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8 FORD MOTOR COMPANY

9
10 SUPERIOR COURT OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO

12 IN RE COMPLEX ASBESTOS LITIGATION,

13) No 828684
14)
15)

16) FORD MOTOR COMPANY'S RESPONSE
17) TO PLAINTIFFS' REQUEST FOR
18) PRODUCTION, INSPECTION, COPYING
19) AND ELECTRONIC SCANNING OF
20) DOCUMENTS AND TANGIBLE THINGS
21 [C.C.P. SECTION 2031]

22 PROPOUNDING PARTY: PLAINTIFFS

23 RESPONDING PARTY: DEFENDANT, FORD MOTOR COMPANY

24 SET NO: One

25 PRELIMINARY STATEMENT

26 In compliance with the California Court Rules, Ford responds to Plaintiffs' Requests only with
27 respect to information and/or documents in Ford's possession, custody, or control. Some or all of
28 Plaintiffs' Requests purport to call for information or documents not in the possession, custody or
29 control of Ford but in the possession, custody, or control of other, separate legal entities. To the extent
that Plaintiffs' Requests attempt to require Ford to obtain information and/or documents not in Ford's
possession, custody, or control, Ford objects on the grounds that they (a) seek to compel Ford to
conduct a search beyond the scope of permissible discovery contemplated by the California Court Rules
and (b) impose an undue burden and expense on Ford.

1 Ford does not concede that any of its responses will be admissible evidence at trial. Further,
2 Ford does not waive any objections, whether or not stated herein, to use such answers at trial.

3 When Ford uses any terms or phrases that Plaintiffs have purported to define, such terms and
4 phrases should be given either (a) the meanings set out by Ford herein or in the individual responses or
5 (b) in cases of ordinary words that Plaintiffs have attempted to define in a manner inconsistent with
6 their meanings, the ordinary meaning of such words.
7

8 Additionally, Ford in its own on-going searches for information which may be relevant to asbestos
9 litigation has accumulated approximately 20,000 pages of non-privileged documents. To the extent that
10 Plaintiffs' requests seek information that may be contained in these documents, Ford will make them
11 available for inspection and copying at Plaintiffs' expense at its offices in Dearborn, Michigan, at a
12 mutually agreeable time during regular business hours. Ford objects to sorting through these documents
13 and copying and mailing them to Plaintiffs in answer to these requests, since to do so would require the
14 expenditure of thousands of dollars, hundreds of hours of human effort, and would in all likelihood take
15 several weeks, if not months, to complete.
16

17
18 INDIVIDUAL RESPONSES TO REQUEST FOR PRODUCTION:

19
20 REQUEST FOR PRODUCTION NO. 1

21 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
22 Dr. Harley Kreiger's activities, studies, inspections, air sampling, recommendations and observations
23 during the years 1930 through 1985 concerning asbestos, ASBESTOS-CONTAINING FRICTION
24 PRODUCTS and symptoms associated with exposure to asbestos (including but not limited to lung
25 cancer, mesothelioma, asbestosis, plaques, lung disease, etc).
26

27 RESPONSE:

28 Ford states that it does not have any documents in its possession, custody or control that are
29 responsive to this request.

1 **REQUEST FOR PRODUCTION NO. 2**

2 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
3 Dr. E.A. Irvin's activities, studies, inspections, air sampling, recommendations and observations
4 during the years 1930 through 1985 concerning asbestos, ASBESTOS-CONTAINING FRICTION
5 PRODUCTS and symptoms associated with exposure to asbestos (including but not limited to lung
6 cancer, mesothelioma, asbestosis, plaques, lung disease, etc)

7 **RESPONSE:**

8
9 Ford states that it does not have any documents in its possession, custody or control that are
10 responsive to this request.

11 **REQUEST FOR PRODUCTION NO. 3**

12 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
13 Dr. Duane L. Block's activities, studies, inspections, air sampling, recommendations and observations
14 during the years 1930 through 1985 concerning asbestos, ASBESTOS-CONTAINING FRICTION
15 PRODUCTS and symptoms associated with exposure to asbestos (including but not limited to lung
16 cancer, mesothelioma, asbestosis, plaques, lung disease, etc).

17 **RESPONSE:**

18
19 Without waiving the objections stated below, Ford states that it will make available for inspection
20 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
21 pertaining to asbestos, which may contain information responsive to this request.

22
23 To the extent this request seeks an additional or different response, Ford objects to this request
24 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
25 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
26 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
27 items sought.
28
29

1 REQUEST FOR PRODUCTION NO. 4

2 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
3 Dr John Triebwasser's activities, studies, inspections, air sampling, recommendations and observations
4 during the years 1930 through 1985 concerning asbestos, ASBESTOS-CONTAINING FRICTION
5 PRODUCTS and symptoms associated with exposure to asbestos (including but not limited to lung
6 cancer, mesothelioma, asbestosis, plaques, lung disease, etc).
7

8 RESPONSE:

9 Ford states that it does not have any documents in its possession, custody or control that are
10 responsive to this request
11

12 REQUEST FOR PRODUCTION NO. 5

13 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
14 Ford's Employee Relations Staff's activities, studies, inspections, air sampling, recommendations and
15 observations during the years 1930 through 1985 concerning asbestos, ASBESTOS-CONTAINING
16 FRICTION PRODUCTS and symptoms associated with exposure to asbestos (including but not limited
17 to lung cancer, mesothelioma, asbestosis, plaques, lung disease, etc).
18

19 RESPONSE:

20 Without waiving the objections stated below, Ford states that it will make available for inspection
21 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
22 pertaining to asbestos, which may contain information responsive to this request.
23

24 To the extent this request seeks an additional or different response, Ford objects to this request
25 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
26 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
27 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
28 items sought.
29

1 **REQUEST FOR PRODUCTION NO. 6**

2 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
3 any and all industrial hygiene studies and tests performed during the years 1930 through 1985 by any
4 and all persons identified in YOUR RESPONSES to STANDARD INTERROGATORY No 11 which
5 CONCERNED asbestos, ASBESTOS-CONTAINING FRICTION PRODUCTS and symptoms
6 associated with exposure to asbestos (including but not limited to lung cancer, mesothelioma,
7 asbestosis, plaques, lung disease, etc)

8 **RESPONSE:**

9
10 Ford states that in the early 1970's Arnold Anderson and Roy Gealer of Ford's Scientific
11 Research Staff conducted tests to determine the quantity of asbestos fibers liberated from brake linings
12 during the braking process. They concluded that over 99.98% of the asbestos fibers in brake linings
13 decomposed during the braking process into other materials. Their results were published in a 1973
14 SAE paper by A. Anderson and R. Gealer entitled "Asbestos Emissions From Brake Dynamometer
15 Tests."

16
17 In 1973, Ford's Industrial Hygiene Department conducted air sampling tests on brake linings
18 being cleaned by brake mechanics using air hoses. They determined that asbestos levels were well
19 below existing or proposed O.S.H.A standards. This testing was done by Mr. Anderson and Henry
20 Lick, under the supervision of Paul Toth, who was then manager of Industrial Hygiene.

21
22 In addition, Ford states that commencing in the early 1970's, Ford participated in and provided
23 partial funding for studies done by Dr. Irving Selikoff and others at what is now the Mt. Sinai School
24 of Medicine in New York, which work was reported on in a paper entitled "Asbestos Exposure During
25 Brake Lining and Maintenance and Repair," published in Environmental Research, Vol. 12, pp. 110-
26 128 (1976). The work done was a study of the environmental pollution, if any, caused by asbestos in
27 brake linings. The study came to focus on the occupational exposure of mechanics during brake repair
28
29

1 and maintenance. Ford's Research and Engineering Department and Industrial Hygiene Department
2 were advised of the study. Ford will produce a copy of the above described materials

3 **REQUEST FOR PRODUCTION NO. 7**

4 Produce any and all DOCUMENTS in YOUR possession, custody and control CONCERNING
5 any and all industrial hygiene studies and tests performed during the years 1930 through 1985 by any
6 and all persons not otherwise identified in YOUR RESPONSES to STANDARD INTERROGATORY
7 No 11 which CONCERNED asbestos, ASBESTOSCONTAINING FRICTION PRODUCTS and
8 symptoms associated with exposure to asbestos (including but not limited to lung cancer, mesothelioma,
9 asbestosis, plaques, lung disease, etc).
10

11 **RESPONSE:**

12 Ford refers to and incorporates herein its response to Request for Production No. 6.
13

14 **REQUEST FOR PRODUCTION NO. 8**

15 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
16 CONCERNING any and all depositions identified in your responses to STANDARD
17 INTERROGATORY No 12 including, all exhibits and corrections to the depositions.
18

19 **RESPONSE:**

20 Ford states that copies of the deposition transcripts sought by this request can be obtained at
21 Plaintiff's expense through the following persons listed after each deposition listed:

22 Arnold Anderson: *Stephen F. Block, Jr. and Rita Block v Maremont Corporation, et al.*

23 Cause No.: 94-007165, Harris County, Texas District Court, 200 15th Judicial District, taken on May
24 4, 1998, reported by Patricia Murray & Associates, address unknown, telephone no.: (313) 998-9545,
25 plaintiff's counsel: Cook, Butler, et al., 4 Houston Center, 1221 Lamar, Suite 1300, Houston, TX
26 77010; *Constance Stables v General Motors Corporation, et al.*, Case No.: 90-506-CA-17, in the
27 Circuit Court of the 19th Judicial Circuit in and for St. Lucie County, State of Florida Civil Division,
28 taken on February 8, 1993, reported by Hamilton-Legato Deposition Centers, address unknown,
29

1 telephone no (313) 244-9700, plaintiff's counsel. Ness, Motley, et al , P O Box 365, Barnwell,
2 South Carolina 29812; *Wellburn Cooper v Armstrong World Industries, et al , and Consolidated*
3 *Cases*, Case No 81-1055-CIV-NESBITT, in the United States District Court for the Southern District
4 of Florida, taken on December 17, 1984, reported by McKinley Wise & Associates, Inc , Registered
5 Professional Reporters, 1211 Chestnut Street, Suite 901, Philadelphia, Pennsylvania 19107, telephone
6 no.. (215) 564-2181, plaintiff's counsel. Blank, Rome, et al., 1200 Four Penn Center, Philadelphia,
7 Pennsylvania 19103, *Marshall Coates, et ux. V Raymark Industries, Inc., et al. and Consolidated*
8 *Cases*, Civil Action No . Asbestos Litigation Docket No.: L-095651-85, in the Superior Court of New
9 Jersey Law Division. Middlesex County, taken on March 10, 1989, reported by Service Reporting
10 Company, Donna-Christine Sell, RPR, CSR-2450, Detroit, Michigan, plaintiff's counsel. Wilentz,
11 Goldman, et al., 90 Woodbridge Center Drive, P O. Box 10, Woodbridge, New Jersey 07095; *Keith*
12 *K. Grewe, et al. v. AC&S, Inc., et al.* Cluster No.: 96112702, in the Circuit for Baltimore City, taken
13 on April 10, 1996, reported by Evans Reporting Service, 2422 Southwest Road, Baltimore, Maryland
14 21234, telephone no. (410) 882-0208 (Lois Hackerman, Reporter), plaintiff's counsel: Law Offices
15 of Peter G Angelos, 300 East Lombard Street, Baltimore, MD 21202.

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17
18
19 Henry B Lick: *Stephen F. Block, Jr. and Rita Block v. Maremont Corporation, et al.*, Docket
20 No. 94-007165, in the District Court of Harris County, Texas, 200 15th Judicial District, taken on
21 May 4, 1998, reported by Patricia Murray & Associates, 10524 East Grand River, Suite 101, Brighton,
22 Michigan 48116, telephone no.: (800) 875-8238, plaintiff's counsel: Cook, Butler, et al., 4 Houston
23 Center, 1221 Lamar, Suite 1300, Houston, TX 77010.

24
25 **REQUEST FOR PRODUCTION NO. 9**

26 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
27 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 14
28 including, but not limited to, any and all publications received by this defendant from each and every
29 association or organization identified in STANDARD INTERROGATORY No. 13.

1 **RESPONSE:**

2 Without waiving the objections stated below, Ford states that it will make available for inspection
3 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
4 pertaining to asbestos, which may contain information responsive to this request.
5

6 To the extent this request seeks an additional or different response, Ford objects to this request
7 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
8 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
9 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
10 items sought.
11

12 **REQUEST FOR PRODUCTION NO. 10**

13 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
14 INTERROGATORY No. 14 and all subparts thereto.

15 **RESPONSE:**

16 Without waiving the objections stated below, Ford states that it will make available for inspection
17 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
18 pertaining to asbestos, which may contain information responsive to this request.
19

20 To the extent this request seeks an additional or different response, Ford objects to this request
21 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
22 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
23 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
24 items sought.
25

26 **REQUEST FOR PRODUCTION NO. 11**

27 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
28 CONCERNING YOUR membership in the Industrial Hygiene Foundation/Industrial Health Foundation
29 during the years 1930 through 1985.

1 **RESPONSE:**

2 Without waiving the objections stated below, Ford states that it will make available for inspection
3 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
4 pertaining to asbestos, which may contain information responsive to this request
5

6 To the extent this request seeks an additional or different response, Ford objects to this request
7 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
8 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
9 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
10 items sought.
11

12 **REQUEST FOR PRODUCTION NO. 12**

13 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
14 CONCERNING YOUR participation in and/or attendance at any Industrial Hygiene Foundation/
15 Industrial Health Foundation seminars during the years 1930 through 1985.
16

17 **RESPONSE:**

18 Ford states that it does not have any documents in its possession, custody or control that are
19 responsive to this request.

20 **REQUEST FOR PRODUCTION NO. 13**

21 Produce any and all DOCUMENTS in YOUR possession, custody and/or control YOU
22 received from the Industrial Hygiene Foundation/Industrial Health Foundation during the years 1930
23 through 1985.
24

25 **RESPONSE:**

26 Without waiving the objections stated below, Ford states that it will make available for inspection
27 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
28 pertaining to asbestos, which may contain information responsive to this request.
29

1 To the extent this request seeks an additional or different response, Ford objects to this request
2 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
3 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
4 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
5 items sought.
6

7 **REQUEST FOR PRODUCTION NO. 14**

8 Produce any and all DOCUMENTS in YOUR possession, custody and/or control YOU
9 received CONCERNING the Industrial Hygiene Foundation/Industrial Health Foundation during the
10 years 1930 through 1985
11

12 **RESPONSE:**

13 Without waiving the objections stated below, Ford states that it will make available for inspection
14 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
15 pertaining to asbestos, which may contain information responsive to this request.

16 To the extent this request seeks an additional or different response, Ford objects to this request
17 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
18 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
19 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
20 items sought.
21

22 **REQUEST FOR PRODUCTION NO. 15**

23 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
24 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 15 and all
25 subparts thereto (regarding receipt of studies and/or tests conducted by Bonsib for Standard Oil of New
26 Jersey) including, but not limited to, reports, studies, correspondence, videotapes, photographs, films,
27 notes of telephone conversations, notes, and memoranda.
28
29

1 RESPONSE:

2 Ford states that it does not have any documents in its possession, custody or control that are
3 responsive to this request.

4 REQUEST FOR PRODUCTION NO. 16

5 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
6 INTERROGATORY No. 15 and all subparts thereto.

7 RESPONSE:

8 Ford states that it does not have any documents in its possession, custody or control that are
9 responsive to this request.

10 REQUEST FOR PRODUCTION NO. 17

11 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
12 CONCERNING any and all information sought in STANDARD INTERROGATORY No 16 and all
13 subparts thereto (regarding YOUR receipt of studies and/or tests conducted by any insurance company
14 such as, Metropolitan Life Insurance Company or Aetna Insurance) including, but not limited to,
15 reports, studies, correspondence, videotapes, photographs, films, notes of telephone conversations,
16 notes, and memoranda.

17 RESPONSE:

18 Ford states that it does not have any documents in its possession, custody or control that are
19 responsive to this request.

20 REQUEST FOR PRODUCTION NO. 18

21 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
22 INTERROGATORY No. 16 and all subparts thereto

23 RESPONSE:

24 Ford states that it does not have any documents in its possession, custody or control that are
25 responsive to this request.

1 REQUEST FOR PRODUCTION NO. 19

2 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
3 CONCERNING any and all information sought in STANDARD INTERROGATORY No 17 and all
4 subparts thereto (regarding receipt of studies and/or tests conducted by Saranac Laboratory or any
5 other laboratory) including, but not limited to, reports, studies, correspondence, videotapes,
6 photographs, films, notes of telephone conversations, formulas, testing, memoranda, and notes
7

8 RESPONSE:

9 Ford states that it does not have any documents in its possession, custody or control that are
10 responsive to this request.
11

12 REQUEST FOR PRODUCTION NO. 20

13 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
14 INTERROGATORY No 17 and all subparts thereto.

15 RESPONSE:

16 Ford states that it does not have any documents in its possession, custody or control that are
17 responsive to this request.
18

19 REQUEST FOR PRODUCTION NO. 21

20 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
21 INTERROGATORY No. 18, and all subparts thereto, that CONCERN asbestos.

22 RESPONSE:

23 Without waiving the objections stated below, Ford states that it will make available for inspection
24 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
25 pertaining to asbestos, which may contain information responsive to this request.
26

27 To the extent this request seeks an additional or different response, Ford objects to this request
28 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
29 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the

1 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
2 items sought

3 **REQUEST FOR PRODUCTION NO. 22**

4 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
5
6 CONCERNING any and all information sought in STANDARD INTERROGATORY No 19 and all
7 subparts thereto (regarding any exchange of DOCUMENTS in YOUR possession, custody and/or
8 control CONCERNING tests and/or studies related to asbestos exposure in the workplace or the human
9 health consequences of exposure to asbestos) including, but not limited to, correspondence, notes,
10 memoranda, reports, studies, interoffice correspondence, videotapes, photographs, films, telefaxes,
11 notes of telephone conversations, and telegrams.
12

13 **RESPONSE:**

14 Ford states that in the early 1970's Arnold Anderson and Roy Gealer of Ford's Scientific
15 Research Staff conducted tests to determine the quantity of asbestos fibers liberated from brake linings
16 during the braking process. They concluded that over 99.98% of the asbestos fibers in brake linings
17 decomposed during the braking process into other materials. Their results were published in a 1973
18 SAE paper by A. Anderson and R. Gealer entitled "Asbestos Emissions From Brake Dynamometer
19 Tests."
20

21 In 1973, Ford's Industrial Hygiene Department conducted air sampling tests on brake linings
22 being cleaned by brake mechanics using air hoses. They determined that asbestos levels were well
23 below existing or proposed O.S.H.A. standards. This testing was done by Mr. Anderson and Henry
24 Lick, under the supervision of Paul Toth, who was then manager of Industrial Hygiene.
25

26 In addition, Ford states that commencing in the early 1970's, Ford participated in and provided
27 partial funding for studies done by Dr. Irving Selikoff and others at what is now the Mt. Sinai School
28 of Medicine in New York, which work was reported on in a paper entitled "Asbestos Exposure During
29 Brake Lining and Maintenance and Repair," published in Environmental Research, Vol. 12, pp. 110-

1 128 (1976). The work done was a study of the environmental pollution, if any, caused by asbestos in
2 brake linings. The study came to focus on the occupational exposure of mechanics during brake repair
3 and maintenance. Ford's Research and Engineering Department and Industrial Hygiene Department
4 were advised of the study. Ford will produce a copy of the above described materials.
5

6 **REQUEST FOR PRODUCTION NO. 23**

7 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
8 INTERROGATORY No. 19 and all subparts thereto.

9 **RESPONSE:**

10 Ford refers to and incorporates herein its response to Request for Production No. 22.

11 **REQUEST FOR PRODUCTION NO. 24**

12 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
13 CONCERNING any and all testimony related to asbestos exposure in the workplace or the human
14 health consequence of exposure to asbestos) including, but not limited to, testimony transcripts,
15 agendas, travel agendas, memoranda, correspondence, notes, subpoenas, reports, studies, schedules,
16 notes of telephone conversations, interoffice correspondence, and letters to and from any government
17 agency
18
19

20 **RESPONSE:**

21 Without waiving the objections stated below, Ford states that it will make available for inspection
22 at a mutually agreeable time in Dearborn, Michigan, a collection of documents and other materials
23 pertaining to asbestos, which may contain information responsive to this request.
24

25 To the extent this request seeks an additional or different response, Ford objects to this request
26 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
27 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
28 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
29 items sought

1 REQUEST FOR PRODUCTION NO. 25

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY No 20 and all subparts thereto.

4 RESPONSE:

5 Ford states that it does not have any documents in its possession, custody or control that are
6 responsive to this request

7 REQUEST FOR PRODUCTION NO. 26

8 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
9 CONCERNING any and all tests and/or studies of ambient asbestos dust created during the
10 manufacture, processing, and/or assembling of ASBESTOS-CONTAINING FRICTION PRODUCTS
11 including, but not limited to, reports, studies, notes, memoranda, videotapes, photographs, films, test
12 results, mathematical calculations, formulas, rough drafts, procedure descriptions, protocol descriptions
13 and contracts.

14 RESPONSE:

15 Without waiving the objections stated below, Ford states that in the early 1970's Arnold
16 Anderson and Roy Gealer of Ford's Scientific Research Staff conducted tests to determine the quantity
17 of asbestos fibers liberated from brake linings during the braking process. They concluded that over
18 99.98% of the asbestos fibers in brake linings decomposed during the braking process into other
19 materials. Their results were published in a 1973 SAE paper by A. Anderson and R. Gealer entitled
20 "Asbestos Emissions From Brake Dynamometer Tests."

21 In 1973, Ford's Industrial Hygiene Department conducted air sampling tests on brake linings
22 being cleaned by brake mechanics using air hoses. They determined that asbestos levels were well
23 below existing or proposed O.S.H.A. standards. This testing was done by Mr. Anderson and Henry
24 Lick, under the supervision of Paul Toth, who was then manager of Industrial Hygiene.
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1 In addition, Ford states that commencing in the early 1970's, Ford participated in and provided
2 partial funding for studies done by Dr Irving Selikoff and others at what is now the Mt Sinai School
3 of Medicine in New York, which work was reported on in a paper entitled "Asbestos Exposure During
4 Brake Lining and Maintenance and Repair," published in Environmental Research, Vol 12, pp 110-
5 128 (1976). The work done was a study of the environmental pollution, if any, caused by asbestos in
6 brake linings. The study came to
7 focus on the occupational exposure of mechanics during brake repair and maintenance Ford's
8 Research and Engineering Department and Industrial Hygiene Department were advised of the study.
9 Ford will produce a copy of the above described materials.

10
11 Ford issued an August 3, 1973, memorandum to Plant Safety Engineers directing that brake
12 drums be cleaned using industrial type vacuum cleaners. The memo directed that air hoses should not
13 be used to clean brake drums. Simultaneously, Maintenance Bulletin 137 was issued by the Plant
14 Engineering Office to the same effect.

15
16 On October 24, 1975, Ford Technical Service Bulletin 99 was distributed to Ford and Lincoln-
17 Mercury Dealers. It recommended that a vacuum cleaner be used for cleaning brakes. In January 1976,
18 a Technical Service Bulletin 104 was issued to the dealers indicating that Ford recommended the use of an
19 industrial vacuum cleaner in brake cleaning operations. The 1977 edition of the Rotunda Catalog and
20 Ford's Shop Manual for Dealerships recommended that brakes not be cleaned with an air hose and that a
21 vacuum cleaner be used for this purpose. In November 1983, Ford issued Bulletin No. 83-22 on brake
22 and clutch servicing. Technical Service Bulletins are presently distributed to approximately
23 29,000 Ford and Lincoln-Mercury dealer technicians. These documents are the results of corporate
24 activity and are not the work of any single author. These bulletins have not been superseded. In the spirit
25 of cooperation, Ford will produce a copy of the above described documents. Additionally, as mentioned
26 in Ford's Preliminary Statement, Ford will make available for inspection at a mutually agreeable time in
27
28
29

1 Dearborn, Michigan, a collection of documents and other materials pertaining to asbestos, which may
2 contain information responsive to this request.

3 To the extent this request seeks an additional or different response, Ford objects to this request
4 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
5 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
6 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
7 items sought
8

9 **REQUEST FOR PRODUCTION NO. 27**

10 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
11 INTERROGATORY No. 21 and all subparts thereto.
12

13 **RESPONSE:**

14 Ford refers to and incorporates herein its response and objections to Request for Production
15 No. 26.
16

17 **REQUEST FOR PRODUCTION NO. 28**

18 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
19 CONCERNING any and all tests and/or studies of ambient dust levels where ASBESTOS-
20 CONTAINING FRICTION PRODUCTS were installed, utilized, or removed including, but not limited
21 to, reports, studies, notes, memoranda, videotapes, photographs, films, test results, mathematical
22 calculations, formulas, rough drafts, procedure and/or protocol descriptions and contracts.
23

24 **RESPONSE:**

25 Ford refers to and incorporates herein its response and objections to Request for Production
26 No. 26
27

28 **REQUEST FOR PRODUCTION NO. 29**

29 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
CONCERNING any and all information sought in STANDARD INTERROGATORY No. 22(D)

(
(
1 (regarding the results and/or conclusions of any and all tests and/or studies of ambient dust levels
2 where ASBESTOS-CONTAINING FRICTION PRODUCTS were installed, utilized, or removed)
3 including, but not limited to, reports, studies, notes, memoranda, videotapes, photographs, films, test
4 results, mathematical calculations, formulas, rough drafts, procedure and/or protocol descriptions and
5 contracts
6

7 **RESPONSE:**

8 Ford refers to and incorporates herein its response and objections to Request for Production
9 No 26
10

11 **REQUEST FOR PRODUCTION NO. 30**

12 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
13 INTERROGATORY No 22 and all subparts thereto
14

15 **RESPONSE:**

16 Ford refers to and incorporates herein its response and objections to Request for Production
17 No. 26.
18

19 **REQUEST FOR PRODUCTION NO. 31**

20 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
21 CONCERNING any and all tests and/or studies of ASBESTOS-CONTAINING FRICTION
22 PRODUCTS or RAW ASBESTOS relating to the health consequences of asbestos or the dust generated
23 by any use of asbestos or ASBESTOS-CONTAINING FRICTION PRODUCTS including, but not
24 limited to, reports, studies, notes, memoranda, videotapes, photographs, films, test results,
25 mathematical calculations, formulas, rough drafts, procedure and/or protocol descriptions and
26 contracts.

27 **RESPONSE:**

28 Ford refers to and incorporates herein its response and objections to Request for Production
29 No 26

1 **REQUEST FOR PRODUCTION NO. 32**

2 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
3 CONCERNING any and all information sought in STANDARD INTERROGATORY No 23(E)
4 (regarding the IDENTITY of the custodian of any and all DOCUMENTS that are relevant, as defined
5 in C C P section 2017, to STANDARD INTERROGATORY No. 23 and all subparts thereto)
6

7 **RESPONSE:**

8 Ford refers to and incorporates herein its response and objections to Request for Production
9 No 26
10

11 **REQUEST FOR PRODUCTION NO. 33**

12 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
13 INTERROGATORY No 23 and all subparts thereto

14 **RESPONSE:**

15 Ford refers to and incorporates herein its response and objections to Request for Production
16 No. 26.
17

18 **REQUEST FOR PRODUCTION NO. 34**

19 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
20 CONCERNING any and all information CONCERNING medical examination programs made
21 available to employees to determine the absence or presence of asbestos-related disease including, but
22 not limited to, bulletins, memoranda, correspondence, or notices.
23

24 **RESPONSE:**

25 Without waiving the objections stated below, Ford maintains medical facilities at its plants and
26 facilities to treat ill or injured employees for all medical complaints or refers them elsewhere for
27 appropriate medical care. Ford further states that it will make available for inspection at a mutually
28 agreeable time in Dearborn, Michigan, a collection of documents and other materials pertaining to
29 asbestos, which may contain information responsive to this request.

1 To the extent this request seeks an additional or different response, Ford objects to this request
2 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
3 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
4 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
5 items sought
6

7 **REQUEST FOR PRODUCTION NO. 35**

8 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
9 INTERROGATORY No. 24 and all subparts thereto, CONCERNING lung, respiratory and/or cancer-
10 related injuries and ailments
11

12 **RESPONSE:**

13 Ford refers to and incorporates herein its response and objections to Request for Production
14 No. 34.

15 **REQUEST FOR PRODUCTION NO. 36**

16 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
17 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 25 and all
18 subparts thereto (regarding Workers' Compensation claims CONCERNING lung, respiratory and/or
19 cancer-related injuries and ailments) including, but not limited to, pleadings, memoranda,
20 correspondence, or notices
21

22 **RESPONSE:**

23 Ford's records do not permit retrieval of specific information requested by this interrogatory
24 because alleged injuries are described in general terms such as lungs, chest, back, silicosis, bronchitis,
25 emphysema, pneumoconiosis, cough, pulmonary system, etc., resulting from exposure to "deleterious
26 substances" or "atmospheric pollutants." It is impossible to ascertain from these records whether or not
27 the alleged injury was associated with asbestos exposure. Furthermore, because of the differences in
28 occupational exposure, the information sought would not be relevant to the claims asserted herein.
29

1 **REQUEST FOR PRODUCTION NO. 37**

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY No 25 and all subparts thereto

4 **RESPONSE:**

5
6 Ford's records do not permit retrieval of specific information requested by this interrogatory
7 because alleged injuries are described in general terms such as lungs, chest, back, silicosis, bronchitis,
8 emphysema, pneumoconiosis, cough, pulmonary system, etc., resulting from exposure to "deleterious
9 substances" or "atmospheric pollutants ". It is impossible to ascertain from these records whether or not
10 the alleged injury was associated with asbestos exposure. Furthermore, because of the differences in
11 occupational exposure, the information sought would not be relevant to the claims asserted herein.

12
13 **REQUEST FOR PRODUCTION NO. 38**

14 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
15 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 27 and all
16 subparts thereto.

17 **RESPONSE:**

18
19 Ford states that it does not have any documents in its possession, custody or control that are
20 responsive to this request.

21 **REQUEST FOR PRODUCTION NO. 39**

22 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
23 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 28 and all
24 subparts thereto (regarding any agreements for the rebranding of YOUR ASBESTOS-CONTAINING
25 FRICTION PRODUCTS for resale or distribution by another person or entity)

26
27 **RESPONSE:**

28 Assuming that this request asks whether Ford sells any asbestos-containing friction products to
29 others for resale, Ford responds that it engaged in the sale of asbestos-containing brake and clutch

1 service replacement parts. Ford purchases brake and clutch assemblies from suppliers and markets
2 them as new products under the Ford logo. The remanufactured product is produced by "Authorized"
3 remanufacturers who either buy components directly from Ford or use "Ford Quality" components
4 purchased elsewhere. These products are marketed under the name of Ford Authorized
5 Remanufacturers. Ford will produce a list of Ford Authorized Remanufacturers.
6

7 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
8 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
9 information responsive to this request.
10

11 Ford believes that most or all of the documents for which the information requested in this
12 request could only be derived from are no longer available due to the extreme passage of time. Ford
13 objects to this request on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks
14 information that is neither relevant to the subject matter of this action nor reasonably calculated to lead
15 to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive.
16

17 **REQUEST FOR PRODUCTION NO. 40**

18 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
19 INTERROGATORY No. 28 and all subparts thereto.
20

21 **RESPONSE:**

22 Ford refers to and incorporates herein its response and objections to Request for Production
23 No. 39.
24

25 **REQUEST FOR PRODUCTION NO. 41**

26 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
27 information relevant, as defined in C.C.P. § 2017, to STANDARD INTERROGATORY Nos. 29,
28 including any and all invoices, purchase orders, ledgers, bills of lading, brochures, memos, letters,
29 contracts and any and all other documents that reflect, depict or otherwise reference all purchases of
ASBESTOS-CONTAINING FRICTION PRODUCTS by YOU during the years 1930 through 1985.

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production
3 No 39

4 **REQUEST FOR PRODUCTION NO. 42**

5 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
6
7 CONCERNING, YOUR sales of ASBESTOS-CONTAINING FRICTION PRODUCTS which included
8 brake linings, pads and clutch facings under names including but not necessarily limited to Ford,
9 Mercury, Ford Authorized Remanufactures, Motorcraft and other lines and series during the years
10 1930 through 1985

11 **RESPONSE:**

12 Ford refers to and incorporates herein its response and objections to Request for Production
13
14 No 39

15 **REQUEST FOR PRODUCTION NO. 43**

16 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
17
18 CONCERNING, YOUR use of ASBESTOS-CONTAINING FRICTION PRODUCTS which included
19 brake linings, pads and clutch facings under names including but not necessarily limited to Ford,
20 Mercury, Ford Authorized Remanufacturers, Motorcraft and other lines and series during the years
21 1930 through 1985.

22 **RESPONSE:**

23 Ford refers to and incorporates herein its response and objections to Request for Production
24
25 No. 39.

26 **REQUEST FOR PRODUCTION NO. 44**

27 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
28
29 CONCERNING, YOUR contracting with others to do work involving ASBESTOS-CONTAINING
FRICTION PRODUCTS which included brake linings, pads and clutch facings under names including

1 but not necessarily limited to Ford, Mercury, Ford Authorized Remanufacturers, Motorcraft and other
2 lines and series during the years 1930 through 1985

3 **RESPONSE:**

4 Ford states that it does not have any documents in its possession, custody or control that are
5 responsive to this request

6 **REQUEST FOR PRODUCTION NO. 45**

7 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
8 information relevant, as defined in C.C.P. § 2017, to STANDARD INTERROGATORY No. 30,
9 including any and all previous historical lists, revised historical lists, invoices, purchase orders,
10 ledgers, bills of lading, brochures, memos, letters, contracts and any and all other documents that
11 reflect, depict or otherwise reference any purchases and/or acquisition of ASBESTOS-CONTAINING
12 FRICTION PRODUCT lines by YOU during the years 1930 through 1985

13 **RESPONSE:**

14 Without waiving the objections stated below, Ford states that it sold vehicles and replacement
15 parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford
16 dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford
17 Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Ford has
18 not manufactured asbestos-containing brake linings, pads or clutch facings. Such components were
19 purchased from suppliers to Ford.

20 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
21 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
22 information responsive to this request.

23 Ford believes that most or all of the documents for which the information requested in this
24 request could only be derived from are no longer available due to the extreme passage of time. Ford
25 objects to this request on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks

1 information that is neither relevant to the subject matter of this action nor reasonably calculated to lead
2 to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive

3 **REQUEST FOR PRODUCTION NO. 46**

4 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
5 information relevant, as defined in C.C.P. § 2017, to STANDARD INTERROGATORY No. 31,
6 including any and all previous historical lists, revised historical lists, invoices, purchase orders,
7 ledgers, bills of lading, brochures, memos, letters, contracts and any and all other documents that
8 reflect, depict or otherwise reference any sales of ASBESTOS-CONTAINING FRICTION PRODUCT
9 lines by YOU during the years 1930 through 1985.
10

11 **RESPONSE:**

12 Ford refers to and incorporates herein its response and objections to Request for Production
13 No. 45
14

15 **REQUEST FOR PRODUCTION NO. 47**

16 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
17 information relevant, as defined in C.C.P. § 2017, to STANDARD INTERROGATORY No. 31,
18 including any and all previous historical lists, revised historical lists, invoices, purchase orders,
19 ledgers, bills of lading, brochures, memos, letters, contracts and any and all other documents that
20 reflect, depict or otherwise reference any sales, distribution and/or supply by YOU of any and all
21 replacement parts consisting of ASBESTOS-CONTAINING FRICTION PRODUCTS during the years
22 1930 through 1985.
23

24 **RESPONSE:**

25 Ford refers to and incorporates herein its response and objections to Request for Production
26 No. 45.
27
28
29

1 **REQUEST FOR PRODUCTION NO. 48**

2 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
3 information relevant, as defined in C C P § 2017, to STANDARD INTERROGATORY No 31,
4 including any and all previous historical lists, revised historical lists, invoices, purchase orders,
5 ledgers, bills of lading, brochures, memos, letters, contracts and any and all other documents that
6 reflect, depict or otherwise reference any sales, distribution and/or supply by YOU of any parts
7 consisting of ASBESTOS-CONTAINING FRICTION PRODUCTS during the years 1930 through
8 1995
9

10 **RESPONSE:**

11 Ford refers to and incorporates herein its response and objections to Request for Production
12 No 45
13

14 **REQUEST FOR PRODUCTION NO. 49**

15 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
16 information relevant, as defined in C.C P § 2017, to STANDARD INTERROGATORY No. 32,
17 including any and all brochures, pamphlets, catalogs or other advertising relating to ASBESTOS-
18 CONTAINING FRICTION PRODUCTS and/or RAW ASBESTOS manufactured, sold, distributed or
19 otherwise supplied by YOU during the years 1930 through 1985
20

21 **RESPONSE:**

22 Ford has not manufactured asbestos-containing friction products for use in its vehicles. Ford
23 purchased these products as pre-assembled parts, which were subsequently installed in its vehicles or
24 sold as replacement parts. Most promotional material concerning such products would pertain to the
25 vehicle as a whole or to pre-assembled replacement parts. Furthermore, Ford is not aware of any sales
26 or promotional literature which describe asbestos-containing friction products. However, in the spirit
27 of cooperation, Ford will produce a copy of a sample aftermarket carton.
28
29

1 **REQUEST FOR PRODUCTION NO. 50**

2 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
3 information relevant, as defined in C C P § 2017, to STANDARD INTERROGATORY No 33,
4 including but not limited to all memorandum concerning and correspondences between Dr Selikoff and
5 Dr Roy Gealer, memorializing their conversations concerning the hazards of asbestos
6

7 **RESPONSE:**

8 Ford states that scattered case reports of carcinoma in persons occupationally exposed to
9 asbestos began appearing in the literature in the 1930s. Ford cannot state, however, when a Ford
10 employee first had knowledge of such information. It is known, however, that the initial knowledge of
11 a suggestion of potential hazards associated with asbestos-lined brakes came in a telephone call from
12 Dr. Selikoff to Dr Roy Gealer of Ford Research and Engineering in April 1975. Ford cannot state
13 when it or any of its employees first had knowledge of asbestos-related disease among Ford employees
14

15 **REQUEST FOR PRODUCTION NO. 51**

16 Produce any and all reports of carcinoma in persons occupationally exposed to asbestos in
17 YOUR possession, custody and control that contain information relevant, as referenced in YOUR
18 RESPONSES to STANDARD INTERROGATORY No. 33
19

20 **RESPONSE:**

21 Ford states that scattered case reports of carcinoma in persons occupationally exposed to
22 asbestos began appearing in the literature in the 1930s Ford cannot state, however, when a Ford
23 employee first had knowledge of such information. It is known, however, that the initial knowledge of
24 a suggestion of potential hazards associated with asbestos-lined brakes came in a telephone call from
25 Dr Selikoff to Dr Roy Gealer of Ford Research and Engineering in April 1975. Ford cannot state
26 when it or any of its employees first had knowledge of asbestos-related disease among Ford employees
27
28
29

1 REQUEST FOR PRODUCTION NO. 52

2 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
3 any and all warnings that YOU provided to YOUR employees about any and all hazards associated
4 with exposure of dust in the manufacturing process of ASBESTOS-CONTAINING FRICTION
5 PRODUCTS prior to 1985
6

7 RESPONSE:

8 Without waiving the objections stated below, Ford states that it began using the
9 following warning on its cartons in 1980
10

11 CAUTION CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST.
12 BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN
13 SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR
14 LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM BEING AIRBORNE BY
15 VACUUMING THIS ASSEMBLY WITH AN INDUSTRIAL TYPE VACUUM
16 CLEANER EQUIPPED WITH A HIGH EFFICIENCY FILTER SYSTEM AND BY
17 WASHING THE ASSEMBLY WITH AN APPROPRIATE BRAKE PARTS WASHER
18 IF NECESSARY NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY
19 BLOWING WITH COMPRESSED AIR.

20 Ford will produce a sample aftermarket carton.
21

22 Ford issued an August 3, 1973, memorandum to Plant Safety Engineers directing that brake
23 drums be cleaned using industrial type vacuum cleaners. The memo directed that air hoses should not
24 be used to clean brake drums. Simultaneously, Maintenance Bulletin 137 was issued by the Plant
25 Engineering Office to the same effect

26 On October 24, 1975, Ford Technical Service Bulletin 99 was distributed to Ford and Lincoln-
27 Mercury Dealers. It recommended that a vacuum cleaner be used for cleaning brakes. In January 1976,
28 a Technical Service Bulletin 104 was issued to the dealers indicating that Ford recommended the use of an
29

1 industrial vacuum cleaner in brake cleaning operations. The 1977 edition of the Rotunda Catalog and
2 Ford's Shop Manual for Dealerships recommended that brakes not be cleaned with an air hose and that a
3 vacuum cleaner be used for this purpose. In November 1983, Ford issued Bulletin No. 83-22 on brake
4 and clutch servicing. Technical Service Bulletins are presently distributed to approximately 29,000 Ford
5 and Lincoln-Mercury dealer technicians. These documents are the results of corporate activity and are not
6 the work of any single author. These bulletins have not been superseded. In the spirit of cooperation,
7 Ford will produce a copy of the above described documents. Additionally, as mentioned in Ford's
8 Preliminary Statement, Ford will make available for inspection at a mutually agreeable time in Dearborn,
9 Michigan, a collection of
10 documents and other materials pertaining to asbestos, which may contain information responsive to this
11 request.

12
13
14 To the extent this request seeks an additional or different response, Ford objects to this request
15 on the grounds that it (a) is overly broad, (b) seeks information that is neither relevant to the subject
16 matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the
17 trial of this matter, (c) is unduly burdensome and oppressive, and (d) does not adequately designate the
18 items sought.

19
20 **REQUEST FOR PRODUCTION NO. 53**

21 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
22 any and all measures that YOU took to protect YOUR employees from exposure to asbestos and/or
23 dust in the manufacturing process of ASBESTOS-CONTAINING FRICTION PRODUCTS prior to
24 1985.

25
26 **RESPONSE:**

27 Ford refers to and incorporates herein its response and objections to Request for Production
28 No. 52.

1 **REQUEST FOR PRODUCTION NO. 54**

2 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
3 any and all marketing materials, labeling, product packaging, logos used on packaging, advertising,
4 depictions on packaging and catalogues caused to be published and/or produced by YOU for any and
5 all ASBESTOS-CONTAINING FRICTION PRODUCTS prior to 1985
6

7 **RESPONSE:**

8 Ford refers to and incorporates herein its response and objections to Request for Production
9 No 52
10

11 **REQUEST FOR PRODUCTION NO. 55**

12 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
13 any and all warnings regarding asbestos that YOU contemplated placing and/or actually placed in
14 and/or on any and all marketing materials, product packaging, advertising and catalogues relating to
15 any and all ASBESTOS-CONTAINING FRICTION PRODUCTS manufactured, sold, supplied and/or
16 distributed by YOU prior to 1985
17

18 **RESPONSE:**

19 Ford refers to and incorporates herein its response and objections to Request for Production
20 No 52.
21

22 **REQUEST FOR PRODUCTION NO. 56**

23 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
24 any and all warnings regarding asbestos THAT YOU communicated to any other PERSON relating to
25 any and all ASBESTOS-CONTAINING FRICTION PRODUCTS manufactured, sold, supplied and/or
26 distributed by YOU prior to 1985.
27

28 **RESPONSE:**

29 Ford refers to and incorporates herein its response and objections to Request for Production
No 52

1 **REQUEST FOR PRODUCTION NO. 57**

2 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
3 any and all warnings regarding asbestos communicated to YOU by any other PERSON prior to 1985

4 **RESPONSE:**

5 Ford refers to and incorporates herein its response and objections to Request for Production
6
7 No 52

8 **REQUEST FOR PRODUCTION NO. 58**

9 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
10 information relevant, as defined in C.C P § 2017, to STANDARD INTERROGATORY No. 34.

11 **RESPONSE:**

12 Ford cannot state when a Ford employee first had knowledge of such information. It is known,
13 however, that the initial knowledge of a suggestion of potential hazards associated with asbestos-lined
14 brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering
15 in April 1975.

16 Ford cannot state when it or one of its employees first had knowledge of asbestos-related
17 disease among its employees. Furthermore, because of the difference in occupational exposure, the
18 information sought would not be relevant to the claims asserted herein.

19 Ford further states that it will make available for inspection at a mutually agreeable time in
20 Dearborn, Michigan, a collection of documents and other materials pertaining to asbestos, which may
21 contain information responsive to this request.

22 **REQUEST FOR PRODUCTION NO. 59**

23 Produce any and all DOCUMENTS in YOUR possession, custody or control CONCERNING
24 any knowledge YOU possessed CONCERNING the health hazards associated with exposure to asbestos
25 prior to 1985.

1 **RESPONSE:**

2 Ford cannot state when a Ford employee first had knowledge of such information. It is known,
3 however, that the initial knowledge of a suggestion of potential hazards associated with asbestos-lined
4 brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering
5 in April 1975.
6

7 Ford cannot state when it or one of its employees first had knowledge of asbestos-related
8 disease among its employees. Furthermore, because of the difference in occupational exposure, the
9 information sought would not be relevant to the claims asserted herein.
10

11 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
12 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
13 information responsive to this request. --- --
14

14 **REQUEST FOR PRODUCTION NO. 60**

15 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
16 information relevant, as defined in C.C.P. §2017, to STANDARD INTERROGATORY No. 35.
17

18 **RESPONSE:**

19 Ford cannot state when a Ford employee first had knowledge of such information. It is known,
20 however, that the initial knowledge of a suggestion of potential hazards associated with asbestos-lined
21 brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer of Ford Research and Engineering
22 in April 1975.
23

24 Ford cannot state when it or one of its employees first had knowledge of asbestos-related
25 disease among its employees. Furthermore, because of the difference in occupational exposure, the
26 information sought would not be relevant to the claims asserted herein.
27

28 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
29 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
information responsive to this request.

1 **REQUEST FOR PRODUCTION NO. 61**

2 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
3 information relevant, as defined in C C P § 2017, to STANDARD INTERROGATORY No 36

4 **RESPONSE:**

5
6 Ford did not issue any warning to its employees concerning the hazards of asbestos because it
7 purchased brake and clutch assemblies which were already preassembled and affixed to metal shoes or
8 plates Since these products were installed as assemblies the employees were not subjected to any
9 exposure

10 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
11 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
12 information responsive to this request

13
14 **REQUEST FOR PRODUCTION NO. 62**

15 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
16 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 37 and all
17 subparts thereto (regarding whether you ever issued a written policy discontinuing any warning to your
18 employees that exposure to asbestos, RAW ASBESTOS, or ASBESTOS-CONTAINING FRICTION
19 PRODUCTS could be hazardous to human health) including, but not limited to, bulletins, memoranda,
20 correspondence, or notices.

21
22 **RESPONSE:**

23 Ford did not issue any warning to its employees concerning the hazards of asbestos because it
24 purchased brake and clutch assemblies which were already preassembled and affixed to metal shoes or
25 plates Since these products were installed as assemblies the employees were not subjected to any
26 exposure.
27
28
29

1 REQUEST FOR PRODUCTION NO. 63

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY No 37 and all subparts thereto

4 RESPONSE:

5
6 Ford did not issue any warning to its employees concerning the hazards of asbestos because it
7 purchased brake and clutch assemblies which were already preassembled and affixed to metal shoes or
8 plates Since these products were installed as assemblies the employees were not subjected to any
9 exposure

10 REQUEST FOR PRODUCTION NO. 64

11 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
12 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 38 and all
13 subparts thereto (regarding YOUR import, export, shipment, transshipment or any other transport of
14 RAW ASBESTOS into, out of or through any port in the GEOGRAPHIC AREA during the years 1930
15 through 1985) including, but not limited to, contract, s, subcontracts, invoices, purchase orders,
16 packing slips, bills of lading, receipts, lists of customers, brochures, product catalogs, advertisements,
17 specifications, product data sheets, product safety sheets, fliers, and package inserts

18 RESPONSE:

19
20 Ford states that it does not have any documents in its possession, custody or control that are
21 responsive to this request.

22 REQUEST FOR PRODUCTION NO. 65

23 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
24 CONCERNING any and all information sought in STANDARD INTERROGATORY No. 39 and all
25 subparts thereto (regarding any and all products manufactured by YOU or YOUR predecessors-in-
26 interest that contained or incorporated ASBESTOS-CONTAINING FRICTION PRODUCTS during the
27 years 1930 through 1985) including, but not limited to, brochures, photographs, product catalogs,
28
29

1 advertisements, specifications, product data sheets, product safety sheets, fliers, package inserts,
2 directions for use, and labels, logos, pictures, and/or drawings located on any box, carton, or other
3 packaging, and samples or exemplars of such box, carton, or other packaging
4

5 **RESPONSE:**

6 Without waiving the objections stated below, Ford states that it did not manufacture asbestos-
7 containing brake or clutch products for use in its vehicles. Ford purchased preassembled brake and
8 clutch assemblies which were installed in vehicles or sold as replacement parts. Therefore, most
9 promotional material concerning brakes or clutch assemblies would pertain to the vehicle as a whole or
10 to pre-assembled replacement parts.
11

12 Ford states that it began using the following warning on its cartons in 1980:

13 CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST
14 BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN
15 SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR
16 LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM BEING AIRBORNE BY
17 VACUUMING THIS ASSEMBLY WITH AN INDUSTRIAL TYPE VACUUM
18 CLEANER EQUIPPED WITH A HIGH EFFICIENCY FILTER SYSTEM AND BY
19 WASHING THE ASSEMBLY WITH AN APPROPRIATE BRAKE PARTS WASHER
20 IF NECESSARY. NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY
21 BLOWING WITH COMPRESSED AIR.
22

23 Ford will produce a sample aftermarket carton.

24 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
25 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
26 information responsive to this request.
27
28
29

1 To the extent this request seeks an additional or different response, Ford objects on the grounds
2 that it is (a) is overly broad, (b) seeks information that is neither relevant to the subject matter of this
3 lawsuit nor reasonably calculated to lead to the discovery of admissible evidence at the trial of this
4 matter, (c) is unduly burdensome and oppressive, and (d) is vague and ambiguous.
5

6 **REQUEST FOR PRODUCTION NO. 66**

7 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
8 CONCERNING any and all information sought in STANDARD INTERROGATORY No 40 and all
9 subparts thereto (regarding the IDENTIFICATION of ASBESTOS-CONTAINING FRICTION
10 PRODUCTS that were contained in products manufactured by YOU or YOUR predecessors-in-interest
11 during the years 1930 through 1985) including, but not limited to, brochures, photographs, product
12 catalogs, advertisements, specifications, product data sheets, product safety sheets, fliers, package
13 inserts, directions for use, and labels, logos, pictures, and/or drawings located on any box, carton, or
14 other packaging, and samples or exemplars of such box, carton, or other packaging
15

16 **RESPONSE:**

17 Ford refers to and incorporates herein its response and objections to Request for Production
18 No. 65
19

20 **REQUEST FOR PRODUCTION NO. 67**

21 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
22 INTERROGATORY No. 40 and all subparts thereto
23

24 **RESPONSE:**

25 Ford refers to and incorporates herein its response and objections to Request for Production
26 No. 65- Ford further states that it will produce a copy of the historical supplier list.
27
28
29

1 REQUEST FOR PRODUCTION NO. 68

2 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
3 CONCERNING the sale and/or distribution of ASBESTOS-CONTAINING FRICTION PRODUCTS
4 To YOU by any business, entity or person during the years 1930 through 1985.
5

6 RESPONSE:

7 Without waiving the objections stated below, Ford states that it sold vehicles and replacement
8 parts which included asbestos-containing brake linings, pads and clutch facings through franchised Ford
9 dealers and authorized distributors in the United States, under names such as Ford, Mercury, Ford
10 Authorized Remanufacturers, and under various lines and series names such as Motorcraft. Ford has
11 not manufactured asbestos-containing brake linings, pads or clutch facings. Such components were
12 purchased from suppliers to Ford.
13

14 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
15 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
16 information responsive to this request.
17

18 Ford believes that most or all of the documents for which the information requested in this
19 request could only be derived from are no longer available due to the extreme passage of time. Ford
20 objects to this request on the grounds that it (a) is overly broad and unlimited in scope, (b) seeks
21 information that is neither relevant to the subject matter of this action nor reasonably calculated to lead
22 to the discovery of admissible evidence, and (c) is unduly burdensome and oppressive.
23

24 REQUEST FOR PRODUCTION NO. 69

25 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
26 CONCERNING the sale and/or distribution of ASBESTOS-CONTAINING FRICTION PRODUCTS
27 by YOU during the years 1930 through 1985 within the GEOGRAPHIC AREA for any and all
28 automobiles, buses, light duty trucks, heavy duty trucks, farm equipment, off road vehicles.
29

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production
3 No. 68.

4 **REQUEST FOR PRODUCTION NO. 70**

5 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
6
7 CONCERNING the sale and/or distribution, within the GEOGRAPHIC AREA, of YOUR ASBESTOS-
8 CONTAINING FRICTION PRODUCTS, during the years 1930 through 1985, by any business, entity
9 or person for any and all automobiles, buses, light duty trucks, heavy duty trucks, farm equipment, off
10 road vehicles.

11 **RESPONSE:**

12 Ford refers to and incorporates herein its response and objections to Request for Production
13 No 68.

14 **REQUEST FOR PRODUCTION NO. 71**

15 Produce any and all DOCUMENTS in YOUR possession, custody and control that contain
16
17 information relevant, as defined in C.C.P. § 2017, to STANDARD INTERROGATORY No. 41.

18 **RESPONSE:**

19 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
20 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
21 information responsive to this request.

22 Ford further states that it sells its vehicles and replacement parts through franchised dealers and
23 authorized distributors in every state. It is not feasible to respond comprehensively to this interrogatory
24 because records containing potentially responsive information have been discarded in accordance with
25 Ford's record retention policy. The retention period for documents of this nature is less than 7 years.

26 **REQUEST FOR PRODUCTION NO. 72**

1 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
2 CONCERNING and relevant, as defined in C C P § 2017, to any and all information sought in
3 STANDARD INTERROGATORY Nos 42 and 43, including all subparts thereto (regarding any and
4 all MARKETING of brake shoes, brake blocks, brake pads, brake linings, brake bands or any other
5 ASBESTOS-CONTAINING FRICTION PRODUCTS by YOU or YOUR predecessors-in-interest
6 during the years 1930 through 1985)
7

8 **RESPONSE:**

9 Ford refers to and incorporates herein its response and objections to Request for Production
10 No. 65
11

12 **REQUEST FOR PRODUCTION NO. 73**

13 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
14 INTERROGATORY Nos 42 and 43, including all subparts thereto.

15 **RESPONSE:**

16 Ford refers to and incorporates herein its response and objections to Request for Production
17 No. 65.
18

19 **REQUEST FOR PRODUCTION NO. 74**

20 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
21 CONCERNING and relevant, as defined in C.C.P § 2017, to any and all information sought in
22 STANDARD INTERROGATORY Nos. 44 and 45, including all subparts thereto (regarding any and
23 all MARKETING of clutch facings, clutch plates, automatic transmission plates or any other
24 ASBESTOS-CONTAINING FRICTION PRODUCTS by You or YOUR predecessors-in-interest
25 during the years 1930 through 1985).
26

27 **RESPONSE:**

28 Ford refers to and incorporates herein its response and objections to Request for Production
29 No. 65.

1 **REQUEST FOR PRODUCTION NO. 75**

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY Nos 44 and 45, including all subparts thereto

4 **RESPONSE:**

5 Ford refers to and incorporates herein its response and objections to Request for Production
6
7 No 65

8 **REQUEST FOR PRODUCTION NO. 76**

9 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
10 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
11 STANDARD INTERROGATORY No 46 and all subparts thereto (regarding any and all
12 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
13 predecessors-in-interest, to any ORIGINAL EQUIPMENT MANUFACTURERS during the years 1930
14 through 1985).

15 **RESPONSE:**

16 Ford refers to and incorporates herein its response and objections to Request for Production
17
18 No 65.

19 **REQUEST FOR PRODUCTION NO. 77**

20 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
21 INTERROGATORY No. 46 and all subparts thereto.

22 **RESPONSE:**

23 Ford refers to and incorporates herein its response and objections to Request for Production
24
25 No 65.

26 **REQUEST FOR PRODUCTION NO. 78**

27 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
28 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
29

1 STANDARD INTERROGATORY No 47 and all subparts thereto (regarding any and all
2 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
3 predecessors-in-interest, to any PRIVATE BRAND ACCOUNT CUSTOMERS during the years 1930
4 through 1985).

5
6 **RESPONSE:**

7 Ford refers to and incorporates herein its response and objections to Request for Production
8 No 65

9 **REQUEST FOR PRODUCTION NO. 79**

10 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
11 INTERROGATORY No 47 and all subparts thereto.

12
13 **RESPONSE:**

14 Ford refers to and incorporates herein its response and objections to Request for Production
15 No 65

16 **REQUEST FOR PRODUCTION NO. 80**

17 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
18 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
19 STANDARD INTERROGATORY No. 48 and all subparts thereto (regarding any and all
20 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
21 predecessors-in-interest during the years 1930 through 1985, to any AFTER MARKET or
22 REPLACEMENT PART RETAILER operating 10 or more stores in The GEOGRAPHIC AREA).

23
24 **RESPONSE:**

25
26 Ford refers to and incorporates herein its response and objections to Request for Production
27 No. 65.

1 REQUEST FOR PRODUCTION NO. 81

2 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
3 CONCERNING and relevant, as defined in C C P. § 2017, to any and all information sought in
4 STANDARD INTERROGATORY No 48('B) (regarding the IDENTIFICATION of any and all
5 ASBESTOS-CONTAINING FRICTION PRODUCTS MARKETING by YOU or YOUR predecessors-
6 in-interest, during the years 1930 through 1985, to any AFTER MARKET or REPLACEMENT PART
7 RETAILER operating 10 or more stores in the GEOGRAPHIC AREA)

8 RESPONSE:

9 Ford refers to and incorporates herein its response and objections to Request for Production
10 No. 65.

11 REQUEST FOR PRODUCTION NO. 82

12 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
13 INTERROGATORY No. 48 and all subparts thereto.

14 RESPONSE:

15 Ford refers to and incorporates herein its response and objections to Request for Production
16 No 65

17 REQUEST FOR PRODUCTION NO. 83

18 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
19 CONCERNING and relevant, as defined in C.C.P § 2017, to any and all information sought in
20 STANDARD INTERROGATORY No. 49 and all subparts thereto (regarding any and all
21 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
22 predecessors-in-interest during the years 1930 through 1985, to any warehouse distributor who
23 MARKETING the product under YOUR name in the GEOGRAPHIC AREA).

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production
3 No. 65

4 **REQUEST FOR PRODUCTION NO. 84**

5 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
6 INTERROGATORY No 49 and all subparts thereto.

7 **RESPONSE:**

8 Ford refers to and incorporates herein its response and objections to Request for Production
9 No. 65

10 **REQUEST FOR PRODUCTION NO. 85**

11 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
12 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
13 STANDARD INTERROGATORY No. 50 and all subparts thereto (regarding any and all
14 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
15 predecessors-in-interest during the years 1930 through 1985, to any warehouse distributor who
16 MARKETED the product under a name other than YOURS in the GEOGRAPHIC AREA).

17 **RESPONSE:**

18 Ford refers to and incorporates herein its response and objections to Request for Production
19 No. 65.

20 **REQUEST FOR PRODUCTION NO. 86**

21 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
22 INTERROGATORY No. 50 and all subparts thereto.

23 **RESPONSE:**

24 Ford refers to and incorporates herein its response and objections to Request for Production
25 No. 65.

1 REQUEST FOR PRODUCTION NO. 87

2 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
3 CONCERNING and relevant, as defined in C C P § 2017, to any and all information sought in
4 STANDARD INTERROGATORY No 51 and all subparts thereto (regarding any and all
5 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
6 predecessors-in-interest during the years 1930 through 1985, to any retailer operating 10 or more stores
7 in the GEOGRAPHIC AREA Who sold such products under YOUR name in the GEOGRAPHIC
8 AREA).
9

10 RESPONSE:

11 Ford refers to and incorporates herein its response and objections to Request for Production
12 No. 65.
13

14 REQUEST FOR PRODUCTION NO. 88

15 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
16 INTERROGATORY No 51 and all subparts thereto.
17

18 RESPONSE:

19 Ford refers to and incorporates herein its response and objections to Request for Production
20 No. 65.
21

22 REQUEST FOR PRODUCTION NO. 89

23 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
24 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
25 STANDARD INTERROGATORY No. 52 and all subparts thereto (regarding any and all
26 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
27 predecessors-in-interest during the years 1930 through 1985, to any retailer operating 10 or more stores
28 in the GEOGRAPHIC AREA who sold such products under a name other than YOURS in the
29 GEOGRAPHIC AREA).

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production
3 No. 65.

4 **REQUEST FOR PRODUCTION NO. 90**

5 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
6 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
7 STANDARD INTERROGATORY No. 53 and all subparts thereto (regarding any and all
8 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
9 predecessors-in-interest, to any FABRICATOR OF ORIGINAL EQUIPMENT PARTS during the
10 years 1930 through 1985)

11 **RESPONSE:**

12 Ford refers to and incorporates herein its response and objections to Request for Production
13 No. 65.

14 **REQUEST FOR PRODUCTION NO. 91**

15 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
16 INTERROGATORY No. 53 and all subparts thereto.

17 **RESPONSE:**

18 Ford refers to and incorporates herein its response and objections to Request for Production
19 No. 65.

20 **REQUEST FOR PRODUCTION NO. 92**

21 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
22 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
23 STANDARD INTERROGATORY No. 54 and all subparts thereto (regarding any and all
24 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
25
26
27
28
29

1 predecessors-in-interest, to any agency or department of the U S Government during the years 1930
2 through 1985).

3 **RESPONSE:**

4 Ford refers to and incorporates herein its response and objections to Request for Production
5 No. 65

6 **REQUEST FOR PRODUCTION NO. 93**

7 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
8 INTERROGATORY No 54 and all subparts thereto.

9 **RESPONSE:**

10 Ford refers to and incorporates herein its response and objections to Request for Production
11 No. 65.

12 **REQUEST FOR PRODUCTION NO. 94**

13 Produce any and all DOCUMENTS in YOUR^R possession, custody and/or control
14 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
15 STANDARD INTERROGATORY No. 55 and all subparts thereto (regarding any and all
16 MARKETING of ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR
17 predecessors-in-interest, to any agency or department of any governmental entity other than the U S
18 Government during the years 1930 through 1995).

19 **RESPONSE:**

20 Ford refers to and incorporates herein its response and objections to Request for Production
21 No 65.

22 **REQUEST FOR PRODUCTION NO. 95**

23 Produce any and all DOCUMENTS referenced in YOUR^R responses to STANDARD
24 INTERROGATORY No. 55 and all subparts thereto.

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production
3 No. 65.

4 **REQUEST FOR PRODUCTION NO. 96**

5 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
6
7 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
8 STANDAKD INTERROGATORY No. 56 and all subparts thereto (regarding YOUR purchases or
9 acquisition of any and all RAW ASBESTOS from the General Services Administration or any other
10 branch or agency of the U S Government during the years 1930 through 1985)

11 **RESPONSE:**

12 Ford has not manufactured asbestos-containing brake parts used in its production vehicles and,
13 therefore, has not purchased processed asbestos used in their manufacture.

14 **REQUEST FOR PRODUCTION NO. 97**

15 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
16
17 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
18 STANDARD INTERROGATORY No. 57 and all subparts thereto (regarding any and all warnings as
19 to the health hazards of asbestos) including, but not limited to, photographs, labels, packaging,
20 containers, tags, package inserts, pamphlets, brochures, catalogs, advertising materials and samples or
21 exemplars of any box, carton, or other packaging.

22 **RESPONSE:**

23 Ford has not manufactured asbestos-containing brake parts used in its production vehicles and,
24 therefore, has not purchased processed asbestos used in their manufacture.

25 **REQUEST FOR PRODUCTION NO. 98**

26 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
27
28 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
29

1 STANDARD INTERROGATORY No 58 and all subparts thereto (regarding surveys, tests and/or
2 studies of ambient dust levels conducted on YOUR behalf at vehicle repair facilities, vehicle
3 maintenance facilities, or any other place where ASBESTOS-CONTAINING FRICTION PRODUCTS
4 were installed, utilized, or removed) including, but not limited to, reports, studies, notes, memoranda,
5 videotapes, photographs, films, test results, mathematical calculations, formulas, rough drafts,
6 procedure and/or protocol descriptions and contracts.

7
8 **RESPONSE:**

9 Ford refers to and incorporates herein its response and objections to Request for Production
10 No 26.

11
12 **REQUEST FOR PRODUCTION NO. 99**

13 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
14 INTERROGATORY No. 58 and all subparts thereto

15 **RESPONSE:**

16 Ford refers to and incorporates herein its response and objections to Request for Production
17 No. 26.

18
19 **REQUEST FOR PRODUCTION NO. 100**

20 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
21 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
22 STANDARD INTERROGATORY No. 59 and all subparts thereto (regarding any and all of YOUR
23 instructions and/or recommendations CONCERNING the installation, removal, use, maintenance
24 and/or servicing of any and all ASBESTOS-CONTAINING FRICTION PRODUCTS) including, but
25 not limited to, photographs, labels, packaging, containers, tags, package inserts, pamphlets, brochures,
26 catalogs, advertising materials and samples or exemplars of any box, carton, or other packaging.
27
28
29

1 **RESPONSE:**

2 Ford refers to and incorporates herein its response and objections to Request for Production

3 No 52

4 **REQUEST FOR PRODUCTION NO. 101**

5 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD

6 INTERROGATORY No 59 and all subparts thereto.

7 **RESPONSE:**

8 Ford refers to and incorporates herein its response and objections to Request for Production

9 No. 52.

10 **REQUEST FOR PRODUCTION NO. 102**

11 Produce any and all DOCUMENTS in YOUR possession, custody and/or control

12 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in

13 STANDARD INTERROGATORY No. 60 and all subparts thereto (regarding any and all exclusive

14 distributorships, exclusive sales agreements, exclusive purchasing agreements, exclusive dealings

15 contracts or any other exclusive business relationships existing between YOU and any other PERSON

16 or entity for the purpose of marketing, purchasing, selling, supplying, distributing, and/or relabeling

17 RAW ASBESTOS and/or ASBESTOS-CONTAINING FRICTION PRODUCTS during the years 1930

18 through 1985.

19 **RESPONSE:**

20 Ford states that it does not have any documents in its possession, custody or control that are

21 responsive to this request.

22 ///

23 ///

24 ///

1 **REQUEST FOR PRODUCTION NO. 103**

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY No 60 and all subparts thereto

4 **RESPONSE:**

5
6 Ford states that it does not have any documents in its possession, custody or control that are
7 responsive to this request.

8 **REQUEST FOR PRODUCTION NO. 104**

9 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
10 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
11 STANDARD INTERROGATORY No 61 and all subparts thereto (regarding the of any and all
12 ASBESTOS-CONTAINING FRICTION PRODUCTS, by YOU or YOUR predecessors-in-interest, at
13 any and all wholesale or retail businesses or stores in the DEFINED GEOGRAPHIC AREA owned or
14 operated by YOU or YOUR predecessors-in-interest during years 1930 through 1985.

15 **RESPONSE:**

16
17 Without waiving any of the objections stated below, Ford states that it has not mined, processed
18 or manufactured asbestos-containing friction products. Ford sold replacement parts which included
19 asbestos-containing brake linings, pads and clutch facings under names such as Ford, Mercury, Ford
20 Authorized Remanufacturers, and under various lines and series names such as Motorcraft. No one
21 person was responsible for "creating, directing, or setting the policy" at Ford with regard to asbestos-
22 containing friction products. However, Mr. Frederick King, a Ford Design Analysis engineer, is
23 generally knowledgeable regarding asbestos-containing friction products.
24

25
26 Ford states that it will make available for inspection at a mutually agreeable time in Dearborn,
27 Michigan, a collection of documents and other materials pertaining to asbestos, which may contain
28 information responsive to this request.
29

1 To the extent that this request seeks an additional or different response, Ford objects on the
2 grounds that it calls for information protected by the attorney-client, attorney work product and/or trade
3 secret privileges.
4

5
6 **REQUEST FOR PRODUCTION NO. 105**

7 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
8 INTERROGATORY No. 61 and all subparts thereto.

9 **RESPONSE:**

10 Ford refers to and incorporates herein its response and objections to Request for Production
11 No. 104.
12

13 **REQUEST FOR PRODUCTION NO. 106**

14 Produce any and all DOCUMENTS in YOUR possession, custody and/or control
15 CONCERNING and relevant, as defined in C.C.P. § 2017, to any and all information sought in
16 STANDARD INTERROGATORY No. 62 and all subparts thereto (regarding any and all testimony by
17 any PERSON IDENTIFIED in your responses to any and all STANDARD INTERROGATORY
18 questions) including, but not limited to, deposition transcripts.
19

20 **RESPONSE:**

21 Ford refers to and incorporates herein its response to Request for Production No. 104. Ford
22 notes that Mr. Fredrick King has been deposed in several cases on behalf of Ford. However, none of
23 these cases alleged asbestos-related injuries.
24

25 ///

26 ///

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1 REQUEST FOR PRODUCTION NO. 107

2 Produce any and all DOCUMENTS referenced in YOUR responses to STANDARD
3 INTERROGATORY No 62 and all subparts thereto.

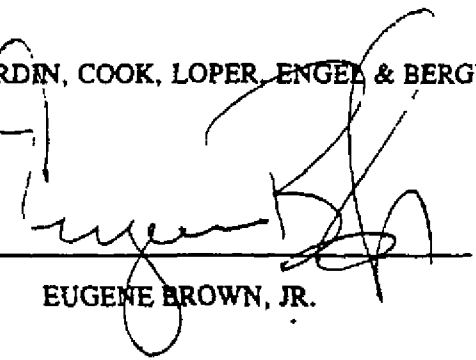
4 RESPONSE:

5
6 Ford refers to and incorporates herein its response to Request for Production No. 104 Ford
7 notes that Mr Fredrick King has been deposed in several cases on behalf of Ford. However, none of
8 these cases alleged asbestos-related injuries.

9
10 DATED. August __, 1999

Respectfully submitted,

11
12 HARDIN, COOK, LOPER, ENGEL & BERGEZ, LLP

13
14
15 By: 

16 EUGENE BROWN, JR.
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1 STATE OF MICHIGAN)

2) ss

3 COUNTY OF WAYNE)

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PAUL K. GODWIN, JR.

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, being duly sworn, deposes and says that

the deponent is an authorized agent of Ford Motor Company, and that the deponent

verifies the foregoing FORD MOTOR COMPANY'S RESPONSE TO PLAINTIFFS'

REQUEST FOR PRODUCTION, INSPECTION, COPYING AND ELECTRONIC

SCANNING OF DOCUMENTS AND TANGIBLE THINGS [C.C.P. SECTION 2031] for and

on behalf of Ford Motor Company and is duly authorized so to do; that the matters stated

therein are not within the personal knowledge of the deponent; that the facts stated

therein have been assembled by authorized employees and counsel of Ford Motor

Company, and the deponent is informed that the facts stated therein are true.

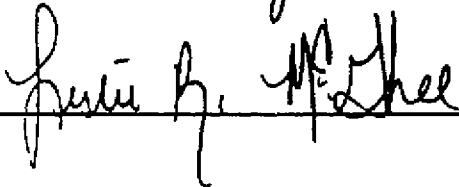


Subscribed and sworn to before me this

20th day of August 1999

LESLIE ROJAN MCGHEE

Notary Public, Wayne County, Michigan
My Comm. Exp. Feb. 23, 2003



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PROOF OF SERVICE
IN RE COMPLEX ASBESTOS LITIGATION
Case No. 828684
STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I, CHERYL M. DABNER, hereby declare:

I am a citizen of the United States, over 18 years of age and not a party to the within action I am employed in the county of ; my business address is Lake Merritt Plaza, 1999 Harrison Street, Eighteenth Floor, Oakland, CA 94612-3541.

On August 31, 1999, I served the within:

FORD MOTOR COMPANY'S RESPONSE TO PLAINTIFFS' REQUEST FOR PRODUCTION, INSPECTION, COPYING AND ELECTRONIC SCANNING OF DOCUMENTS AND TANGIBLE THINGS [C.C.P. SECTION 2031]

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

Francine S. Curtis, Esq.
BRAYTON PURCELL CURTIS
& GEAGAN
222 Rush Landing Road
P.O. Box 2109
Novato, CA 94948

BERRY & BERRY
1300 Clay Street, 9th Floor
Station D, P.O. Box 70250
Oakland, CA 94612-0250

- ☒ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY HAND DELIVERY:** I caused such envelope, to be hand delivered to the stated parties.
- ☐ **VIA FAX:** I caused such documents to be transmitted via fax to the stated parties at their respective facsimile numbers.
- ☐ **VIA EXPRESS CARRIER:** I caused such documents to be collected by an agent for _____ to be delivered to the offices of the stated parties.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 31, 1999, at Oakland, California.


CHERYL M. DABNER