

**IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

ROGER DALE BLAKE, et al.	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CASE NO. CV96 01 0191
	)	(Hon. George Elliott)
A-BEST PRODUCTS COMPANY, et al.,	)	
	)	
Defendants	)	

**DEFENDANT OGLEBAY NORTON COMPANY'S SUPPLEMENTAL RESPONSES
TO PLAINTIFF'S MASTER SET OF INTERROGATORIES**

INTERROGATORY NO. 5: Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
3. The time period it was manufactured, mined, marketed, distributed or sold.
 4. Its physical description including color, general composition, and form.
 5. A detailed description of its intended use and purpose.
 7. The percent of asbestos which it contained.

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

RESPONSE TO INTERROGATORY NO. 5:

3. Asbestos-containing products were manufactured, marketed, or sold from 1947-1974.
4. See attached Exhibit "A".
5. i. Hot Top Cover - This product was a custom-designed box, designed to fit the top of a Hot Top. It was an exothermic (heat generator) and insulation cover packaged in box form with a thin steel plate separating the exothermic layer from the insulating layer.
- ii. Ferroboard - This product was used to line ingot molds. The board was custom designed to fit different types of molds.
- iii. Ferroboard Liner - This product was used to line Hot Top castings and was custom designed to fit different types of Hot Top castings.
- iv. Redi-Mix/Veneer Compound - This product was a cement-type veneer compound applied over firebricks or castables and served as a parting compound. Redi-Mix/Veneer Compound were mixed with water and troweled or sprayed onto the inside of a Hot Top.
- v. Ferroboard Rings - This product was designed to protect the bottom of a Hot Top casting and formed the shoulder of an ingot.
- vi. Ferroseal Gaskets - This product was a soft, spongy type material used in conjunction with Ferroboard Liners.
- 7, 8. i. Hot Top Covers contained approximately 20% chrysotile asbestos by weight.
- ii. Ferroboard contained approximately 5% amosite asbestos or chrysotile asbestos by weight depending upon customer specifications.
- iii. Ferroboard Liners contained approximately 5% amosite asbestos or chrysotile asbestos by weight depending upon customer specifications.
- iv. Redi-Mix Veneer Compound contained approximately 2% chrysotile asbestos by weight.
- v. Ferroboard Rings contained approximately 5% amosite asbestos by weight.
- vi. Ferroseal Gaskets contained approximately 5% amosite.

INTERROGATORY NO. 7: Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed?

If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 7: In the early 1970's, Ferro began to research and develop an asbestos-free product line at the request of a customer. James Bognar, Manager of Research at Ferro, was in charge of the research and development of this product line.

INTERROGATORY NO. 16: Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

RESPONSE TO INTERROGATORY NO. 16: All the asbestos-containing products identified in Response to Interrogatory No. 5 were manufactured to customer specification and therefore, it would be unlikely that dust would be created in the installation process. Research indicates that the asbestos contained in all products, when subjected to the temperatures reached in the ingot producing process becomes forsterite. The exception would be Redi-Mix/Veneer Compound which might create dust in the mixing process.

INTERROGATORY NO. 37: Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos-containing products

and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

RESPONSE TO INTERROGATORY NO. 37: Defendant belongs to the American Iron and Steel Institute, 1101 17th Street, N.W., Suite 1300, Washington, DC 20036. The date of first membership is unknown, however, Defendant currently belongs to this institute. Defendant has no records regarding publications produced by this institute.

INTERROGATORY NO. 39: Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 39: Defendant received, on a periodic basis ✓ publications from the American Iron and Steel Institute. Defendant does not recall the publication of any articles dealing with the hazards of asbestos, and has no knowledge of the existence of any articles which may have been submitted for publication and were rejected which dealt with any issue relating to asbestos.

INTERROGATORY NO. 41: As to each product listed in response to Interrogatory No.

5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packaging or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date such warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

RESPONSE TO INTERROGATORY NO. 41: Defendant responds to this interrogatory by stating that it is believed that at some point in time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. The warning was stamped on the products at the manufacturing plant prior to shipment. No handouts or promotional literature accompanied the warning on the packaging. R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street

Tower, 8th Floor, San Francisco, CA 94105 presently has possession of copies of these warning labels.

INTERROGATORY NO. 43: Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE TO INTERROGATORY NO. 43: Instructions regarding maintenance and use of defendant's products are contained in the product brochures which have been copied and produced for benefit of plaintiff's counsel.

*- who will
brochure intended for
- who will brochure
sent to -
now given updated*

INTERROGATORY NO. 45: Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;

- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

RESPONSE TO INTERROGATORY NO. 45: In the early 1970s defendant became aware that exposure to asbestos containing products could create health hazards. At that time, defendant began to research and develop an asbestos-free product line. Subsequent to the cessation of the manufacture of asbestos-containing products by defendant, defendant has become aware that the asbestos contained in its products, when subjected to the heat of the steel making process, becomes forsterite. Defendant understands forsterite does not bear the alleged characteristics of asbestos.

INTERROGATORY NO. 56: Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

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

RESPONSE TO INTERROGATORY NO. 56: Defendant alleges it has coverage with Fireman's Fund Insurance Company, Marine Office of America Corporation, Hartford Insurance Company and the London Market Insurers. Defendant and its carriers are in the process of negotiating coverage issues. Defendant will supplement this interrogatory once negotiations conclude.

REGINA M. MASSETTI (0025475)

Law Offices of Regina M. Massetti

Attorney for Defendant

Ferro Engineering Division of
Oglebay Norton Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Defendant Oglebay Norton Company's Supplemental Responses to Plaintiffs Master Set of Interrogatories* has been served upon the following via DHL Express mail, postage prepaid, this 5th day of November, 1997:

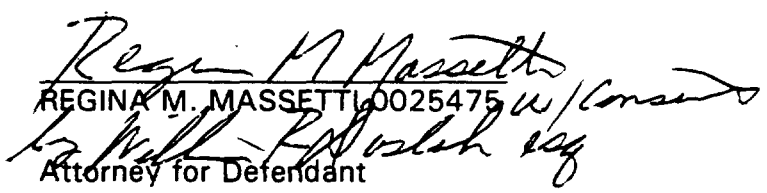
STEVEN D WOLENS
BARON & BUDD
THE CENTRUM SUITE 1100
3102 OAK LAWN AVENUE
DALLAS, TX 75219

and

BRUCE CARTER, ESQ.
43-B New Garver Road
Monroe, Ohio 45050

Attorneys for Plaintiffs

A notice of same has been forwarded this date to all defense counsel of record via regular U.S. mail.


REGINA M. MASSETTI 0025475 w/Consent

Attorney for Defendant
Ferro Engineering Division of
Oglebay Norton Company

EXHIBIT A

Ferroboard Rings - This product was used in the hot top system. The ring would be attached to the hot top casting and inserted into a mold to form a seal between the inner surface of the mold and the casting.

Ferroseal Gaskets - This product was used with the superimposed system. Its purpose was to fill the space between the hot top and the ingot mold.

Ferroboard - This product was used to line the ingot molds. The board was custom designed to fit different types of molds and may have had crease lines for folding the board into the proper shape. It may have been held in place by clips or hangers and was a one use only product.

Ferroboard Liner - This product was used in an insulating system and was only used in a cast iron hot top or superimposed hot top system.

Hot Top Covers - Hot Top Covers are a custom designed box designed to fit the top of the Hot Top. They are an exothermic and insulation cover packaged in box form with a thin steel plate separating the exothermic layer from the insulating layers. Hot Top Covers were made to mold specifications and placed on top of the mold and/or hot top castings.

Redi-Mix and Veneer Compounds - Redi-mix was a cement type veneer compound applied over firebricks or castables and served as a parting compound. The redi-mix and/or veneer compounds were mixed with water and troweled or sprayed to the inside of a hot top.

STATE OF OHIO

:

SS: VERIFICATION

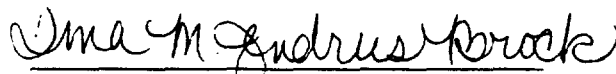
COUNTY OF CUYAHOGA

:

WILLIAM J. GABRIEL, being a retired employee and duly authorized agent for Ferro Engineering, Division of Oglebay Norton Company, and after having first been duly sworn according to law deposes and states that the answers to the foregoing interrogatories are true as he verily believes.


WILLIAM J. GABRIEL

SWORN TO BEFORE ME and subscribed in my presence by WILLIAM J. GABRIEL this 5th day of November, 1997.


Tina M. Jendrus Brock
Notary Public - State of Ohio
My Commission Expires 10/6/00

IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

ROGER DALE BLAKE, ET AL.	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CASE NO. CV96 01 0191
	)	(Hon. George Elliott)
A-BEST PRODUCTS COMPANY, ET	)	
AL.,	)	
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Defendants	)	
	)	

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 7. The percent of asbestos which it contained.
 8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

RESPONSE TO INTERROGATORY NO. 5:

3. Asbestos-containing products were manufactured, marketed, or sold from 1947-1974.
4. See attached Exhibit "A".
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 - v. Ferroseal Gaskets - This product was a soft, spongy type material used in conjunction with Ferroboard Liners.

- 7 & 8. i. Hot Top Covers contained approximately
 20% chrysotile asbestos by weight.
- ii. Ferroboard Liners contained approximately
 6.5% amosite asbestos by weight.
- iii. Redi-Mix Veneer Compound contained
 approximately 2% chrysotile asbestos by weight.

INTERROGATORY NO. 7: Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

- (a) The trade name of each such product;
- (b) The date each such product was altered;
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RESPONSE TO INTERROGATORY NO. 7: In the mid-1970's, Ferro began to research and develop an asbestos-free product line at the request of a customer. James Bogner, Manager of Research at Ferro, was in charge of the research and development of this product line.

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

RESPONSE TO INTERROGATORY NO. 39: Defendant received, on a periodic basis publications from the American Iron and Steel Institute. Defendant does not recall the publication of any articles dealing with the hazards of asbestos, and has no knowledge of the existence of any articles which may have been submitted for publication and were rejected which dealt with any issue relating to asbestos.

INTERROGATORY NO. 41: As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packaging or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;

- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date such warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

RESPONSE TO INTERROGATORY NO. 41: Defendant responds to this interrogatory by stating that it is believed that at some point in time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. The warning was stamped on the products at the manufacturing plant prior to

shipment. No handouts or promotional literature accompanied the warning on the packaging. R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street Tower, 8th Floor, San Francisco, CA 94105 presently has possession of copies of these warning labels.

INTERROGATORY NO. 43: Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE TO INTERROGATORY NO. 43: Instructions regarding maintenance and use of defendant's products are contained in the product brochures which have been copied and produced for benefit of plaintiff's counsel.

INTERROGATORY NO. 45: Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 45: In the early 1970s defendant became aware that exposure to asbestos containing products could create health hazards. In the mid-1970s, defendant began to research and develop an asbestos-free product line. Subsequent to the cessation of the manufacture of asbestos-containing products by defendant, defendant has become aware that the asbestos contained in its products, when subjected to the heat of the steel making process, becomes fosterite. Defendant understands fosterite does not bear the alleged characteristics of asbestos.

INTERROGATORY NO. 56: Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

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

RESPONSE TO INTERROGATORY NO. 56: Defendant alleges it has coverage with Fireman's Fund Insurance Company, Marine Office of America Corporation, Hartford Insurance Company and the London Market Insurers. Defendant and its carriers are in the process of negotiating coverage issues. Defendant will supplement this interrogatory once negotiations conclude.

IN THE COURT OF COMMON PLEAS
BUTLER COUNTY

DONALD LEE ABNER, ET AL.,	)	CASE NO.: CV96 01 0180
	)	
Plaintiffs,	)	JUDGE: GEORGE ELLIOTT
	)	
vs.	)	<u>DEFENDANT OGLEBAY NORTON</u>
	)	<u>COMPANY'S FIRST AMENDED</u>
A-BEST PRODUCTS COMPANY,	)	<u>RESPONSES TO PLAINTIFFS</u>
ET AL.,	)	<u>MASTER SET OF INTERROGATORIES</u>
	)	
Defendants.	)	

GENERAL OBJECTION

These responses are based on facts known or believed to be true by Defendant, Oglebay Norton Company at the time of answering these interrogatories. Much of the information requested dates back many years and is difficult or impossible to reconstruct or retrieve. This Defendant, therefore, reserves the right to amend these responses as and if new or better information is discovered.

This Defendant objects to these interrogatories insofar as they seek information which is subject to the attorney client or attorney work product privileges or which is otherwise not discoverable under the provisions of the Ohio Rules of Civil Procedure.

This Defendant further objects to these interrogatories insofar as they seek production of any information consisting of a trade secret, confidential financial data or other confidential research, development or commercial information. This Defendant further objects to these interrogatories insofar as they call for responses that are not relevant to the time period during which or the location at which Plaintiff worked. These interrogatories are,

therefore, irrelevant, overly broad and burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to these general objections and to any objections stated in the answers to the interrogatories, this Defendant has answered these interrogatories as they pertain to Oglebay Norton during the relevant time periods and for the relevant locations.

INTERROGATORY NO. 1: For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include 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.

RESPONSE TO INTERROGATORY NO. 1: See General Objections. Subject to the general objections, Oglebay Norton states that the information contained in the responses to these interrogatories has been compiled by the work of several present and former employees over the past 15 years. All information used in answering these interrogatories is in the possession of R. Patrick White, Esq., Oglebay Norton's National Coordinating Counsel who has held this position since September, 1991.

INTERROGATORY NO. 2: Please state whether or not Defendant is a corporation. If so, please state:

- (a) Your correct corporate name;
- (b) The state of your incorporation;
- (c) The address of your principal place of business;

(d) Your registered agent for service in the state of Ohio.

RESPONSE TO INTERROGATORY NO. 2:

- (a) Oglebay Norton Company.
- (b) Delaware
- (c) 1100 Superior Avenue, Cleveland, OH 44114-2598
- (d) John J. Kirn, Jr., Esq.

INTERROGATORY NO. 3: Please describe Defendant's corporate history including any:

- (a) Mergers;
- (b) Consolidations;
- (c) Asset purchases;
- (d) Acquisitions; or
- (e) Spinoffs.

RESPONSE TO INTERROGATORY NO. 3: The Ferro Engineering Company was incorporated on October 9, 1929. The Ferro Engineering Company merged into Columbia Transportation Company, ^{which formed} renamed Oglebay Norton Company on October 31, 1957.

INTERROGATORY NO. 4: Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products). If so, please state the following:

- (a) The name of each such corporation or entity;
- (b) Date of acquisition;
- (c) The nature of the company as it relates to asbestos.

are there all the products
ANSWER TO INTERROGATORY NO. 4: The Ferro Engineering Company was incorporated on October 9, 1929. The Ferro Engineering Company merged into Columbia Transportation Company, renamed Oglebay Norton Company on October 31, 1957. Ferro Engineering Company has designed, manufactured, processed, sold, distributed and patented certain products which are more particularly described in the attached Exhibit "A".

INTERROGATORY NO. 5: Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - 1. The trade or brand name
 - 2. Its identification number (model, serial number, etc.).
 - insert* 3. The time period it was manufactured, mined, marketed, distributed or sold.
 - insert* 4. Its physical description including color, general composition, and form.
 - 5. A detailed description of its intended use and purpose.
 - insert* 6. A detailed description of the type of package in which it was sold, listing the dates of each type

of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.

7. The percent of asbestos which it contained.

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

inman (c) The time period during which each of these products were on the market;

(d) A description of the physical composition of each product;

(e) How each of these asbestos-containing product can be distinguished from those of competitors;

(f) A description of the physical appearance of such product;

(g) A detailed description of the intended uses.

RESPONSE TO INTERROGATORY NO. 5: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this

interrogatory by producing information regarding products as shown on Exhibit "A".

(a) The Ferro Engineering Company (Defendant's predecessor).

(b) 1. See attached Exhibit "A".

2. Ferroboard Rings - (FBR)

Ferroseal Gaskets - (FS)

★ Ferroboard - (FB or XFB)

Ferroboard Liner - (F)

Hot Top Covers - (C)

★ Hot Top Compounds - (R or R-1, R-2, or R-4 or R-5)

3. Asbestos-containing products were manufactured, marketed, or sold from 1947-1974.

4. See attached Exhibit "A".

5. See attached Exhibit "A".

6. Ferroboard Rings - Rings were stacked on a wooden pallet. A plastic 6 mil shrink bag was placed over the rings and run through an arch oven which shrunk the bag tight to the product and pallet.

Ferroboard Liners - Same as Ferroboard rings except for the F-206 liner. This liner was put into a large 1/2 regular slotted corrugated carton, 350# wall stitched, which was placed on a wooden pallet and strapped to the pallet.

Ferroseal Gaskets - Same as Ferroboard rings.

Ferroboard - Same as F-206 liner. Ferroboard FB-299 was put into a large corrugated carton, which was placed on a wooden pallet.

Hot Top Cover - A cover is a diecut corrugated box. The finished cover was put into a large cardboard tray, which was on a wooden pallet. The tray has 2 wraparound corrugated sheets, which enclosed the covers from the sides. It was then capped with a tray and the palletized unit was stapled together.

Ready-Mix and Veneer Compound - This material was packed in a four ply multiwall kraft valve sleeve shipping sack. After filling the sack, it was put on a wooden pallet which had a corrugated sheet on the deckboard. A light application of adhesive was put between the layers of bags to prevent slippage. Before the valve sleeve bag was in production, we sewed the bags shut and prior to that the bags were closed by using wire tips.

Note: Prior to the use of shrink film bags, plastic bags were used that were loose but were strapped to the pallet.

7. See objection to Interrogatory No. 5 above. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in

that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

8. See response to Interrogatory 5(b)7 above.

(c). See response to Interrogatory 5(b)3 above.

(d). See response to Interrogatory 5(b)7 above. Without waiving such objections, see attached Exhibit "A".

with summary
(e). Ferroseal, Ferroboard liners, Ferroboard ring wipers, redi-mix, hot top compound, hot top liner, and the hot top liner compound bore the trade mark "C&D". Additionally, the Ferro logo may have appeared on some products that were supplied in bags and the boxed hot top covers may have had the words Ferro Engineering printed on them.

(f). See attached Exhibit "A".

(g). See attached Exhibit "A".

INTERROGATORY NO. 6: Does the Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

- (a) The date of each patent;
- (b) The date same was issued;
- (c) The number of each patent application that is pending.

RESPONSE TO INTERROGATORY NO. 6: See response to Interrogatory No. 5 for objection. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

Without waiving the foregoing objections, Defendant responds to this interrogatory that Ferroseal, Ferroboard, Ferroboard liners, Ferroboard ring wipers, Ready-mix hot top compound, and Hot top veneer compound were patented at various times. The "C&D" Trademark was registered in 1931 with the US Patent Office.

INTERROGATORY NO. 7: Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 7: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever

manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

Without waiving the foregoing objections, Defendant responds to this interrogatory by stating that the chemical composition of its products has been altered. In the mid-1970's, Ferro began to research and develop an asbestos-free product line at the request of a customer. James Bognar, Manager of Research at Ferro, was in charge of the research and development of this product line.

*what
necessary?*

INTERROGATORY NO. 8: Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

- (a) The name and address of each such company;

- (b) The names and address of Defendant's distributors in Ohio and Illinois since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.
- (g) Please identify all documents relating to this distributor for the particular location.

RESPONSE TO INTERROGATORY 8: No.

INTERROGATORY NO. 8.1: Does Defendant have reason to believe that the asbestos-containing products listed in response to Interrogatory No. 5 were used at the ARMCO/A.K. Steel Middletown Plant and/or the ARMCO/A.K. Steel Hamilton Plant. If your answer is "yes", please state the basis of your answer.

RESPONSE TO INTERROGATORY NO. 8.1: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the

interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, and subject thereto, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. However, Defendant's sales records do indicate that asbestos-containing products were sold to ARMCO/A.K. Steel Middletown Plant.

INTERROGATORY 8.2: For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold, those products listed in response to Interrogatory No. 5 to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please state the following:

- (a) The name and address of each such company;
- (b) The date of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Please identify all documents relating to the sales to each such company.

RESPONSE TO INTERROGATORY NO. 8.2: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts

alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. The following responses pertain to sales of asbestos-containing products to ARMCO/A.K. Steel Middletown Plant. X

(a) Ferro Engineering Division of Oglebay Norton Company,
1100 Superior Avenue, Cleveland, OH 44114-2598

(b) 1952-1957; 1969-1972.

(c) Defendant does not know who was the person at ARMCO/A.K. Steel Middletown Plant with whom Ferro Engineering Division of Oglebay Norton Company primarily dealt.

(d) Redi-Mix Hot Top Compound and Ferroboard.

(e) Sales records are located at 1100 Superior Avenue, Cleveland, OH 44114-2598.

INTERROGATORY NO. 8.3: If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please

state the names and last known addresses of those companies who Defendant knows marketed, distributed, and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of these companies, please state the following:

- (a) The name and address of each such company;
- (b) The dates of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.

RESPONSE TO INTERROGATORY 8.3: See response to Interrogatory 8.2

INTERROGATORY 8.4: Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant? If so, please state:

- (a) The names and last known addresses of those people with such knowledge.
- (b) The location of such records.

RESPONSE TO INTERROGATORY 8.4: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not

limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory as follows: Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. However, Defendant's sales records do indicate that asbestos-containing products were sold to ARMCO/A.K. Steel Middletown Plant.

- (a) William J. Gabriel, Patrick White, Joseph Hudik and Dennis Hargreaves. Last known address: 1100 Superior Avenue, Cleveland, OH 44114-2598
- (b) The sales records to ARMCO/A.K. Steel Middletown Plant are located at 1100 Superior Avenue, Cleveland, OH 44114-2598.

INTERROGATORY NO. 9: Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1945 to 1975? If your response is yes, as to each facility, please state the following:

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

- (b) The period of time they acted as your representative;
- (c) Their general responsibility as to each facility; and
- (d) Whether that person is still alive.

RESPONSE TO INTERROGATORY NO. 9: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. *did not know*
did they call on
ARMCO/A.K. Steel Hamilton Plant
did not know
did they call on
ARMCO/A.K. Steel Hamilton Plant
did not know
did they call on
ARMCO/A.K. Steel Hamilton Plant

- (a) Defendant does not know the names of the sales representatives who called on ARMCO/A.K. Steel Middletown Plant during the period 1945 to 1975. Defendant will supplement this response to interrogatory when said information is discovered. *did not know*
did they call on
ARMCO/A.K. Steel Middletown Plant
did not know
did they call on
ARMCO/A.K. Steel Middletown Plant
did not know
did they call on
ARMCO/A.K. Steel Middletown Plant

INTERROGATORY NO. 10: Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing products? If so, please state: *no*

- (a) The name of each subdivision;
- (b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and
- (c) Whether said division or subsidiary conducted such business at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1954 to 1975? If so, please state:
 - (1) The dates of such contracts;
 - (2) The specific asbestos-containing products that were used in each contract.

RESPONSE TO INTERROGATORY NO. 9: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant did not have any division or subsidiary engaged in the contract business of applying asbestos-containing products.

INTERROGATORY NO. 11: Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

RESPONSE TO INTERROGATORY NO. 11: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant did not ever have any division or subsidiary engaged in the contract business of applying asbestos-containing refractory.

INTERROGATORY NO. 12: Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

RESPONSE TO INTERROGATORY NO. 12: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome

in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by as follows: 3155 East 66th Street Cleveland, OH (approximately 1930 - 1974); 3313 East 80th Street, Cleveland, OH (approximately 1939 - 1974).

INTERROGATORY NO. 13: Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials? If so, please state: *NO*

- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by such agreement;
- (d) The volume (in dollars amounts) of each such transaction;
- (e) The purchaser of such products;
- (f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

RESPONSE TO INTERROGATORY NO. 13: No.

INTERROGATORY NO. 14: What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5? .

RESPONSE TO INTERROGATORY NO. 14: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant. Without waiving the foregoing objections, Defendant responds to this interrogatory by stating that in the mid-1970's, Ferro Engineering Division of Oglebay Norton Company began to

research and develop an asbestos-free product line at the request of a customer. James Bogнар, Manager of Research at Ferro Engineering, was in charge of the research and development of this product line. Mr. Bogнар is deceased.

INTERROGATORY NO. 15: As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

RESPONSE TO INTERROGATORY NO. 15: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is

compel

unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant. Without waiving the foregoing objections, Defendant responds to this interrogatory by referring to Exhibit "A".

INTERROGATORY NO. 16: Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust. *not answer*

RESPONSE TO INTERROGATORY NO. 16: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is

proprietary in nature which constitute the trade secrets of this defendant.

INTERROGATORY NO. 17: Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

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

RESPONSE TO INTERROGATORY 17: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers that

- (a) blueprints, inroad books and other various documents exist.
- (b) These documents are in the possession of William Gabriel.
- (c) These documents are located at 1100 Superior Avenue, Cleveland, OH 44114-2598.

INTERROGATORY NO. 18: Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state: *NO*

- (a) The name of the products tested and the date of each test. *rely on studies by other rely on technical data - need to be seen -*
- (b) The name, address, and job classification of each individual who conducted such tests; *release info? assume safe*
- (c) The results of such tests. *state in facts not clear*

RESPONSE TO INTERROGATORY NO. 18: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

INTERROGATORY NO. 19: Does Defendant have or control 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 listed in Interrogatory No. 5 hereinabove? *NO*

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

RESPONSE TO INTERROGATORY NO. 19: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without

waiving the foregoing objections, and subject thereto, defendant answers: No.

INTERROGATORY NO. 20: Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 hereinabove? If so, please state: *NO. by answer*

- (a) The trade name of the product changed or modified;
- (b) The nature of the change made and the date of such changes or modifications;
- (c) The name, address, and job classification of each person in charge of making a change.

RESPONSE TO INTERROGATORY NO. 20: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

INTERROGATORY NO. 21: After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products? ^{NO}

- (a) The names of the products tested and the dates of said tests;
- (b) The name, address, and job classification of each person and/or agency conducting said tests;
- (c) The results of said tests;
- (d) Whether, as a result of any tests conducted, any products were removed from the market;
- (e) The names of all products removed from the market as a result of said tests.

RESPONSE TO INTERROGATORY NO. 21: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

INTERROGATORY NO. 22: Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If so, please state: NO

- (a) The dates and nature of such studies;
- (b) The names and addresses of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Identify and list those persons to whom such reports were given and the date of such dissemination;
- (e) State any publication or other written dissemination of the results of such studies;
- (f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and
- (g) Attach a copy of reports based upon such studies.

RESPONSE TO INTERROGATORY NO. 22: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever

manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

INTERROGATORY NO. 23: Before placing in the market the asbestos-containing products that Defendant mined, manufactured, sold, marketed, installed, or distributed on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

- NO
- (a) The date of said studies;
 - (b) What studies were done; and
 - (c) The titles of each study.

RESPONSE TO INTERROGATORY NO. 23: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this

defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant answers no.

INTERROGATORY NO. 24: Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products, and/or other workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and,
- (d) The persons to whom the results of said tests were given and the date of such dissemination.

RESPONSE TO INTERROGATORY NO. 24: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever

manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by answering no.

INTERROGATORY NO. 25: Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;
- (c) What information was disseminated within Defendant's company, or its subsidiary or predecessor regarding such adverse consequences or effects;
- (d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- (e) The name, address and job classification of the custodian of such information.

*but I have passed
inhalation and ingestion
of asbestos
what was done*

RESPONSE TO INTERROGATORY NO. 25: To the best of this Defendant's recollection it first learned that inhalation or ingestion of asbestos fibers posed a potential health hazard to asbestos miners in the late 1960's or early 1970's. Defendant does not recall how it first became aware of this potential hazard. Subsequent to the acquisition of this knowledge, Defendant began the process of conducting research and development to reformulate its products to remove asbestos therefrom. Defendant has no knowledge nor does it maintain any records pertaining to when such information became known to any specific employee or shareholder.

INTERROGATORY NO. 26: Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

RESPONSE TO INTERROGATORY NO. 26: To the best of this Defendant's recollection it first learned that inhalation or ingestion of asbestos fibers posed a potential health hazard to asbestos miners in the late 1960's or early 1970's. Defendant does not recall how it first became aware of this potential hazard. Subsequent to the acquisition of this knowledge, Defendant began the process of conducting research and development to reformulate its products to remove asbestos therefrom. Defendant did not conduct tests to

*200 300 know
was in the released
decision*

*needed had to go to
asbestos before
what? D*

(K)

asbestos in asbestos?

investigate the relationship of the above-mentioned illnesses and the inhalation of asbestos dust and/or fibers.

INTERROGATORY NO. 27: Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by the Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

RESPONSE TO INTERROGATORY NO. 27: None.

INTERROGATORY NO. 28: As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

RESPONSE TO INTERROGATORY NO. 28: None.

INTERROGATORY NO. 29: Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to whom such recommendations and/or suggestions were made and the substance of each recommendation.

*was med. monitor
annual check up*

RESPONSE TO INTERROGATORY NO. 29: None.

INTERROGATORY NO. 30: Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

RESPONSE TO INTERROGATORY NO. 30: None.

INTERROGATORY NO. 31: State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products. *none used*

RESPONSE TO INTERROGATORY NO. 31: None.

INTERROGATORY NO. 32: For each test described in Interrogatory No. 31, please give the name of the person conducting the test, the date of the test, and attach true copies of any documents, including but not limited to reports, findings or memoranda concerning such tests or studies.

RESPONSE TO INTERROGATORY NO. 32: Not Applicable.

INTERROGATORY NO. 33: Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Government Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

RESPONSE TO INTERROGATORY NO. 33: Defendant does not recall when it first learned of any alleged threshold limit values or maximum allowable concentrations of both asbestos dust and total dust. To the best of its recollection, it learned of these values sometime after it became involved in asbestos litigation in the 1980's.

INTERROGATORY NO. 34: Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

- (a) The date each such library was established;

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

RESPONSE TO INTERROGATORY NO. 34: No.

INTERROGATORY NO. 35: Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

RESPONSE TO INTERROGATORY NO. 35: No.

INTERROGATORY NO. 36: When was Defendant first aware of reports of studies of the Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

RESPONSE TO INTERROGATORY NO. 36: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. Without waiving this objection, Defendant would respond that the publication listed in this interrogatory is not related to the industry in which Ferro Engineering Division of

Oglebay Norton Company is engaged in business; to wit, the steel industry. Defendant does not believe that it was aware of this publication prior to its becoming involved in asbestos related litigation during the 1980's.

INTERROGATORY NO. 37: Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

RESPONSE TO INTERROGATORY NO. 37: Defendant belongs to the American Iron and Steel Institute, 1101 17th Street, N.W., Suite 1300, Washington, DC 20036..

The date of first membership is unknown, however, Defendant currently belongs to this institute. Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. Without waiving this objection, a list of publications issued by the American Iron and Steel Institute can be obtained from the institute.

INTERROGATORY NO. 38: With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such group's concerning the hazards of asbestos exposure are available.

RESPONSE TO INTERROGATORY NO. 38: To the best of this defendant's knowledge no issues related to asbestos exposure were ever discussed. Defendant would refer Plaintiff to the Iron and Steel Institute which has more accurate records of the minutes of the group meetings and correspondence between members of the group.

INTERROGATORY NO. 39: Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 39: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. The interrogatory asks for each and every journal, periodical, magazine and publication of whatever nature ever received by Defendant for a period in excess of 67 years. It is an unreasonable and unnecessary burden to require Defendant to review its records in order to respond to this interrogatory.

Furthermore, Defendant has no knowledge of decisions made by the editors of these journals to withhold articles from publication. Without waiving this objection, Defendant would respond that it does not believe that it was aware of any articles pertaining to the potential hazards of asbestos prior to its becoming involved in asbestos related litigation during the 1980's.

INTERROGATORY NO. 40: Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

RESPONSE TO INTERROGATORY NO. 40: No.

INTERROGATORY NO. 41: As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;

- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date such warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

RESPONSE TO INTERROGATORY NO. 41: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that it is believed that at some point in

time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street Tower, 8th Floor, San Francisco, CA 94105 presently has possession of copies of these warning labels.

INTERROGATORY NO. 42: Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

RESPONSE TO INTERROGATORY NO. 42: Defendant objects to this interrogatory as it seeks information regarding products over a time period that is not relevant to plaintiff's lawsuit and for locations at which plaintiffs did not work and it is therefore unduly burdensome, oppressive and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject thereto, this defendant states that

only advertisement?
copies?
any other advertisement
Defendant published sales catalogs which are in the possession of its National Coordinating Counsel. Defendant also conducted a limited program of advertisement in steel related publications including but not limited to "Metal 33". Defendant does not possess any chronological history of such advertisement. It is unknown who prepared the sales and advertising materials.

INTERROGATORY NO. 43: Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE TO INTERROGATORY NO. 43: Defendant objects to this interrogatory as it seeks information regarding products over a time period that is not relevant to plaintiff's lawsuit and for locations at which plaintiffs did not work and it is therefore unduly burdensome, oppressive and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject thereto, this defendant states that some

^{what?}
information about the use of the products listed in answer to Interrogatory No. 5 was contained in the sales catalogs and advertisements referred to in the Response to Interrogatory No. 42. These documents are in the possession of its National Coordinating Counsel. Defendant does not possess any chronological history of such advertisements and written materials.

INTERROGATORY NO. 44: Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

- (a) Identify the written material by content and date;
- (b) To whom was it delivered.

RESPONSE TO INTERROGATORY NO. 44: Unknown at present. Discovery is continuing.

INTERROGATORY NO. 45: Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

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

- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

RESPONSE TO INTERROGATORY NO. 45: Defendant believes that this interrogatory calls for a medical conclusion. Defendant is not a medical corporation and therefore has no opinion in this regard.

In the mid-1970's, Ferro Engineering Division of Oglebay Norton began to research and develop an asbestos-free product line at the request of a customer. Defendant did not market asbestos-containing products after 1974. Subsequent to the cessation of the manufacture of asbestos containing products by Defendant, Defendant has become aware that the asbestos contained in Defendant's products, when subjected to the heat of the steel making process, becomes fosterite. Defendant understands that fosterite does not bear the alleged characteristics of asbestos.

INTERROGATORY NO. 46: Did Defendant give any warnings to ARMCO/A.K. Steel Middletown Plant and/or ARMCO A.K. Steel Hamilton Plant regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

- (a) Name of person most knowledgeable about this communication.
- (b) Name of person at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant most knowledgeable about this communication.
- (c) Dates of each communication.
- (d) Contents of each communication.

met armco where was in Middle town

RESPONSE TO INTERROGATORY NO. 46: Defendant did not sell asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. At some point in time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. Discovery is continuing as to the names of persons who communicated with ARMCO/A.K. Steel Middletown Plant.

INTERROGATORY NO. 47: Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;
- (b) The disease alleged in each such claim;
- (c) A brief summary of the disposition of each such claim; and
- (d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

RESPONSE TO INTERROGATORY NO. 47: None.

INTERROGATORY NO. 48: Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos

products manufactured, sold, installed, and/or distributed by Defendant? If so, please state:

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

RESPONSE TO INTERROGATORY NO. 48: None.

INTERROGATORY NO. 49: Has Defendant obtained statement from any witnesses including the Plaintiffs? If so, please:

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

RESPONSE TO INTERROGATORY NO. 49: No.

INTERROGATORY NO. 50: Do you contend that the Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set out in detail in what respect the product was improperly used.

RESPONSE TO INTERROGATORY NO. 50: Discovery is continuing to develop a basis for this contention.

INTERROGATORY NO. 51: As to the ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, and as to each Plaintiff/Decedent, please state whether Defendant contends that

there was any substance other than asbestos which contributed or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

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

RESPONSE TO INTERROGATORY NO. 51: Discovery is continuing to develop a basis for this contention.

INTERROGATORY NO. 52: Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

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

RESPONSE TO INTERROGATORY NO. 52: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant introduced the use of masks, respirators, dust collectors and engaged in employee education including material handling techniques as well as the removal of asbestos from its products in order to minimize or eliminate any risk of occupational disease or pneumoconiosis to those engaged in the manufacture or production of Defendant's asbestos containing products. Discovery is continuing as to the date when respirators were issued to Defendant's employees and the name of the manufacturer and model number. Defendant does not have any documentation of tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

INTERROGATORY NO. 53: Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity, last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;
- (d) The expert's qualifications to render the opinions set forth above;
- (e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;
- (f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and
- (g) 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 sub-paragraph (a) above. Alternatively, in lieu, of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

RESPONSE TO INTERROGATORY NO. 53: Expert witnesses have not yet been determined at this time.

INTERROGATORY NO. 54: Please state the name and last known address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

RESPONSE TO INTERROGATORY NO. 54: Unknown at this time.

INTERROGATORY NO. 55: Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

RESPONSE TO INTERROGATORY NO. 55: Yes.

INTERROGATORY NO. 56: Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

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

RESPONSE TO INTERROGATORY NO. 56: This defendant asserts that it has coverage. However, the question of coverage and the extent of such coverage is currently undetermined. In an effort to cooperate, this defendant provides the following general information:

Over the relevant period of time, the Ferro Engineering Division of Oglebay Norton Company had liability insurance through Fireman's Fund.

INTERROGATORY NO. 57: Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

RESPONSE TO INTERROGATORY NO. 57: R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street Tower, 8th Floor, San Francisco, CA 94105. Regina M. Massetti, Esq., LAW OFFICES OF REGINA M. MASSETTI, 113 St. Clair Avenue, Suite 530, Cleveland, OH 44114.

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INTERROGATORY NO. 58: State the last date that this Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

RESPONSE TO INTERROGATORY NO. 58: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection and subject thereto, Defendant responds to this interrogatory as follows: November 7, 1978.

*what was
where -
how did they know?*

Regina M. Massetti

REGINA M. MASSETTI (0025475)
Law Offices of Regina M. Massetti

Attorney for Defendant
Ferro Engineering Division of
Oglebay Norton Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Defendant Oglebay Norton Company's Responses to Plaintiffs Master Set of Interrogatories has been served upon the following via DHL Express mail, postage prepaid, this 23rd day of April, 1997:

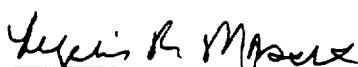
STEVEN D WOLENS
BARON & BUDD
THE CENTRUM SUITE 1100
3102 OAK LAWN AVENUE
DALLAS, TX 75219

and

BRUCE CARTER, ESQ.
43-B New Garver Road
Monroe, Ohio 45050

Attorneys for Plaintiffs

A notice of same has been forwarded this date to all defense counsel of record via regular U.S. mail.


REGINA M. MASSETTI 0025475

Attorney for Defendant
Ferro Engineering Division of
Oglebay Norton Company

EXHIBIT A

Ferroboard Rings - This product was used in the hot top system. The ring would be attached to the hot top casting and inserted into a mold to form a seal between the inner surface of the mold and the casting.

Ferroseal Gaskets - This product was used with the superimposed system. Its purpose was to fill the space between the hot top and the ingot mold.

Ferroboard - This product was used to line the ingot molds. The board was custom designed to fit different types of molds and may have had crease lines for folding the board into the proper shape. It may have been held in place by clips or hangers and was a one use only product.

Ferroboard Liner - This product was used in an insulating system and was only used in a cast iron hot top or superimposed hot top system.

Hot Top Covers - Hot Top Covers are a custom designed box designed to fit the top of the ingot mold or hot top. They are an exothermic and insulation cover packaged in box form with a thin steel plate separating the exothermic layer from the insulating layer. Hot Top Covers were made to mold specifications and placed on top of the mold.

Hot Top Compounds - Redi-mix was a cement type veneering compound applied over firebricks or castables and served as a parting compound. The redi-mix and/or veneer compounds were mixed with water and troweled or sprayed to the inside of a hot top.

EXHIBIT A

Ferroboard Rings - This product was used in the hot top system. The ring would be attached to the hot top casting and inserted into a mold to form a seal between the inner surface of the mold and the casting.

Ferroseal Gaskets - This product was used with the superimposed system. Its purpose was to fill the space between the hot top and the ingot mold.

Ferroboard - This product was used to line the ingot molds. The board was custom designed to fit different types of molds and may have had crease lines for folding the board into the proper shape. It may have been held in place by clips or hangers and was a one use only product.

Ferroboard Liner - This product was used in an insulating system and was only used in a cast iron hot top or superimposed hot top system.

Hot Top Covers - Hot Top Covers are a custom designed box designed to fit the top. They are an exothermic and insulation cover packaged in box form with a thin steel plate separating the exothermic layer from the insulating layers. Hot Top Covers were made to mold specifications and placed on top of the mold.

Hot Top Compounds - Redi-mix was a cement type veneering compound applied over firebricks or castables and served as a parting compound. The redi-mix and/or veneer compounds were mixed with water and troweled or sprayed to the inside of a hot top.

STATE OF OHIO

COUNTY OF CUYAHOGA

SS: VERIFICATION

WILLIAM J. GABRIEL, being a retired employee and duly authorized agent for Ferro Engineering, Division of Oglebay Norton Company, and after having first been duly sworn according to law deposes and states that the answers to the foregoing interrogatories are true as he verily believes.


WILLIAM J. GABRIEL

SWORN TO BEFORE ME and subscribed in my presence by WILLIAM J. GABRIEL this 23rd day of April, 1997.


Notary Public

REGINA M. MASSETTI, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Section 147.03 R. C.

IN THE COURT OF COMMON PLEAS
BUTLER COUNTY

DONALD LEE ABNER, ET AL.,	)	CASE NO.: CV96 01 0180
	)	
Plaintiffs,	)	JUDGE: GEORGE ELLIOTT
	)	
vs.	)	<u>DEFENDANT OGLEBAY NORTON</u>
	)	<u>COMPANY'S RESPONSES TO</u>
A-BEST PRODUCTS COMPANY,	)	<u>PLAINTIFFS MASTER SET OF</u>
ET AL.,	)	<u>INTERROGATORIES</u>
	)	
Defendants.	)	

GENERAL OBJECTION

These responses are based on facts known or believed to be true by Defendant, Oglebay Norton Company at the time of answering these interrogatories. Much of the information requested dates back many years and is difficult or impossible to reconstruct or retrieve. This Defendant, therefore, reserves the right to amend these responses as and if new or better information is discovered.

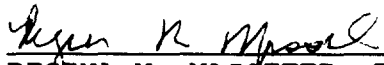
This Defendant objects to these interrogatories insofar as they seek information which is subject to the attorney client or attorney work product privileges or which is otherwise not discoverable under the provisions of the Ohio Rules of Civil Procedure.

This Defendant further objects to these interrogatories insofar as they seek production of any information consisting of a trade secret, confidential financial data or other confidential research, development or commercial information. This Defendant further objects to these interrogatories insofar as they call for responses that are not relevant to the time period during which or the location at which Plaintiff worked. These interrogatories are,

therefore, irrelevant, overly broad and burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to these general objections and to any objections stated in the answers to the interrogatories, this Defendant has answered these interrogatories as they pertain to Oglebay Norton during the relevant time periods and for the relevant locations.

INTERROGATORY NO. 1: For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include 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.

RESPONSE TO INTERROGATORY NO. 1: See General Objections. Subject to the general objections, Oglebay Norton states that the information contained in the responses to these interrogatories has been compiled by the work of several present and former employees over the past 15 years. All information used in answering these interrogatories is in the possession of R. Patrick White, Esq., Oglebay Norton's National Coordinating Counsel who has held this position since September, 1991. 
REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 2: Please state whether or not Defendant is a corporation. If so, please state:

- (a) Your correct corporate name;
- (b) The state of your incorporation;
- (c) The address of your principal place of business;

- (d) Your registered agent for service in the state of Ohio.

RESPONSE TO INTERROGATORY NO. 2:

- (a) Oglebay Norton Company.
- (b) Delaware
- (c) 1100 Superior Avenue, Cleveland, OH 44114-2598
- (d) John J. Kirn, Jr., Esq.

INTERROGATORY NO. 3: Please describe Defendant's corporate history including any:

- (a) Mergers;
- (b) Consolidations;
- (c) Asset purchases;
- (d) Acquisitions; or
- (e) Spinoffs.

RESPONSE TO INTERROGATORY NO. 3: The Ferro Engineering Company was incorporated on October 9, 1929. The Ferro Engineering Company merged into Columbia Transportation Company, renamed Oglebay Norton Company on October 31, 1957.

INTERROGATORY NO. 4: Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products). If so, please state the following:

- (a) The name of each such corporation or entity;
- (b) Date of acquisition;
- (c) The nature of the company as it relates to asbestos.

ANSWER TO INTERROGATORY NO. 4: The Ferro Engineering Company was incorporated on October 9, 1929. The Ferro Engineering Company merged into Columbia Transportation Company, renamed Oglebay Norton Company on October 31, 1957. Ferro Engineering Company has designed, manufactured, processed, sold, distributed and patented certain products which are more particularly described in the attached Exhibit "A".

INTERROGATORY NO. 5: Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - 1. The trade or brand name
 - 2. Its identification number (model, serial number, etc.).
 - 3. The time period it was manufactured, mined, marketed, distributed or sold.
 - 4. Its physical description including color, general composition, and form.
 - 5. A detailed description of its intended use and purpose.
 - 6. A detailed description of the type of package in which it was sold, listing the dates of each type

of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.

7. The percent of asbestos which it contained.

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

(c) The time period during which each of these products were on the market;

(d) A description of the physical composition of each product;

(e) How each of these asbestos-containing product can be distinguished from those of competitors;

(f) A description of the physical appearance of such product;

(g) A detailed description of the intended uses.

RESPONSE TO INTERROGATORY NO. 5: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Without waiving the foregoing objection, Defendant responds to this interrogatory by producing information regarding products as shown on Exhibit "A".

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(a) The Ferro Engineering Company (Defendant's predecessor).

(b) 1. See attached Exhibit "A".

2. Ferroboard Rings - (FBR)

Ferroseal Gaskets - (FS)

Ferroboard - (FB or XFB)

Ferroboard Liner - (F)

Hot Top Covers - (C)

Hot Top Compounds - (R or R-1, R-2, or R-4 or R-5)

3. Asbestos-containing products were manufactured, marketed, or sold from 1947-1974.

4. See attached Exhibit "A".

5. See attached Exhibit "A".

6. Ferroboard Rings - Rings were stacked on a wooden pallet. A plastic 6 mil shrink bag was placed over the rings and run through an arch oven which shrunk the bag tight to the product and pallet.

Ferroboard Liners - Same as Ferroboard rings except for the F-206 liner. This liner was put into a large 1/2 regular slotted corrugated carton, 350# wall stitched, which was placed on a wooden pallet and strapped to the pallet.

Ferroseal Gaskets - Same as Ferroboard rings.

Ferroboard - Same as F-206 liner. Ferroboard FB-299 was put into a large corrugated carton, which was placed on a wooden pallet.

Hot Top Cover - A cover is a diecut corrugated box. The finished cover was put into a large cardboard tray, which was on a wooden pallet. The tray has 2 wraparound corrugated sheets, which enclosed the covers from the sides. It was then capped with a tray and the palletized unit was stapled together.

Ready-Mix and Veneer Compound - This material was packed in a four ply multiwall kraft valve sleeve shipping sack. After filling the sack, it was put on a wooden pallet which had a corrugated sheet on the deckboard. A light application of adhesive was put between the layers of bags to prevent slippage. Before the valve sleeve bag was in production, we sewed the bags shut and prior to that the bags were closed by using wire tips.

Note: Prior to the use of shrink film bags, plastic bags were used that were loose but were strapped to the pallet.

7. See objection to Interrogatory No. 5 above. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in

that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

8. See response to Interrogatory 5(b)7 above.

(c). See response to Interrogatory 5(b)3 above.

(d). See response to Interrogatory 5(b)7 above. Without waiving such objections, see attached Exhibit "A".

(e). Ferroseal, Ferroboard liners, Ferroboard ring wipers, redi-mix, hot top compound, hot top liner, and the hot top liner compound bore the trade mark "C&D". Additionally, the Ferro logo may have appeared on some products that were supplied in bags and the boxed hot top covers may have had the words Ferro Engineering printed on them.

(f). See attached Exhibit "A".

(g). See attached Exhibit "A".

INTERROGATORY NO. 6: Does the Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

(a) The date of each patent;

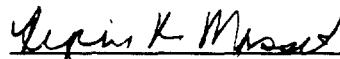
(b) The date same was issued;

-

(c) The number of each patent application that is pending.

RESPONSE TO INTERROGATORY NO. 6: See response to Interrogatory No. 5 for objection. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

Without waiving the foregoing objections, Defendant responds to this interrogatory that Ferroseal, Ferroboard, Ferroboard liners, Ferroboard ring wipers, Ready-mix hot top compound, and Hot top veneer compound were patented at various times. The "C&D" Trademark was registered in 1931 with the US Patent Office.


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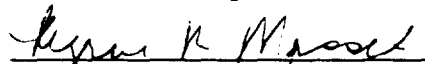
INTERROGATORY NO. 7: Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. -7: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks

information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.

Without waiving the foregoing objections, Defendant responds to this interrogatory by stating that the chemical composition of its products has been altered. In the mid-1970's, Ferro began to research and develop an asbestos-free product line at the request of a customer. James Bogner, Manager of Research at Ferro, was in charge of the research and development of this product line.


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INTERROGATORY NO. 8: Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

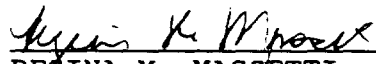
- (a) The name and address of each such company;
- (b) The names and address of Defendant's distributors in Ohio and Illinois since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.
- (g) Please identify all documents relating to this distributor for the particular location.

RESPONSE TO INTERROGATORY 8: No.

INTERROGATORY NO. 8.1: Does Defendant have reason to believe that the asbestos-containing products listed in response to Interrogatory No. 5 were used at the ARMCO/A.K. Steel Middletown Plant and/or the ARMCO/A.K. Steel Hamilton Plant. If your answer is "yes", please state the basis of your answer.

RESPONSE TO INTERROGATORY NO. 8.1: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these

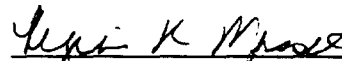
interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, and subject thereto, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. However, Defendant's sales records do indicate that asbestos-containing products were sold to ARMCO/A.K. Steel Middletown Plant.


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INTERROGATORY 8.2: For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold, those products listed in response to Interrogatory No. 5 to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please state the following:

- (a) The name and address of each such company;
- (b) The date of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Please identify all documents relating to the sales to each such company.

RESPONSE TO INTERROGATORY NO. 8.2: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. The following responses pertain to sales of asbestos-containing products to ARMCO/A.K. Steel Middletown Plant.


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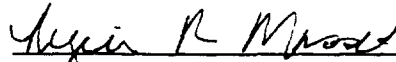
- (a) Ferro Engineering Division of Oglebay Norton Company,
1100 Superior Avenue, Cleveland, OH 44114-2598
- (b) 1952-1957; 1969-1972.
- (c) Defendant does not know who was the person at ARMCO/A.K. Steel Middletown Plant with whom Ferro Engineering Division of Oglebay Norton Company primarily dealt.
- (d) Redi-Mix Hot Top Compound and Ferroboard.

- (e) Sales records are located at 1100 Superior Avenue,
Cleveland, OH 44114-2598.

INTERROGATORY NO. 8.3: If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of these companies, please state the following:

- (a) The name and address of each such company;
- (b) The dates of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.

RESPONSE TO INTERROGATORY 8.3: See response to Interrogatory 8.2


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INTERROGATORY 8.4: Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant? If so, please state:

- (a) The names and last known addresses of those people with such knowledge.

(b) The location of such records.

RESPONSE TO INTERROGATORY 8.4: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory as follows: Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. However, Defendant's sales records do indicate that asbestos-containing products were sold to ARMCO/A.K. Steel Middletown Plant.


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(a) William J. Gabriel, Patrick White, Joseph Hudik and Dennis Hargreaves. Last known address: 1100 Superior Avenue, Cleveland, OH 44114-2598

(b) The sales records to ARMCO/A.K. Steel Middletown Plant are located at 1100 Superior Avenue, Cleveland, OH 44114-2598.

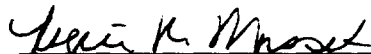
INTERROGATORY NO. 9: Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2,

and/or 8.3 have sales representatives who specifically called on ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1945 to 1975? If your response is yes, as to each facility, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant;
- (b) The period of time they acted as your representative;
- (c) Their general responsibility as to each facility; and
- (d) Whether that person is still alive.

RESPONSE TO INTERROGATORY NO. 9: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant's sales records do not indicate any sales of asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant.

- (a) Defendant does not know the names of the sales representatives who called on ARMCO/A.K. Steel Middletown Plant during the period 1945 to 1975. Defendant will supplement this response to interrogatory when said information is discovered.


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INTERROGATORY NO. 10: Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing products? If so, please state:

- (a) The name of each subdivision;
- (b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and
- (c) Whether said division or subsidiary conducted such business at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1954 to 1975? If so, please state:
 - (1) The dates of such contracts;
 - (2) The specific asbestos-containing products that were used in each contract.

RESPONSE TO INTERROGATORY NO. 9: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not

limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant did not have any division or subsidiary engaged in the contract business of applying asbestos-containing products.


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INTERROGATORY NO. 11: Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

RESPONSE TO INTERROGATORY NO. 11: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this

interrogatory by stating that Defendant did not ever have any division or subsidiary engaged in the contract business of applying asbestos-containing refractory.

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INTERROGATORY NO. 12: Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

RESPONSE TO INTERROGATORY NO. 12: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by as follows: 3155 East 66th Street Cleveland, OH (approximately 1930 - 1974); 3313 East 80th Street, Cleveland, OH (approximately 1939 - 1974).

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INTERROGATORY NO. 13: Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or

a seller, concerning any asbestos-containing products and/or materials? If so, please state:

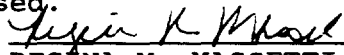
- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by such agreement;
- (d) The volume (in dollars amounts) of each such transaction;
- (e) The purchaser of such products;
- (f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

RESPONSE TO INTERROGATORY NO. 13: No.

INTERROGATORY NO. 14: What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

RESPONSE TO INTERROGATORY NO. 14: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor

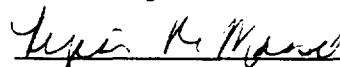
is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant. Without waiving the foregoing objections, Defendant responds to this interrogatory by stating that in the mid-1970's, Ferro Engineering Division of Oglebay Norton Company began to research and develop an asbestos-free product line at the request of a customer. James Bognar, Manager of Research at Ferro Engineering, was in charge of the research and development of this product line. Mr. Bognar is deceased.


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INTERROGATORY NO. 15: As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

RESPONSE TO INTERROGATORY NO. 15: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks

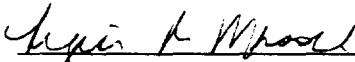
information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant. Without waiving the foregoing objections, Defendant responds to this interrogatory by referring to Exhibit "A".


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INTERROGATORY NO. 16: Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

RESPONSE TO INTERROGATORY NO. 16: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks

information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. This defendant further objects that, to the extent that this interrogatory seeks detailed information concerning the composition of the defendant's products, this interrogatory is overly broad in that it seeks information which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence, it is unduly burdensome and oppressive, and it seeks information which is proprietary in nature which constitute the trade secrets of this defendant.


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INTERROGATORY NO. 17: Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

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

RESPONSE TO INTERROGATORY 17: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome

in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers that

- (a) blueprints, inroad books and other various documents exist.
- (b) These documents are in the possession of William Gabriel.
- (c) These documents are located at 1100 Superior Avenue, Cleveland, OH 44114-2598.

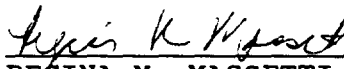

REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 18: Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

- (a) The name of the products tested and the date of each test.

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

RESPONSE TO INTERROGATORY NO. 18: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

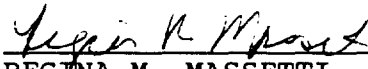

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INTERROGATORY NO. 19: Does Defendant have or control any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove?

- (a) Identify each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;

(c) State where each such document is located?

RESPONSE TO INTERROGATORY NO. 19: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.


REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 20: Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 hereinabove? If so, please state:

- (a) The trade name of the product changed or modified;
- (b) The nature of the change made and the date of such changes or modifications;
- (c) The name, address, and job classification of each person in charge of making a change.

RESPONSE TO INTERROGATORY NO. 20: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome

in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.


REGINA M. MASSETTI, ESQ.

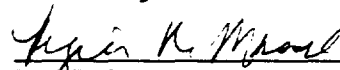
INTERROGATORY NO. 21: After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

- (a) The names of the products tested and the dates of said tests;
- (b) The name, address, and job classification of each person and/or agency conducting said tests;
- (c) The results of said tests;
- (d) Whether, as a result of any tests conducted, any products were removed from the market;

- (e) The names of all products removed from the market as a result of said tests.

RESPONSE TO INTERROGATORY NO. 21: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence.

Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.


REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 22: Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If so, please state:

- (a) The dates and nature of such studies;
- (b) The names and addresses of persons conducting such studies;

- (c) The purpose of such studies;
- (d) Identify and list those persons to whom such reports were given and the date of such dissemination;
- (e) State any publication or other written dissemination of the results of such studies;
- (f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and
- (g) Attach a copy of reports based upon such studies.

RESPONSE TO INTERROGATORY NO. 22: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Defendant further objects to this interrogatory as it seeks proprietary information regarding product composition. Without waiving the foregoing objections, and subject thereto, defendant answers: No.

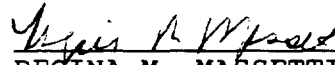

REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 23: Before placing in the market the asbestos-containing products that Defendant mined, manufactured, sold, marketed, installed, or distributed on the market, did Defendant

make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

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

RESPONSE TO INTERROGATORY NO. 23: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant answers no.

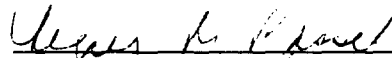

REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 24: Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products,

and/or other workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and,
- (d) The persons to whom the results of said tests were given and the date of such dissemination.

RESPONSE TO INTERROGATORY NO. 24: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by answering no.


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INTERROGATORY NO. 25: Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;
- (c) What information was disseminated within Defendant's company, or its subsidiary or predecessor regarding such adverse consequences or effects;
- (d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- (e) The name, address and job classification of the custodian of such information.

RESPONSE TO INTERROGATORY NO. 25: To the best of this Defendant's recollection it first learned that inhalation or ingestion of asbestos fibers posed a potential health hazard to asbestos miners in the late 1960's or early 1970's. Defendant does not recall how it first became aware of this potential hazard. Subsequent to the acquisition of this knowledge, Defendant began the process of conducting research and development to reformulate its products to remove asbestos therefrom. Defendant has no knowledge nor does it maintain any records pertaining to when such information became known to any specific employee or shareholder.

INTERROGATORY NO. 26: Please state when Defendant first became aware of the possible association between inhalation of asbestos

dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

RESPONSE TO INTERROGATORY NO. 26: To the best of this Defendant's recollection it first learned that inhalation or ingestion of asbestos fibers posed a potential health hazard to asbestos miners in the late 1960's or early 1970's. Defendant does not recall how it first became aware of this potential hazard. Subsequent to the acquisition of this knowledge, Defendant began the process of conducting research and development to reformulate its products to remove asbestos therefrom. Defendant did not conduct tests to investigate the relationship of the above-mentioned illnesses and the inhalation of asbestos dust and/or fibers.

INTERROGATORY NO. 27: Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by the Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

RESPONSE TO INTERROGATORY NO. 27: None.

INTERROGATORY NO. 28: As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

RESPONSE TO INTERROGATORY NO. 28: None.

INTERROGATORY NO. 29: Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to whom such recommendations and/or suggestions were made and the substance of each recommendation.

RESPONSE TO INTERROGATORY NO. 29: None.

INTERROGATORY NO. 30: Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

RESPONSE TO INTERROGATORY NO. 30: None.

INTERROGATORY NO. 31: State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products.

RESPONSE TO INTERROGATORY NO. 31: None.

INTERROGATORY NO. 32: For each test described in Interrogatory No. 31, please give the name of the person conducting the test, the date of the test, and attach true copies of any documents, including but not limited to reports, findings or memoranda concerning such tests or studies.

RESPONSE TO INTERROGATORY NO. 32: Not Applicable.

INTERROGATORY NO. 33: Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Government Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

RESPONSE TO INTERROGATORY NO. 33: Defendant does not recall when it first learned of any alleged threshold limit values or maximum allowable concentrations of both asbestos dust and total dust. To the best of its recollection, it learned of these values sometime after it became involved in asbestos litigation in the 1980's.

INTERROGATORY NO. 34: Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

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

RESPONSE TO INTERROGATORY NO. 34: No.

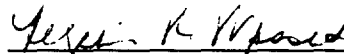
INTERROGATORY NO. 35: Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at

Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

RESPONSE TO INTERROGATORY NO. 35: No.

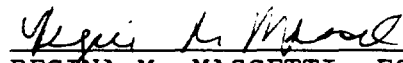
INTERROGATORY NO. 36: When was Defendant first aware of reports of studies of the Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

RESPONSE TO INTERROGATORY NO. 36: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. Without waiving this objection, Defendant would respond that the publication listed in this interrogatory is not related to the industry in which Ferro Engineering Division of Oglebay Norton Company is engaged in business; to wit, the steel industry. Defendant does not believe that it was aware of this publication prior to its becoming involved in asbestos related litigation during the 1980's.


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INTERROGATORY NO. 37: Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

RESPONSE TO INTERROGATORY NO. 37: Defendant belongs to the American Iron and Steel Institute, 1101 17th Street, N.W., Suite 1300, Washington, DC 20036.. The date of first membership is unknown, however, Defendant currently belongs to this institute. Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. Without waiving this objection, a list of publications issued by the American Iron and Steel Institute can be obtained from the institute.


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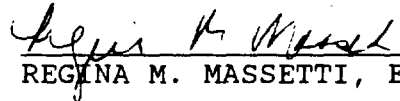
INTERROGATORY NO. 38: With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such group's concerning the hazards of asbestos exposure are available.

RESPONSE TO INTERROGATORY NO. 38: To the best of this defendant's knowledge no issues related to asbestos exposure were ever discussed. Defendant would refer Plaintiff to the Iron and Steel Institute which has more accurate records of the minutes of the group meetings and correspondence between members of the group.

INTERROGATORY NO. 39: Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 39: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and not designed to lead to the discovery of relevant and admissible evidence. The interrogatory asks for each and every journal, periodical, magazine and publication of whatever nature ever received by Defendant for a period in excess of 67 years. It is an unreasonable and unnecessary burden to require Defendant to review its records in order to respond to this interrogatory. Furthermore, Defendant has no knowledge of decisions made by the editors of these journals to withhold articles from publication. Without waiving this objection, Defendant would respond that it does not believe that it was aware of any articles pertaining to the potential hazards of asbestos prior to its becoming involved in asbestos related litigation during the 1980's.


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INTERROGATORY NO. 40: Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please

state the date and place of such meeting and the name and address of any speakers or participants.

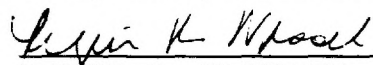
RESPONSE TO INTERROGATORY NO. 40: No.

INTERROGATORY NO. 41: As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date such warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;

- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

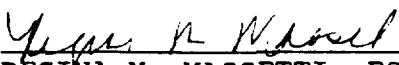
RESPONSE TO INTERROGATORY NO. 41: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that it is believed that at some point in time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street Tower, 8th Floor, San Francisco, CA 94105 presently has possession of copies of these warning labels.


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INTERROGATORY NO. 42: Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

RESPONSE TO INTERROGATORY NO. 42: Defendant objects to this interrogatory as it seeks information regarding products over a time period that is not relevant to plaintiff's lawsuit and for locations at which plaintiffs did not work and it is therefore unduly burdensome, oppressive and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject thereto, this defendant states that Defendant published sales catalogs which are in the possession of its National Coordinating Counsel. Defendant also conducted a limited program of advertisement in steel related publications including but not limited to "Metal 33". Defendant does not possess any chronological history of such advertisement. It is unknown who prepared the sales and advertising materials.

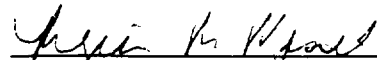

REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 43: Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or

any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE TO INTERROGATORY NO. 43: Defendant objects to this interrogatory as it seeks information regarding products over a time period that is not relevant to plaintiff's lawsuit and for locations at which plaintiffs did not work and it is therefore unduly burdensome, oppressive and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject thereto, this defendant states that some information about the use of the products listed in answer to Interrogatory No. 5 was contained in the sales catalogs and advertisements referred to in the Response to Interrogatory No. 42. These documents are in the possession of its National Coordinating Counsel. Defendant does not possess any chronological history of such advertisements and written materials.


REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 44: Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

- (a) Identify the written material by content and date;
- (b) To whom was it delivered.

RESPONSE TO INTERROGATORY NO. 44: Unknown at present. Discovery is continuing.

INTERROGATORY NO. 45: Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

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

RESPONSE TO INTERROGATORY NO. 45: Defendant believes that this interrogatory calls for a medical conclusion. Defendant is not a medical corporation and therefore has no opinion in this regard.

In the mid-1970's, Ferro Engineering Division of Oglebay Norton began to research and develop an asbestos-free product line

at the request of a customer. Defendant did not market asbestos-containing products after 1974. Subsequent to the cessation of the manufacture of asbestos containing products by Defendant, Defendant has become aware that the asbestos contained in Defendant's products, when subjected to the heat of the steel making process, becomes fosterite. Defendant understands that fosterite does not bear the alleged characteristics of asbestos.

INTERROGATORY NO. 46: Did Defendant give any warnings to ARMCO/A.K. Steel Middletown Plant and/or ARMCO A.K. Steel Hamilton Plant regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

- (a) Name of person most knowledgeable about this communication.
- (b) Name of person at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant most knowledgeable about this communication.
- (c) Dates of each communication.
- (d) Contents of each communication.

RESPONSE TO INTERROGATORY NO. 46: Defendant did not sell asbestos-containing products to ARMCO/A.K. Steel Hamilton Plant. At some point in time Defendant placed upon some of its products the following label "Caution contains asbestos fibers - avoid creating dust - breathing asbestos dust may cause serious bodily harm." It is believed that the color of the warning was in red and that the warning was approximately 2 inches by 2 inches in size. There is no record of the dates of use of the warning. Discovery is

continuing as to the names of persons who communicated with ARMCO/A.K. Steel Middletown Plant.

INTERROGATORY NO. 47: Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;
- (b) The disease alleged in each such claim;
- (c) A brief summary of the disposition of each such claim; and
- (d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

RESPONSE TO INTERROGATORY NO. 47: None.

INTERROGATORY NO. 48: Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured, sold, installed, and/or distributed by Defendant? If so, please state:

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

(g) The resolution of each claim.

RESPONSE TO INTERROGATORY NO. 48: None.

INTERROGATORY NO. 49: Has Defendant obtained statement from any witnesses including the Plaintiffs? If so, please:

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

RESPONSE TO INTERROGATORY NO. 49: No.

INTERROGATORY NO. 50: Do you contend that the Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set out in detail in what respect the product was improperly used.

RESPONSE TO INTERROGATORY NO. 50: Discovery is continuing to develop a basis for this contention.

INTERROGATORY NO. 51: As to the ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, and as to each Plaintiff/Decedent, please state whether Defendant contends that there was any substance other than asbestos which contributed or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

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

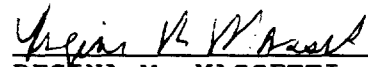
RESPONSE TO INTERROGATORY NO. 51: Discovery is continuing to develop a basis for this contention.

INTERROGATORY NO. 52: Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

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

RESPONSE TO INTERROGATORY NO. 52: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these

interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection, Defendant responds to this interrogatory by stating that Defendant introduced the use of masks, respirators, dust collectors and engaged in employee education including material handling techniques as well as the removal of asbestos from its products in order to minimize or eliminate any risk of occupational disease or pneumoconiosis to those engaged in the manufacture or production of Defendant's asbestos containing products. Discovery is continuing as to the date when respirators were issued to Defendant's employees and the name of the manufacturer and model number. Defendant does not have any documentation of tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.


REGINA M. MASSETTI, ESQ.

INTERROGATORY NO. 53: Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

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

- (e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;
- (f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and
- (g) Describe in detail the education and work history of, and identify any books, treaties, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to sub-paragraph (a) above. Alternatively, in lieu, of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

RESPONSE TO INTERROGATORY NO. 53: Expert witnesses have not yet been determined at this time.

INTERROGATORY NO. 54: Please state the name and last known address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

RESPONSE TO INTERROGATORY NO. 54: Unknown at this time.

INTERROGATORY NO. 55: Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

RESPONSE TO INTERROGATORY NO. 55: Yes.

INTERROGATORY NO. 56: Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

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

RESPONSE TO INTERROGATORY NO. 56: This defendant asserts that it has coverage. However, the question of coverage and the extent of such coverage is currently undetermined. In an effort to cooperate, this defendant provides the following general information:

Over the relevant period of time, the Ferro Engineering Division of Oglebay Norton Company had liability insurance through Fireman's Fund.

INTERROGATORY NO. 57: Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

RESPONSE TO INTERROGATORY NO. 57: R. Patrick White, Esq., LAW OFFICES OF WHITE & BAKER, One Market, Spear Street Tower, 8th Floor, San Francisco, CA 94105. Regina M. Massetti, Esq., LAW OFFICES OF REGINA M. MASSETTI, 113 St. Clair Avenue, Suite 530, Cleveland, OH 44114.

INTERROGATORY NO. 58: State the last date that this Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

RESPONSE TO INTERROGATORY NO. 58: Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome in that it is not limited in scope, time, or location to the facts alleged in the underlying complaint. Furthermore, it seeks

information regarding every asbestos-containing product ever manufactured, sold, or distributed by this defendant. It is not limited as to products manufactured, sold, or distributed by this defendant to locations which are the subject of these interrogatories and the underlying complaints. As such the interrogatory does not seek relevant and admissible evidence, nor is it designed to lead to relevant and admissible evidence. Without waiving the foregoing objection and subject thereto, Defendant responds to this interrogatory as follows: November 7, 1978.

Regina M. Massetti
REGINA M. MASSETTI, ESQ.

DATED: April 25th, 1997.

Regina M. Massetti
REGINA M. MASSETTI (0025475)
Law Offices of Regina M. Massetti

Attorney for Defendant
Ferro Engineering Division of
Oglebay Norton Company

STATE OF OHIO

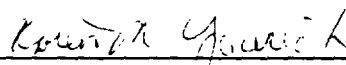
COUNTY OF CUYAHOGA

SS: VERIFICATION

WILLIAM J. GABRIEL, being a retired employee and duly authorized agent for Ferro Engineering, Division of Oglebay Norton Company, and after having first been duly sworn according to law deposes and states that the first amended responses to the foregoing interrogatories are true as he verily believes.


WILLIAM J. GABRIEL

SWORN TO BEFORE ME and subscribed in my presence by WILLIAM J. GABRIEL this 24th day of April, 1997.


Notary Public *My Commission Expires 2/4/01*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Defendant Oglebay Norton Company's First Amended Responses to Plaintiffs Master Set of Interrogatories has been served upon the following via DHL Express mail, postage prepaid, this 28th day of April, 1997:

STEVEN D WOLENS
BARON & BUDD
THE CENTRUM SUITE 1100
3102 OAK LAWN AVENUE
DALLAS, TX 75219

and

BRUCE CARTER, ESQ.
43-B New Garver Road
Monroe, Ohio 45050

Attorneys for Plaintiffs

A notice of same has been forwarded this date to all defense counsel of record via regular U.S. mail.


REGINA M. MASSETTI 0025475

Attorney for Defendant
Ferro Engineering Division of
Oglebay Norton Company

OGLEBAY NORTON / FERRO