsum Company, Inc.:

E. H. Heller
Edgar F. Kaiser
Henry J. Kaiser
W. A. Marsh
D. V. McEachern
G. J. Shea
E. E. Trefethen, Jr.
W. Marks
A. D. Christensen
H. W. Morrison
Claude E. Harper
W. A. Marsh
Carl Olsen
V. E. Cole
Paul Rogers
Bryce Simpson
Paul S. Marrin
Chad F. Calhoun

As of October 1957, the following were officers/directors of Kaiser Gypsum Company, Inc.:

E. H. Heller
Henry J. Kaiser
Edgar F. Kaiser
W. A. Marsh
D. V. McEachern
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
William Marks
Claude E. Harper
V. E. Cole
R. A. Costa
Carl R. Olsen
W. A. Marsh
Edgar F. Kaiser
Paul E. Rogers
Paul S. Marrin
Chad F. Calhoun
Bryce Simpson

As of August 1958, the following were officers/directors of Kaiser Gypsum Company, Inc.:

E. H. Heller
W. A. Marsh
D. V. McEachern
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
A. Christensen
Henry J. Kaiser
Edgar F. Kaiser
William Marks
Carl R. Olsen
W. A. Marsh
Edgar F. Kaiser
Paul E. Rogers
Paul S. Marrin
Chad F. Calhoun
Claude E. Harper

Bryce Simpson
R. A. Costa

As of December 1959, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
E. H. Heller
W. A. Marsh
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
Henry J. Kaiser
Edgar F. Kaiser
D. V. McEachern
William Marks
W. A. Marsh
William Marks
Chad F. Calhoun
Robert Costa
Claude E. Harper
Paul S. Marrin
Carl Olsen
Paul Rogers
Bryce Simpson

As of December 1960, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
E. H. Heller
Henry J. Kaiser
Edgar F. Kaiser
William Marks
W. Marsh
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
Chad F. Calhoun
Robert Costa
Claude Harper
Paul S. Marrin
Carl Olsen

Paul Rogers
Bryce Simpson

As of November 1961, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
William Marks
W. Marsh
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
E. H. Heller
Henry K. Kaiser
Edgar F. Kaiser
W. A. Marsh
John Bosche
Chad F. Calhoun
R. A. Costa
J. J. Hague
Claude E. Harper
Paul S. Marrin
Carl Olsen
E. F. Schaper
Bryce Simpson

As of December 1962 the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
Peter S. Hass
Edgar F. Kaiser
William Marks
Wallace Marsh
H. W. Morrison
E. E. Trefethen, Jr.
Henry J. Kaiser
G. J. Shea
W. A. Marsh
William Marks
John Bosche
Chad F. Calhoun
R. A. Costa

J. J. Hague
Claude E. Harper
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1963, the following were officers/directors of Kaiser Gypsum Company. Inc.:

A. Christensen
Peter S. Hass
Henry J. Kaiser
William Marks
W. A. Marsh
H. W. Morrison
G. J. Shea
E. E. Trefethen, Jr.
Edgar F. Kaiser
W. A. Marsh
William Marks
John Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Claude E. Harper
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1964, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
Claude E. Harper
Peter S. Hass
William Marks
Paul S. Marrin
Gilbert Shea
E. E. Trefethen, Jr.
H. W. Morrison
Edgar F. Kaiser
Henry J. Kaiser

D. A. Rhoades
J. A. Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1965, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. Christensen
Peter S. Hass
Claude E. Harper
Edgar F. Kaiser
Henry J. Kaiser
William Marks
Paul S. Marrin
Lloyd L. Mazzera
D. A. Rhoades
Gilbert Shea
E. E. Trefethen, Jr.
Henry J. Kaiser
H. W. Morrison
William Marks
John Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1966, the following were officers/directors of Kaiser Gypsum Company, Inc.:

J. B. Bonny
A. Christensen
Claude E. Harper
Peter S. Hass
Edgar F. Kaiser
Henry J. Kaiser

William Marks
Paul S. Marrin
Lloyd L. Mazzera
D. A. Rhoades
G. J. Shea
E. E. Trefethen, Jr.
William Marks
John Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1967, the following were officers/directors of Kaiser Gypsum Company, Inc.:

J. B. Bonny
A. Christensen
Claude E. Harper
Peter S. Hass
William Marks
Paul S. Marrin
Lloyd L. Mazzera
D. A. Rhoades
G. J. Shea
E. E. Trefethen, Jr.
Edgar F. Kaiser
William Marks
John H. Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1968, the following were officers/directors of Kaiser Gypsum Company, Inc.:

A. D. Christensen
Claude Harper

Peter Hass
Lloyd Mazzera
D. A. Rhoades
J. B. Bonny
G. J. Shea
John F. Shea
E. E. Trefethen, Jr.
John Bosche
K. A. Conningham
R. A. Costa
J. J. Hague
Carl Olsen
E. H. Schaper
Bryce Simpson

As of December 1969, the following were officers/directors of Kaiser Gypsum Company, Inc.:

J. B. Bonny
Claude Harper
Peter Hass
William Marks
Lloyd Mazzera
D. A. Rhoades
E. E. Trefethen, Jr.
A. D. Christensen
Edgar F. Kaiser
Gilbert Shea
John Shea
John Bosche
K. A. Conningham
R. A. Costa
R. A. Crowle
Paul J. Franklin
J. J. Hague
E. H. Schaper
Bryce Simpson

As of December 1970, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Edgar F. Kaiser
E. E. Trefethen, Jr.

Peter Hass
John Bosche
K. A. Conningham
Robert Costa
R. C. Crowle
P. J. Franklin
J. J. Hague
E. H. Schaper
Bryce Simpson
R. G. Hohnsben
J. B. Bonny
A. D. Christensen
Claude Harper
Peter Hass
Edgar F. Kaiser
William Marks
Lloyd Mazzera
D. A. Rhoades
John Shea
E. E. Trefethen, Jr.

As of December 1971, the following were officers/directors of Kaiser Gypsum Company, Inc.:

J. B. Bonny
Alan Christensen
Claude Harper
Peter Hass
Edgar Kaiser
William Marks
D. A. Rhoades
John Shea
E. E. Trefethen, Jr.
John Bosche
K. A. Conningham
Robert Costa
Richard Crowle
C. W. Eshelman
P. J. Franklin
J. J. Hague
T. P. Heffelfinger
R. G. Hohnsben
James K. Parker

James C. Reilly
E. H. Schaper
Bryce Simpson

As of December 1972, the following were officers/ directors of Kaiser Gypsum Company, Inc.:

Garfield O. Anderson
J. B. Bonny
Alan Christensen
Peter Hass
Claude Harper
Edgar Kaiser
William Marks
Walter E. Ousterman, Jr.
James Reilly
D. A. Rhoades
John Shea
Alfred Yee
E. E. Trefethen, Jr.
John Bosche
K. A. Conningham
Robert Costa
Richard Crowle
C. W. Eshelman
Paul Franklin
J. J. Hague
T. P. Heffelfinger
R. G. Hohnsben
James Parker
E. H. Schaper

As of December 1973, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Garfield Anderson
Alan Christensen
Claude Harper
Peter Hass
Edgar Kaiser
Walter Ousterman
James Reilly
John Shea

E. E. Trefethen, Jr.
William M. Witter
Alfred A. Yee
John Bosche
A. B. Brown, Jr.
K. A. Conningham
Robert Costa
Richard Crowle
C. W. Eshelman
Paul J. Franklin
J. J. Hague
T. P. Heffelfinger
R. G. Hohnsben
James Parker
E. H. Schaper

As of December 1974, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Garfield Anderson
G. J. Chavalas
Alan Christensen
Robert Costa
Peter Hass
Walter Ousterman
James Reilly
William R. Roesch
John Shea
E. E. Trefethen, Jr.
William Witter
Edgar Kaiser
Alfred Yee
John Bosche
A. B. Brown
D. R. Canham
Robert Costa
R. C. Crowle
P. J. Franklin
J. J. Hague
T. P. Heffelfinger
R. G. Hohnsben
James K. Parker
E. H. Schaper

As of December 1975, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Edgar Kaiser
E. E. Trefethen, Jr.
Garfield Anderson
G. J. Chavalas
Alan Christensen
Peter Hass
Walter Ousterman
James Reilly
William R. Roche
John Shea
William M. Witter
Alfred Yee
A. B. Brown, Jr.
T. P. Heffelfinger
D. W. Henning
R. G. Hohnsben
D. B. Hunn
J. G. Nelson
W. E. Ousterman
J. K. Parker
J. C. Reilly
Genevive Robbins
P. T. Smith
J. I. Walker

As of December 1976, the following were officers/directors of Kaiser Gypsum Company, Inc.:

Garfield Anderson
G. J. Chavalas
Alan Christensen
Peter Hass
Walter Ousterman
James Reilly
William Roche
John Shea
E. E. Trefethen, Jr.
William Witter
Alfred Yee
Edgar Kaiser

A. B. Brown
Ann L. Farley
Mary L. Glenn
T. Heffelfinger
R. G. Hohnsben
D. B. Hunn
J. G. Nelson
J. K. Parker
J. C. Reilly
J. P. Rowe
P. T. Smith
J. I. Walker

PRIVILEGED AND CONFIDENTIAL INFORMATION

This document contains personal information obtained from personnel files of former employees of Kaiser Gypsum Company, Inc. ("Kaiser Gypsum"). Such information may be protected by the privacy laws of various states and is only being disclosed because its disclosure has been ordered by the Honorable Robert Lasnik for use in the below-referenced lawsuit. Any further use or dissemination of the below personal information outside of the purposes of the below-referenced lawsuit has not been authorized by the Honorable Robert Lasnik. Accordingly, any person who uses or disseminates the below personal information beyond the purposes and needs of the below-referenced lawsuit does so at his or her exclusive peril, and with the knowledge and understanding that such use or dissemination may subject them to personal liability in the event any such former employee brings a claim or lawsuit for the breach of their privacy rights.

RE: *Sylvin Pickner v. Kaiser Gypsum*
King County Superior Court, Washington, No. 98-2-09390-1SEA
Plaintiff's Interrogatory No. 18--Names and Addresses of Purported Employees

---

R.L. Allgood: Robert Allgood, former plant manager, Antioch, [redacted]

L. Beck: Leroy Beck, former senior buyer, [redacted]

L.M. Bryan: Leon Bryan, manager, advertising, [redacted]

J.W. Blewett: John Blewett, former manager of manufactured products, [redacted]

C.E. Caprye: Charles Caprye, former plant manager, Seattle. [redacted]

R.C. Crowle: Richard Crowle, former vice president of merchandising, [redacted]

G.J. Chavalas: Gus Chavalas, deceased.

CONFIDENTIAL INFORMATION
DO NOT DISCLOSE OR USE WITHOUT
READING THE DISCLOSURE AT THE
BEGINNING OF THIS DOCUMENT

D.R. Canham: Dean Canham, Kaiser Cement sales and marketing, [redacted]

J.D. Cassidy: John Cassidy, deceased.

J.D. Chambers: Unknown.

P.D. Crelman: Unknown.

H.C. Dupuis: Harlan Dupuis, manager, research and development, [redacted]

G.C. Davis: Kaiser Cement regional sales [redacted]

N.D. Dicks: Norman Dicks, Seattle operations [redacted]

L.R. Flicker: Leonard Flicker, deceased.

P.J. Franklin: Paul Franklin, vice president, manufacturing, [redacted]

P.T. Framlom: Unknown.

J.W. Glweitt: Unknown.

R.W. Grigg: Ralph Grigg, deceased.

C.R. Grimme: Conley Grimme, Kaiser Cement, [redacted]

J.M. Garoutte: Former Kaiser Cement plant superintendent, deceased.

D.H. Homan: Don Homon, purchasing, [redacted]

J.P. Hughes: Unknown.

P.A. Hawkins: Peter Hawkins, former Kaiser Cement manager [redacted]

W.D. Hopper: William Hooper, Kaiser Cement, [redacted]

CONFIDENTIAL INFORMATION
DO NOT DISCLOSE OR USE WITHOUT
READING THE DISCLOSURE AT THE
BEGINNING OF THIS DOCUMENT

R.J. Hoffman: Ralph Hoffman, position unknown, [redacted]

R.L. Jones: Robert Jones, Kaiser Cement, [redacted]

G. James: George James, former plant superintendent, [redacted]

J.B. Kirk: Unknown.

R.L. Murh: Unknown.

J.F. Modaff: James Modaff, former plant manager, Delanco, deceased.

Richard Madsen: Former director of advertising, [redacted]

William McKinnon: Former senior research engineer, [redacted] Jose, California [redacted]1.

B.J. Murphy: Bob Murphy, former vice president of sales, [redacted] 752.

P.D. Orleman: Deceased.

J.W. Post: James Post, former manager of process engineering, [redacted]

G.M. Perry: Unknown.

J.K. Parker: James Parker, [redacted]

J.C. Reilly: James Reilly, executive vice president of administration and finance, Kaiser Cement, deceased.

C.F. Radier: Unknown.

E.N. Reddick: Unknown.

J.P. Rohrer: John P. Rohrer, former vice president of marketing, Kaiser Cement, [redacted] California [redacted]

CONFIDENTIAL INFORMATION
DO NOT DISCLOSE OR USE WITHOUT
READING THE DISCLOSURE AT THE
BEGINNING OF THIS DOCUMENT

Al Rafaelli: Former senior research chemist, [redacted]

Mike Slavich: Former plant manager, Seattle, deceased.

F.H. Schaper: Unknown.

T.V. Smith: Thomas Smith, former supervisor of accessory research, Antioch, [redacted]

E.M. Schaper: Unknown.

E.W. Schaper: Unknown.

S. Steffens: Stanley Steffens, position unknown, [redacted]

J. Schlenner: John Schlenner, position unknown, [redacted]

J.H. Scheahan: Unknown.

A.J. Trommershausan: Unknown.

W.L. Traub: William Traub, office manager Antioch, [redacted]

S.R. Witt: Samuel Witt, deceased.

R.J. Wiborn: Richard Wiborn, former safety and industrial director, Antioch, [redacted]

H.L. Weightman: Howard Weightman, deceased.

J.I. Walker: Deceased.

J.H. Walton: Joseph Walton, former director of personnel and safety, Kaiser Cement Corporation, [redacted] ✓

V. Whitecage: Vincent Whitecage, former buyer, Jacksonville, [redacted]

CONFIDENTIAL INFORMATION
DO NOT DISCLOSE OR USE WITHOUT
READING THE DISCLOSURE AT THE
BEGINNING OF THIS DOCUMENT

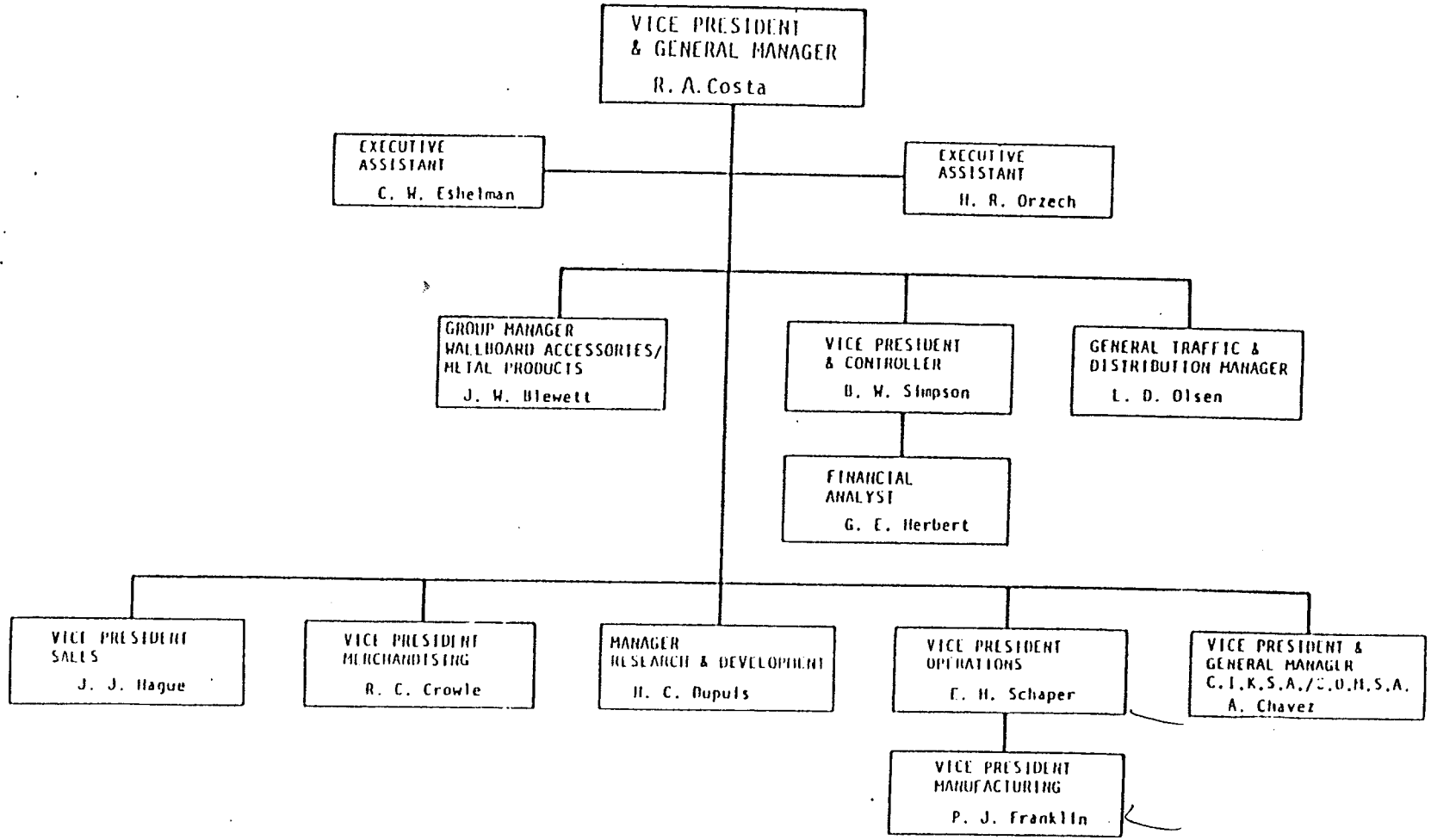
11589
DEPT. OF
KAISER

530

Kaiser Cement & Gypsum Corporation
GYPSUM DIVISION
ORGANIZATIONAL CHARTS
November 1, 1970

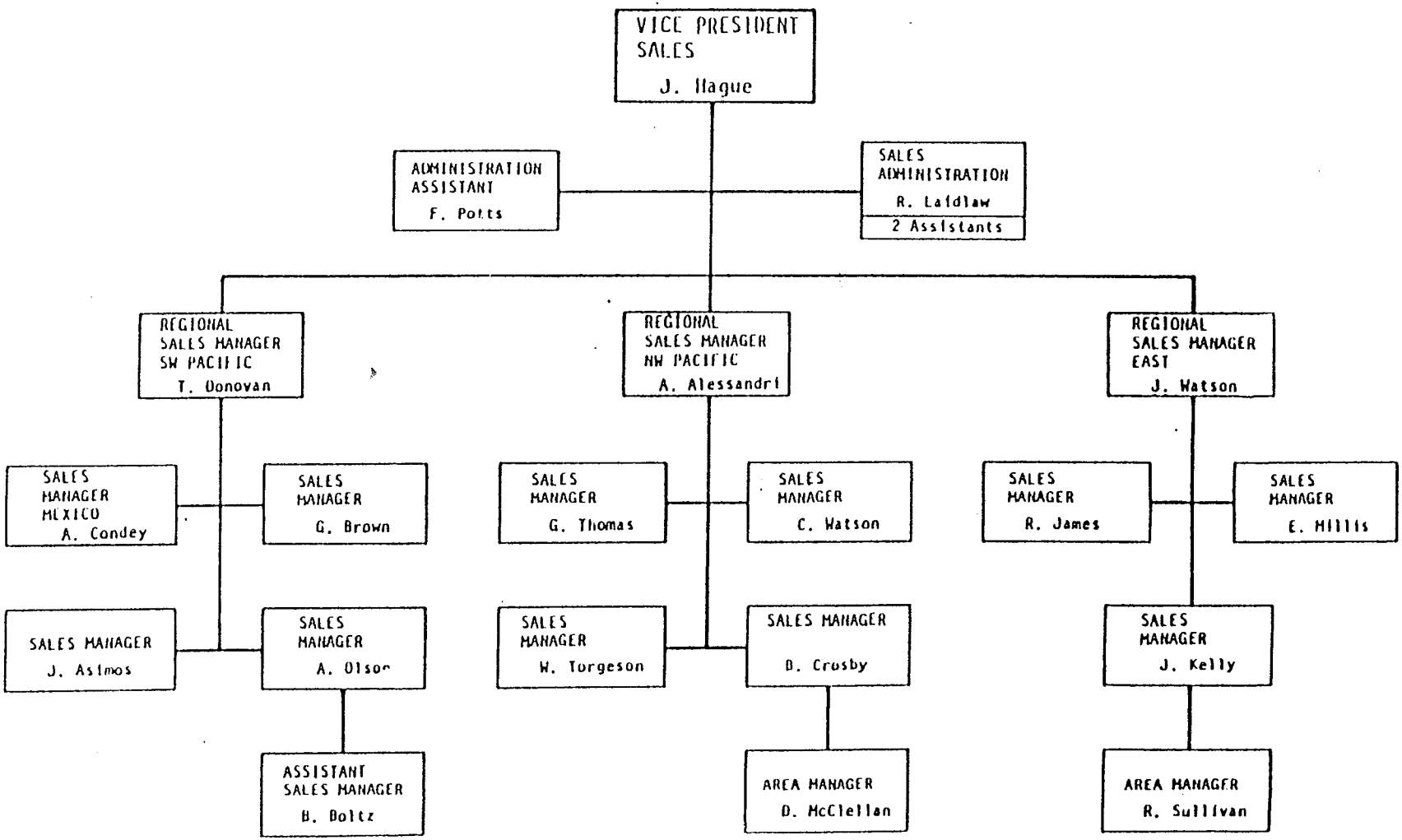
PLAINTIFF'S
EXHIBIT 3
H6 B34
11-4-98

MANAGEMENT
GYPSUM DIVISION



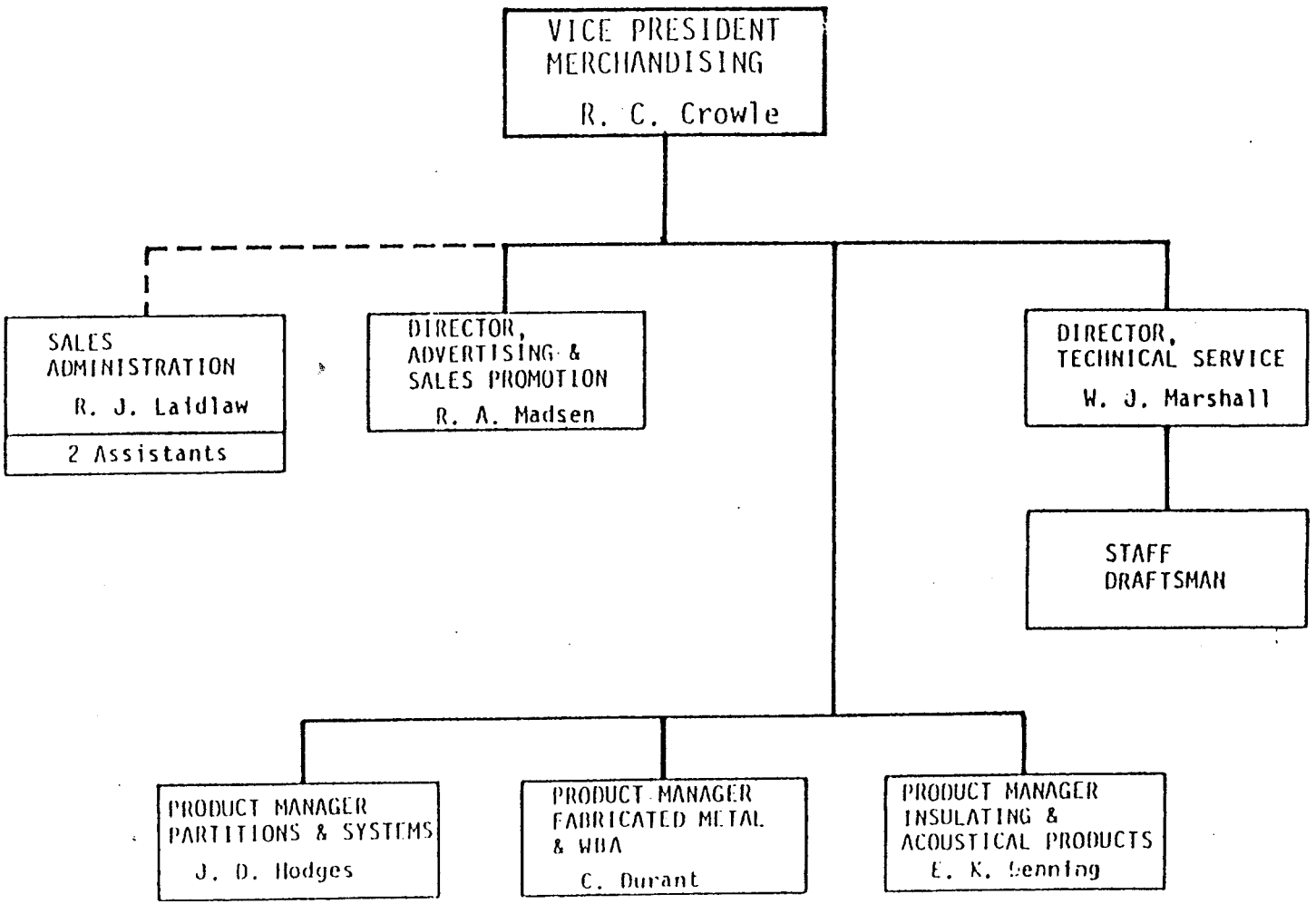
PLTF 0240

SALES



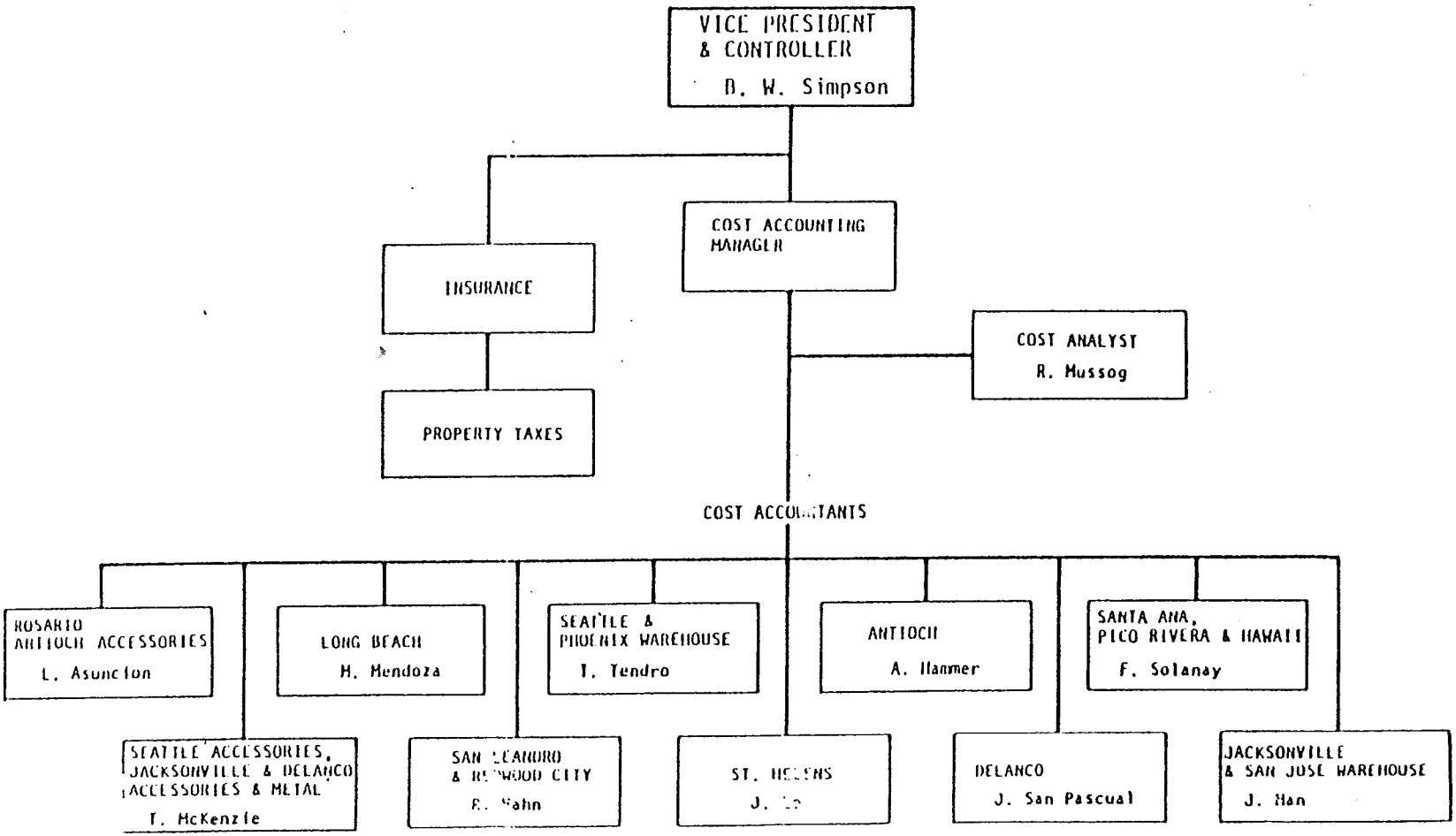
PLTF 0241

MERCHANDISING



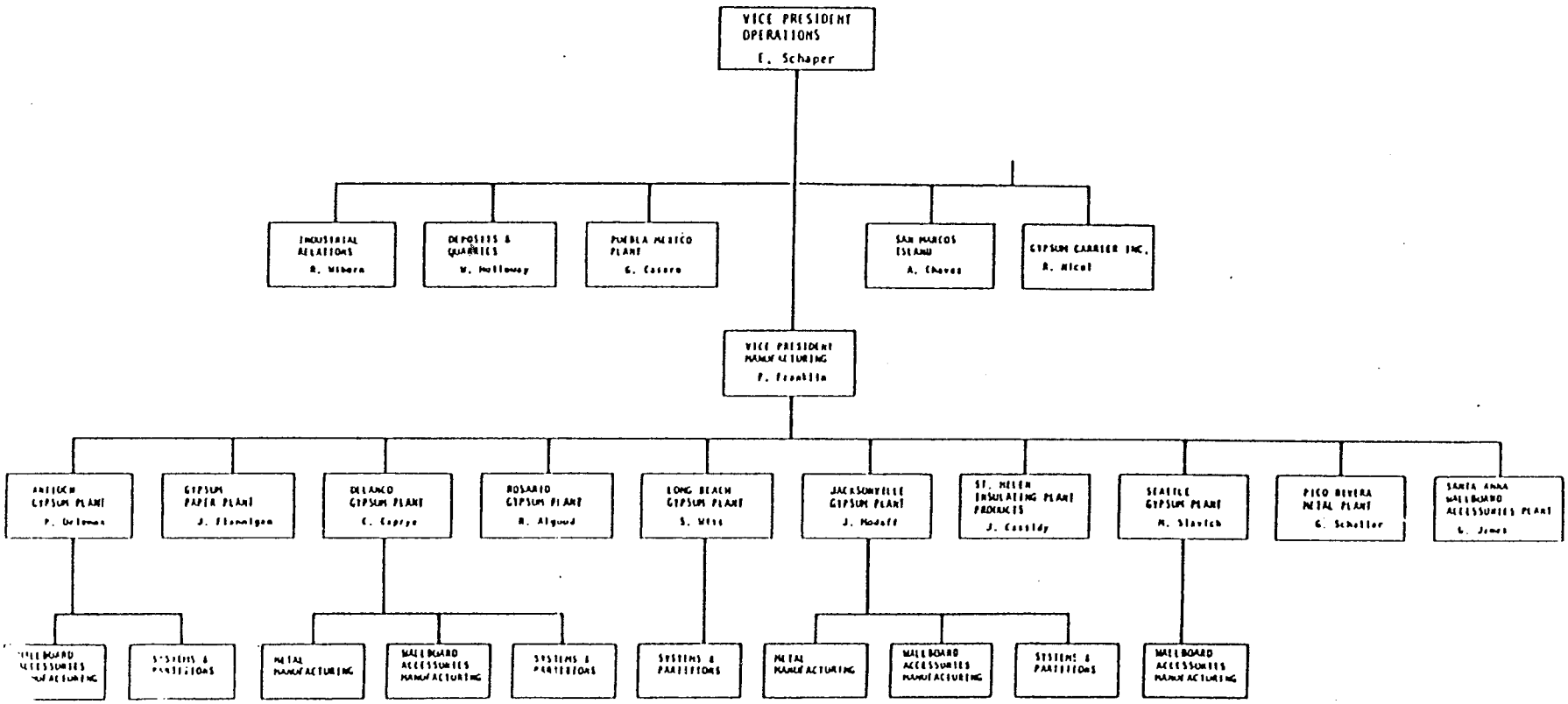
PLTF 0242

CONTROLLER



PLTF 0243

OPERATIONS



PLTF 0244

CON.
Crosby
EXHIBIT NO. 8
1-19-99
C. MACDONALD

KAISER GYPSUM COMPANY, INC.

1152

DEFDO
KAIS

INTER-OFFICE MEMORANDUM

TO	R.L. Allgood	W.L. Traub	DATE	March 1, 1965
	C.E. Caprye	J.H. Walton		
	J.D. Cassidy	R.J. Wiborn	FROM	L.R. Flicker
	J.D. Chambers	S.R. Witt	AT	KC 2482
	N.D. Dicks			
COPIES TO	D.H. Homan	cc: P.J. Franklin		
	J.F. Modaff	G.B. Kirk	SUBJECT	Health Hazards
	P.D. Orleman	J.C. Reilly		
		F.H. Schaper		

The attached material has been received from the Gypsum Association and is presented for your information.

In connection with protection against asbestos dust, it is advised to use a respirator with a filter especially designed for asbestos dust.

LRF:sb

PLAINTIFF'S EXHIBIT 7
HOBB4
11-4-98

C
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P
Y

C
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P
Y

ASBESTOS IS POINTED OUT AS CAUSE OF LUNG CANCER

by

Alton Blakeslee
AP Science Writer

NEW YORK (AP) -- Medical specialists pointed a strong finger of suspicion today at asbestos as a cause not only of lung cancer but also of another extremely rare form of fatal human cancer.

This cancer, known as mesothelioma, involves the lining of the abdominal and chest cavities.

Much of the specialists' evidence comes from autopsy studies of men working with asbestos as an insulation material.

They said it also is possible that dust from products containing asbestos might be exposing people generally to some risk of cancers. How much risk there might be, they said, they could not tell.

Release Dust

Asbestos is used not only for insulation but as a flooring material, in automobile brake shoes, and in many other applications. Ordinary wear and tear, they said, might release dust into the atmosphere.

The report was presented to the American Public Health Association by Drs. Irving J. Selikoff and Jacob Churg of the Mount Sinai Hospital, New York, and E. Cuyler Hammond, Sc.D., director of statistical research for the American Cancer Society. Dr. Hammond is known for his studies of cigarette smoking in relationship to lung cancer.

Asbestos is a mineral, magnesium silicate, and about 3 1/2 million tons of it are used worldwide each year, they said. In 1935, worldwide usage amounted to about 500 tons, the researchers said.

Tiny, hard particles of asbestos can lodge in the lungs during mining, processing and application of asbestos-containing materials, or possibly from dust raised through normal wear, they said.

"We had previously found that lung cancer and possibly gastrointestinal cancer were markedly increased in incidence among asbestos insulation workers," they said.

Increase Noted

Now they also find a markedly high increase among such workers of mesothelioma, a cancer so rare it is not classed separately as a cause of death in the international classification of diseases.

As a prime example, they reported finding 10 deaths due to this form of cancer in a study of 307 deaths among New York and New Jersey building trades union members engaged in using asbestos at least occasionally as an insulation material.

By contrast, this form of cancer was found to be the cause of death among only three out of more than 30,000 autopsies in a study of the general population sponsored by the American Cancer Society.

Other Studies

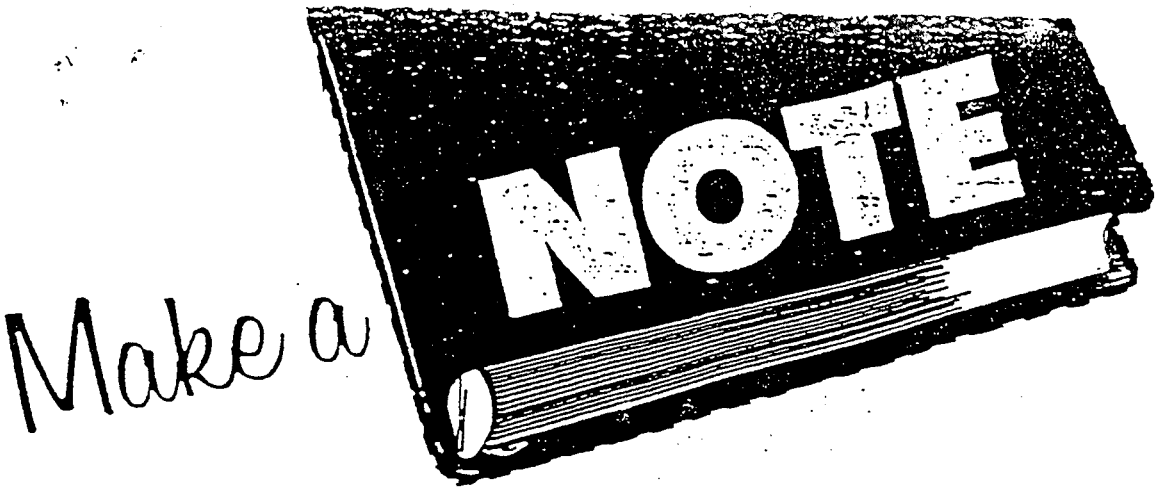
Other studies showed a high incidence not only of lung cancer but mesotheliomas among persons who had asbestos particles in their lungs at the time of their deaths, they said.

"It would appear that mesothelioma must be added to the neoplastic (cancer) risks of asbestos inhalation and joins lung cancer (53 out of 307 deaths) and probably cancer of the stomach and colon (34 of 307 deaths) as a significant complication of such industrial exposure in the United States," their report said.

The cancers may not appear until 20 to 30 years after asbestos dust is inhaled or swallowed, they said. Since the particles do not dissolve, they may remain in body tissue as a continuous source that might incite ultimate cancer.

Dr. Hammond said one worry is whether a few or even a single past exposure might set the stage for cancer. He said this is a matter calling for more research.

Taking precautions to avoid breathing in asbestos dust is a main protection for industrial workers, he and Dr. Selikoff said.



1152
DEFDC
KAIS

No. 142

TO: All Safety Supervisors

From: L. R. Flicker

Copies: P. J. Franklin
J. M. Carouite
E. H. Schaper
J. I. Walker

Date: March 29, 1966

SEASONAL REMINDERS

ASBESTOS

Recent studies by medical authorities tend to show some possible connection between inhalation of asbestos dust and cancer. Be certain that all persons who work in the vicinity of asbestos are wearing a proper respirator approved by the U. S. Bureau of Mines for asbestos dust.

FILMS ON BACK STRAIN

A new film, "Oh, My Aching Back" has been produced by the U. S. Bureau of Mines. It can be rented free by writing the Bureau at 488 Forbes Ave., Pittsburgh, Penna.

WIRE ROPE SURVEY

A first quarter report on your wire rope survey is due in the office of the Safety Director not later than April 15.

SAFETY EMPHASIS PROGRAM

Your report on the first quarter Safety Emphasis program at your plant is due in the office of the Safety Director not later than April 20.

WELDERS CLOTHING

This is very much a "Hot" subject in more ways than one. Recent surveys show that our welders and burners are still wearing flammable clothing. Why wait until a man is burned to death to correct this hazard?

PLAINTIFF'S EXHIBIT 8
HOB134

HAZARDS OF SCALDING WATER

Three men were severely burned when showered by scalding water during a plant operation to clean out a stopped drain. The temperature of the water was known but correction of exposure by the wearing of protective clothing etc. was not taken. Next time your men do a job where there is any possibility of burns from hot water be certain and take ALL precautions necessary.

VISUAL EDUCATION

As a part of the continual effort of Safety Training and Education, the Safety Director is developing a series of colored slides and script covering safety subjects, taken and applicable to our operations. The first set on eye injuries is now ready for your use. We also have slides on lift trucks, lifting and lockouts -- all yours for use upon your request to the Safety Director.

###

RAW MATERIAL BULLETIN DRYWALL ACCESSORY PRODUCTS	ASBESTOS 7RF10	BULLETIN NO: RM-J045 DATE: 6/20/72 PAGE: 1 of 1
APPROVALS:		CANCELS: RM-J045 DATE: 12/4/69

USES: Joint and Finish Compounds, Texture Paints

APPROVED SOURCE: Philip Carey

ALTERNATE SOURCE *: Johns-Manville

SPECIFICATIONS:

1.	Mixing Water Requirement	480 to 550
2.	Free moisture (200°F)	2.0%
3.	Color	Light Gray
4.	Grit	0.05% maximum. All passing 80 mesh screen
5.	Calcium carbonate (CO_2 method)	1.0% maximum
6.	Canadian screen	0.0-0.0-0.0-16.0
7.	pH (10% dispersion)	7-8
8.	Wet bulking	250-350

PLAINTIFF'S EXHIBIT 9
HOBBY
11-4-98

The following information is for Kaiser Gypsum Company personnel only:

Testing Schedule: Take a minimum of one 1/2 pound sample from each pallet in shipment, with a maximum of 20 samples. Test two random samples for grit and wet bulking. Test 10 samples for mixing water requirements. Retain a representative sample from each shipment for one year.

SAFETY: Employees should wear respirators when handling, weighing and batching asbesto

* Use Alternate Source in emergency only due to color. For regular use, Alternate Source must be rechecked by Research and "approved."

PLTF 0216

RAW MATERIAL BULLETIN DRYWALL ACCESSORY PRODUCTS	ASBESTOS 7RF9	LETIN NO: DATE: PAGE:	RM-J046 6/20/72 1 of 1
APPROVALS:		CANCELS: DATE:	RM-J046 12/9/69

USES: Joint and Finish Compounds, Texture Paints

APPROVED SOURCE: Philip Carey

ALTERNATE SOURCE *: Johns-Manville

SPECIFICATIONS:

1.	Mixing Water Requirement	450 to 550
2.	Free moisture (200°F)	2.0%
3.	Color	Light Gray
4.	Grit	0.05% maximum. All passing 80 mesh screen
5.	Calcium carbonate (CO_2 method)	1.0% maximum
6.	Canadian screen	0.0-0.0-0.0-16.0
7.	pH (10% dispersion)	7-8
8.	Wet bulking	200-300

The following information is for Kaiser Gypsum Company personnel only:

Testing Schedule: Take a minimum of one 1/2 pound sample from each pallet in shipment, with a maximum of 20 samples. Test two random samples for grit and wet bulking. Test 10 samples for mixing water requirements. Retain a representative sample from each shipment for one year.

SAFETY: Employees should wear respirators when handling, weighing and batching asbestos.

* Use Alternate Source in emergency only due to color. For regular use, Alternate Source must be rechecked by Research and "approved."

PLTF 0217

RAW MATERIAL BULLETIN DRYWALL ACCESSORY PRODUCTS	ASBESTOS SG 210	BULLETIN NO: RMJ-047 DATE: 6/20/72 PAGE: 1 of 1
APPROVALS:		CANCELS: RM-J 2D DATE: 9/15/69

APPROVED SOURCES: Union Carbide (SG-210)

SPECIFICATIONS:

1.	Magnetite (%)	2.5 maximum
2.	Reflectance, G. E. Photovolt (%)	68.0 minimum
3.	Dry Bulk Density, lbs/cu.ft.	5-6
4.	Wet Screen, Retain on	
	80 mesh (%)	0.8 maximum
	325 mesh	15.0 maximum

WARNING

Employees should wear respirators when handling, weighing and batching asbestos.

RAW MATERIAL BULLETIN DRYWALL ACCESSORY PRODUCTS	ASBESTOS 7TF1	BULLETIN NO: RM-J050 DATE: 6/20/72 PAGE: 1 of 1
APPROVALS:		CANCELS: RM-J050 DATE: 1/26/71

USES: Joint and Finish Compounds, Texture Paints

APPROVED SOURCE: Philip Carey

ALTERNATE SOURCE *: Johns-Manville

SPECIFICATIONS:

1.	Mixing Water Requirement	330 to 370
2.	Free moisture (200°F)	2.0% maximum
3.	Color	Light Gray
4.	Grit	0.05% maximum. All passing 80 mesh screen
5.	Calcium carbonate (CO_2 method)	1.0% maximum
6.	Canadian screen	0.0-0.0-0.0-16.0
7.	pH (10% dispersion)	7.5-8.5
8.	Wet bulking	100-130

The following information is for Kaiser Gypsum Company personnel only:

Testing Schedule: Take a minimum of one 1/2 pound sample from each pallet in shipment, with a maximum of 20 samples. Test two random samples for grit and wet bulking. Test 10 samples for mixing water requirements. Retain a representative sample from each shipment for one year.

SAFETY: Employees should wear respirators when handling, weighing and batching asbestos.

* Use Alternate Source in emergency only due to color. For regular use, Alternate Source must be rechecked by Research and "approved."

PLTF 0219

DA-61-047

KAISER GYPSUM COMPANY, INC.

INTER-OFFICE MEMORANDUM

DATE 5 November 1971

TO H. C. Dupuis
AT KC 2458

FROM A. F. Raffaelli
AT Antioch

COPIES TO H. L. Weightman
T. V. Smith

SUBJECT ASBESTOS FIBER

The attached recap shows the type of asbestos and amount used in our Accessory products, ranging from a low of 1% to about 10%. This asbestos fiber is a basic part of each product to provide reinforcement and resistance to cracking of the material on drying. In addition, the asbestos controls other product performance such as mixing water, coverage, and application qualities.

If Legislation banning the use of asbestos fiber is restricted to construction products that are spray-applied, our accessory products affected will be K-Spray, Watl Texture, Radiant Heat Compound (Santa Ana) and Radiant Heat Surfacing Compound. All of these formulas require some fiberous raw material for effective job performance. The Walltex formulas use a very short fibered asbestos, while the other three products use a longer fiber (7D and 3Z grades). A substitute raw material may be available, such as cotton fiber, which will replace the long fibered asbestos with no loss in the product quality and performance.

If asbestos fiber is banned from all of our accessory products, we will be faced with a more difficult problem of substitution or reformulation. The Wall Texture and all of the joint and finish compounds use a short fiber asbestos. In one product (Topping Compound) we have reduced the fiber percentage to less than 1%, but we do not have any experience on product development with no asbestos fiber.

/c

Attachment

PLAINTIFF'S EXHIBIT 10
HOBBY
11-4-98

1161

INTER-OFFICE MEMORANDUM

TO: G. B. Kirk
AT: 1145 KB

DATE: September 28, 1972

FROM: J. E. Toomey
2641 KB

COPIES TO:
J. W. Blewett - 2459
R. C. Crowle - 2447
H. C. Dupuis - 2458
P. J. Franklin - 2451
C. R. Grimme - 2470
G. M. Perry - 2657
E. H. Schaper - 2451
J. H. Walton - 1586
J. K. Parker - 2649
E. N. Reddick - 2659

SUBJECT: Asbestos - Labeling Kaiser Cement Products

This memorandum deals with the labeling of the packages of Kaiser Gypsum Company, Inc., for its various gypsum products containing asbestos or other materials, that some sources have alleged to be injurious to health, and is written at the request of Jim Parker.

It is my recommendation that Kaiser Gypsum not apply caution or warning labels to any of its packages, except those containing asbestos, and as to them, caution labels should be applied to each package, which labels are to be printed in letters of sufficient size and contrast as to be readily visible and legible. The labels shall state:

> CAUTION
>
> Contains Asbestos Fibers
> Avoid Creating Dust
> Breathing Asbestos Dust May Cause
> Serious Bodily Harm

Immediately below the label but not necessarily in lettering of the same size, insert "Above label is in compliance with Federal Regulations relating to Occupational, Safety, and Health Standards, 29 CFR 1910.93a."

The reason for using the foregoing label only for asbestos-containing products is that they are the only gypsum products which Federal laws, at this time, require to be marked. The regulation went into effect July 7, 1972. Therefore, every effort should be made to immediately comply with it. The label should be applied by stencil, stamps, stickers, or whatever may be the most convenient means for prompt compliance.

It is recommended that no reference be made, or warning given, as to the effect of any other material marketed by Kaiser Gypsum or treatment given its products, such as mixing or

PLAINTIFF'S EXHIBIT 13
HOBB4

PLTF 0302

sanding, because there are no existing Federal or State laws or regulations which require them* and there appears to be considerable confusion and disagreement as to their need, or whether or not any harmful effects result from such other material. Therefore, at this stage, to volunteer instructions may give rise to inferences, implications, constructions, the correctness of which is now in doubt, and the effect of which may be to add further to the confusion.

This memorandum does not deal with the use and handling of asbestos and other materials in gypsum manufacturing operations in our plants since our Safety, Medical, and IR organizations are involved with these matters.

JET:jh

* The above is based on a comprehensive investigation which Ernie and I have made. However, there is a proliferation of laws, rules, regulations, etc., issuing from governmental bodies at this time dealing with potentially harmful substances and the like. Therefore, if any of you now know, or later learn, of any requirement for applying warning or caution labels to our products, please advise me or Ernie Reddick.

KAISER GYPSUM COMPANY, INC.

Confidential

INTER-OFFICE MEMORANDUM

1151
DEF
KA
PICN

TO G. B. Kirk
AT Oakland

DATE March 1, 1974

COPIES TO J. W. Blewett (via GBK)
T. Y. Smith
H. L. Weightman
A. F. Raffaelli

FROM J. S. Sheahan
AT Antioch R & D

SUBJECT DUST FROM JOINT COMPOUND JOB OPERATIONS FL 4.1.0 00022

We have received a group of three reports from the Gypsum Association covering amounts of asbestos and siliceous dusts generated during mixing and sanding of joint compounds on typical jobs.

The overall summary by the testing agency states, "There was evidence of exposure of workers to airborne concentrations of asbestos and both total and respirable siliceous dust in excess of acceptable limits as established by OSHA. Because of the high concentrations of total dust generated during the mixing and sanding activities, it is clear that control of the total dust problem would provide an inherent control of the associated asbestos and silica problems as well."

The first report deals with dry and premix products from the other five major gypsum companies, with KGC materials not included. The dust samples collected were so heavy that reliable tests for asbestos could not be made, and only siliceous dust values are reported.

The second report covers a recheck using dry and premix products from two of the above companies on siliceous dust values.

The third report covers asbestos dust from the products used for the second report.

A summary of the test data is attached. Also attached is a summary of our own tests on our own products.

ACTION REQUIRED:

1) Review and recommendation as to whether asbestos warning labels may legitimately be removed from our premix products. The law states that "no label is required where asbestos fibers have been modified by a bonding agent, coating, binder or other material so that during any reasonably foreseeable use, no airborne concentrations of asbestos fibers in excess of the prescribed exposure limits will be released." Our company is the only major company carrying the asbestos warning on its premix and it is costing us business.

2) Recommendation as to company's position on what is next step to be taken by the Gypsum Association Study Committee on this project. That committee is already on record in favor of placing the asbestos warning and a dust warning on all bags and pails of joint compound.

JSS/sc
Attachment

PLAINTIFF'S EXHIBIT 16
TAKEN
H01334
11-4-98

SUMMARY OF GYPSUM ASSOCIATION REPORTS

FIRST REPORT

September 1973 tests - Siliceous Dusts (asbestos dust data not reliable)

Mixing of 5 dry powder joint compounds (not including Kaiser)

	8 hr TWA OSHA Limit **
Worker exposure (breathing zone):	
Total dust - 8.9 to 21.6 mg/cu m	*
Respirable dust - 1.3 to 9.1 mg/cu m	*
General area exposure:	
Total dust - 10.8 to 34.0 mg/cu m	3.1 to 9.7
Respirable dust - 0.8 to 2.6 mg/cu m	*
Sanding of joints from 5 dry powders and 5 premixes	
Worker exposure (breathing zone):	
Total dust - 72.5 to 244.4 mg/cu m	2.4 to 15.0
Respirable dust - 1.5 to 5.6 mg/cu m	*
General area exposure:	
Total dust - 27.7 to 136.7 mg/cu m	4.0 to 15.0
Respirable dust - 4.4 to 23.0 mg/cu m	0.7 to 5.0

* not calculable because samples too small to analyze for free silica content needed for the calculation. Respirable dusts are specific size fractions of the total dust.

** The OSHA limit amounts vary because they are dependent on the amount of silica present.

NOTES:

1) There was no significant difference among dust levels generated by sanding joints which used dry powder compounds versus those which used premix compounds.
2) No one manufacturer's product was significantly closer to complying with OSHA limits than were the others.
3) It is said that the individual worker is unlikely to have more than 2 hrs. direct exposure to mixing or sanding each workday.

SUMMARY OF GYPSUM ASSOCIATION REPORTS

SECOND REPORT

November 1973 tests - Siliceous Dusts

	8 hr TWA OSHA Limit **
Mixing of two dry powder joint compounds	
Worker exposure (breathing zone):	
Total dust - 11.7 and 33.8 mg/cu m	*
Respirable dust - <8.5 and 6.9 mg/cu m	*
General area exposure:	
Total dust - 121.6 and 98.3 mg/cu m	6.7 and 5.4
Respirable dust - 13.8 and 12.2 mg/cu m	1.3 and *
Sanding of joints from 2 dry powders	
Worker exposure (breathing zone):	
Total dust - 109.5 and 196.3 mg/cu m	8.8 and 5.0
Respirable dust - 3.3 and 2.0 mg/cu m	*
General area exposure:	
Total dust - 96.4 and 76.5 mg/cu m	8.3 and 4.0
Respirable dust - 14.6 and 7.6 mg/cu m	3.3 and 1.9
Sanding of joints from 2 premixes	
Worker exposure (breathing zone):	
Total dust - 69.2 and 87.3 mg/cu m	9.4 and 10.0
Respirable dust - 3.9 and 6.4 mg/cu m	*
General area exposure:	
Total dust - 54.9 and 91.3 mg/cu m	5.6 and 1.5
Respirable dust - 4.9 and 7.9	* and 3.1

* Not calculable because samples too small to analyze for free silica content needed for the calculation.

** The OSHA limit amounts vary because they are dependent on the amount of silica present.

NOTE: 1) It is said that the individual worker is unlikely to have more than 2 hrs. direct exposure to mixing or sanding each workday.

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SUMMARY OF GYPSUM ASSOCIATION REPORTS

THIRD REPORT

November 1973 tests - Asbestos Dust (fibers longer than 5 micrometers)

OSHA Standard - continuous exposure	5 fibers/cc
OSHA Standard - peak exposure	10 fibers/cc

Worker exposure (breathing zone):

Mixing:	1st dry compound		31.4 fibers/cc
	2nd dry compound		7.6 fibers/cc
Sanding:		10 min. samples	30 min. samples
		avg	aliquoted & redeposited
	1st dry compound	---	39.4 fibers/cc
	2nd dry compound	4.4 fibers/cc	14.8
	1st premix	4.2	11.1
	2nd premix	10.8	9.7

6 of 13 sanding tests (10 min. samples) indicated concentrations in excess of 5 fibers.

2 of 13 sanding tests (10 min. samples) indicated concentrations in excess of 10 fibers.

NOTE:

1) It is said that the individual worker is unlikely to have more than 2 hrs. direct exposure to mixing or sanding each workday.

RESULTS OF TEST WITH KGC COMPOUNDS BY UNION CARBIDE

Asbestos Dust (fibers longer than 5 micrometers)

Worker exposure (breathing zone):	fibers/cc
Mixing joint compound with drill mixer	54.6
Mixing finishing compound with potato masher	66.5
Sanding joint done with Premix Topping	4.3
Sanding joint done with Premix Dual Purpose	1.1
Sanding joint done with Finishing Compound	2.8

NOTE:

Since in no case the sampling time was longer than 2 minutes, these datashould be used only as general guides to indicate gross relative differences.