



IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

ROGER DALE BLAKE, et al.,	)	CASE NO. CV 96 01 0191
	)	
Plaintiffs,	)	JUDGE GEORGE ELLIOTT
	)	
v.	)	DEFENDANT FOSECO INC.'S
	)	AMENDED RESPONSES TO
A-BEST PRODUCTS CO., et al.,	)	PLAINTIFFS' MASTER SET OF
	)	INTERROGATORIES
Defendants.	)	

The Defendant Foseco, Inc., hereby provides the following amended responses to Plaintiffs' Master Set of Interrogatories, pursuant to the Ohio Rules of Civil Procedure, and subject to the General Objections listed in its Responses to Plaintiffs' Master Set of Interrogatories, which were served upon the Plaintiffs on or about April 25, 1997.

INTERROGATORIES

9. Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1945 to 1975? If your response is yes, as to each facility, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant.

reps

AMENDED ANSWER:

Dick Oster
P. O. Box 67
Berea, Ohio 44017

Harold Wright
13415 Harper Road
Strongsville, Ohio 44136

Dennis Smith. Last known address:
607 Dakota Avenue
Niles, Ohio 44446

41. As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, 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 name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date said warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) 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.

AMENDED ANSWER:

The following response is provided reserving all "General Objections" outlined listed in Defendant Foseco, Inc.'s Responses to Plaintiffs' Master Set of Interrogatories. The Defendant Foseco, Inc., did not believe that its Profax product posed any health hazard to end users. Notwithstanding this belief, Foseco, Inc., pursuant to the OSHA regulations, supplied purchasers of Profax with Material Safety Data Sheets which contained information concerning the Threshold Limit Values for asbestos dust. The Material Safety Data Sheets further advised the purchasers of Profax that the product did, in fact, contain asbestos. Upon information and belief, the first Material Safety Data Sheet would have been supplied to purchasers of Profax in late 1971.

Further responding, in 1972, Foseco, Inc., pursuant to the OSHA regulations, began to place a caution label on the packaging for its Profax product.

(a) Profax

(b) The Caution label read as follows:

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

(c) The label was 2½ inches by 4½ inches, orange semi-gloss in color with black print.

(d) The caution label was affixed to the packaging of the product.

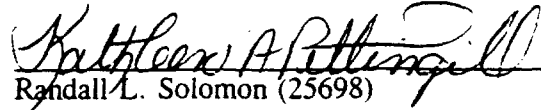
(e) The caution label was first placed on the Profax packaging on or about September, 1972.

(f) Foseco, Inc. has been unable to locate any materials which indicate that a warning accompanied any of the listed documents. Further responding, ARMCO Middletown was aware that the Profax product contained asbestos and was aware of Foseco, Inc.'s efforts to develop and produce an asbestos-free product.

(g) A copy of the warning is attached as Foseco Inc.'s Exhibit 1.

(h) Anthony Money, Vice-President, Foseco, Inc., 20200 Sheldon Road, Cleveland, Ohio.

(i) Unknown at this time. Foseco, Inc. is attempting to determine who printed the adhesive labels that were placed on the packaging of its asbestos-containing Profax product.



Randall L. Solomon (25698)

Kathleen A. Pettingill (13443)

Baker & Hostetler LLP

3200 National City Center

1900 East Ninth Street

Cleveland, Ohio 44114

(216) 621-0200

Attorneys for Defendant Foseco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant Foseco, Inc.'s Amended Responses to Plaintiffs' Master Set of Interrogatories was served upon Bruce Carter, Esq., Baron & Budd, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, Texas 75219, by regular mail, July 8, 1997, and that another set was served upon Ellouise Niblo, Esq., Baron & Budd, The Centrum, Suite 1100, 3102 Oak Law Avenue, Dallas, Texas 75219, by regular mail, on August 20, 1997.


Kathleen A. Pettingill
One of the Attorneys for
Defendant Foseco, Inc.

label

FOSECO, INC.

INTEROFFICE CORRESPONDENCE

FILE FO-100-62104

TO

DATE 9-30-77

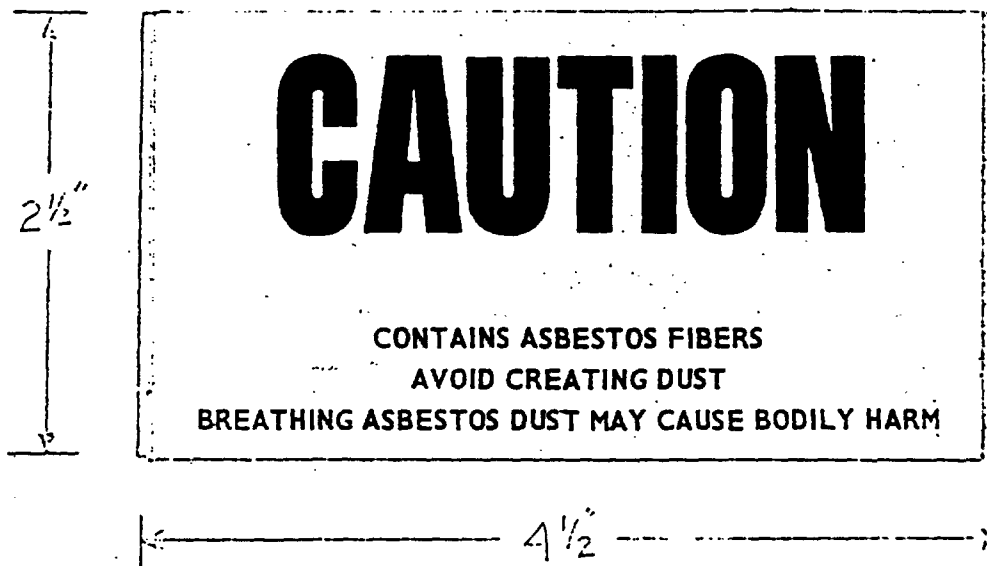
CAUTION LABEL

FROM

SUBJECT

CELANESE PLANT, TX

BLACK PRINTING



The above label (4 1/2" x 2 1/2") must be printed in black with CAUTION in 1" letters and the following statement in 1/8" letters. It will be printed on orange semi-gloss paper with pressure sensitive back (split back).

Sabs
Report
Protal
to
middleman
1963?

TERRITORY SALES REPORT

FOSECO, INC., U.S.A.

1963

OFF A/C	ITEM	CUSTOMER NAME PRODUCT DESCRIPTION	UNITS SOLD IN	NET AMOUNT 1000	CURRENT ACCOUNT INRHS	LIBRARY ACCOUNT COSTARS	YEAR TO DATE UNITS	YEAR TO DATE COSTARS
50	ARMCO	STEEL						
50	FB 42	SPRING CLIP	EACH 10	400	124.00	700	250.00	
50	FB 43	SPRING CLIP	EACH 10			800	320.00	
50	FB 59	CLIPS	EACH 10	1200	312.00	1600	416.00	
50	FB 133	CLIPS	EACH 10	300	93.00	600	186.00	
50	FB 170	SPRING CLIPS	EACH 10			400	168.00	
50	232A	2336CF	SETS 4			60	290.40	
50	233A	2342CF	SETS 2			50	206.00	
50	234A	2350CF	SETS 6			125	921.36	
50	235A	2357CF	SETS 3			75	602.36	
50	236A	2366CF	SETS 4			60	669.60	
50	237A	2376CF	SETS 2			50	731.50	
50	238A	2386CF	SETS 3			60	669.60	
50	239A	2396CF	SETS 4			50	731.50	
50	240A	2406CF	SETS 2			125	2566.14	
50	241A	2416CF	SETS 6			75	1347.64	
50	242A	2426CF	SETS 3			125	510.00	
50	243A	2436CF	SETS 3			75	300.40	
50	244A	2446CF	SETS 10	16500	1320.00	6375	300.40	
50	245A	2456CF	SETS 10	50	730.00	100	1160.00	
50	246A	2466CF	SETS 10			100	240.50	
50	247A	2476CF	SETS 10	50	770.00	50	830.00	
50	248A	2486CF	SETS 10			50	180.00	
50	249A	2496CF	SETS 10	100	1200.00	150	790.00	
50	250A	2506CF	SETS 10	50	625.00	50	625.00	
50	251A	2516CF	SETS 10			100	1815.00	
50	252A	2526CF	SETS 10				2011.50	

PLAINTIFF'S
EXHIBIT
2 (Money)
MM 444-97

SALES	UNIT MONTH	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT YEAR	UNIT 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PLAINTIFF'S
EXHIBIT
25

ITEM - 051211001
 COUNT - 22A-02614

ARCO MIDWESTERN UNIT

PROSEC. INC. - SHRD -
 SALES BY CUSTOMER DECEMBER, 1969

PRODUCT DESCRIPTION	CODE	UNITS		UNITS		UNITS		UNITS		5 MTI OVER- UNDER-	5 YR OVER- UNDER-
		THIS MONTH FCS1	ACT	THIS YEAR FCS1	ACT	THIS MONTH FCS1	ACT	THIS YEAR FCS1	ACT		
363A3 00X43 1 STD BOARD	0	0	674	0	3,102	0	3,286	0	15,703	3,288+	15,703+
364A3 00X49 1 STD BOARD	0	0	1,108	0	4,108	0	6,471	0	21,926	6,471+	21,926+
365A3 00X57 1 STD. BOARD	0	0	76	0	608	0	471	0	3,604	471+	3,604+
365A4 00X57 1 STD BOARD	0	0	1,216	0	2,660	0	7,539	0	16,232	7,539+	16,232+
M20L 33X74 2PC BED CLAMP	0	0	0	0	32	0	0	0	548	0	548+
FER40X 103	1	0	0	0	9,600	0	0	0	796	0	796+
FER40X 107	1	50,000	328,800	600,000	3153,600	4,150	27,290	49,800	261,748	23,140+	211,748+
FR 540 SPRING CLIP	M	0	20,160	0	116,772	0	7,257	0	42,037	7,257+	42,037+
FR 665 SPRING CLIP	M	0	18,601	0	129,569	0	6,956	0	47,940	6,956+	47,940+
ADJUSTMENT	Y	0	1	0	16	0	0	0	4	0	4+

CUSTOMER TOTALS

50,458 376,664 605,496 3474,115 14,194 82,330 170,328 788,665 68,136+618,337+



SALES - OSTERMONT
ACCOUNT - 22A-02674
ARROW MIDDLTOWN, OHIO
FUSECO, INC. - SMPD -
SALES BY CUSTOMER JUNE , 1970

MS	PRODUCT OR DESCRIPTION	CODE	UNITS		THIS MONTH		THIS YEAR		THIS MONTH		THIS YEAR		THIS MONTH		THIS YEAR		5 YR	
			FCST	ACT	FCST	ACT	FCST	ACT	FCST	ACT	FCST	ACT	FCST	ACT	FCST	ACT	OVER+	UNDER-
3	341A3 00X33 1 STD BOARD	0	3,200	0	25,600	17,934	13,120	0	104,960	71,514	13,120	33,446						
6	441A5 00X33 1PC STD BOARD	0	4,704	0	18,960	0	18,027	0	73,131	18,027	73,131							
3	342A3 00X31 1 STD BRD BE U	1,200	0	9,600	5,296	4,620	0	36,960	19,921	4,620	17,039							
6	342A4 00X31 1 STD BOARD	0	1,344	0	6,432	0	4,972	0	23,450	4,972	23,450							
3	343A3 00X43 1 STD BOARD	0	400	0	3,200	2,368	2,020	0	16,160	11,754	2,020	4,406						
6	344A4 00X49 1STD BOARD	0	576	0	3,168	0	2,027	0	15,534	2,027	15,534							
5	344A3 00X49 1 STD BOARD	0	400	0	3,200	2,432	2,200	0	17,600	12,778	2,200	4,822						
6	344A 00X49 1 ST BOARD	0	608	0	1,368	0	3,242	0	7,140	3,242	7,140							
5	345A3 00X57 1 STD. BOARD	0	400	0	3,200	902	2,480	0	19,040	5,690	2,480	14,150						
3	345A4 00X57 1 STD BOARD	0	0	0	0	0	0	0	5,307	0	5,307							
6	345D 00X57 1STD BOARD	0	0	608	0	1,976	0	3,708	0	11,937	3,708	11,937						
6	345C 00X57 1 STD BOARD	0	0	152	0	152	0	927	0	927	927	927						
6	346A 00X39 1PC	0	0	672	0	672	0	2,923	0	2,923	2,923	2,923						
6	FERRUX 107	1	200,000	496,000	1600,000	2600,000	16,600	42,220	132,000	226,416	25,628	93,616						
3	FERRUX 107A	1	0	0	0	36,000	0	0	3,060	0	3,060							
6	FERRUX 345	1	0	0	0	21,600	0	0	1,016	0	1,016							
3	FR 527 SPR CLIV	0	0	0	0	7,000	0	0	1,070	0	1,070							

PLAINTIFF'S
EXHIBIT
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