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**SUPREME COURT OF THE STATE OF NEW YORK
ALL COUNTIES WITHIN NEW YORK CITY**

In Re:

NYCAL

NEW YORK CITY ASBESTOS LITIGATION

Index No. 40000

**DEFENDANT LUCENT
TECHNOLOGIES INC.'S
FIRST AMENDED RESPONSES
TO PLAINTIFFS' STANDARD
SET OF LIABILITY
INTERROGATORIES AND
REQUESTS FOR PRODUCTION
OF DOCUMENTS**

Defendant, Alcatel-Lucent USA Inc., formerly known as Lucent Technologies Inc., individually and as successor-in-interest to Western Electric Company Inc. for certain claims (hereinafter collectively "Lucent"), amends its responses to Plaintiffs' Standard Set of Liability Interrogatories and Requests for Production of Documents (the "Discovery Requests") and states as follows:

INTRODUCTORY STATEMENT AND GENERAL OBJECTIONS

Lucent sets forth the following General Objections that apply to each and every one of the Discovery Requests. These General Objections are set forth here for convenience and are not necessarily repeated after each individual request to which these objections apply. Rather, the General Objections are asserted here as they apply to all of the Discovery Requests, in addition to and without waiving any answers, responses or additional objections that are also set forth in response to each individual Request below.

1. Lucent objects to the Discovery Requests to the extent they seek information prematurely or purport to impose any continuing obligation on Lucent. Lucent has not completed its investigation of facts relating to the case at issue in the Discovery Requests, has not fully completed its discovery relating to this action, and has not completed its preparation for trial. The following responses are given without prejudice to Lucent's right to produce evidence of any subsequently discovered fact or facts of which Lucent may learn or recall. Lucent reserves the right to change any and all responses herein as additional facts and contentions are ascertained. The responses contained herein are made in a good faith effort to supply as much factual information and as much specification of legal contention as is presently known but should in no way prejudice Lucent in relation to further discovery, research or analysis.

2. Lucent has provided responses to Plaintiffs' Discovery Requests pursuant to an ongoing reasonable and diligent investigation and search for information requested. These responses are given without prejudice to making supplemental responses should further discovery make supplementation appropriate. These responses are based upon facts known or believed by Lucent at the time of answering this discovery.

3. Much of the information requested dates back many years and is difficult or impossible to reconstruct or retrieve. Additionally, Western Electric and the Bell System had hundreds of thousands of employees located throughout the United States and abroad. Furthermore, the corporate entities which were formerly known as Western Electric (which was originally formed over 100 years ago) and Bell Laboratories (which was originally formed in 1925), portions of which are now part of Lucent, have gone through several reorganizations and restructurings since 1984. Consequently, documents which may have contained responsive information may no longer be complete or available. Therefore, Lucent reserves the right to

amend these responses as and if new or better information becomes available to Lucent or if errors are discovered.

4. Lucent does not represent that the responses contained herein provide all information requested; rather, these responses reflect information obtained before this date by Lucent pursuant to a reasonable and diligent search and investigation in those areas where this information was expected to be found. To the extent that the request purports to require more, Lucent objects on grounds that compliance with the Discovery Requests may not be feasible and would impose undue burden or expense.

5. Lucent objects to each of the Discovery Requests to the extent they seek information protected by the attorney-client privilege, work product doctrine, or any other applicable rule, privilege or doctrine. Lucent does not, and does not intend to, waive any privilege in its responses to the Discovery Requests. Any inadvertent production of any privileged or protected information shall not be deemed or construed as waiving any privilege or right of Lucent.

6. Lucent objects to each of the Discovery Requests to the extent they seek to impose duties or obligations beyond those required by the New York Civil Procedure Law and Rules ("CPLR").

7. Lucent objects to each of the Discovery Requests because they are not specifically tailored to Lucent and are so general in nature that it makes the Discovery Requests overbroad, vague, ambiguous, confusing and misleading.

8. Lucent objects to each of the Discovery Requests to the extent that they seek information neither relevant to the subject matter of the pending litigation nor reasonably calculated to lead to the discovery of admissible evidence.

9. Lucent objects to each of the Discovery Requests to the extent that they seek information, or information about documents, not within Lucent's possession, custody or control.

10. Lucent objects to each of the Discovery Requests to the extent that they ask Lucent to provide legal opinions.

11. Lucent objects to each of the Discovery Requests that seek information that is Lucent's trade secrets and/or commercial information, including research, development, financial information, and competitive business information, all of which is confidential and privileged.

12. Lucent objects to each of the Discovery Requests to the extent that they seek undue detail or impose unnecessary burden or expense on Lucent.

13. Lucent objects to each of the Discovery Requests because they are not limited to the specified time period.

14. Lucent objects to providing answers, responses, or documents in response to Plaintiffs' Discovery Requests because they fail to identify a specific period of employment and/or work at a Western Electric facility and, as such, the information and materials requested are not material, are not relevant, and are not calculated to lead to the discovery of admissible evidence. Further, such information and materials are beyond the scope of Plaintiff's own pleadings and beyond the scope of discovery contemplated by the CPLR.

15. All responses to these Discovery Requests are made on an express reservation of the objections as set forth above, and in some cases below, and no response shall be deemed and is specifically stated not to be a waiver of such objections. Furthermore, Lucent does not concede that any of its responses will be admissible evidence at trial.

RESPONSES TO INTERROGATORIES

INTERROGATORY 01:

State the full name, address, telephone number and position of the corporate officer answering these interrogatories.

RESPONSE:

There is no single official or employee of Lucent who has personal knowledge of all the matters inquired about in these Interrogatories. The Responses set forth herein are in accordance with the information and records available to Lucent and the records maintained by Lucent. These Responses are verified by Margaret G. Gelsi, Assistant Secretary of Alcatel-Lucent USA Inc.

INTERROGATORY 02:

Have any documents and records of the defendant been used or referred to, in connection with the preparation of or answers to these interrogatories? If so, for each documents referred to, state the following:

- a. The number of the question and its subpart;
- b. The identity and title of the document;
- c. The name and location of the file in which the document was found;
- d. The name and location of the file in which the document is presently located;
- e. the originator of the document.

RESPONSE:

Yes. Various documents are referenced in connection with the subparts below and others were generally consulted. Information about the documents is to the extent available on the face of the documents. We will make the documents available for inspection at the offices of counsel for Lucent upon request and at a mutually convenient day and time.

INTERROGATORY 03:

State the names of each person who was spoken to or who provided information to assist in answering these interrogatories and for each person state the following:

- a. the number of each question and its subpart for which such personnel provided information;
- b. for each question identified in a., state the name, title and position description of the personnel supplying information;
- c. the present location and address of the personnel supplying information;
- d. the contents of the information provided.

RESPONSE:

There is no single official or employee of Lucent who has personal knowledge of all the matters inquired about in these Interrogatories. The Responses set forth herein are in accordance with the information and records available to Lucent and the records maintained by Lucent. These Responses are verified by Margaret G. Gelsi, Assistant Secretary of Alcatel-Lucent USA Inc.

INTERROGATORY 04:

Please state in which state or states of the United States or what foreign countries your business is incorporated and where its principal place of business is located.

RESPONSE:

Alcatel-Lucent USA Inc. formerly known as Lucent Technologies Inc. was incorporated in the State of Delaware and has its principal place of business at 600 Mountain Avenue, Murray Hill, NJ 07974.

INTERROGATORY 05:

Please state whether:

- a. Your company is authorized to do business in:
 - (1) New York

(2) New Jersey

(3) Connecticut

b. your company does business in:

(1) New York

(2) New Jersey

(3) Connecticut

RESPONSE:

Yes as to all subparts.

INTERROGATORY O6:

State the full and complete legal name under which your company or any predecessor is now doing business and has done business at all times from the date when it began mining, processing, manufacturing and/or selling asbestos products or thermal insulation products and materials up until the present time.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters and time periods relevant to the cases at bar and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent has never mined, processed, manufactured and/or sold thermal insulation products. Subject to and without waiving its objections, Lucent states that Alcatel-Lucent USA Inc. is the current name of the company. Alcatel-Lucent USA Inc. was formerly known as Lucent Technologies Inc. For certain claims, Alcatel-Lucent USA Inc. is the successor-in-interest to Western Electric Company, Inc.

INTERROGATORY 07:

Have you ever acquired, by way of a consolidation, merger, purchase of assets, or otherwise, any company which manufactured or sold any asbestos-containing products? If so, as to each such acquisition:

- a. State the name and state of incorporation of the company which was acquired;
- b. State the reasons for the acquisition;
- c. State the date of the acquisition;
- d. State the terms of the acquisition, including but not limited to the consideration paid (e.g., amount of stock, cash, etc.) if any;
- e. Identify all of the company's assets which were acquired (e.g., plants, machinery, stock in trade, trademarks, patents, goodwill, etc.);
- f. Identify all of the company's liabilities which were assumed by you in the acquisition;
- g. Identify each of the company's asbestos-containing product lines;
- h. Identify each asbestos-containing product line of the acquired company which you continued to manufacture after the acquisition;
- i. State the number of employees of the acquired company which were retained by you after the acquisition;
- j. State the names of the directors, officers, and major stockholders of your company and the acquired company at the time of the acquisition and the names of the directors, officers, and major stockholders of your company and, if it continued to exist, of the acquired company, after the acquisition;

k. State the total number of shares of the acquired company which you held before and after the acquisition;

l. Identify and produce a copy of the agreement between you and the acquired company, the pertinent minutes of your Board of Directors and all other related documents.

RESPONSE:

See Response to Interrogatory Q6.

INTERROGATORY O8:

State the names and positions of all corporate officers or officials having the responsibility for creating, directing or setting the policy of your firm with regard to the mining, manufacturing, processing, sale and/or packaging of asbestos products since 1930.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters and time periods relevant to the cases at bar and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, it is impossible to answer this Interrogatory with any degree of accuracy given the vast number of individuals employed by Lucent and its predecessors during the time period that is the subject of this Interrogatory. Subject to and without waiving its objections, to the best of Lucent's current knowledge, there were no "corporate officers or officials" having the responsibility of "creating, directing or setting the policy" with regard to the "mining, manufacturing, processing, sale and/or packaging of asbestos products".

INTERROGATORY O9:

Have you or any of your predecessors or subsidiaries ever mined, processed, refined, sold or distributed asbestos or asbestos-containing products. If so, for each such product, complete an "Asbestos Product Information Sheet," Attachment # 1.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that Western Electric was not in the business of marketing, selling or distributing its products to the general public. Rather, Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Thus, Western Electric's conduct in providing the services it provided to the Bell Operating Companies does not qualify as any of the conduct set forth above in this Interrogatory as those terms are used in the product liability context. For information regarding specific products and component parts, please see Attachments I-1 through I-16, "Asbestos Product Information Sheets".

INTERROGATORY O10:

If your company ever manufactured or sold any of the following types of asbestos products, please identify each product and describe how it is cut, shaped, mixed and applied on the job;

- a. Asbestos cement mixes;
- b. asbestos pipe covering;
- c. asbestos pipe covering;
- d. asbestos sheeting, boards or marinite;
- e. asbestos insulation used to protect against extremes of heat as well as cold;
- f. asbestos insulation in loose form which may be blown into homes or buildings;
- g. asbestos applied in spray form;
- h. asbestos tape, cloth, yarn, thread or tape;
- i. asbestos felt or blanket;

j. asbestos paper;

k. asbestos gaskets; giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that to the best of Lucent's knowledge Western Electric did not manufacture and/or sell any of the above listed products. For information regarding specific products, Lucent refers to Attachments I-1 through I-16.

INTERROGATORY Q11:

Please state if there is any way known to you that the products listed in questions 9 and 10 can be used, applied or installed without the worker involving inhaling any asbestos dust or fibers.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calls for a legal conclusion and expert opinion. Subject to and without waiving its objections, Lucent states yes.

INTERROGATORY Q12:

Is it possible to distinguish the asbestos products listed by you in Answers 9 and 10 from those manufactured or distributed by a competitor?

- a. If so, please describe how you contend your product can be distinguished and identify each of your products by trade and generic name.
- b. If there are products which, in your opinion, cannot be distinguished from products of a similar kind manufactured by a competitor, please state the name of each such similar product, who manufactured it, as well as the trade name of the product manufactured by your competitor.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad, constitutes an impermissible fishing expedition, and is better directed at third parties. Subject to and without waiving its objections, see Response to Interrogatory Q9.

INTERROGATORY 013:

For each asbestos product listed by you in Answer 9 and 10, state whether the product could be used interchangeably with products of other manufacturers, distributors, or sellers, and if so, please identify such product or manufacturer.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad, constitutes an impermissible fishing expedition, and is better directed at third parties. Subject to and without waiving its objections, see Response to Interrogatory Q9.

INTERROGATORY Q14:

For each asbestos product listed by you in Answer 9 and 10, state the names and addresses of each New York customer who purchased the product and each New York job site to which the products were delivered by year, and complete and Worksite/Purchase Sales Information Sheet (Attachment II) for each purchaser or worksite.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that Western Electric was not in the business of marketing, selling or distributing its products to the general public. Rather, Western Electric assisted the Bell Operating Companies -- one of which was New York Telephone -- in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos.

INTERROGATORY Q15:

For each asbestos product you manufactured or sold, state the total dollar, linear feet and/or number of pounds of the product:

- a. Sold in New York State;
- b. Sold in the United States.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may

no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory

INTERROGATORY O16:

Identify for the period from 1935 to 1980, each distributor, dealer, wholesaler and contractor who sold, distributed or used your asbestos-containing products in New York City and within a 75 mile radius of New York City. For each such distributor, dealer, wholesaler and contractor, state:

- a. The name, last known address and person who you did business with;
- b. The years of your relationship with the distributor, dealer, wholesaler and contractor;
- c. Whether there was a written agreement. If so, identify it (or them) by date, title, signatories and present location;
- d. Whether the relationship was exclusive, i.e., whether the distributor was not allowed to carry competing brands of some or all of the relevant products. If exclusive as to any particular product, identify that product;
- e. The annual volume in pounds and linear feet and dollar amount of each type of asbestos product sold;
- f. The names and ultimate recipients of the asbestos products sold to or through each dealer, distributor, wholesaler, sales agent and contractor.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an

impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that Western Electric was not in the business of marketing, selling or distributing its products to the general public. Rather, Western Electric assisted the Bell Operating Companies -- one of which was New York Telephone -- in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric did not use distributors, dealers, wholesalers and/or contractors for the purpose of the activities described in this Interrogatory.

INTERROGATORY Q17:

Identify each of your sales personnel responsible from 1935 to 1980 for sales of asbestos products in New York City and within a 75 mile radius of New York City. For each such person, state the years of such employment, his job title, the last known address and whether he is still your employee?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that Western Electric was not in the business of marketing, selling or distributing its products to the general public. Rather, Western Electric assisted the Bell Operating Companies -- one of which was New York Telephone -- in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Moreover, Western Electric did not have personnel solely responsible for "sales of asbestos products", as Lucent understands that terminology.

INTERROGATORY Q18:

Did you at any time manufacture asbestos-containing products which were sold to another manufacturer for resale by that company under its own name? If so:

- a. Identify each manufacturer to whom such sales were made and the date of such sales;

- b. Identify the product or products involved in each such agreement;
- c. If such sales were made pursuant to an agreement, identify the dates that each such agreement was in effect and produce a copy of the agreement.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that to the best of its current knowledge, Lucent is unaware of such conduct by Western Electric as described in this Interrogatory.

INTERROGATORY 019:

Did you ever purchase any asbestos or any asbestos-containing products of any other manufacturer for distribution or sale under your name or trademark? If so:

- a. Identify each manufacturer from whom products were purchased;
- b. Identify the name of each product purchased;
- c. Identify the dates of each such purchase and distribution;
- d. Produce a copy of each purchase agreement.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that Western Electric was not in the business of marketing, selling or distributing its products to the general public. Rather, Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may

have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Thus, Western Electric's conduct in providing the services it provided to the Bell Operating Companies does not qualify as any of the conduct set forth above in this Interrogatory as those terms are used in the product liability context. For information regarding specific products and component parts, please see Attachments I-1 through I-16. Lucent further states that to the best of its knowledge, Western Electric did not purchase raw asbestos.

INTERROGATORY O20:

Did you ever enter into distribution or licensing agreements with any manufacturer of asbestos-containing products? If so:

- a. Identify each manufacturer with whom such agreement was entered into;
- b. State the dates, products and geographical areas involved;
- c. Produce a copy of each such agreement.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that although it is not in possession of any "distribution or licensing agreements" as described in this Interrogatory, it is aware that, as of 1956, Western Electric was required (pursuant to a consent decree) to provide free patent licensing and technical information, for any patent held, to any non-foreign company that requested it (including New York Telephone). This requirement was the result of the settlement of an antitrust dispute between Western Electric and AT&T and the federal government. See *United States v. Western Elec. Co.*, 1956 U.S. Dist. LEXIS 4076 (D.N.J. Jan. 24, 1956). Western Electric's obligation to freely share its patent licensing and technical information to any US company gave the Bell operating companies (including New York Telephone) and Western Electric competitors the means to manufacture identical products as that of Western Electric.

INTERROGATORY 021:

For the period 1928 to the present, state the address of each miner, manufacturer or processor of asbestos or asbestos fibers used in your products and for each such miner, manufacturer or processor state:

- a. The date, amounts and delivery point for each shipment of asbestos you received;
- b. The products in which the asbestos was used.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad, constitutes an impermissible fishing expedition, and is better directed at third parties. Subject to and without waiving its objections, Lucent states that to the best of its knowledge, it is not in possession of documents or information responsive to this Interrogatory.

INTERROGATORY 022:

With respect to each asbestos product (including loose asbestos fiber) you manufactured, refined, processed, sold or delivered, state whether you claim any caution, warning, caveat or other statement about health involved in using the product and/or dust generated by the product was ever given to purchasers of the product or directed to the users of the product. If so, state separately for each product:

- a. The precise wording of each caution or set of instructions;
- b. For each asbestos product, the exact date you claim each caution was first used on that product;
- c. The inclusive dates you contend any alleged warning was affixed to each of your asbestos-containing products;

- d. Whether the wording of the alleged warning has been altered since its first appearance, and if so, when and how amended;
- e. Specifically what prompted you to first affix such caution, warning, caveat, statement or explanation, and what prompted the amendments (i.e., if medical reports were relied upon, if so, identify such reports).
- f. The name, title and present address of the author of each such warning and/or instructions;
- g. Whether the warning and instructions were physically attached to the product itself when sold and/or delivered by you, and if so, the method of attachment;
- h. Whether you have a copy of the warning and/or instructions in your possession at the present time, and if so, where it is located;
- i. Whether any studies, evaluations or analyses of any potential hazards of your asbestos product were conducted by you prior to your use of each warning and/or instructions. If so, identify the study by date, author, title and file number and state its present location.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "warning" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, the Bell System began issuing various notices and warnings concerning the potential hazards of exposure to asbestos beyond

those levels set forth in the OSHA regulations in response to regulations adopted by the U.S. Occupational Safety & Health Administration (See 37 Fed Reg. 11318, June 7, 1972). These warnings or notices generally took the form of letters, memoranda, minutes or work practices distributed within the Bell System. The request to identify each such notice/warning is not only unduly burdensome, but an impossible task. Western Electric and the Bell System had hundreds of thousand of employees located at dozens of facilities. Accordingly, it would be impossible to identify and list each and every communication that occurred between these entities and/or their employees regarding the aforementioned subject matter.

INTERROGATORY Q23:

State whether any of your distributors, dealers, contractors and/or customers were provided with any warnings, cautions, caveats or instructions regarding the use of your asbestos-containing products. If so, please state:

- a. By whom and when these instructions were first made;
- b. Whether the instructions were written or oral; if written, attach a copy; if oral, state the contents thereof,
- c. Whether your company carried out follow-up inspections to ascertain whether such instructions were adhered to and if so, please state when, where and by whom such inspections were made and the results of each such inspection.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining certain products, and manufactured certain products, some of which may have incorporated asbestos-containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "warning" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Western Electric did not use

distributors, dealers, wholesalers and/or contractors for the purpose of the activities described in this Interrogatory.

INTERROGATORY 024:

State the first time any officers of your company discussed putting a warning or caution on any asbestos containing product, and as to that first discussion, state:

- a. the names of the persons who were involved in the discussions and the date and place of the discussions;
- b. the identify and location of all documents memorializing the discussion;
- c. the alleged substance of the discussion;
- d. what action if any, the Company took as a result of the discussion.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "warning" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, the Bell System began issuing various notices and warnings concerning the potential hazards of exposure to asbestos beyond those levels set forth in the OSHA regulations in response to regulations adopted by the U.S. Occupational Safety & Health Administration (See 37 Fed Reg. 11318, June 7, 1972). These warnings or notices generally took the form of letters, memoranda, minutes or work practices distributed within the Bell System. The request to identify each such notice/warning is not only unduly burdensome, but an impossible task. Western Electric and the Bell System had hundreds of thousand of employees located at dozens of facilities. Accordingly, it would be impossible to identify and list each and every communication that occurred between these entities and/or their employees regarding the aforementioned subject matter.

INTERROGATORY 025:

Do you know of any facts or documents to support a claim that you provided any warning, instructions or information as to the dangers of asbestos inhalation to any insulator, construction worker, building trades worker or other user of your asbestos products in the New York area prior to 1972? If so, for each such alleged warning:

- a. Describe in detail each such warning, instruction or information given;
- b. State the exact date of each such warning;
- c. State whether such warning, instruction or information was oral or written;
- d. If oral, identify the substance of the warning instruction or information given and the date and name of the person to whom given;
- e. If written, or printed attach a copy of each warning, instruction and information, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "warning" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Moreover, "insulators, construction workers and building trade workers" would not have worked with Western Electric products. Subject to and without waiving its objections, any warnings or notices regarding Western Electric products within the Bell System generally took the form of letters, memorandum, minutes or work practices with the Bell System.

INTERROGATORY Q26:

Do you claim that you ever recommended to purchasers or users of the asbestos-containing products you manufactured, processed, mined, distributed, or sold, that respirators, protective masks and/or protective safeguards be worn while working with, installing or removing your asbestos-containing product? If so, state separately for each product:

- a. The date or dates when each such recommendation was made;
- b. Who made the recommendation;
- c. When and precisely to whom the recommendations were made;
- d. If oral, the manner and substance of the recommendation;
- e. If written, identify the document by title, date, file designation and author of each such recommendation and the location and present custodian of each such recommendation.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "recommendation" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, the Bell System began issuing various notices and warnings concerning the potential hazards of exposure to asbestos beyond those levels set forth in the OSHA regulations in response to regulations adopted by the U.S. Occupational Safety & Health Administration (See 37 Fed Reg. 11318, June 7, 1972). These warnings or notices generally took the form of letters, memoranda, minutes or work practices distributed within the Bell System. The request to identify each such notice/warning is not only unduly burdensome, but an impossible task. Western Electric and the Bell System had hundreds of thousands of employees located at

dozens of facilities. Accordingly, it would be impossible to identify and list each and every communication that occurred between these entities and/or their employees regarding the aforementioned subject matter.

INTERROGATORY 027:

Did you at any time recommend that your own employees use respirators, protective masks or other precautionary safeguards when working with asbestos-containing materials? If so, state:

- a. When and precisely to whom such recommendations were made;
- b. Whether you ever supplied respirators, face masks to your employees, and if so, the date when first supplied and whether you are supplying them now;
- c. From what specific source you have obtained such respirators and face masks (state address of company and dates obtained).

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Accordingly, with regard to products supplied within the Bell System, Lucent maintains that no such "recommendation" was required or appropriate, as Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, the Bell System began issuing various notices and warnings concerning the potential hazards of exposure to asbestos beyond those levels set forth in the OSHA regulations in response to regulations adopted by the U.S. Occupational Safety & Health Administration (See 37 Fed Reg. 11318, June 7, 1972). These warnings or notices generally took the form of letters, memoranda, minutes or work practices distributed within the Bell System. The request to identify each such notice/warning is not only unduly burdensome, but an impossible task. Western Electric and the Bell System had hundreds of thousands of employees located at dozens of facilities. Accordingly, it would be impossible to identify and list each and every

communication that occurred between these entities and/or their employees regarding the aforementioned subject matter.

INTERROGATORY 028:

Have you stopped producing, distributing and/or selling or has asbestos been eliminated from any of the asbestos products listed in Answer 9 or 10? If so, state for each product:

- a. The reason and date you stopped producing the product, or eliminated asbestos;
- b. The names and titles of each person who recommended and who authorized or directed the action;
- c. Whether any studies were conducted before you directed that production and sale of the product be stopped, or asbestos eliminated from the product, and if so, identify each study by date, author, title and subject matter and attach a copy.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Thus, Western Electric's conduct in providing the services it provided to the Bell Operating Companies does not qualify as any of the conduct set forth above in this Interrogatory as those terms are used in the product liability context. Subject to and without waiving its objections, Western Electric began eliminating asbestos-containing components from its products in the early 1970s. Where specific end dates for products are known, that information is contained in Attachments I-1 through I-16.

INTERROGATORY 029:

Have any officers or employees of defendant ever discussed or evaluated whether sales of your asbestos products would be damaged if the public learned of the health hazards associated

with asbestos exposure? If so, state the dates and names of participants of each such meeting and identify all documents relating to such meetings.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, overly broad and unduly burdensome, in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Thus, Western Electric's conduct in providing the services it provided to the Bell Operating Companies does not qualify as any of the conduct set forth above in this Interrogatory as those terms are used in the product liability context. Subject to and without waiving its objections, Lucent is not aware of any information responsive to this Interrogatory.

INTERROGATORY 030:

At the time of the development of, and sale of each of your asbestos product did you attempt to determine whether the product complied with any allegedly applicable safety standards, orders or rules, regulations or design requirements promulgated by any professional society, association, or government body?

- a. If you did not, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis;
- b. If you did, identify the safety standards, safety orders, rules, regulations, which you claim you considered by naming the title, number, page and date of the regulation, and identifying the place where a copy of said regulation can be obtained.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that it followed all applicable safety standards as promulgated by regulatory, industry and Bell System guidelines in the manufacturing of its products.

INTERROGATORY Q31

For each asbestos-containing product, identify and produce all promotional and/or advertising material used by you with regard to the sale and/or promotion and distribution of such products.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waiving these objections, Western Electric published and/or distributed various sales brochures, promotional pamphlets and other written sales materials which were generally directed toward the Bell Operating Companies, and not the public. The request to identify each such document is not only unduly burdensome, but an impossible task. Lucent is unaware of any such materials for the specific products identified in Attachments I-1 through I-16.

INTERROGATORY Q32:

Identify and produce pictures and descriptions of each product.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving these objections, to the extent that this Interrogatory is limited to asbestos-containing products, Lucent will make all available photographs, if any, of the products identified in Attachments I-1 through I-16 available for inspection at counsel for Lucent's office and at a mutually convenient day and time.

INTERROGATORY 033:

Were any brochures, writings, or other materials made available to distributors, dealers, contractors, ultimate users, or the general public concerning the design, manufacturer, use, quality and/or properties of the asbestos products referred to in Answer 9 and 10? If so, for each such brochure or other material:

- a. State the purpose of each brochure and given the name, present address, telephone number of the person responsible for the preparation and acceptance of the material for distribution on behalf of the company;
- b. Identify the brochure or material by author, date and present location and custodian, and attach copies of each.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not

contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public, distributors, dealers or contractors. Subject to and without waiving these objections, Western Electric published and/or distributed various sales brochures, promotional pamphlets and other written sales materials which were generally directed toward the Bell Operating Companies, and not the public. This request to identify each such document is not only unduly burdensome, but an impossible task.

INTERROGATORY 034:

Have you at any time since 1930 bought from, sold to, delivered or supplied any asbestos products to any other defendant in this action or to any other manufacturer listed in Attachment 3? If so:

- a. Identify the products involved by name and description;
- b. List the dates, quantity and price of each sale and the names of the persons who placed or accepted the order;
- c. Were any warnings regarded the health hazards of the product given or received and if so identify the warning by description, date, to whom it was given and by who received, and if oral state the substance and if written identify the document and state its present location.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad, constitutes an impermissible fishing expedition and is better directed at third parties. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waiving its objections, Lucent is not aware of having supplied any products to the other defendants in this action or any of the entities listed on Attachment 3.

INTERROGATORY 035:

With respect to any product manufactured by you which does **not** contain asbestos, have you ever included a warning with the product indicating that it may in some way be harmful to human beings? If so, for each such non-asbestos containing product state:

- a. The name of the product, its intended use or purpose, and the chemical composition or ingredients of the product;
- b. The manner in which it is thought that the product may cause harm to human beings;
- c. The size, color and contents of each warning;
- d. The date warning was first given to the public;
- e. The names, addresses and titles of the people responsible for or participating in the decision to provide the warning; and
- f. Identify every document which relates to the making of the decision to provide a warning.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric supplied certain products to the Bell Operating Companies. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waiving its objections, any warnings or notices regarding Western Electric products generally took the form of letters, memoranda, minutes or work practices within the Bell System. The request to identify each such document is not only unduly burdensome, but an impossible task.

INTERROGATORY 036:

Were any of the asbestos-containing products sold by you to private persons or companies (i.e., non-military or non-government sales) the same products you sold to the government pursuant to military or federal specifications? If so please state:

- a. Your name or designation for the product;
- b. The military or federal specification you claim is applicable;
- c. The person or company to whom sold and the date and amount sold.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that to the best of its knowledge, no.

INTERROGATORY 037:

Do you claim that you did anything prior to 1972 to notify users of asbestos-containing products of the possible dangers of inhalation of asbestos dust and fibers? If so, explain in detail what you did, to whom and give the dates.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Moreover, much of the information

requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory.

INTERROGATORY 038:

Had you at any time prior to 1973 performed, participated in, or financed any tests, studies, investigations or analyses to determine the asbestos level produced when your asbestos products were used, installed or removed from a prior installation?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory.

INTERROGATORY 039:

Had you at any time prior to 1973 performed, participated or financed any tests, studies, investigations or analyses to determine the effects of your product on workers using or working with any of your asbestos products?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an

impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory.

INTERROGATORY 040:

Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses which had the purpose to prevent, minimize, or eliminate inhalation of asbestos dust or fibers by those using or exposed to your asbestos products?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory

INTERROGATORY 041:

Had you at any time prior to 1973 performed, funded or participated in any investigation, study, test or analysis concerning asbestos-related diseases, asbestosis, pulmonary diseases or cancer?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently

constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is not in possession of documents or information responsive to this Interrogatory

INTERROGATORY O42:

Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses to determine the effects of inhalation of asbestos dust or fibers on any one using or being exposed to asbestos products manufactured by your company?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY O43:

Have you ever performed, participated in or financed any studies to determine whether any type of respirator and/or protective mask would either eliminate or reduce asbestos inhalation to safe levels?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an

impermissible fishing expedition. Subject to and without waiving its objections, Lucent is unaware of any specific studies conducted for the purpose outlined in this Interrogatory.

INTERROGATORY 044:

Have you ever undertaken or financed any tests or studies to determine whether any type of ventilator or ventilating system would eliminate or decrease the number of airborne asbestos fibers in confined spaces?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that to the best of Lucent's current knowledge, it is unaware of any specific studies conducted for the purpose outlined in this Interrogatory.

INTERROGATORY 045:

For each study identified in response to Questions 38-44, state:

- a. The subject matter, title, date and names of the persons who conducted and/or authored the study;
- b. The reason for the study;
- c. The date the study was completed;
- d. If the results were disseminated, where and to whom and if published the name and identity of the publication;
- e. The results of each study, and the data and assumptions relied on;

- f. If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

RESPONSE:

See Lucent's objections and responses to Interrogatory Nos. 38-44.

INTERROGATORY 046:

State whether you took any action as a result of any of the studies listed in answer to interrogatories 38, 39, 40, 41, 42, 43 and 44. If so:

- a. Describe the date and action taken;
- b. Identify who authorized or directed the action;
- c. Why was the action taken;
- d. Identify all documents discussing the study, the action considered and the action taken by date, title, subject, author and present custodian and location and produce the documents;
- e. If you have not taken any action state in detail, why not;
- f. If you have not given any consideration to taking such actions, state in detail the reasons why.

RESPONSE:

See Lucent's objections and responses to Interrogatory Nos. 38-44.

INTERROGATORY 047:

From the year 1920 to date, have you supported by gift, grant, direct cash or property payment any kind of medical research containing asbestos? If so, state:

- a. The date or dates of such support;
- b. The dollar amount paid or contributed;

- c. The identity of the persons and/or organizations carrying out the research study;
- d. The title, name or other identification of each such study;
- e. Identify and produce all documents relating to each such study.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent has no knowledge of any such activities.

INTERROGATORY 048:

Have you, at any time prior to 1975, conducted, financed, or had conducted for you any asbestos inspection or made any dust count in any facility where your asbestos products were used? If so, state the date, place and people involved in each such inspection or test and identify all records.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY 049:

Had you, at any time prior to 1975, conducted, financed, or had conducted for you any asbestos inspection or made any dust count in any of your own plants which are or were engaged

in the manufacture of asbestos products. If so, state the date, place and people involved in each such inspection or test, the results of the tests and identify all records.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY Q50:

Does your company recognize that workers in the following trades were foreseeable users of your asbestos products? If so, when did you come to such a recognition?

- a. Pipe Ladders;
- b. Pipe Fitters;
- c. Welders;
- d. Burners;
- e. Sheet metal Workers;
- f. Tapers;
- g. Chippers;
- h. Plasterers;
- i. Riggers;
- j. Grinders;
- k. Inspectors;
- l. Shipwrights;
- m. Painters;

- n. Boilermakers;
- o. Insulators;
- p. Custodians;
- q. Planners;
- r. Testers;
- s. Teachers.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calling for a legal conclusion. Subject to and without waiving its objections, no.

INTERROGATORY 051:

Does your company recognize that the types of workers listed in Question 50 would be exposed to asbestos in the course of working on jobs where other trades would be using asbestos products?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calling for an expert opinion and/or legal conclusion.

INTERROGATORY 052:

Does your company recognize that it was foreseeable that people working in the same area where your asbestos products were being used or installed would inhale and/or ingest asbestos fibers emitted from your products?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calling for an expert opinion and/or legal conclusion.

INTERROGATORY 053:

Does your company recognize that it was foreseeable that tradesmen listed in Question 50 would inhale and/or ingest asbestos fibers released from your asbestos products?

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calling for an expert opinion and/or legal conclusion. Subject to and without waiving its objections, no.

INTERROGATORY 054:

Do you contend that any respirators or other breathing devices would prevent inhalation of the asbestos dust and fibers released from your product? If so, state:

- a. When the respirator was sold;
- b. Give the detailed description of such respirator or other breathing device;
- c. The first date you reached the conclusion;
- d. The basis of your claim that use of the respirator will prevent the inhalation of such dust and fibers;
- e. Identify any relevant tests performed by date, title, author and number.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly

burdensome, overbroad, not based on facts in evidence, and calling for an expert opinion and/or legal conclusion.

INTERROGATORY 055:

From the year 1930 to the present, identify:

- a. The name of each physician in your employ and/or the employ of your subdivision or contract unit;
- b. The current and/or last known address for each such individual;
- c. The dates of employment of each such individual;
- d. The job duties and/or responsibilities for each such individual identified;
- e. The duration of each such individual's employment, the office address or duty assignment location held by each such individual, and the dates associated with each such assignment.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. In addition, much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. The Interrogatory, therefore, would unreasonably require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant information.

INTERROGATORY 056:

Have you, at any time since 1930, maintained any office or department dealing with medical research? If so, state:

- a. The name and location of such department; and
- b. The name, address and title of each person who has been in charge of the department.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent "medical research" is vague, ambiguous and undefined. Subject to and without waiving its objections, Lucent states that to the best of its knowledge Western Electric did not have a any office or department devoted to "medical research" during this time period.

INTERROGATORY 057:

From the year 1930 to the present, state:

- a. The address of each medical library maintained by you or your subdivisions and/or contract units;
- b. When each such library came into existence;
- c. The custodian of each such library facility records, such as individual's dates of employment and last known address or current address.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent "medical library" is vague, ambiguous and undefined. Subject to and without waiving its objections, there may have been medical texts and/or journals at various Lucent facilities; however, it is not currently known whether there was ever a library dedicated to medical materials.

INTERROGATORY 058:

For each facility identified in response to the two preceding Interrogatories, state the name or title of each medical journal or periodical subscribed to and the inclusive dates of each such subscription.

RESPONSE:

See objections and responses to Interrogatory Nos. 56 and 57.

INTERROGATORY 059:

Other than the medical library facilities referenced in the answers to the immediately preceding three Interrogatories, state the identity of each medical library, from 1930 to date, in which you held a membership, or funded by way of contribution, gift, grant, or any other direct cash or property payments.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, Lucent states that it is unaware of any such membership or activity described in this Interrogatory.

INTERROGATORY 060:

State the names and addresses of all professional, trade, industrial, safety, hygiene, or health associations and research foundations or organizations you have been a member of since 1930 indicating for each association:

- a. The inclusive dates of your membership;

- b. The names of your employees who attended meetings and the dates and designations of such meetings;
- c. The positions held by any of your employees;
- d. The location of all minutes, digests, reports and documents received or concerning such association.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to the foregoing objections, to the best of Lucent's current knowledge, certain employees of Western Electric were members of the National Safety Council.

INTERROGATORY 061:

When did you first learn that there were health hazards associated with the use and/or fabrication of asbestos containing products? State the date, source, nature and extent of such information.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, it is impossible to answer this Interrogatory with any degree of accuracy given the vast number of individuals employed by Lucent and its predecessors during the time period that is the subject of this Interrogatory. Subject to and without waiving its objections, Lucent states that as of, or shortly after the

Occupational and Health Administration (OSHA) regulations regarding asbestos were implemented on June 14, 1972 (Federal Register, Volume Number 37, number 110), Western Electric became aware from media, industry and governmental publications of allegations that continuous inhalation of high levels of asbestos fibers by certain trades could have potential health consequences. The notice received at that time, however, did not address any alleged health risks to telecommunication workers – such as Western Electric employees – or workers in similar fields nor did it address any alleged risk posed by any of the products with or around which they worked.

INTERROGATORY O62:

Have you knowledge of any deaths or cases of lung disease or lung impairment prior to 1975 among your employees engaged in the manufacture or use of asbestos products which are attributable to, or were alleged to be caused by, the inhalation of asbestos dust or fibers? If so, please give the name and address of each such employee, identify all medical records possessed in relation to the employee, and state whether reports of occupational disease were furnished to any bureau, branch or governmental body of the relevant state; attach copies of the latter.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent that disclosure of such information is in violation of HIPAA privacy laws.

INTERROGATORY O63:

If any of your employees or officers have testified at trial or by deposition in any litigation or before any Congressional Committee or administrative agency concerning asbestos exposure, pulmonary or asbestos-related diseases or industrial hygiene relating to asbestos use, state:

- a. The name, address and title of each person who testified;

- b. The date, location and forum of such testimony;
- c. Whether the defendant has a copy of such testimony;
- d. Whether the defendant will voluntarily produce a copy of such testimony.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, to the best of Lucent's current knowledge, it is not aware of any employee or representative of Lucent that ever provided testimony before a Congressional Committee or administrative agency except possibly for contested workers compensation claims that may be within the intended meaning of "administrative agency."

INTERROGATORY Q64:

Have you or any employee or agent of yours ever communicated with an agency or department of the United States concerning specifications and/or standard for any asbestos product or thermal insulation product? If so state separately for each product or set of specifications:

- a. Identify each such product and its military or federal specification or standard;
- b. The intended purpose or use for the product so specified;
- c. The date, time and place of each communication including:
 - (1) The name of each of your agents or employees who participated in each communication;
 - (2) The names, titles, and agencies of each individual with whom such communication was had;
 - (3) The subject of the communication;

- (4) Whether any notes, minutes or memoranda in any form were recorded of such communication or of any meetings between you and the agency;
- (5) Whether any documents were submitted to the agency;
- (6) If (4) or (5) is answered in the affirmative state the name, and location of the custodian of such records.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Subject to and without waiving its objections, to the best of Lucent's current knowledge, no.

INTERROGATORY O65:

Does your company recognize that:

- a. Asbestos causes asbestosis;
- b. Asbestos exposure leads to an individual contracting asbestosis;
- c. There is a correlation between exposure to asbestos and the occurrence of asbestosis;
- d. Asbestos causes lung cancer;
- e. There is a correlation between asbestos exposure and the occurrence of lung cancer;
- f. Asbestos contributes to the development of gastrointestinal cancer;

- g. That a portion of inhaled asbestos fibers remain in the lungs after being inhaled into the human body and are not destroyed?
- h. The symptoms of asbestosis and other asbestos-induced lung diseases or cancers may not manifest themselves until many years after the asbestos was inhaled into the body?
- i. Prolonged use of the asbestos material can cause or contribute to various occupational diseases, including asbestosis, mesothelioma, cancer and other lung and respiratory diseases?
- j. The use of asbestos insulating products listed in Answer (10) are dangerous and harmful to human health?
- k. There is a connection between the inhalation of asbestos dust and fibers and the disease mesothelioma?

If your answer to any part of this question is "Yes," explain when you came to this knowledge and what, if anything, you have done about it to notify the public or users of your products. If your answer is that your products are not harmful then explain what facts and tests were made upon which you base such conclusion.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent this Interrogatory calls for expert/medical opinion.

INTERROGATORY O66:

Have any workman's compensation claims based on asbestosis, mesothelioma, lung cancer, other cancers, asbestos-induced diseases, or lung diseases been filed against you? If so, for each claim state:

- a. The date, place filed, reference numbers and outcome of each claim;
- b. Whether you advised your workers' compensation carrier of the claims;
- c. The location and custodian of all records of claims and correspondence with your compensation carrier.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to matters pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent that disclosure of such information is in violation of HIPAA privacy laws.

INTERROGATORY O67:

Have you as part of your business ever employed any steam plant operators, boiler repair workers, insulator or had a division or unit which installed insulation materials on a contract by contract basis (e.g., a "contract unit")? If so, state:

- a. The location where such persons or unit was based;
- b. The names of the operators or managers of the contract units;
- c. Whether there existed rules, regulations and/or work practices which were to be followed by such employees;
- d. Were such employees ever require to wear respirators. If so, please state:

- (1) Whether the requirement was by written regulation or oral direction;
 - (2) The names of the people in your firm originating such a requirement and/or in charge of enforcing it;
 - (3) The date the requirement was imposed for the first time.
- e. Have such former employees ever filed workmen's compensation claims due to lung or coronary illness. If so, for each such claim, state the date, jurisdiction and docket number and outcome of the claims.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Lucent further objects to the extent that disclosure of such information is in violation of HIPAA privacy laws.

INTERROGATORY 068:

State the total number of employees of your or your contract unit receiving benefits under any Occupational Disease or Workers Compensation statute for asbestosis, mesothelioma, bronchogenic carcinoma and/or cancer of the stomach, colon or rectum for each year, from the date that you first manufactured, distributed or sold any asbestos-containing products until the present time.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor

reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Consequently, documents which may have contained responsive information may no longer be complete or available. Lucent further objects to the extent that disclosure of such information is in violation of HIPAA privacy laws.

INTERROGATORY Q69:

State by year the total dollar amount paid out by you, your contract unit and/or your insurance carrier as a result of claims under any Occupational Disease or Workers' Compensation statute for asbestosis, mesothelioma, bronchogenic carcinoma and/or cancer of the stomach, colon or rectum.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY Q70:

Identify any action, other than workers' compensation claims, brought against you by claimants injured as a result of exposure to asbestos and asbestos-containing products prior to 1970, stating the court in which the action was brought, the date of filing, case style, and case number.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to

the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY 071:

State separately for each calendar year for the period 1928 to the present:

- a. The total amount of asbestos mined by your company;
- b. The total pound volume of asbestos fibre purchased by your company;
- c. The total pound volume of asbestos used by your company in its manufacturing processes;
- d. The total pound volume of asbestos sold by your company;
- e. The total pound volume of asbestos acquired by your company in any manner other than mining or purchase, and identify the manner of acquisition for each year;
- f. The total dollar value of asbestos mined by your company;
- g. The total dollar value of asbestos purchased by your company;
- h. The total dollar value of asbestos used by your company in its manufacturing process;
- i. The total dollar value of asbestos sold by your company;
- j. The total dollar value of all asbestos-containing products sold by you;
- k. The total number of pounds or linear feet of each asbestos product sold by you and the dollar value of such sales;
- l. The percentage of sales by dollar value and by linear foot and weight of your asbestos as compared to all asbestos sold in the United States;

m. The percentage of sales by dollar value and by linear foot and weight of your asbestos-containing material as compared to all asbestos-containing materials sold in the United States.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Moreover, Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Lucent further states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Thus, Western Electric's conduct in providing the services it provided to the Bell System does not qualify as any of the conduct set forth above in this Interrogatory as those terms are used in the product liability context. Subject to and without waiving its objections, to the best of Lucent's current knowledge, Western Electric did not mine, sell, distribute and/or purchase raw asbestos.

INTERROGATORY Q72:

Did you in any way finance, assist or participate in:

- a. The Metropolitan Life Insurance Company studies of asbestos conducted from 1929-1950;
- b. The Trudeau Foundation Saranac Lake studies from 1929-1960;
- c. The Quebec Asbestos Mining Association Study of Asbestos and Health between 1940 and 1970.

If so, state what role or action you took and identify all documents relevant to such activities by name, date, title, file number and present location.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, to the best of Lucent's current knowledge, no.

INTERROGATORY 073:

Has your firm ever been cited or admonished by any government agency (federal, state or local) for dust levels in excess of any threshold limit value (TLV) or other predetermined number? If so, please state:

- a. The date the government agency and the dust and TLV or number involved;
- b. The means of identifying any document related to such an occurrence;
- c. Any action taken by the agency involved.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

INTERROGATORY 074:

State whether from 1930 to date you promulgated any rules, written or oral for the handling of asbestos or asbestos products by your own employees? If so, state:

- a. When such rules were promulgated;

- b. The substance of the rules, if oral, and the name, address and title of the person who disseminated them;
- c. If in writing, either attach a copy of the rules or identify the written rules by date, title, identification number, present location and the name and address of the custodian thereof;
- d. Whether any such material was provided to any users of your asbestos products and, if so, when and to whom.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, the Bell System began issuing various notices and warnings concerning the potential hazards of exposure to asbestos beyond those levels set forth in the OSHA regulations in response to regulations adopted by the U.S. Occupational Safety & Health Administration (See 37 Fed Reg. 11318, June 7, 1972). These warnings or notices generally took the form of letters, memoranda, minutes or work practices distributed within the Bell System. The request to identify each such notice/warning is not only unduly burdensome, but an impossible task. It would be impossible to identify and list each and every communication issued to Western Electric employees regarding the aforementioned subject matter.

INTERROGATORY Q75:

Have any of your employees been reassigned to other duties because of pulmonary or coronary health problems? If so, please state for each such reassignment:

- a. The date and reason for reassignment;
- b. The jobs prior to and after reassignment;
- c. The age and health problem of the person reassigned.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available.

INTERROGATORY 076:

Prior to 1972, have your employees ever been subject to periodic medical examinations?

If so, please state:

- a. Whether the examinations were performed by your firm, its agents or employees or by outside personnel either private or governmental;
- b. Whether the examinations were performed as a result of an internal corporate decision or to comply with some governmental rule;
- c. Whether any person was rejected for employment as a result of such examination.

If so, state the date and reason for such rejection;

- d. Whether any employee was reassigned, terminated or pensioned as the result of such examination and the date and reason for each such occurrence.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive

information may no longer be complete or available. Subject to and without waiving its objections, Lucent states that prior to 1972 Western Electric conducted pre-placement to pre-retirement medical examinations to their employees. These examinations were performed by Western Electric medical personnel.

INTERROGATORY Q77:

Have you ever removed or had removed any asbestos insulation or other asbestos containing material from any building, plant or facility which you owned, operator, leased or maintained? If so, identify the building or facility, state the date the asbestos material was removed and who removed the asbestos, and identify all documents relating to or referring to the removal.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available.

INTERROGATORY Q78:

Was the monitoring of dust levels required by any Government regulation or rule of any government, agency, or insurance company? If so, state the substance of the rule, the source imposing it and the date it was first imposed.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently

constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent that this Interrogatory is public information and just as easily obtainable by Plaintiffs as by Lucent.

INTERROGATORY Q79:

Do you agree that the possibility of exposure to asbestos dust and fibers extends not only to workers actually handling the asbestos products but also to:

- a. Other workers in the area where the asbestos products are being used;
- b. Members of the families of workers.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to this Interrogatory as vague, argumentative, not based on facts in evidence and calling for a legal conclusion and expert opinion.

INTERROGATORY Q80:

Does your company have a record or document "retention" policy, plan or program? If so, please describe such plan. If the plan is different for separate categories of records, please describe the plan for each category. Please include in the descriptions the following:

- a. The name and title of the custodian of the records;
- b. The length of time for which records are retained;
- c. The titles and names of the personnel responsible for determining the policy or plan from 1935 to the present;

- d. The titles and names of the personnel responsible for the removal and destruction of any records, pursuant to any such plans from 1935 to the present.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonably require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant information. Thus, it is impossible to answer this Interrogatory with any degree of accuracy. Subject to and without waiving its objections, Lucent states that yes it currently has a document retention policy. Lucent further states that Dana Chambliss is currently the Senior Manager of Information and Records Management for Alcatel-Lucent USA Inc. Lucent will make available for inspection its Information and Records Management policies at a mutually convenient time and place.

INTERROGATORY 081:

Have you destroyed any documents, records or writings pertaining to:

- a. Health hazards of asbestos;
- b. Workmen's Compensation claims arising out of asbestos, lung cancer, mesothelioma, cor pulmonale, pneumoconiosis, or pulmonary fibrosis;
- c. Placing warning labels on your products;
- d. Hazardous conditions in your plants or factories;
- e. Funding of studies about health hazards of asbestos;
- f. Lawsuits arising out of injuries alleged to having been caused by asbestos.

If so, list every such document destroyed by author, date and subject matter.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonably require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant information. Thus, it is impossible to answer this Interrogatory with any degree of accuracy. Subject to and without waiving its objections, see Response to Interrogatory Q82.

INTERROGATORY Q82:

Have you ever had a division or subsidiary engaged in the business of abating, removing or encapsulating asbestos materials? If so, state:

- a. The name of the unit of all personnel involved;
- b. The location where such persons or units were based;
- c. The dates such person or units functioned;
- d. The sites where such abatement, repair, encapsulation or removal occurred.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waiving its objections, to the best of Lucent's current knowledge, it did not have a division or subsidiary engaged in the business of abating, removing or encapsulating asbestos materials.

INTERROGATORY O83:

Identify and produce all Minutes of each meeting of the Board of Directors or of any committee of the Board at which meeting the hazards of asbestos exposure, and/or the possible application of warning labels on asbestos-containing products were discussed.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonably require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant information. Thus, it is impossible to answer this Interrogatory with any degree of accuracy.

INTERROGATORY O84:

If there is any person whom the defendant expects to call as an expert witness at trial, please provide a copy of the witness' curriculum vitae, or summary of the witness' qualifications if there is no vitae, and please state for each such expert witness:

- a. The person's identity, giving name, profession or occupation and address;
- b. The subject matter on which each such expert is to testify;
- c. The substance of all facts and opinions regarding which each such expert is to testify;
- d. A summary of the grounds for each opinion of each such expert;

- e. Whether the facts and opinions listed in (c) above are contained in a written report, memorandum or transcript and if they are, produce the same pursuant to the Rule 34 Notice of Production of Documents attached hereto;
- f. If the opinion of any expert listed above is based in whole or in part on any code or regulation, governmental or otherwise, identify said code or regulation and specifically set forth the section relied upon;
- g. Whether each such expert intends to base his or her testimony on any book, treatise, article, study, or any other document, and, if so, identify all such documents; and
- h. Whether the witness has testified at trial or by deposition in other asbestos-related personal injury or wrongful death cases, and if so, state for each such case:
 - (1) the name and docket number;
 - (2) the court in which each such case was pending; and
 - (3) the party for whom the witness testified.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Interrogatory calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent states that expert disclosures will be made when such information becomes available and in the time period specified by this Court.

INTERROGATORY O85:

Identify the name and address of each non-expert witness whom you intend to call at trial, and specifically set forth the nature and substance of the matters to which each such person will testify and summarize the facts to which such person will testify.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Interrogatory calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent states that lay witness disclosures will be made when such information becomes available and in the time period specified by this Court.

INTERROGATORY O86:

Identify and produce each exhibit that you intend to rely upon at trial.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Interrogatory calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent states that its exhibits will be produced when such information becomes available and in the time period specified by this Court.

INTERROGATORY O87:

Identify all persons, other than your attorneys, who provided you with any information used in answering these interrogatories, and state the particular information each person supplied.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Interrogatory calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent states that there is no single official or employee of Lucent who has personal knowledge of all the matters inquired about in these discovery requests. The Responses set forth herein are in accordance with the information and records available to Lucent and the records maintained by Lucent. These Responses are verified by Margaret G. Gelsi, Assistant Secretary of Alcatel-Lucent USA Inc.

INTERROGATORY O88:

At any time prior to 1972, did you learn of any recommended levels of asbestos proposed by The American Conference of Governmental and Industrial Hygienists (ACGIH)? If so, state:

- a. The exact date you first learned of any ACGIH recommended levels;
- b. How you first learned of it;
- c. Which of your employees or agents first learned of it;
- d. The steps or action you took to advise your sales personnel of the recommendation;
- e. The steps or action you took to advise your customers, dealers, distributors and contractors of the ACGIH recommendation;
- f. Any comment you filed or submitted to ACGIH;
- g. Identify all documents related to ACGIH.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Interrogatory is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that much of the information requested in this Interrogatory dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonably require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant information. Thus, it is impossible to answer this Interrogatory with any degree of accuracy. Subject to and without waiving its objections, to the best of Lucent's current knowledge, no.

INTERROGATORY 089:

Do you contend that there is a minimum safe threshold level of exposure to asbestos below which there is no risk in developing mesothelioma or lung cancer? If so, specify the minimum safe threshold level of exposure for each disease, the date you claim the threshold was arrived at, and the precise basis for your contention.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calls for a legal conclusion. Lucent further objects to the extent this Interrogatory calling for expert opinion.

INTERROGATORY 090:

Do you contend that there is any difference between chrysotile fiber, amosite fiber, crocidolite fiber, and/or tremolite fiber in the development of (a) mesothelioma; and (b) lung cancer? If so, explain in detail your contention as to the distinction between or among fiber types in the development of each disease and the medical authority you rely on.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Interrogatory as vague, argumentative, unduly burdensome, overbroad, not based on facts in evidence, and calls for a legal conclusion. Lucent further objects to the extent this Interrogatory calling for expert opinion.

RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS

Lucent incorporates its Introductory Statement and General Objections to each and every Document Request as set forth below:

REQUEST FOR PRODUCTION (1):

All documents identified in your answers to these interrogatories.

RESPONSE:

Subject to and without waiving its General Objections, Lucent will produce such documents, if any, at a mutually convenient place and time.

REQUEST FOR PRODUCTION (2):

All records of sales and deliveries of your asbestos-containing products to any company or worksite in New York City or within 75 miles of New York City.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent states that it is not in possession of any "records of sales and deliveries" of any products identified in Attachments I-1 through I-16 to any company in the New York City area.

REQUEST FOR PRODUCTION (3):

All computer printouts and analysis of sales and delivery of your asbestos-containing products to any companies or worksites in the states of (a) New York; (b) New Jersey; and (c) Connecticut.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent states that it is not in possession of any sales and/or delivery records of any products identified in Attachments I-1 through I-16 to any company located in the areas listed in this Request.

REQUEST FOR PRODUCTION (4):

All records showing the amount and dollar value each asbestos- containing product you manufactured and sold.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent states that to the best of its current knowledge it is not in possession of any such records.

REQUEST FOR PRODUCTION (5):

All documents showing your share of the market, by volume and by dollars of sales, for each asbestos-containing product, for each type of asbestos- containing products (e.g., pipe

covering, cement, acoustical material, etc.) and for all asbestos-containing products you sold and manufactured.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent states that to the best of its current knowledge it is not in possession of any such records.

REQUEST FOR PRODUCTION (6):

All research reports prepared by or for you or which you received concerning the following aspects of any asbestos-containing products you manufactured or sold:

- (a) The health hazards of the product;
- (b) The amount of asbestos released by the product when used;
- (c) The capability of the product to comply with industry standards, state or federal regulations or other limits;
- (d) Efforts to reduce or eliminate asbestos for the products;
- (e) The aerodynamic nature of the products;
- (f) The friability or durability of the product;
- (g) The ability of the product to resist deterioration or water damage.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent that the term "research reports" is vague, ambiguous and undefined.

REQUEST FOR PRODUCTION (7):

Organizational Charts for the years 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975 and the present.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (8):

All rules, regulations, manuals, standards, procedures and instructions to salesmen and other documents dealing with:

- (a) Sales of asbestos-containing products;
- (b) Health hazards of asbestos products you were selling; and
- (c) Communication with customers re: health hazards of asbestos.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (9):

All licensing, sales, dealer, distributor and contractor agreements with any firm located in New York, New Jersey or Connecticut or which involved the sale of asbestos-containing materials in those states.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that Western Electric assisted the Bell Operating Companies in obtaining products, and manufactured certain products, some of which may have incorporated asbestos containing components supplied by others, but most of which did not contain asbestos. Western Electric was not in the business of marketing, selling or distributing these products to the general public. Subject to and without waving its objections, Lucent states that Western Electric did not use distributors, dealers, and/or contractors. As such, to the best of its current knowledge, Lucent is not in possession of any such records.

REQUEST FOR PRODUCTION (10):

Photographs of each of your asbestos-containing products and other packages in which they were shipped.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (11):

All documents in your possession relating in any way to meetings, correspondence, statements or other communications to or from any manufacturer or supplier of asbestos, asbestos-containing products and/or asbestos-containing materials or from their agents or representatives or trade association concerning the health effects of asbestos.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (12):

All documents in your possession or which you have ever become aware of, relating in any way to meetings, correspondence or other communications of or from any trade association, labor union, employer or governmental agency, of or from any of their agents or representatives, relating to the subjects of occupational health and exposure to asbestos, asbestos-containing products and/or asbestos-containing materials.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the portion of the Request "which you have ever become aware of" as incomprehensible. Subject to and without

waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (13):

All documents prepared by or on behalf of the defendant, prior to this litigation, in any way relating to the documents requested in item Nos. 11 and 12 above, of this request for production.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine.

REQUEST FOR PRODUCTION (14):

All documents relating in any way to the exposure or possible exposure to asbestos, asbestos-containing products and/or asbestos-containing materials by workers at:

- (a) Shipyards;
- (b) Insulating trades;
- (c) Boiler trades;
- (d) Construction trades;
- (e) Plants manufacturing or using asbestos;
- (f) Brake lining or friction material;
- (g) Seamen;
- (h) Railroads;
- (i) Nonoccupational and/or neighborhood exposures;

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to this Request to the extent that

it seeks documents relating "in any way" to "possible exposure" as insufficiently describing the documents sought and as overly broad.

REQUEST FOR PRODUCTION (15):

All documents relating in any way to the health effects of asbestos, asbestos-containing products and/or asbestos-containing materials manufactured, distributed, sold and/or supplied by any person or entity or by any of the named defendants herein.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad, constitutes an impermissible fishing expedition and is better directed at third parties.

REQUEST FOR PRODUCTION (16):

All documents prepared, reviewed, issued or commented on by you relating in any way to warnings, potential health hazards, instructions or precautions regarding the use or handling of, or exposure to, asbestos, asbestos-containing products, and/or asbestos-containing materials.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (17):

All statements, recorded interviews, films, videotapes, reports, questionnaires, forms or other documents made, submitted, compiled, prepared or filled out by, on behalf of, or under the direction of defendant relating in any way to exposure or alleged exposure to asbestos, asbestos-containing products and/or asbestos-containing materials or any other issues relating to these lawsuits, except that information prepared by, for, or at the request of defendant's counsel must be identified (including the date made), but need not be produced without an order by the Court, provided that written or recorded communication between plaintiff and counsel, made after an attorney-client relationship has been established need not be produced or identified.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent will search for relevant non-privileged information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (18):

All documents relating to defendant's first knowledge, notice or awareness about the alleged adverse effects of exposure to asbestos, asbestos-containing products and/or asbestos-containing materials.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that much of the information requested in this Request dates back many years and is difficult or impossible

to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonable require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant to the Plaintiff. Thus, it is impossible to respond to this Request for Production with any degree of accuracy.

REQUEST FOR PRODUCTION (19):

All records relating to comments complaints, suggestions, or proposals made by your employees, by your customers, dealers, distributors or contractors or by yourself regarding the health effects of asbestos exposure.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Further objecting, Lucent states that much of the information requested in this Request dates back many years and is difficult or impossible to reconstruct or retrieve. Consequently, documents which may have contained responsive information may no longer be complete or available. Moreover, this Interrogatory would unreasonable require Lucent to perform an onerous search of decades of information to locate information wholly irrelevant to the Plaintiff. Thus, it is impossible to respond to this Request for Production with any degree of accuracy. Subject to and without waiving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (20):

All written, recorded, filmed, transcribed by videotaped statements of all parties and non-party declarants pertaining to the subject of these lawsuits, except that information prepared by, for, or at the request of plaintiffs counsel must be identified (including the date made), but need not be produced without an order by the Court, provided that written or recorded communication

between plaintiff and counsel, made after an attorney-client relationship has been established need not be produced or identified.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waiving its objections, Lucent will search for relevant non-privileged information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (21):

All photographs of people working with, using or being exposed to your asbestos-containing materials.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as argumentative, overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (22)

Copies of all reports, correspondence and records which relate to the subject matter of these cases from any expert who is expected to testify at trial, either with respect to issues such as state-of-the-art, standardized, threshold limits, government or military specifications, industrial hygiene, ship or railroad design or construction, warnings, friability of defendants' products, health hazards involving defendants' products, general medical issues relating to asbestos disease and their causes or and with respect to any individual plaintiffs case.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine. Lucent further objects to this Request because it is beyond the scope permitted by CPLR 3101(d) and is premature.

REQUEST FOR PRODUCTION (23)

All documents submitted to any federal, state or local government or agency in connection with that body's efforts to establish standards, specifications or levels of ambient or occupational exposure to asbestos or asbestos from your products.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent will search for relevant information and/or documents and produce such documents, if any, for inspection at a mutually convenient place and time.

REQUEST FOR PRODUCTION (24):

Any asbestos and/or asbestos-containing products of the type manufactured by defendant and which the defendant has in his possession, custody or control.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects to the extent the Request seeks information regarding "products of the type manufactured" by defendant and seeks the production of such products.

REQUEST FOR PRODUCTION (25):

All boxes, containers or wrappers that defendant used to package or ship its asbestos or asbestos-containing products.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent is not in possession of any such materials.

REQUEST FOR PRODUCTION (26):

All labels, tags, or warnings which defendant alleges it placed on the boxes, containers or wrappers which contained defendants' asbestos or asbestos-containing products.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent is not in possession of any such materials.

REQUEST FOR PRODUCTION (27):

Any customer, contractor, dealer or distributor complaint relating to defendants' asbestos products and any incident or accident reports defendant received relating to the health hazards of its asbestos products.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly

burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (28):

Any written statements obtained by the defendant which relate to facts, circumstances, incidents, injuries or damages which form the basis of the complaint of each plaintiff including but not limited to statements made to any police or law officers, insurance company representatives, state or federal agents, or representative of plaintiffs employers or of other companies.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waving its objections, Lucent is not in possession of any such non-privileged documents.

REQUEST FOR PRODUCTION (29):

All records and documents including tax returns, compensation claims, disability claims, social security claims, hospital and medical records, x-rays, pathology material, photographs, statements, reports and other documents relating to the claim of each plaintiff other than documents provided to you by the particular plaintiffs counsel.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly

burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Lucent further objects that this Request calls for information that is privileged and/or protected by the work-product doctrine. Subject to and without waving its objections, Lucent is not in possession of any such documents other than documents provided to Lucent by Plaintiffs' counsel.

REQUEST FOR PRODUCTION (30):

All communications with or concerning the American Conference of Government and Industrial Hygienist.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent states that to the best of its current knowledge it is not in possession of any such documents.

REQUEST FOR PRODUCTION (31)

All documents received by you or in your possession relating to or concerning the Quebec Asbestos Mining Association (QAMA).

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition. Subject to and without waving its objections, Lucent states that to the best of its current knowledge it is not in possession of any such documents.

REQUEST FOR PRODUCTION (32):

All documents marked as exhibits in any insurance coverage litigation between you and any liability insurance carrier.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (33):

All documents produced by you in the litigation with your liability insurance carrier.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (34):

All documents marked as exhibits in any indemnity or liability litigation between you and the U.S. Government.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

REQUEST FOR PRODUCTION (35):

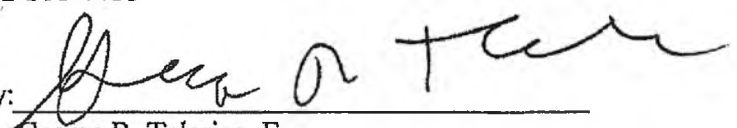
All documents produced by you in the litigation with the U.S. Government.

RESPONSE:

In addition to its General Objections, which are incorporated as though set forth fully herein, Lucent further objects to this Request as overly broad and unduly burdensome in both scope and in time as it calls for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial. As presently constituted, the Request is not reasonably tailored to include only matters relevant to the cases pending in New York County and, therefore, is overly broad and constitutes an impermissible fishing expedition.

Dated: April 22, 2011

EDWARDS ANGELL PALMER & DODGE LLP
750 Lexington Avenue
New York, New York 10022
212-308-4411

By: 

George R. Talarico, Esq.
Attorneys for Defendant
*Alcatel-Lucent USA Inc., formerly known as
Lucent Technologies Inc., as successor in
interest to Western Electric Company Inc. for
certain claims*

ATTACHMENT I-1

ASBESTOS PRODUCT INFORMATION SHEET

TYPE 18 AND TYPE 19 FLAT RESISTORS

- (a) A description of the product: The Type 18 and Type 19 flat resistors were used as a component part in telecommunications equipment.
- (b) Generic name: Type 18 and Type 19 flat resistors.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Not applicable.
- (e) Asbestos Content by Percentage: Certain types of flat resistors had 35-40 percent chrysotile asbestos content.
- (f) Type of Asbestos: Of those with asbestos content, chrysotile.
- (g) Mineralogical and/or constituent component by weight of each constituent: Not known.
- (h) Inclusive Dates of Manufacture: Unknown.
- (i) Inclusive Dates of Sale: The Type 18 and Type 19 flat resistors were used as a component part in the manufacture of telecommunications equipment. As such, it was not "sold."
- (j) Name of manufacturer and place of manufacture: The Type 18 and Type 19 flat resistors were manufactured by Western Electric. The asbestos-containing component of these resistors (i.e. asbestos paper, phenolized asbestos sheets and millboard) were supplied by third parties. The supplier of the phenolized asbestos sheets was Spaulding Fibre Company of Rochester, NH.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

(m) The color, physical description and characteristics of the product: Type 18 and Type 19 flat resistors may have varied in size and shape over time but, generally, the resistors were rectangular in shape with two "prongs", were approximately 1 1/2" w x 3" h x 1/8" thick, and brown in color. Western Electric's name may have appeared on the cover of the flat resistors along with a numerical code designating the model number and other numeric information. The devices were small resistors (electric components) used in telecommunications equipment. They had resin-impregnated asbestos sheets and papers that were incorporated into the non-asbestos-containing parts of the resistors.

(n) The purpose of using asbestos as an ingredient in the product: As an insulator.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: A product code may have been placed on the Type 18 and Type 19 flat resistors.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): The flat resistors were used as a component part in the manufacture of telecommunications equipment. As such, they were not "sold."

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: The Type 18 and Type 19 flat resistors were used as a component part in the manufacture of telecommunications equipment. As such, they were not "sold."

(s) The intended use of the product: The Type 18 and Type 19 flat resistors were used as a component in telecommunications equipment.

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: The product was wired into telecommunications equipment before the equipment left Western Electric.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: None.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos:

Upon information and belief, Western Electric began phasing out the use of asbestos material in the manufacturing process of this product in the mid to late 1970s. The asbestos containing components were replaced due to the desire to phase out the use of asbestos. The specific date is not currently known.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: These products became obsolete due to the advancement of technology and equipment.

ATTACHMENT I-2

ASBESTOS PRODUCT INFORMATION SHEET

HOOK-UP WIRES

- (a) A description of the product: Hook-up wires, generally purchased from outside manufacturers, were used in central offices prior to 1946 as power distribution wire and may have contained asbestos. These hook-up wires were used in small amounts in restricted applications where high temperatures were present.
- (b) Generic name: Unknown, other than "hook up wires"
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture this product.
- (i) Inclusive Dates of Sale: This product was used in the Bell System prior to 1946.
- (j) Name of manufacturer and place of manufacture: The following manufacturers were listed at some time under one of the versions of the specifications for these wires: Lenz Electric Manufacturing Co., Philadelphia Insulated Wire Co., and American Insulated Wire.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

- (m) The color, physical description and characteristics of the product: The wires themselves were made of copper. Some were coated with a non-asbestos tinning solution.
- (n) The purpose of using asbestos as an ingredient in the product: They were an insulator in special applications, involving either high heat exposure or high fire potential.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: The precise marking on a wire containing asbestos is not currently known.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Not known.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Not known.
- (s) The intended use of the product: As noted above, not all wires utilized asbestos. Most used cotton-braided insulation. Those wires with asbestos insulation were used in high heat or high voltage applications.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Unknown.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Although markings vary, certain wires may have codes stamped on the external sheathing or wrap.

(aa) The names and addresses of the people responsible for the development of the product: Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Most hook-up wires that contained asbestos were only used prior to 1946 and were purchased from outside manufacturers. One type of hook-up wire (KS13544), also purchased from outside manufacturers, was used in limited amounts after 1946, but was discontinued in or about 1973.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-3

ASBESTOS PRODUCT INFORMATION SHEET

WASHERS

- (a) A description of the product: Washers
- (b) Generic name: Washers.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: The testing of certain types of asbestos-containing washers resulted in between approximately 75-80% asbestos content.
- (f) Type of Asbestos: Chrysotile.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture the washers.
- (i) Inclusive Dates of Sale: Western Electric did not sell the washers.
- (j) Name of manufacturer and place of manufacture: Unknown.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).
- (m) The color, physical description and characteristics of the product: Not all washers during the relevant time period contained asbestos. The washers that were asbestos-containing were round and of various sizes, ranging from ½ " to 1 1/2" in diameter. They were an off-white color, made of a fabric material that contained asbestos and may have been impregnated in rubber.

- (n) The purpose of using asbestos as an ingredient in the product: The purpose of the washers was to provide insulation between the resistors and the termination of the resistors (i.e., circuit board). It is believed these washers were also intended to protect a circuit from voltage leakage which usually occurred from the terminal lug to the centering washer.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: The washers did not contain any distinctive marking and/or logo.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): It was a component incorporated into telecommunications equipment and, as such, was not by itself "sold."
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: It was a component incorporated into telecommunications equipment and, as such, was not by itself "sold."
- (s) The intended use of the product: Upon information and belief, the washers were used to provide insulation between resistors in older telephone switching equipment.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: This product was not "applied".
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Unknown.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product:
Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos:
Western Electric did not manufacture and did not sell the washers. Western Electric discontinued the use of asbestos-containing washers in or about 1978 because of a company wide initiative to discontinue the use of asbestos-containing products.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: These component parts became obsolete due to the advancement of technology and equipment.

ATTACHMENT I-4

ASBESTOS PRODUCT INFORMATION SHEET

CABLE BAGS

- (a) A description of the product: Cable bags. Not all cable bags during the relevant time period contained asbestos. The asbestos-containing bags consisted of small canvas type sacks which may have contained an unknown percentage of treated asbestos. The bags were green or off-white in color and may have been stamped with "R-944" or "R-9440". These bags were used by Western Electric installers in cable holes for temporary fire insulation protection during installation activities in Bell Operating Company central offices. These temporary bags were meant to be replaced by permanent cable bags which did not contain asbestos, but rather, contained mineral or rock wool.
- (b) Generic name: "Cable bags", "cable hole bags" or "pillows"
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture the cable bags.
- (i) Inclusive Dates of Sale: Western Electric purchased these products for its own use and therefore did not place this product on the market or otherwise market the product.
- (j) Name of manufacturer and place of manufacture: To the best of Lucent's current knowledge, one of the suppliers of this product may have been Johns Manville Co.

(k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

(m) The color, physical description and characteristics of the product: These bags consisted of small canvas type sacks which may have contained an unknown percentage of treated asbestos. The bags were green or off-white in color and may have been stamped with "R-944" or "R-9440". These bags were used by Western Electric installers in cable holes for temporary fire insulation protection during installation activities in Bell Operating Company central offices. These temporary bags were meant to be replaced by permanent cable bags which did not contain asbestos, but rather, contained mineral or rock wool.

(n) The purpose of using asbestos as an ingredient in the product: Fire insulation.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the cable bags.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the cable bags, but purchased the product for its own use.

(s) The intended use of the product: These bags were used by Western Electric installers in cable holes for temporary fire insulation protection during installation activities in Bell Operating

Company central offices. These temporary bags were meant to be replaced by permanent cable bags which did not contain asbestos, but rather, contained mineral or rock wool.

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: This product was not "applied."

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: None.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos:

Western Electric ceased using asbestos-containing cable bags as early as March 1974 due to a company wide initiative to discontinue the use of any asbestos-containing products.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-5

ASBESTOS PRODUCT INFORMATION SHEET

CABLE HOLE COVERS

(a) A description of the product: Cable hole covers were used in the Bell Operating Companies' central offices to act as a barrier for the spread of fire from one floor to another in an area where the cables ran from sub ground level locations and from floor to floor. Not all cable hole covers during the relevant time period contained asbestos. They varied in size. They were light gray in color.

(b) Generic name: "Cable vault covers" or "cable hole covers" or "cable slot covers."

(c) Brand name: Unknown.

(d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.

(e) Asbestos Content by Percentage: A test on one cable-hole cover yielded a result of 45% chrysotile asbestos.

(f) Type of Asbestos: Chrysotile.

(g) Mineralogical and/or constituent component by weight of each constituent: Not known.

(h) Inclusive Dates of Manufacture: Western Electric did not manufacture cable hole covers.

(i) Inclusive Dates of Sale: Western Electric did not manufacture this product. Western Electric may have assisted the Bell Operating Companies in obtaining this product for use within the Bell System only.

(j) Name of manufacturer and place of manufacture: Upon information and belief, one of the suppliers of the asbestos containing cable hole covers was Nicollete Co.

(k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J)

(m) The color, physical description and characteristics of the product: They varied in size and were light gray in color.

(n) The purpose of using asbestos as an ingredient in the product: Fire insulation.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not manufacture this product.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not manufacture this product.

(s) The intended use of the product: The product was used as a barrier for the spread of fire from one floor of a central office to another in an area where the cables ran from sub-ground level locations from floor to floor to the top of the building.

(t) The manner of forming, shaping or molding such product to the application surface: Cable hole covers were generally pre-cut to the size and dimension of the hole.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Cable hole covers were generally bolted to the central office floor.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: None known at this time.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric ceased using asbestos-containing cable hole covers as early as September 1974 due to a company wide initiative to discontinue the use of any asbestos-containing products.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-6

ASBESTOS PRODUCT INFORMATION SHEET

FIBER-CEMENT CONDUIT

- (a) A description of the product: "B Fiber Cement Conduit" or "C Fiber Cement Conduit."
- (b) Generic name: Fiber-cement conduit
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Not currently known. While some fiber cement conduit supplied by third-party manufacturers may have contained asbestos, the use of asbestos was not required in the AT specifications for type "B fiber cement conduit" or "C fiber cement conduit". As such, not all conduit supplied during the relevant time period contained asbestos.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Not known.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture fiber-cement conduit.
- (i) Inclusive Dates of Sale: Western Electric did not "sell" fiber-cement conduit. Western Electric may have assisted the Bell Operating Companies in obtaining this product for use within the Bell System only. In addition, the Bell Operating Companies may have purchased the conduit directly from the manufacturer or a third party supplier.
- (j) Name of manufacturer and place of manufacture: Name and location of the supplier(s) is not currently known, but Johns-Manville is believed to have been one manufacturer.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J)

(m) The color, physical description and characteristics of the product: The fiber-cement conduit came in multiple sizes, including straight cement conduits. The "B" fiber cement conduit," was a thin wall conduit designed for use with concrete protection, and the "C fiber cement conduit," was a heavy wall conduit designed for use without concrete protection. The conduits were cut square and provided with tapered tenons rounded on the interior edge.

(n) The purpose of using asbestos as an ingredient in the product: Unknown.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell fiber-cement conduit.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the fiber-cement conduit.

(s) The intended use of the product: The primary intended use of the fiber cement conduit was to protect telephone communications materials, included cables, placed underground from failure and deterioration, including deterioration from moisture and ground water. Upon information and belief fiber cement conduit was used by the Bell Operating Companies in limited applications.

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Unknown.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Unknown.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown. Western Electric did not manufacture this product.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Unknown.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-7

ASBESTOS PRODUCT INFORMATION SHEET

CENTRAL OFFICE ASBESTOS GLOVES

(a) A description of the product: The fire-retardant gloves were approximately 20" gauntlet gloves having three fingers and two thumbs. The gloves were intended for emergency use in Bell Operating Company central offices to snuff out small fires on telephone equipment. The package or shipping container was marked on the side and/or customarily showed quantity, "KS-8463 gloves" and the manufacturers' name or general trademark. Containers were customarily marked to show gross weight. A pull tab of natural cotton webbing was securely sewn inside the heel of the glove.

(b) Generic name: Asbestos gloves or gloves.

(c) Brand name: Unknown.

(d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.

(e) Asbestos Content by Percentage: Unknown.

(f) Type of Asbestos: Chrysotile.

(g) Mineralogical and/or constituent component by weight of each constituent: Unknown.

(h) Inclusive Dates of Manufacture: Western Electric did not manufacture the gloves.

(i) Inclusive Dates of Sale: Western Electric did not sell this product. Western Electric may have assisted the Bell Operating Companies in obtaining this product for use within the Bell System only.

(j) Name of manufacturer and place of manufacture: Unknown.

(k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).
- (m) The color, physical description and characteristics of the product: See (a).
- (n) The purpose of using asbestos as an ingredient in the product: Unknown.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell this product.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: The package or shipping container was marked on the side and/or customarily showed quantity, "KS-8463 gloves" and the manufacturers' name or general trademark. Containers were customarily marked to show gross weight.
- (s) The intended use of the product: The gloves were intended for emergency use in Bell Operating Company central offices to snuff out small fires on telephone equipment.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric ceased using asbestos-containing gloves as early as December 1978 due to a company wide initiative to discontinue the use of any asbestos-containing products.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: This product was replaced by a non-asbestos containing glove, "KS-22240 Heat and Fire Retardant Glove" beginning in 1978; however, Western Electric did not sell it commercially.

ATTACHMENT I-8

ASBESTOS PRODUCT INFORMATION SHEET

IMPREGNATED ASBESTOS COMPOSITION PANELS

- (a) A description of the product: This product was intended for use as a panel for central office power switchboards. These panels came in various sizes and thicknesses. They were customarily a uniform dull black in appearance. The surface was reasonably smooth, but not necessarily specially finished.
- (b) Generic name: Impregnated asbestos composition panels were also known as ebony power board or ebonite board.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Not currently known, but one source reports 35% to 40%.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture the boards.
- (i) Inclusive Dates of Sale: Western Electric did not sell the boards.
- (j) Name of manufacturer and place of manufacture: Unknown. Documents suggest that, as of 1968, the panels were manufactured by Johns-Manville in New York and Nicollet Industries, Inc. in Florham Park, New Jersey.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

(m) The color, physical description and characteristics of the product: The panels were non-asbestos containing or asbestos and portland cement, mixed to a hard, uniform panel and impregnated with an appropriate dielectric, intended for use as a panel for central office power switchboards. The Alkyd content is stated as "a maximum of 45 milligrams of KOH per gram of material". These panels came in various sizes and thicknesses. They were customarily a uniform dull black in appearance. The surface was reasonably smooth, but not necessarily specially finished.

(n) The purpose of using asbestos as an ingredient in the product: Not currently known.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the board.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the board.

(s) The intended use of the product: This product was intended for use as a panel for specific electrical switchboards in telephone central offices.

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.
- (w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.
- (x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.
- (y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".
- (z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.
- (aa) The names and addresses of the people responsible for the development of the product: Unknown.
- (ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric did not manufacture and did not sell the boards and ceased using the product as early as January 1978.
- (ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-9

ASBESTOS PRODUCT INFORMATION SHEET

SPEC 15CII WIRE

- (a) A description of the product: Rubber insulated asbestos covered wire supplied to U.S. Navy under specification 15CII.
- (b) Generic name: Unknown, other than "Navy Wire" or "Type SFPP-2 Navy Wire."
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture this product.
- (i) Inclusive Dates of Sale: Unknown.
- (j) Name of manufacturer and place of manufacture: The following manufacturers were listed at some time under one of the versions of the specifications for these wires: Simplex Wire and Rockbestos Products Corporation,
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).
- (m) The color, physical description and characteristics of the product: The wire was made of rubber insulated asbestos covered wire, impregnated with a fire and moisture resisting insulating compound.

- (n) The purpose of using asbestos as an ingredient in the product: Unknown.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: The precise marking on a wire containing asbestos is not currently known.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Unknown
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Unknown
- (s) The intended use of the product: Used in amplifiers, rectifiers and other equipment in Flight Announcing Systems for the U.S. Navy.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.
- (w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.
- (x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Unknown.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown. This product was not sold commercially, but to the US Navy.

ATTACHMENT I-10

ASBESTOS PRODUCT INFORMATION SHEET

PHENOLIC MOLDING COMPOUND

- (a) A description of the product: Phenolic molding compounds are hot-molding, thermosetting compounds consisting of a phenol-formaldehyde resin or modification thereof, intimately combined in the uncured or partially cured condition with fillers, pigments, and dyes, as required to obtain the properties desired. Prior to the mid-1970s, Western Electric purchased both asbestos-containing and non-asbestos containing phenolic molding compounds from third parties.
- (b) Generic name: Phenolic molding compounds.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: The composition of the phenolic molding compounds varied. Not all phenolic molding compounds purchased by Western Electric contained asbestos; however, some of these compounds, manufactured by third parties, contained anywhere from 3% to 30% asbestos filler.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture phenolic molding compounds.
- (i) Inclusive Dates of Sale: Western Electric did not sell the phenolic molding compounds, but may have incorporated them in the manufacturing process for other products:

(j) Name of manufacturer and place of manufacture: Based upon available records, the following companies supplied asbestos-containing and non-asbestos-containing phenolic molding compounds to Western Electric: Plenco, Union Carbide, Reichhold, Hooker-Durez and Rogers Corporation. The place of manufacture is unknown.

(k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? Yes. See response to subpart (j) and subpart (p).

(m) The color, physical description and characteristics of the product: See Lucent's response to subpart (a). Certain types of phenolic molding compounds were furnished in natural color and certain types were furnished in black and other colors.

(n) The purpose of using asbestos as an ingredient in the product: Lucent objects as Western Electric did not manufacture phenolic molding compounds and, as such, the subpart is better directed at the suppliers of the compounds. Subject to and without waiving its objections, Lucent states that Western Electric specification did not require that phenolic molding compounds contain asbestos.

(o) The number and date of each patent or patent application relating to the product: Unknown.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Below is a list of the Western Electric material specifications numbers for each of the known *asbestos-containing* phenolic molding compounds purchased by Western Electric from third parties:

Supplier
Plenco 548 Flow 110

Western Electric Material Spec. #
997042445

Plenco 548 Mottle Flow 110	996942116
Plenco 548 Flow 140	996943361
Plenco 571 Flow 100	900035122
Plenco 571 Flow 120	900054297
	900054313
	900054339
	995246394
Plenco 571 Flow 130	900054321
	995247525
Plenco 308 Flow 120	Unknown
Rogers Corporation: RX-660 Flow 22	996942264
Union Carbide: BMMS 5333 Grade 15	900039488
Union Carbide: BMMS 5333 Grade 18	995244456
Union Carbide: BMRS 5440 Grade 15	900028937
Union Carbide: BMRS 5440 Grade 18	900031444
Reichhold 25158 Flow 13	900054313
	900054321
	900054339
	995247525
Reichhold 25158 Flow 16	900072430
	900073448
Reichhold 25170	Unknown
Hooker Durez 265 plas. 12	Unknown
Hooker Durez 1544 plas. 12	Unknown
Hooker Durez 13527 plas. 14	Unknown
Hooker Durez 21028 plas. 12	Unknown
Hooker Durez 24436 plas. 14	Unknown

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not itself sell or manufacture this product. Per Western Electric specification, third parties who supplied this product to Western Electric were required to pack the product in "suitable containers" and the containers were to be marked as follows: i. name of material; ii. company's specification number, type and color; iii. company's purchase order number; iv. supplier's name or trademark and material code number; v. supplier's batch or test number and container number and vi. net weight of material.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: It is unknown how specifically third parties packaged phenolic molding compounds; however, for a general description of Western Electric's requirements for suppliers see response (q).

(s) The intended use of the product: These compounds are intended for molding by compressions, transfer, and in-line injection molding, and they are used in the manufacture of other products. Some possible applications of phenolic molding compounds are spacers for crossbar switches, electrical insulators, wire spring relays, flat resistors and fuse blocks.

(t) The manner of forming, shaping or molding such product to the application surface: Lucent objects to the extent "application surface" is vague and ambiguous. Subject to and without waiving its objections, Lucent states that this subpart is not applicable to this product.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Unknown.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Other than a manufacturer's name on the packaging, unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric did not manufacture and did not sell phenolic molding compounds. Western Electric ceased purchasing asbestos-containing phenolic molding compounds as early as September 1977.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Not applicable.

ATTACHMENT I-11

ASBESTOS PRODUCT INFORMATION SHEET

AASTRD CABLES

- (a) A description of the product: These cables were 6 gauge cables used in limited applications as power cables on TH radio systems, which were broadband microwave systems, or for the AC input leads on a rectifier that was part of the power unit. The cables were not used in telecommunication transmission. Lucent is unaware at this time of the temperature limits for use of this product.
- (b) Generic name: "AASTRD wire" or "Asbestos Type AA STRD Wire."
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown. The composition of insulation of the power cable varied. Not all such cables contained asbestos. The power cables could have been insulated with either asbestos or with silicon rubber and glass braid.
- (f) Type of Asbestos: Not currently known.
- (g) Mineralogical and/or constituent component by weight of each constituent: Not known.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture the asbestos covered cable.
- (i) Inclusive Dates of Sale: Western Electric did not sell the asbestos covered cable.
- (j) Name of manufacturer and place of manufacture: Unknown.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

(m) The color, physical description and characteristics of the product: A white, woven material.

(n) The purpose of using asbestos as an ingredient in the product: Unknown.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Unknown.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Unknown.

(s) The intended use of the product: As power cables in areas subject to extreme heat or fire potential.

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Unknown. Upon information and belief, the use of these cables was discontinued in or before August 1983.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-12

ASBESTOS PRODUCT INFORMATION SHEET

ASBESTOS BRAIDED SLEEVING

- (a) A description of the product: Asbestos braided sleeving.
- (b) Generic name: Asbestos braided sleeving.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown.
- (f) Type of Asbestos: Unknown.
- (g) Mineralogical and/or constituent component by weight of each constituent: The material is a closely-braided cylindrical sleeving (tubing) made from asbestos fibers, cotton fibers and ammonium sulfate.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture the asbestos braided sleeving.
- (i) Inclusive Dates of Sale: Western Electric did not sell the asbestos braided sleeving, but used it in the manufacturing process.
- (j) Name of manufacturer and place of manufacture: Unknown.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

- (m) The color, physical description and characteristics of the product: The inside diameter was 5/64 of an inch, the outside diameter was 3/15 of an inch, minimum, 7/32 of an inch maximum. The material was an off-white gray color.
- (n) The purpose of using asbestos as an ingredient in the product: Unknown.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the asbestos braided sleeving.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the asbestos braided sleeving.
- (s) The intended use of the product: Used in fuses for protection from heat and fire.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.
- (w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric did not manufacture and did not sell the asbestos braided sleeving and ceased using the product as early as 1982.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-13

ASBESTOS PRODUCT INFORMATION SHEET

TIN PLATE WIPING PADS

- (a) A description of the product: Tin plate wiping pads were anchored to holders on an electrical soldering iron. Specifically, the soldering iron was in a metal holder, which had on it a 3"X 4" asbestos cloth pad which in turn was covered by a tin plate. The tin plate was designed to be a surface on which the operator could wipe off excess solder. Not all tin plate wiping pads were asbestos-containing.
- (b) Generic name: Wiping pads or soldering wiping pads.
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Approximately 90%
- (f) Type of Asbestos: Chrysotile
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Western Electric did not manufacture tin plate wiping pads.
- (i) Inclusive Dates of Sale: Western Electric did not sell tin plate wiping pads.
- (j) Name of manufacturer and place of manufacture: Name and location of the supplier(s) is not currently known.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

- (m) The color, physical description and characteristics of the product: The pads consisted of either a woven or non-woven cloth material.
- (n) The purpose of using asbestos as an ingredient in the product: Heat resistance.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: Unknown., although the Western Electric product specification number was R-2973.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell tin plate wiping pads.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell tin plate wiping pads.
- (s) The intended use of the product: The tin plate wiping pads were anchored to holders on an electrical soldering iron. Specifically, the soldering iron was in a metal holder, which had on it a 3"X 4" asbestos cloth pad which in turn was covered by a tin plate. The tin plate was designed to be a surface on which the operator could wipe off excess solder.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Unknown.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric did not manufacture and did not sell the soldering wiping pads and ceased using the product with asbestos as early as 1974.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-14

ASBESTOS PRODUCT INFORMATION SHEET

TYPE 7C and 11C FUSES

(a) A description of the product: The fuses were tubular type fuses used in protector mountings having an internal fuse wire enclosed in asbestos sleeving. The 11C fuses were approximately 4 5/8 inches long and ranged between .0066 and .035 inches in diameter. They were furnished in rated capacities of 1, 2, 3, 4, 5, 6, 7 and 8 amperes. The external fuse case may have been stamped with the amperage and the year of manufacture. The chemical properties of the asbestos sleeving are set forth in materials as follows: Flammability, length of CHAR, IN.MAX.3; ash content, percent MIN.54; water extract conductivity, MHO per CM.MAX. 1.75 x 10 to the -3; PH of water extract, MIN.6.2, MAX.7.5.

(b) Generic name: Type 7C and 11C fuses.

(c) Brand name: Unknown.

(d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.

(e) Asbestos Content by Percentage: Unknown.

(f) Type of Asbestos: Upon information and belief, the only asbestos containing component of the fuses was an encapsulated sleeving which covered the internal fuse wire. The sleeving was a closely-braided cylindrical sleeving (tubing) made principally from asbestos fibers, and may have contained small percentages of cotton fibers and ammonium sulfate. Upon information and belief, the sleeving had some unknown percentage of chrysotile asbestos.

(g) Mineralogical and/or constituent component by weight of each constituent: Not known.

(h) Inclusive Dates of Manufacture: Unknown. Upon information and belief, Western Electric manufactured the fuses for exclusive use by the Bell Operating Companies.

- (i) Inclusive Dates of Sale: Western Electric did not sell Type 11C and 7C Fuses, but manufactured the fuses for exclusive use by the Bell Operating Companies.
- (j) Name of manufacturer and place of manufacture: Name and location of the supplier(s) is not currently known.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).
- (m) The color, physical description and characteristics of the product: See (a).
- (n) The purpose of using asbestos as an ingredient in the product: Heat resistance.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: None known.
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the Type 11C and 7C Fuses.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the Type 11C and 7C Fuses.
- (s) The intended use of the product: The fuses were used in protector mountings.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Unknown.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-15

ASBESTOS PRODUCT INFORMATION SHEET

PROTECTOR MOUNTING

- (a) A description of the product: The mounting was a low alkali hard asbestos sheet impregnated with a high melting point mineral wax measuring approximately 8 inches by 4/38 inches. The mounting may have been stamped with "48-B Weco."
- (b) Generic name: Unknown, other than "48-B Protector Mounting."
- (c) Brand name: Unknown.
- (d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.
- (e) Asbestos Content by Percentage: Unknown.
- (f) Type of Asbestos: Upon information and belief, the mounting had some unknown percentage of chrysotile asbestos.
- (g) Mineralogical and/or constituent component by weight of each constituent: Unknown.
- (h) Inclusive Dates of Manufacture: Not applicable. Lucent did not manufacture this product.
- (i) Inclusive Dates of Sale: Not applicable. Lucent did not manufacture this product.
- (j) Name of manufacturer and place of manufacture: Unknown.
- (k) Did you rebrand or sell the product to others for resale by them under some other name?
If so, for who and when: No.
- (l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J)
- (m) The color, physical description and characteristics of the product: The mounting was a low alkali hard asbestos sheet impregnated with a high melting point mineral wax measuring

approximately 8 inches by 4/38 inches. The mounting may have been stamped with "48-B Weco."

- (n) The purpose of using asbestos as an ingredient in the product: Heat resistance.
- (o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.
- (p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: The mounting may have been stamped with "48-B Weco."
- (q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the 48-B Protector Mounting.
- (r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the 48-B Protector Mounting.
- (s) The intended use of the product: The mounting may have been used as an optional backing for protectors used with vintage telephones.
- (t) The manner of forming, shaping or molding such product to the application surface: Not applicable.
- (u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable.
- (v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable.
- (w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Unknown.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Unknown.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

ATTACHMENT I-16

ASBESTOS PRODUCT INFORMATION SHEET

FIRESTOP PUTTY

(a) A description of the product: The firestop putty was a permanently-pliable green colored compound of wet, putty-like consistency. The firestop putty was used as a sealant to provide fire and smoke protection where cables pass through walls, floors and ceilings in central offices. The product may have been labeled with the manufacture's name, date of manufacturer and the words "(Fire Rated)."

(b) Generic name: "B Caulking Compound" and "Solarite KM-700-W.E."

(c) Brand name: Unknown.

(d) Trademark Name, Number, Registration date, and period of Trademark Use: Unknown.

(e) Asbestos Content by Percentage: Unknown.

(f) Type of Asbestos: The composition of the firestop putty varied. Not all such putty contained asbestos.

(g) Mineralogical and/or constituent component by weight of each constituent: Unknown.

(h) Inclusive Dates of Manufacture: Not applicable. Lucent did not manufacture this product.

(i) Inclusive Dates of Sale: Not applicable. Lucent did not manufacture this product.

(j) Name of manufacturer and place of manufacture: Upon information and belief, Solar Compounds Company of Linden, NJ manufactured the caulking compound ("Solarite") which contained asbestos.

(k) Did you rebrand or sell the product to others for resale by them under some other name?

If so, for who and when: No.

(l) Did you purchase the product from another manufacturer? And, if so, from whom, when and under what other name was it sold? See (J).

(m) The color, physical description and characteristics of the product: See (a).

(n) The purpose of using asbestos as an ingredient in the product: Heat resistance.

(o) The number and date of each patent or patent application relating to the product: To the best of Lucent's knowledge, none.

(p) A precise description of any logo, symbol, initials or identifying marks used in connection with the product: The product may have been labeled with the manufacture's name, date of manufacturer and the words "(Fire Rated)."

(q) The form in which it was sold (e.g., drum, carton, bag, etc.): Western Electric did not sell the fire-stop putty.

(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color, and writing thereon: Western Electric did not sell the Fire Stop Putty.

(s) The intended use of the product: The firestop putty was used as a sealant to provide fire and smoke protection where cables pass through walls, floors and ceilings in central offices.

(t) The manner of forming, shaping or molding such product to the application surface: Unknown.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Unknown.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Unknown.

(w) The identity and location of all records relating to the development of the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(x) The identity and location of all records relating to the product: To the extent any such records exist, such documents are in the possession of Lucent and/or Lucent's counsel.

(y) The identity of the Custodian of actual containers and photographs of containers of the product: To the best of Lucent's current knowledge, no such materials exist, as such, there is no "custodian".

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Unknown.

(aa) The names and addresses of the people responsible for the development of the product: Not known.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Western Electric did not manufacture this product.

(ac) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Unknown.

CERTIFICATION

STATE OF NEW JERSEY

)
) ss.:
)

COUNTY OF UNION

I, Margaret G. Gelsi, being duly sworn, deposes and says:

I am the Assistant Secretary of Alcatel-Lucent USA Inc., that I sign the foregoing amended responses to Plaintiffs' Standard Set of Liability Interrogatories and Requests for Production of Documents for and on behalf of Alcatel-Lucent USA Inc. in this matter; that the matters stated in the foregoing responses are not within my personal knowledge; that there is no single official or employee of Alcatel-Lucent USA Inc. who has personal knowledge of all such matters; that the facts stated in the foregoing responses have been assembled by employees and agents of Alcatel-Lucent USA Inc. and that the matters set forth in the aforesaid responses are in accordance with the information and records available to Alcatel-Lucent USA Inc. and the records maintained by Alcatel-Lucent USA Inc. are true, insofar as it is possible to verify them.

Margaret D. Gelsi

Margaret D. Gelsi

Assistant Secretary of Alcatel-Lucent USA Inc.

Sworn to before me this
22nd day of April, 2011

Cheryl A. Jesse
Notary Public

Cheryl A. Jesse
A Notary Public of New Jersey
My Commission Expires
March 20, 2012

NWIK 238039.1

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7 Attorneys for Defendants
8 AT&T Corp. and Lucent Technologies Inc.

DEC 28 1997

9 In the Superior Court for the State of California, in and for the
10 County of San Francisco

11
12
13 IN RE: COMPLEX ASBESTOS
14 LITIGATION

No. 828684

15 DEFENDANTS AT&T CORP. AND
16 LUCENT TECHNOLOGIES INC.'S
17 RESPONSES TO PLAINTIFF'S
18 STANDARD INTERROGATORIES
19 TO DEFENDANTS

20 PROPOUNDING PARTY: PLAINTIFFS

21 RESPONDING PARTY: DEFENDANTS AT&T CORP. and LUCENT TECHNOLOGIES
22 INC.

23 SET NUMBER: GO 129 STANDARD INTERROGATORIES TO ALL
24 DEFENDANTS

25 Defendants AT&T Corp. ("AT&T") and Lucent Technologies Inc. ("Lucent") respond to the
26 GO 129 Standard Interrogatories, subject to the burden objection and stipulation regarding
27 said objection that is memorialized in Exhibit A attached hereto.
28

1 Where appropriate, AT&T and Lucent will respond individually to certain interrogatories.
2 The only post January 1, 1997 case in which either AT&T or Lucent are defendants is
3 DeSimone v. Raybestos-Manhattan, Inc., case number 988841. The allegations against
4 AT&T and Lucent in that case are asserted against them in their capacity as the successors
5 in interest to the claims asserted in that case against Western Electric Company,
6 Incorporated ("Western Electric"). Thus, where applicable, the responses to the
7 interrogatories are on behalf of Western Electric (a former wholly owned subsidiary of
8 AT&T), Bell Labs (a wholly owned subsidiary of AT&T), AT&T and Lucent.
9

10 **INTERROGATORY NUMBER. 1:**

11 IDENTIFY the person verifying these answers on YOUR behalf.

12 **RESPONSE TO INTERROGATORY NUMBER 1:**

13 **LUCENT:**

14 Name: Janet O'Rourke

15 Place of employment: Lucent Technologies Inc.

16 Job title: Assistant Secretary

17 Present business address: 600 Mountain Ave., Murray Hill, New Jersey 07974

18 Years of employment: Since February, 1996.

19 **AT&T:**

20 Name: Larry M. Joseph, Esq.

21 Place of employment: AT&T Corp.

22 Job title: General Attorney and Assistant Secretary

23 Present business address: 1 Speedwell Ave., Morristown, N.J. 07962

24 Years of employment: Since October 21, 1968

25 **INTERROGATORY NUMBER. 2:**

26 State the date of first employment with YOU, and the dates and titles of each job position the
7 person verifying these interrogatories has held while employed by YOU.
28