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PLAINTIFF'S
EXHIBIT
AB-220

ROSE SPEARS, AS SPECIAL
ADMINISTRATOR FOR WILLIAM
SPEARS, DECEASED,

Plaintiff,

NO. 92-L-3

V.

A.P. GREEN, ET AL.,

Defendants

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ABEX CORPORATION'S ANSWERS TO
PLAINTIFF'S PROPOSED SECOND SET OF INTERROGATORIES
PROPOUNDED TO DEFENDANT ABEX CORPORATION

INTRODUCTION

Abex Corporation ("Abex") hereby incorporates the introduction and general objections to its answers to plaintiff's first set of interrogatories as if fully set forth herein.

SPECIFIC RESPONSES

1. Before placing Defendant's asbestos-containing products on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

- (a) The date of said studies;
- (b) What studies were done; and
- (c) The titles of each study.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that this interrogatory is ambiguous and lacks definition as to time. Subject to and without waiving these objections, Abex does not know whether such studies were made before its asbestos-containing automotive friction products were placed in the market in

1926. Discovery is continuing and Abex reserves the right to supplement this answer should further information become available.

2. Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed and jurisdiction involved;
- (b) A brief summary of the disposition of each such claim.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome, and, in seeking information regarding Abex employees, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence.

3. Have any of the products listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories been altered in chemical composition since first being marketed? If so, please state the following:

- (a) The trade name of each such product;
- (b) The date each such product was altered;
- (c) The nature of the alteration;
- (d) The reason for the alteration.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, hundreds of different

formulae have been used for Abex's asbestos-containing automotive friction products depending on, among other things, the specific application of the product.

4. Have any of Defendant's asbestos-containing products as listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories ever been marketed, distributed, and/or sold by any other company or business in Illinois? If so, please state the name and last known address of each of those companies or businesses.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, invoices relating to sales of Abex's asbestos-containing automotive friction products are on file for a period beginning sometime in 1976 to 1987 only. These invoices, which may reflect sales of Abex's asbestos-containing as well as non-asbestos-containing automotive friction products, number well in excess of half a million. Such invoices, which may or may not reflect sales as indicated in this interrogatory, are arranged, for the most part, numerically and chronologically by year and not by customer, product or state. These invoices can be made available for inspection and copying upon receipt of an appropriate document request.

4.1 For each company or business listed in response to Interrogatory No. 4 above, please state whether they sold Defendant's asbestos-containing brake lining products to any of the job sites listed on Exhibit A? If yes, please state the following:

- (a) The name and last known address of the company or business;
- (b) The name of each job site where Defendant's product was marketed, distributed, and/or sold by the company or business;
- (c) The name of each person in each company or business with whom Defendant dealt;
- (d) Please state the name and quantity of each asbestos-containing brake lining product that was sold to each job site by each company or business;
- (e) Please identify all documents relating to the sales of Defendant's asbestos-containing products to each company identified.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, even if there were sales of Abex products as indicated in interrogatory No. 4, Abex cannot assert what others did with its products once they bought them.

4.2 Did Defendant sell its asbestos-containing brake lining products to any of the job sites listed on Exhibit A? If yes, please state the following:

- (a) As to each job site on Exhibit A to which Defendant sold its asbestos-containing brake lining products, please state:
 - (i) The name of each asbestos products sold;
 - (ii) The quantity sold;
 - (iii) Each date sold.
 - (iv) The name of each person at each job site with whom Defendant dealt;
 - (v) Please identify all documents relating to the sales of Defendant's asbestos-containing brake lining products to each job site.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, invoices relating to sales of Abex's asbestos-containing automotive friction products are on file for a period beginning sometime in 1976 to 1987 only. These invoices, which may reflect sales of Abex's asbestos-containing as well as non-asbestos-containing automotive friction products, number well in excess of half a million. Such invoices, which may or may not reflect sales to the plaintiff's work sites, are arranged, for the most part, numerically and chronologically by year and not by customer, product or state. These invoices can be made available for inspection and copying upon receipt of an appropriate document request.

5. Did Defendant have sales representatives, employees or other agents who sold products listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories to contractors, builders and/or companies who did work at the job sites listed on Exhibit A? If so, please state:

- (a) The name and last known address of each such sales representative, employee, or other agent and whether they are still employed by Defendant.
- (b) The period of time they acted as your sales representative, employee or agent.
- (c) Their general responsibility at each location.
- (d) Whether that person is still alive.
- (e) The name of the contractor, builder and/or person in each company with whom your representative, employee or agent primarily dealt.
- (f) A list of the specific asbestos-containing brake lining products that your sales representative, employee or agent sold to the

contractors, builders and/or companies who did work at the job sites from 1950-1984.

- (g) The amount of each asbestos product sold by your sales representative, employee or agent to contractors, builders and/or companies who did work at the job sites listed on Exhibit A.
- (h) Please identify all documents relating to the sales identified in this interrogatory.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, Abex cannot assert what others did with its products once they bought them. Abex further states that it does not know which contractors, builders or companies did work at the jobsites listed on Exhibit A. Abex also states that it did not manufacture or sell any asbestos-containing products commonly used in the construction or building industries. Abex further states see answer to interrogatory No. 4.

6. Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories have been manufactured and/or assembled and the dates said plants have been in operation.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, asbestos-containing automotive friction products were manufactured in Detroit, Michigan; Salisbury, North Carolina; and Winchester, Virginia.

7. What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories?

ANSWER: Abex objects to this interrogatory on the grounds that it is hopelessly overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence.

8. As to each product listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed, cut, or ground on the job.)

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not established. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex's asbestos-containing automotive friction parts were generally sold in ready-to-use form.

9. Based upon the material contents of your asbestos-containing brake lining products, the method of manufacturing, and the method of application, please state which of your asbestos-containing brake lining products as listed in Interrogatory No. 5 to Plaintiff's First Set of Interrogatories could be applied by a worker without creating dust.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, see answer to interrogatory No. 8.

10. Do any written memoranda, specifications, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the asbestos-containing brake lining products listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories? If so, please:

- (a) List each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and seeks trade secret or confidential information. As worded, this interrogatory is so overly broad that it is impossible for Abex to render a meaningful response. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence.

11. Prior to releasing the asbestos-containing brake lining products listed in your response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories to the public for sale, were any tests (either animal or human) conducted on said products

to determine potential health hazards involved in the use of the materials and/or products? If so, please state:

- (a) The name, address, and job classification of each individual who conducted such tests;
- (b) The results of such tests.

ANSWER: Abex objects on the grounds that this interrogatory is repetitive. See answer to interrogatory No. 1.

12. Does Defendant have or control any written memoranda, specifications blueprints or other written materials of any kind or character relating to the testing of the asbestos-containing brake lining products listed in your response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories?

- (a) Identify each such written material or document;
- (b) Identify each person who presently has possession of each such document;
- (c) State where each such document is located.

ANSWER: See answer to interrogatory No. 1.

13. Were any design changes made as a result of such tests listed in answer to Interrogatory No. 12 hereinabove? If so, please state:

- (a) The nature of the change made;
- (b) The name, address, and job classification of each person in charge of making a change.

ANSWER: See answer to interrogatory No. 12.

14. After releasing the asbestos-containing brake lining products listed in your response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories to the public, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

- (a) The name, address, and job classification of each person and/or agency conducting said tests;
- (b) The results of said tests;

(c) The date of said tests.

ANSWER: See answer to interrogatory No. 1.

15. Has Defendant ever conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos-containing brake lining products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If yes, please state:

- (a) The dates and nature of such studies;
- (b) Names and addresses of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Attach a copy of reports based upon such studies; and
- (e) List to whom such reports were given and the date.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not established. Subject to and without waiving these objections, because Abex did not have control over other's jobsites, it is not believed any such tests were conducted.

16. Please state whether or not Defendant ever conducted any tests in the field (where asbestos-containing products were applied, removed or used) to determine the nature and extent of asbestos dust and/or fiber exposure to the brake lining installers, applicators, and/or workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing brake lining products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not

established. Subject to and without waiving these objections, because Abex did not have control over other's jobsites, it is not believed any such tests were conducted.

17. Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that this interrogatory fails to distinguish among the different types of raw asbestos fibers, asbestos in building products and asbestos in automotive friction products. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex does not know when it first became aware of statements linking prolonged massive exposures to raw asbestos fibers to potential health hazards.

18. Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma and lung cancer. As to each cancer, state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER: Abex objects to this interrogatory on the grounds that it assumes facts not established. Abex further objects on the grounds that this interrogatory fails to distinguish among the different types of raw asbestos fibers, asbestos in building products and asbestos in automotive friction products. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, see answer to interrogatory No. 17.

19. Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of mesothelioma and peritoneal mesothelioma. State the source of that information including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER: Abex objects to this interrogatory on the grounds that it fails to distinguish among the different types of raw asbestos fibers, asbestos in building products and asbestos in automotive friction products. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, see answer to interrogatory No. 17.

20. Please state when Defendant first became aware of the association between the inhalation of asbestos dust and/or fibers and contraction of lung disease known as asbestosis and state the

source of that information including a description of all tests conducted relative to possibility of such a relationship.

ANSWER: Abex objects to this interrogatory on the grounds that it fails to distinguish among the different types of raw asbestos fibers, asbestos in building products and asbestos in automotive friction products. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, see answer to interrogatory No. 17.

21. Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not established. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex never employed, retained or otherwise engaged anyone for "research, investigation or study concerning asbestos or asbestos-related diseases." Abex further states that it has employed industrial hygienists and medical directors whose job

duties have included ensuring a safe working environment for Abex employees.

22. As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and, in seeking information concerning the working conditions of Abex employees, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, the following persons have served as medical director:

Lloyd E. Hamlin	1941-1961
Charles C. Blackwell	1961-1976
Frederich W. Knoch	1976-1982
William F. Redman	1982
Dennis G. Egnatz	1982-1987

Abex is currently without a medical director.

23. Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to who such recommendations and/or suggestions were made and the substance of each recommendation.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and, in seeking information concerning the working conditions of Abex employees, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. To the best of current knowledge, no Abex medical director or industrial hygienist made any

recommendations concerning exposure by end users of Abex's friction products.

24. Please state the scientific or medical periodicals to which Defendant, its medical department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1950 and 1984.

ANSWER: Abex objects to this interrogatory on the grounds that it is unduly burdensome and worded in a manner so hopelessly overbroad as to make it impossible for Abex to render a meaningful answer. Subject to and without waiving these objections, Abex is aware that it received the American Industrial Hygiene Association Journal and the Journal of Occupational Medicine, Occupational Health and Safety.

25. State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which applicators or consumers of your product were exposed while using your asbestos-containing brake lining products.

ANSWER: See answer to interrogatories No. 15 and 16.

26. For each test described in Interrogatory No. 25, please give the name of the person conducting the test, the date of the test, and attach true copies of any reports, findings or memoranda concerning such tests or studies.

ANSWER: See answer to interrogatory No. 25.

27. Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. To the extent this interrogatory seeks information concerning the working conditions of

Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that it fails to distinguish among the different types of raw asbestos fibers, asbestos-containing building products and asbestos-containing automotive friction products. Subject to and without waiving these objections, Abex does not precisely know when it first became aware of any TLV's for asbestos.

28. Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

- (a) The date each such library was established;
- (b) The location of each library;
- (c) The name(s) of the librarian(s) since 1930;
- (d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;
- (e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex did not maintain an official medical library, although its medical department did have various books and publications relevant to industrial medicine.

29. Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance

Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

ANSWER: To the best of current knowledge and belief, Abex did not participate in any arrangements with Metropolitan Life Insurance Company for any studies.

30. Does Defendant admit that a report of some of the studies of Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos workers" was published by A.J. Lanza, Assistant Medical Director and J. published in the Public Health Report, Vol. 50, No. 1, dated January 4, 1935?

ANSWER: No.

31. When was Defendant first aware of the above mentioned Lanza Report?

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not established. Subject to and without waiving this objections, Abex does not know precisely when, if ever, it became aware of the above-referenced report.

32. Please state whether the Defendant at any time have been members of any trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos products, including asbestos-containing brake lining products, and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER: Abex objects to this interrogatory on the grounds that it is burdensome and overly broad as to time and scope. Subject to and without waiving these objections, Abex was a member of the following trade associations: Asbestos Information Association of North America (1975 to 1980) and The Brake Lining

Manufacturing Association (from an unknown period to 1949). Furthermore, Abex was a member of the Friction Materials Standards Institute (1949 to present); The American Industrial Hygiene Association ("AIHA"); The Air Pollution Control Association; the Manufacturers Alliance for Productivity and Innovation (formerly the Machinery and Allied Products Institute).

Abex is aware that some of its employees attended some meetings of the Industrial Hygiene Foundation ("IHF"), however, Abex has not found any information in its files evidencing a corporate membership in IHF.

32.1 Please state whether Defendant at any time has been a member of the Frictions Materials Standards' Institute, and if so, please identify the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, see answer to interrogatory No. 32. Abex further states that it lacks sufficient information to respond regarding publications of the Frictions Materials Standards' Institute.

32.2 Please state whether the Defendant at any time has been a member of The Brake Lining Manufacturers' Association, and if so, please identify the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, see answer to interrogatory No. 32. Abex further states that it lacks sufficient information to respond

regarding publications of The Brake Lining Manufacturers' Association.

33. With respect to each trade organization or association listed in answer to Interrogatory Nos. 32, 32.1, and 32.2, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, Abex does not know if the "minutes of the group's meetings and any correspondence between the members of such groups" are available.

34. Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

- (a) The title of each such article;
- (b) The periodical in which each such article was published;
- (c) The date each such article was published;
- (d) A detailed explanation of the reason for withholding any such article for printing;
- (e) Produce documentation which refers, alludes or mentions articles which were withheld for publication.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. As worded, this interrogatory is so overly broad that it is impossible for Abex to render a meaningful response.

35. Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and

exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. To the extent this interrogatory seeks information concerning the working conditions of Abex employees, it is objected to on the grounds that such information lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that it fails to distinguish among the different types of raw asbestos fibers, asbestos-containing building products and asbestos containing automotive friction products. Subject to and without waiving these objections, Abex cannot identify each employee who may have attended any meeting, seminar, conference, etc. and Abex cannot state what topics might have been discussed at any of those gatherings.

36. As to each product listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories, please state whether Defendant, at any time, published and/or distributed any brochures, pamphlets, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The wording of each such warning;
- (b) A description of each such printed material;
- (c) The method used to distribute the warning to persons who are likely to use the products;
- (d) The date each such warning was issued;
- (e) Whether any warning accompanied any of your asbestos-containing brake lining products' sales literature, handout or pamphlets;

- (f) Please attach a copy of the warning and date said warning was issued;
- (g) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (h) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, in the mid-1970's at the latest, and perhaps earlier, Abex commenced the placement of warning labels on its asbestos-containing automotive friction products. This label read as follows:

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

Abex believes this warning was first placed on its asbestos-containing automotive friction products in order to comply with OSHA regulations. Abex does not believe the wording of this warning was ever changed.

Abex further states that in 1979 and 1982, it participated in the preparation and distribution of a pamphlet published by the Friction Materials Standards Institute, Inc. entitled, "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing."

An excerpt of this pamphlet is reprinted below:

RECOMMENDED PROCEDURES FOR REDUCING
ASBESTOS DUST DURING BRAKE SERVICING

Because studies have indicated that exposure to excessive amounts of asbestos dust may be a potential health hazard, OSHA has set maximum limits of levels of airborne asbestos dust to which workers may be exposed. Since most automotive friction materials normally contain a sizeable amount of asbestos, it is important that people who handle brake linings and clutch facings understand the nature of the problem and know the precautions to be taken.

- (1) Areas where brake work is done should be set aside if possible, and entrances should be posted with an asbestos exposure sign as follows:

Asbestos
Dust Hazard
Avoid Breathing Dust
Wear Assigned Protective Equipment
Do Not Remain in Area Unless Your Work
Requires It
Breathing Asbestos Dust May Be Hazardous
To Your Health

- (2) The amount of asbestos in the dust from brake lining wear is normally at an extremely low level because of chemical breakdown during use, and if machining of friction material does not take place, simple procedures will minimize exposure. During brake servicing, the mechanic should wear a respirator approved by NIOSH for asbestos dust. It should be worn during all procedures starting with the removal of wheels and including reassembly.
- (3) When removing worn friction materials, remove the accumulated dust in the assemblies with an industrial vacuum cleaner equipped with a high efficiency filter system. If such equipment is not available, dust can be removed with a damp cloth. Do not use compressed air or dry brushing for cleaning unless the assembly is enclosed and properly exhausted.
- (4) Whenever possible, purchase friction materials preground and ready for installation. If matching is necessary, the precautions which must be taken are of extreme importance. This is the operation in brake service when exposure to asbestos dust may be at its highest. This increases the difficulty in complying with the OSHA standards. In addition to the approved respirator, there must be local exhaust ventilation such that worker exposures are maintained below the OSHA asbestos standards. If there is any question as

to the efficiency of asbestos dust removal by the machine, the manufacturer should be contacted.

- (5) Industrial vacuum cleaner bags containing asbestos dust and cloths used for wiping brake assemblies should be sealed in plastic bags and labeled with the following warning label printed in letters of sufficient size and contrast to be readily visible and legible.

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

All asbestos waste should be disposed of in accordance with OSHA and EPA asbestos regulations. During removal of vacuum bags, an approved respirator, as described in (2) above should be worn.

- (6) Good housekeeping is essential in a workplace where asbestos containing materials are handled. Industrial vacuum cleaners equipped with multiple stage high efficiency filters should be used for removing accumulations of asbestos dust and waste. Never use compressed air or dry sweeping for cleaning. Water or other dust suppressants should be applied if brooms are used.

- (7) Good personal hygiene practices are important in minimizing asbestos dust exposure. Do not smoke. Wash before eating. Shower after work. Change to work clothes upon arrival at work and change from work clothes at conclusion of work. Work clothing should not be taken home. Laundering asbestos contaminated clothing shall be done so as to prevent release of airborne asbestos fibers in excess of the exposure limits.

CAUTION: DO NOT BREATHE ASBESTOS

37. Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos-containing brake lining products listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;

(c) The date same was prepared;

(d) The media used to disseminate the sales material.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Subject to and without waiving these objections, Abex does not know with certainty each material which was used to promote or advertise its asbestos-containing friction products. Documents generally meeting the description of promotional and advertisements materials are on file and can be made available for inspection and copying upon receipt of an appropriate document request.

38. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the asbestos-containing brake lining products listed in response to Interrogatory No. 5 to Plaintiff's First Set of Interrogatories should be used or maintained by the person installing it or applying it to an automobile? If so, please state the following:

(a) The name, address and job classification of each person who prepared same;

(b) The name, address and job classification of each person who presently has possession of same;

(c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad and burdensome. Abex further objects on the grounds that, in seeking information concerning products to which the plaintiff does not allege her decedent was exposed, this interrogatory lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex did not provide any

instructions with its asbestos-containing automotive friction products.

39. Does Defendant contend that the asbestos-containing brake lining products can be manufactured so as to eliminate all potential health hazards to workers installing same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;
- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

ANSWER: Abex objects to this interrogatory on the grounds that it is premature. Abex has not yet determined which contentions it intends to interpose at a trial of this matter and reserves the right to supplement this answer once such a determination has been made.

40. Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos-containing brake lining products manufactured and/or sold by Defendant? If so, please state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;
- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney representing the individuals making such claims;
- (f) The style and court number of each such claim;

(g) The resolution of each claim.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence.

41. Has Defendant obtained statement from any witnesses including the Plaintiff? If so, please:

(a) List each witness who has given a statement and the name, address, and job title of each person having custody of any such statement.

ANSWER: Abex objects to this interrogatory on the grounds that it seeks information which has been gathered or prepared in the course of litigation or which is otherwise protected by the attorney-client privilege, the work product doctrine or any other applicable privilege.

42. Do you contend that Plaintiff improperly used your products? If so, please set out in detail in what respect the product was improperly used.

ANSWER: Abex objects to this interrogatory on the grounds that it is premature. Abex has not yet determined which contentions it intends to interpose at a trial of this matter and reserves the right to supplement this answer once such a determination has been made.

43. Please state whether Defendant contends that there was any substance other than asbestos which contributed to or caused Plaintiff's mesothelioma. If your answer is yes, please state the following:

(a) The facts upon which you rely;
(b) The identity of the sources upon which you rely which substantiate these facts.

ANSWER: Abex objects to this interrogatory on the grounds that it is premature. Abex has not yet determined which contentions it intends to interpose at a trial of this matter and reserves the right to supplement this answer once such a determination has been made. Abex further objects to this interrogatory on the grounds that it assumes facts not established.

44. Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in the asbestos-containing brake lining products listed in response to Interrogatory No. 5 of Plaintiff's First Set of Interrogatories? If so, state:

- (a) When the respirator was sold;
- (b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;
- (c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;
- (d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;
- (e) Produce all documentation which mentions, alludes or refers to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome and assumes facts not established. Abex further objects to this interrogatory on the grounds that it seeks information concerning products not manufactured by it. Subject to and without waiving these objections, see answer to interrogatory No. 9.

45. Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity, last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;
- (d) The expert's qualifications to render the opinions set forth above.

ANSWER: Abex objects to this interrogatory on the grounds that it is premature. Abex has not yet determined which witnesses it intends to call at trial of this matter and reserves the right to supplement this answer once such a determination has been made.

46. For each expert witness who has testified for Defendant in other asbestos cases (both by deposition and trial testimony), please state:

- (a) The person's name and last known address;
- (b) The style of the case, its cause number, and its jurisdiction;
- (c) whether that person was an employee of Defendant at the time and whether that person remains an employee.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence.

47. Please identify each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

- (a) Please identify each document which will be offered into evidence by the expert witness.

ANSWER: Abex objects to this interrogatory on the grounds that it is premature. Abex has not yet determined which witnesses it intends to call at trial of this matter and reserves the right to supplement this answer once such a determination has been made.

48. Does Defendant have policies of insurance that might cover the claims that have been made by Plaintiff herein?

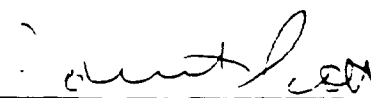
- (a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

ANSWER: Abex objects to this interrogatory on the grounds that it is overly broad, burdensome, lacks relevance to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Abex is currently in litigation with various carriers concerning the trigger, scope and amount of coverage, if any, available to Abex in asbestos personal injury actions.

49. Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

ANSWER: Abex objects to this interrogatory on the grounds that it seeks information which has been gathered or prepared in the course of litigation or which is otherwise protected by the attorney-client privilege, the work product doctrine or any other applicable privilege. Subject to and without waiving this objection, the plaintiff.

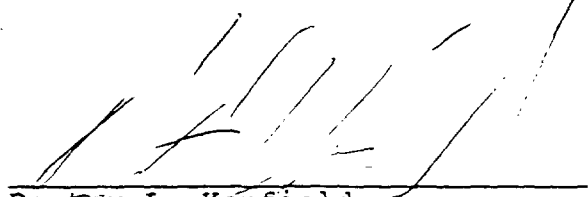
Swain, Hartshorn & Scott

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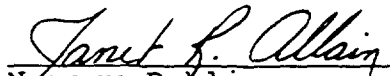
Robert W. Scott
Attorneys for Defendant
ABEX CORPORATION

STATE OF NEW HAMPSHIRE)
) SS:
COUNTY OF ROCKINGHAM)

DEXTER L. KENFIELD, being duly sworn, deposes and states that he is Corporate Counsel of Abex Corporation, and that he verifies these Answers to Plaintiff's Second Set of Interrogatories for and on behalf of Abex Corporation and is authorized to do so; that the facts stated therein have been assembled pursuant to his instruction and deponent is informed and believes the facts stated therein are complete, true and correct.


Dexter L. Kenfield

Subscribed and sworn to
before me this 17th day
of November, 1993.


Notary Public

Janet R. Allain, Notary Public
My Commission Expires 12/18/96