

'93 SEP 24 PM 5 21

IN RE: ALL ASBESTOS -
Related or Personal Injury

§ IN THE DISTRICT COURTS OF
§
§
§ DALLAS COUNTY, TEXAS
§
§
§ 191st JUDICIAL DISTRICT

**DEFENDANT RAPID-AMERICAN CORPORATION'S SUPPLEMENTAL
AND AMENDED RESPONSES AND OBJECTIONS TO PLAINTIFF'S
MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION**

TO: Plaintiffs, by and through their counsel of record, Russell W. Budd, Baron & Budd, The
Centrum, 3102 Oak Lawn, Suite 1100, Dallas, Texas 75219.

Defendant Rapid-American Corporation ("Rapid") by and through its attorneys of record,
subject to and without waiver of Rapid's Special Appearance to Present Motion Objecting to
Jurisdiction, serves and files this its Supplemental and Amended Responses and Objections to
Plaintiff's Master Interrogatories and Request for Production as follows:

I.

GENERAL OBJECTIONS

Rapid objects to all of the interrogatories and requests for production and serves and files
its objections and responses subject to and without waiver of Rapids Special Appearance to
Present Motion Objecting to Jurisdiction filed in this case. Rapid objects generally to the
Interrogatories and Request for Production to the extent that they call for information protected
by the attorney\client privilege, the attorney work product doctrine, and the investigative
privilege.

**DEFENDANT RAPID-AMERICAN CORPORATION'S SUPPLEMENTAL
AND AMENDED RESPONSES AND OBJECTIONS TO PLAINTIFFS'
MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION - Page 1**

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Rapid objects to the interrogatories on the grounds that the specific interrogatories contain words or phrases susceptible to various and conflicting interpretations. Consequently, responses to many of the interrogatories call for speculation on the part of Rapid. Rapid will respond to any ambiguous interrogatory based upon its reasonable interpretation of the particular interrogatory.

Rapid objects to the interrogatories on the grounds that certain specific interrogatories are duplicative or overlapping of certain other interrogatories. Hence, answers or documents responsive to one interrogatory may also be responsive to several other interrogatories, making the categorization of those answers and documents unduly burdensome and oppressive.

Defendant further objects to the definitions for the reason that such definitions are overly broad and unduly burdensome. Specifically, Rapid objects to the definitions of "Defendant," "You," "Your," and "Your company," for the reason that the definition is vague, overly broad, unduly burdensome, and imposes a burden upon defendant heavier than is required by the Texas Rules of Civil Procedure. Notwithstanding such objection, Rapid does not now possess, nor has it ever possessed sufficient information to respond to the interrogatories with respect to alleged predecessors. Hence, each response indicated herein speaks only to Rapid and information known to Rapid.

II.

RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER:

Paul Weiner, Senior Vice-President
677 Madison Ave.
New York, N.Y. 10022

Susan M. Hull
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER:

Yes.

- Rapid American Corporation; incorporated in Delaware
- Principal Place of Business: New York City

- Rapid is not licensed to do business in the State of Texas, does not have an agent, representative or place of business in the State of Texas, and does not have an agent for service in the State of Texas. .

INTERROGATORY NO. 3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER:

To the best of my knowledge, Rapid, at the present time and at all times in the past has never, itself or through an acquired entity or subsidiary, engaged in the mining and subsequent sale of asbestos containing products. See Blaney Affidavit annexed hereto for further information. Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries have never manufactured or sold asbestos-containing products. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries have never marketed or sold asbestos-containing products. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.

- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER:

See Answers to Interrogatory 3, 4 and 5.

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 9:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 10 or 13? If the answer is affirmative, state:

- A. The names of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

See Answers to Interrogatory Nos. 3, 4, 5 and 6.

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6?

If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.
- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

Rapid objects to this Interrogatory because it seeks information which is irrelevant and not reasonable calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, because Rapid and its subsidiaries have never engaged in the asbestos business this question is not relevant. Notwithstanding Rapid's foregoing general objections,

Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, 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 who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER:

Defendant objects to this Interrogatory because it seek information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, to the best of my knowledge and because Rapid and its subsidiaries have never engaged in the asbestos business in any manner whatsoever, Rapid did not receive notice of anyone claiming injury from asbestos products prior to 1970. Notwithstanding Rapid's

foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

To the best of my knowledge, Rapid, at the present time and at all times in the past, has never distributed, marketed, packaged, labelled and/or sold asbestos-containing products. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries have never manufactured and/or sold asbestos-containing products. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, to the best of my knowledge Rapid has never had an individual employed in a medical advisory position. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publications.

4. The method or manner in which such publications are maintained.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, because Rapid was never involved in the asbestos business whatsoever, to the best of my knowledge Rapid was never a member of the organizations enumerated in this interrogatory. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER:

See answers to Interrogatory Nos. 3-6. To the best of my knowledge, Rapid, at the present time and at all times in the past, has never produced, distributed, manufactured, or designed any asbestos-containing products. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER:

To the best of my knowledge, Rapid has never produced, distributed, manufactured, advertised, marketed or designed any asbestos-containing products. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 23:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.

- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.
- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, because Rapid was never involved in the asbestos business this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER:

Defendant has an insurance policy with CNA Insurance Company. Rapid maintains that it has coverage for Plaintiffs' claims in these cases; however, CNA has previously filed a declaratory judgment action and CNA's obligation to indemnify Rapid remains undetermined because no final adjudication on the indemnity issue has been made. The annual aggregate amount of coverage is \$3,000,000.00.

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because Rapid was never involved in the asbestos business, this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because Rapid was never involved in the asbestos business, this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because Rapid was

never involved in the asbestos business, this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because Rapid was never involved in the asbestos business, this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 29:

As to gastrointestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- D. Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.

G. Who is the custodian of such information.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because Rapid was never involved in the asbestos business, this interrogatory is not relevant. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the foregoing objection, to the best of my knowledge, Rapid, at the present time and at all times in the past, has not manufactured or designed asbestos-containing products. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries, at the present time and at all times in the past, have produced asbestos-containing products. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries, at the present time and at all times in the past, have produced, distributed, manufactured, designed, or altered, any products containing asbestos, and has not entered into any "rebranding" agreements with other companies. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 33:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries, at the present time and at all times in the past, have sold or distributed asbestos-containing products. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER:

See answer to Interrogatory No. 32.

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- A. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of such objection, to the best of my knowledge, prior to 1968 there were no workman compensation claims filed against Rapid claiming that an individual contracted a disease from inhaling asbestos fibers. Notwithstanding Rapid's foregoing general objections,

Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries do not currently manufacture any products containing asbestos.

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.

- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries, at the present and at all times in the past, mined, manufactured, marketed, sold or distributed asbestos-containing products. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 39:

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

Defendant objects to this Interrogatory because it seek information protected by the attorney/client privilege, the attorney work product doctrine and the party communication privilege. Subject to and without wavier of such objection, such information is not yet available.

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries have never manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

To the best of my knowledge, Rapid has never manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

To the best of my knowledge, Rapid has never manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER:

To the best of my knowledge, Rapid has never manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

To the best of my knowledge, Rapid has never manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the foregoing objection, Defendant states that to the best of my knowledge, neither Rapid nor its subsidiaries have ever manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

Defendant objects to this Interrogatory because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to the words "dust level counts" as ambiguous, unclear and undefined.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries have ever manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to admissible evidence. Subject to and without waiver of such objection, to the best of my knowledge Rapid has never had a research department. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;

- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to admissible evidence. Subject to and without waiver of such objection, Rapid to the best of my knowledge has never had a medical department. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

To the best of my knowledge Rapid and its subsidiaries have never manufactured, sold or distributed products containing asbestos. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

To the best of my knowledge, Rapid and its subsidiaries, at the present time and at all times in the past, have never stamped the name, logo or initials of the company on any asbestos-containing product. See Blaney Affidavit attached hereto. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

To the best of my knowledge, neither Rapid nor its subsidiaries, at the present time and at all times in the past has produced asbestos-containing products or produced an asbestos substitute. See Blaney Affidavit annexed hereto. Notwithstanding Rapid's foregoing general

objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER:

To the best of my knowledge neither Rapid nor its subsidiaries has at any time recalled any asbestos-containing products. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

To the best of my knowledge neither Rapid nor its subsidiaries, at the present time and at all times in the past, has produced asbestos-containing products or produced an asbestos substitute. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

See answers to Interrogatories Nos. 52 and 54.

INTERROGATORY NO. 56:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 63 for total dust, and not asbestos dust alone?

ANSWER:

See answer to Interrogatory No. 57.

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

To the best of my knowledge, Rapid has not manufactured, sold or distributed asbestos-containing products. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;

ANSWER:

This information is not available at this time.

- (b) The subject matter on which the expert is expected to testify;

ANSWER:

This information is not available at this time.

- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;

ANSWER:

This information is not available at this time.

- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;

ANSWER:

This information is not available at this time.

- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;

ANSWER:

This information is not available at this time.

- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER:

This information is not available at this time.

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.

- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

Defendant objects to this Interrogatory because it is overly broad and unduly burdensome. Subject to and without waiver of the foregoing general and specific objections, Defendant states that Plaintiff's answers to interrogatories allegedly list persons having knowledge of the identification of asbestos-containing products, alleged damages and injuries, and the negligence, if any, of Defendants other than Rapid. Further, Mr. Paul Weiner and Mr. Bernard Blaney may have knowledge of facts relevant to Defendant's objection to personal jurisdiction asserted in Rapid American's special appearance on file herein, and any subsequent defenses which may be asserted in any answer filed subject to such special appearance. This answer will be supplemented in accordance with the Texas Rules of Civil Procedure.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

Defendant objects to this Interrogatory for the reason it seeks information which is protected by the attorney/client privilege, the attorney work product doctrine, the investigative privilege and the party communication privilege.

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER:

Defendant objects to this Interrogatory because it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding Rapid's foregoing general objections, Rapid does not now possess, nor has it ever possessed sufficient information to respond to this interrogatory with respect to alleged predecessors.

Respectfully submitted,

JENKENS & GILCHRIST
A Professional Corporation
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
(214) 855-4500


Susan M. Hull
State Bar No. 10255100

Of Counsel:

Stephen A. Marshall
Paul H. Aloe
Craig Weiner

Rubin Baum Levin Constant & Friedman
30 Rockefeller Plaza
New York, New York 10112
(212) 698-7700

VERIFICATION

STATE OF NEW YORK §
 § ss.:
COUNTY OF NEW YORK §

Paul Weiner, being duly sworn, deposes and says that deponent is the Senior Vice-President of Rapid American Corporation, the corporation named in the within action. Deponent has read the foregoing Supplemental and Amended Responses and Objections to Interrogatories and knows the contents thereof, and the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponents believes it to be true.

Paul Weiner

SUBSCRIBED and SWORN to before me, this ____ day of _____, 1993.

Notary Public, State of New York

VERIFICATION

STATE OF NEW YORK

COUNTY OF NEW YORK

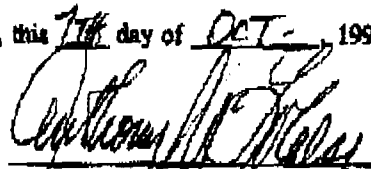
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Paul Weiner

SUBSCRIBED and SWORN to before me, this 7th day of OCT, 1993.


Notary Public, State of New York

ANTHONY N. LICALSI
Notary Public, State of New York
No. 60-7842207
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires April 30, 1994

DEFENDANT RAPID-AMERICAN CORPORATION'S SUPPLEMENTAL
AND AMENDED RESPONSES AND OBJECTIONS TO PLAINTIFFS'
MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION - Page 46

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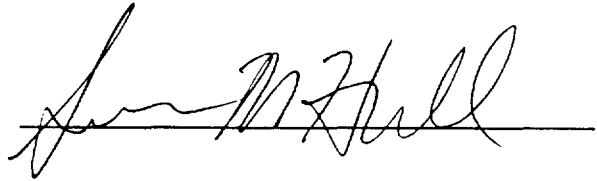
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by hand-delivery and certified mail, return receipt requested, upon the following counsel of record on the 24th day of September, 1993:

PLAINTIFFS

Russell W. Budd
Baron & Budd
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219

Joseph F. Bruegger
Silber, Pearlman, Worthington & Bruegger
1000 Highland Park Place
4514 Cole Ave. LB 34
Dallas, Texas 75205

A handwritten signature in cursive script, appearing to read "Joe Bruegger", is written over a horizontal line.

RESPONSES AND OBJECTIONS TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE:

Rapid has not identified any asbestos-containing products in answer to Interrogatory No. 4.

REQUEST FOR PRODUCTION NO. 2:

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE:

These documents will be produced.

Respectfully submitted,

JENKENS & GILCHRIST
A Professional Corporation
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
Telephone: (214) 855-4500
Telecopy: (214) 855-4300



Susan M. Hull
State Bar No. 10255100

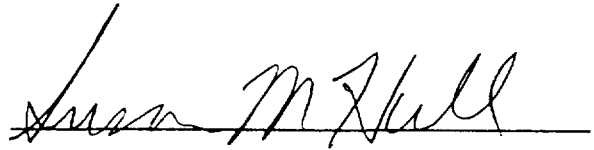
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Joseph F. Bruegger
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1000 Highland Park Place
4514 Cole Ave. LB 34
Dallas, Texas 75205

A handwritten signature in cursive script, appearing to read "Susan M. Skell", is written over a horizontal line.