

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PLAINTIFF'S EXHIBIT

AB-328

REC-
NOV 25 1983
BLATT & FALES

GLORIA VAUGHN, ET AL,

Plaintiffs,

vs.

RAYMARK INDUSTRIES, INC.,
ET AL,

Defendants.

No. 82-1655-C(A)

ANSWERS AND OBJECTIONS TO
PLAINTIFFS' INTERROGATORIES PROPOUNDED TO DEFENDANT,
ABEX CORPORATION

Come now Plaintiffs and submit the following Interrogatories to Defendant, Abex Corporation, to be answered in writing and signed under oath, in accordance with the Laws in such cases made and provided:

1. Has Defendant, at any time, engaged in the manufacture of brakelinings and clutches containing asbestos or asbestos fibers, and if your answer is in the affirmative, state:

a) Where the brake linings or clutches were manufactured.

b) How long Defendant has manufactured same (give inclusive dates).

c) Whether Defendant has supplied these brake linings or clutches to any of the other Defendants since 1960, and when these transactions took place, where, and the compensation paid for the manufactured asbestos containing brake linings or clutches.

d) Whether any warnings, cautions, caveats or directions

accompanied the materials referred to in c) and the dates these first appeared.

ANSWER: Abex Corporation is engaged in the manufacture of brake linings; Abex does not manufacture clutches.

(a) Detroit Michigan
Winchester, Virginia
Salisbury, North Carolina

(b) From approximately 1926 to the present

(c) Abex objects to this Interrogatory on the grounds that said Interrogatory is unduly burdensome, in that it would require a massive and expensive effort to search through records in an effort to develop this information, and also on the grounds that said Interrogatory is overbroad and ambiguous.

(d) See defendant's response to Interrogatory No. 1(c) herein; without waiving such objection, however, defendant states that any warning on any brake linings which would have been supplied to any of the other defendants would have begun appearing in 1972.

2. a) From what source or sources, if any, did your company obtain mined asbestos since 1960?

b) Were there any warnings, cautions, caveats, or directions accompanying the material referred to in a) above and the nature and extent of said warnings, cautions, caveats or directions accompanying said asbestos.

ANSWER:

(a) Asbestos Corporation, Ltd.
Thetford Mines
Quebec, Canada

Bell Asbestos Mines, Ltd.
Thetford Mines
Quebec, Canada

Lake Asbestos
Black Lake
Quebec, Canada

Johns-Manville
Asbestos
Quebec, Canada

Vermont Asbestos Group, Inc.
Hyde Park
Vermont

(b) Yes, beginning in 1972, the following appeared on shipments from Canadian Suppliers:

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

The above appeared on Vermont Asbestos Group packages in 1974.

accompanied the materials referred to in c) and the dates these first appeared.

ANSWER: Abex Corporation is engaged in the manufacture of brake linings; Abex does not manufacture clutches.

(a) Detroit Michigan
Winchester, Virginia
Salisbury, North Carolina

(b) From approximately 1926 to the present

(c) Abex objects to this Interrogatory on the grounds that said Interrogatory is unduly burdensome, in that it would require a massive and expensive effort to search through records in an effort to develop this information, and also on the grounds that said Interrogatory is overbroad and ambiguous.

(d) See defendant's response to Interrogatory No. 1(c) herein; without waiving such objection, however, defendant states that any warning on any brake linings which would have been supplied to any of the other defendants would have begun appearing in 1972.

2. a) From what source or sources, if any, did your company obtain mined asbestos since 1960?

b) Were there any warnings, cautions, caveats, or directions accompanying the material referred to in a) above and the nature and extent of said warnings, cautions, caveats or directions accompanying said asbestos.

ANSWER:

(a) Asbestos Corporation, Ltd.
Thetford Mines
Quebec, Canada

Bell Asbestos Mines, Ltd.
Thetford Mines
Quebec, Canada

Lake Asbestos
Black Lake
Quebec, Canada

Johns-Manville
Asbestos
Quebec, Canada

Vermont Asbestos Group, Inc.
Hyde Park
Vermont

(b) Yes, beginning in 1972, the following appeared on shipments from Canadian Suppliers:

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

The above appeared on Vermont Asbestos Group packages in 1974.

3. If the answer to one or more of the last two questions is affirmative, please state as to each affirmative answer the following:

a) The trade or brand name of such product mined, manufactured, and/or marketed. Brake linings have been manufactured by Abex under the following trade or brand names:

ANSWER: 1) American Brake Materials; 2) Brakeblok; 3) American BrakeBLOK; 4) Abex; 5) Brake Shoe; 6) Esline; 7) Stopper; 8) American Eagle; 9) Crossing Guard; 10) 121 Super Brake; 11) Velvetouch.

b) The dates each such products was placed on the market:

ANSWER: The following are the years of registration of the above brand names:

1) 1930; 2) 1936; 3) 1938; 4) 1941; 5) 1943; 6) 1965; 7) 1966; 8) 1974; 9) 1975; 10) 1975; 11) 1968.

c) The dates each of such products was withdrawn from the market

ANSWER: 1) 1971; 2) 1971; 3) Active; 4) Active; 5) Active; 6) Active; 7) Active; 8) 1980; 9) Active; 10) Active; 11) 1970.

d) A description of the physical (the chemical) composition of each such product including the type of asbestos contained in each such product (i.e., amosite, chrysotile or crocidolite) and the quantitative percentage of asbestos in each product.

ANSWER: Abex objects to this Interrogatory on the grounds that it calls for privileged trade secret information of this defendant, without waiving such objection, however, Abex states that asbestos brake lining is an asbestos based material containing fillers, friction stabilizers and friction enhancers, bound by heat reacting phenolic resin.

e) A description of the physical appearance of each such product

ANSWER: Generally, brake lining is curved to a given drum diameter and is produced to a given length, width and thickness. Disc brakes are flat and make to different configurations to fit a flat rotor.

f) A detailed description of the intended use of each such product.

ANSWER: To retard motion

g) The name of the manufacturer of each such product.

ANSWER: Abex Corporation

h) The mining or milling concern from which the raw asbestos fiber was obtained.

ANSWER: See Answer to Interrogatory No. 2(a) above.

4. From 1930 until the present, did the asbestos products manufactured or distributed by you, contain any warnings, caution, caveat or other statement on the product or its packaging; if so, state:

a) When did the warning first appear.

ANSWER: Yes, beginning in 1972.

b) What was the precise wording of the warning when it first appeared.

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

c) Was the warning altered, amended or changed in any manner.
If so, how and when.

ANSWER: NO.

d) Where was the warning located on the product or packaging.

ANSWER: Warning was located on the packaging.

e) When did you become aware that warnings were placed on products distributed by other Defendants? State the reason warnings of the other Defendants were not placed on your products.

ANSWER: Abex objects to this Interrogatory in that said Interrogatory assumes certain facts not presently true and for that reason Abex is not able to formulate a response to said Interrogatory.

f) State the manner in which your product is shipped and the type of container it is shipped in to retailers.

ANSWER: Abex objects to this Interrogatory in that said Interrogatory assumes certain facts not presently true and for that reason Abex is not able to formulate a response to said Interrogatory.

g) State whether any industrial psychologists or human factors engineers were consulted prior to utilizing such warnings, cautions, etc.

ANSWER: No, not to present knowledge.

5. Have you received notice that any other person including any of your employees have claimed injury as a result of using asbestos products manufactured by your company.

ANSWER: Yes.

6. Please describe in detail the type of packages in which Defendant has sold asbestos material, listing the dates each type of package was used, a physical description thereof, a description of any printed material or trademarks that appeared thereon and a description of any warning or warning labels that appeared thereon.

ANSWER: Presently, parts are packaged in axle set boxes contain 4 or 8 pieces of lining. These are then packed in a carton containing from 2 to 12 axle sets; Bulk pieces are packed in a carton containing from 25 to 200 pieces of brake lining. Large bulk orders are packed in Gaylords, containers designed to fit a 36" x 48" pallet which is 24" deep. Axle set boxes are preprinted with artwork associated with American Brakeblok or Abex, some boxes are plain corrugated and labelled or stenciled. Dates of use are unknown. See Answers to Interrogatory No. 4(b)-(d) above.

7. Did you receive any reports or communications from your Workers' Compensation insurance carrier or products liability insurance carrier with regard to the hazards incident to the use of asbestos containing products? If so, please state who had possession of said reports, the location of said reports and the substance of the contents of said reports, listing for each such report the respective insurance company, its address, and the agent signing such correspondence.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory calls for the work product of defendant's attorneys and said information is protected by the attorney/client and insurance carrier/insured privilege; subject to such objection, however, defendant states that to the best of its present knowledge, the answer to said Interrogatory is no.

8. Has the Defendant imported asbestos or asbestos materials since 1960? If the answer is in the affirmative, state:

a) From where the asbestos or asbestos materials were imported.

ANSWER: Yes. Canada.

b) How long the Defendant has imported asbestos or asbestos materials.

ANSWER: Since approximately 1926.

c) Whether the Defendant has supplied this imported asbestos or asbestos materials to any of the other Defendants since 1960, when these transactions took place and where.

ANSWER: Not to the best of Abex's present knowledge.

d) Whether any warnings, cautions, caveats or directions accompanied the materials referred to in c) and the date these first appeared.

ANSWER: See Answer to Interrogatory No. 8(c) above.

9. State whether Defendant manufactured asbestos containing products for a company but placed said company's labels, logos or containers on said products and if so, list each company.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence.

10. If the answer to the preceding Interrogatory is in the affirmative, state:

a) Where the Defendant has sold or distributed such products since 1960.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence

b) How long the Defendant has sold or distributed such products.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonable calculated to lead to the discovery of admissible evidence

11. If the Defendant has discontinued manufacturing and/or selling asbestos products, please state the reason or reasons therefor.

ANSWER: Not applicable.

12. Please state the names of trade association periodicals to which the Defendant subscribed from 1928 to the present date. State whether or not the Defendant had any knowledge of any articles being printed in industry trade journals, essays, memoranda and other

similar sources pertaining to the hazardous potentials of asbestos and which of such articles were received by you.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory is overbroad and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving such objection, however, Abex states that with respect to any sources concerning asbestos, see Exhibit A attached.

13. Please state if Defendant, or anyone on behalf of Defendant, including any organization, group, inter-company or industrial organization to which the Defendant belonged, conducted, sponsored, researched or contributed financially to any studies or research to determine if the inhalation of asbestos fibers may be harmful or to determine the relationship, if any, between exposure to asbestos fibers or products and asbestos and lung cancer. If so, please state:

a) The type or nature of the studies.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence. Further, Abex objects on the grounds that this Interrogatory seeks the production of documents through the use of interrogatories which violates the Federal Rules of Civil Procedure.

b) By whom the research or studies were conducted, give the complete names and addresses.

ANSWER: See Response to Interrogatory No. 13(a) above.

c) The dates that each such test or study was conducted.

ANSWER: See Response to Interrogatory No. 13(a) above.

d) The complete results of each test or study.

ANSWER: See Response to Interrogatory No. 13(a) above.

e) The recommendation of the study or tests.

ANSWER: See Response to Interrogatory No. 13(a) above.

f) The resulting implementation of the studies or tests
by Defendant.

ANSWER: See Response to Interrogatory No. 13(a) above.

g) The date when first implemented.

ANSWER: See Response to Interrogatory No. 13(a) above.

h) Supply copies of reports of the research department, pertaining to the use by the corporation of asbestos in their manufactured products.

ANSWER: See Response to Interrogatory No. 13(a) above. Further, Abex objects to said Interrogatory for the reason that it seeks the production of documents through the use of interrogatories, which violates the Federal Rules of Civil Procedure.

14. Please state whether any of the distributors of your asbestos containing products were provided with any special instructions, oral or written, in regard to utilizing said products in a manner so as to avoid exposing workers to amounts of dust exceeding the MAC or TLV. If so, please state:

a) When these instructions were given.

ANSWER: Yes, 1978.

b) By whom these instructions were given.

ANSWER: By Friction Materials Standards Institute

c) Were the instructions oral or written.

ANSWER: Written.

d) The precise content of the instructions.

ANSWER: See Exhibit B attached.

e) If the instructions were written, please attach a copy.

ANSWER: See Exhibit B attached.

15. Did the Defendant sponsor since 1930 for its employees or distributors any meetings, seminars, conferences, or conventions where the subject of occupational health and exposure to asbestos was discussed.

ANSWER: Yes.

16. If the answer to Interrogatory 15 is in the affirmative, state:

a) The date and place of such meeting, seminar, conference, or convention where the subject of occupational health and exposure to asbestos was discussed.

ANSWER: Meetings were held for employees at Winchester plant in approximately early 1978.

b) The name and address of the speaker or discussant.

ANSWER: Not applicable.

17. Please identify all booklets, manuals, journals and all publications directed from you to customers and users of all asbestos containing products and the dates said information was forwarded regarding the proper use of your asbestos containing products.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence.

18. Please describe and identify all tests and experiments conducted by your to determine whether or not asbestos fibers contained within your asbestos containing products would become air-borne upon their application or use by mechanics such as Plaintiff's decedent. Please state the dates of all tests and experiments and the results and conclusions of each test and/or experiment.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence.

19. State your knowledge as to the manner in which your asbestos containing brake lining products were removed or used by mechanics since 1940 and also state your knowledge as to the manner in which said mechanics using your brake lining products were exposed to or created dust in the form of asbestos air-borne fibers.

ANSWER: See defendant's Answer to plaintiffs' Third Amended Complaint; beyond this answer defendant has no present knowledge as to the information sought in this Interrogatory.

20. Please state whether or not you ever obtained any knowledge concerning the likelihood of asbestos inhalation being hazardous to health, and if so, state when the corporation first became aware of the hazardous potential of asbestos and its products. State how the Defendant first obtained this knowledge and became so aware of said hazards and from what source this information was obtained.

ANSWER: Knowledge of potential asbestos hazards from industrial type processing of asbestos was basic to the Abex Occupational Health Program since 1941, upon formation of the Medical Department. See Response to Interrogatory No. 13.

21. Please state the date when you first notified mechanics engaged in the application or removal of asbestos containing brake linings as to the need to wear respirators.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence. Further, Abex objects on the grounds that said Interrogatory assumes certain facts not presently in evidence.

22. State whether Defendant has ever published and/or distributed any brochures, sales literature, pamphlets, bulletins, or other written materials (aside from any caution labels on containers) of any kind or character that contained any warnings, cautions,

caveats or directions concerning the possibility of injury resulting from the use of the products listed in Interrogatory No. 4 above, and if so, please state:

a) The wording of each such warning or bulletin.

ANSWER: See answers and objections to Interrogatories Nos. 14 and 17. Exhibit C was distributed to defendant's employees, and is attached hereto.

b) A description of each such printed material.

ANSWER: See Exhibit C attached hereto.

c) The method used to distribute the warning to persons who are likely to use the products.

ANSWER: By hand.

d) The date each such warning was issued.

ANSWER: Approximately early 1978.

e) The name, address and job classification of each person or persons who have possession of the above described documents.

ANSWER: Defendant Abex objects to Interrogatory No. 22(e) on the grounds that said Interrogatory seeks information which is not reasonably calculated to lead to discovery of admissible evidence and that a copy of said document is attached hereto.

f) Attach copies of such warnings or bulletins.

ANSWER: See Exhibit C attached hereto.

g) The name of the author of said warnings or bulletin in the employ of the Defendant.

ANSWER: Subject to further investigation and discovery, Abex has no knowledge at this time.

The inquiry concerning this Interrogatory includes any warnings or bulletins that Defendant has ever published or directed to its own employees.

23. State the names of any expert witness that you intend to rely upon at the trial of this action, and identify the subject matter upon which each of said experts will testify, his opinions, and the grounds upon which the opinions are based.

ANSWER: Subject to further investigation and discovery, Abex will provide this information at a later time.

24. If written documentation in the form of "scientific data" will be introduced into evidence upon a trial of this cause by the Defendant, describe each such document, and include its title, author, and the date and the identity of any publication in which such data was published.

ANSWER: Subject to further investigation and discovery, Abex will provide this information at a later time.

25. State the full name, present full address, telephone number of all witnesses who will testify on behalf of the Defendant upon a trial of this cause, and identify the subject matter upon

which each such witness will testify.

ANSWER: Subject to further investigation and discovery, Abex will provide this information at a later time.

26. Describe all written documentation which will be offered upon a trial of this cause on behalf of the Defendant against Plaintiff:

ANSWER: Subject to further investigation and discovery, Abex will provide this information at a later time.

27. Please state if the Defendant intends to assert that it does not manufacture, sell, distribute, or supply asbestos materials to the Midwest area, including Missouri and Illinois.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks the privileged work product of said defendant's attorneys; and is not reasonably calculated to lead to the discovery of admissible evidence. Not waiving such objection, however, see defendant's Answer to plaintiffs' Third Amended Complaint herein.

28. State all distributors and companies to which the Defendant sold or distributed asbestos or asbestos materials in Missouri and Illinois for the years 1960 through 1980.

ANSWER: Abex objects to this Interrogatory on the grounds that said Interrogatory seeks irrelevant and immaterial information and is not reasonably calculated to lead to the discovery of admissible evidence. Further, Abex objects on the ground that said Interrogatory is unduly burdensome and oppressive in that defendant does not maintain records containing the information sought in this Interrogatory.

29. Do you do business in the area designated by the U. S. District Court as the Eastern District of Missouri, Eastern Division?

ANSWER: Yes.

WALTER L. FLOYD, INC.
and
HARRY J. NICHOLS
and
BLATT & FALES

By

Walter L. Floyd

WALTER L. FLOYD #17177

230 So. Bemiston
St. Louis, MO 63105
(314) 863-4114
Attorneys for Plaintiffs

Copy of the above and foregoing
mailed to ~~600~~ Attorneys of Record,
this 8th day of September,
1983.

Walter L. Floyd

Respectfully submitted,


Richard B. Scherrer
611 Olive Street, Suite 1900
St. Louis, Missouri 63101
(314) 621-5070
Attorneys for separate defendant
ABEX CORPORATION

OF COUNSEL:

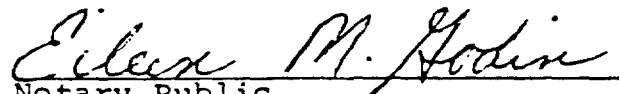
ARMSTRONG, TEASDALE,
KRAMER & VAUGHAN

STATE OF ~~VIRGINIA~~ ^{NEW YORK})
COUNTY OF ~~FREDERICK~~ ^{NEW YORK}) SS.

The undersigned, A. H. Casey, of lawful age, being first duly sworn upon his oath, states that he is corporate counsel of defendant, ABEX CORPORATION, and that as such he is authorized to execute this Affidavit; affiant further states that he has reviewed the foregoing Answers and Objections to Interrogatories which have been prepared based upon such information and documents as are available to said defendant and that said Answers and Objections are true and accurate to the best of affiant's knowledge, information and belief.


A. H. Casey

Subscribed and sworn to before me, a Notary Public, this 7th day of November, 1983.


Notary Public

My commission expires:

EILEEN M. GODIN
NOTARY PUBLIC, State of New York
No. 41-4711565
Qualified in Queens County
Cert. Filed in New York County
Commission Expires March 30, 1984

Certificate of Service

A copy of the foregoing was served on the following counsel of record in the above-captioned matter by mailing, first class, postage pre-paid this 10th day of November, 1983:

Walter L. Floyd
230 South Bemsiton
Clayton, Missouri 63105

Blatt & Fales
P.O. Box 365
Barnwell, S.C. 29812

Harry J. Nichols
7 North Seventh Street
St. Louis, Missouri 63101

ATTORNEYS FOR PLAINTIFFS

J. Douglas McDaniel
Kroening, Mertz, McDaniel & Frapoli
1935 Park
St. Louis, Missouri 63104
Attorneys for Raymark Industries,
formerly Raybestos-Manhattan, Inc.

John A. Koepke
Morris, Larson, King, Stamper & Bol
Two Crown Center, Suite 400
2420 Pershing Road
Kansas City, Missouri 64108
Co-Counsel for Raymark Industries,
formerly Raybestos-Manhattan, Inc.

Donald L. James
Brown, James & Rabbitt, P.C.
705 Olive Street, Suite 1100
St. Louis, Missouri 63101
Attorneys for Bendix Corporation

Robert S. Allen/Michael A. Vitale
Lewis, Rice, Tucker, Allen & Chubb
611 Olive Street, Suite 1400
St. Louis, Missouri 63101
Attorneys for National Gypsum

R. C. Wuestling
Wuestling & James
1015 Locust Street
St. Louis, Missouri 63101
Attorneys for H.K.Porter, Inc.

Gerald Morris/Reed Sugg
Shepherd, Sandberg & Phoenix
One Mercantile Center, Suite 3000
St. Louis, Missouri 63101
Attorneys for Ford Motor Company

Joseph L. Leritz
314 North Broadway, Suite 843
St. Louis, Missouri 63102
Attorney for C. L. Zimmerman Co.

David L. Caldwell
Wood, Lamping, Slutz & Reckman
800-900 Tri-State Building
Cincinnati, Ohio 45202
Co-Counsel for C.L. Zimmerman Co.

Joseph M. Kortenhof
Kortenhof & Ely
1015 Locust Street, Suite 300
St. Louis, Missouri 63101
Attorneys for General Motors Corp.

R. E. Keaney
Moser, Marsalek, et al.
300 Pierce Building
St. Louis, Missouri 63102
Attorneys for Bell Asbestos Mines

Joseph B. McGlynn, Jr.
P.O. Box 1048
Belleville, Illinois 62223
Attorney for Chrysler Corp.

John R. Musgrave
One Mercantile Center, Suite 2900
St. Louis, Missouri 63101
Attorneys for Lac D'Amiante Du Quebec

Myron J. Bromberg
Porzio, Bromberg & Newman
P.O. Box 210M
163 Madison Avenue
Morristown, New Jersey 07960
Attorneys for Lac D'Amiante Du Quebec

Robert G. Burridge
Anderson, Gilbert, Wolford, Allen
& Bierman
705 Olive Street, Suite 701
St. Louis, Missouri 63101
Attorneys for Nuturn Corp.

McDermott, Will & Emery
111 West Monroe
Chicago, Illinois 60603
Attorneys for Wagner Electric Corp.

Gary T. Sacks
1300 Paul Brown Building
818 Olive Street
St. Louis, Missouri 63101
Attorneys for Wagner Electric Corp.

Trinity Tyness

No. 12.

General information on the health hazards of asbestos has been reviewed by Abex Medical Directors and Industrial Hygienists since 1941, the date of formation of the Medical Department. The information was obtained but not limited to:

- (1) Journal of Occupational Medicine.
- (2) Occupational Health and Safety.
- (3) American Industrial Hygiene Journal.
- (4) OSHA Standard for Asbestos 1910.1011-1972.
- (5) Criteria for a Recommended Standard,
"Occupational Exposure to Asbestos," U.S.
Dept. of Health, Education, and Welfare-1972.

Charles C. Blackwell, Jr., M.D., Medical Director, in May 1972, had correspondence with Mr. Donald K. Rennie, V.P. of Personnel in the NYO, concerning Dr. Selikoff's articles on the association of cancer and asbestos.

In the bookcases of the Medical Director's office, there are several books concerning Asbestos. A general medical file on this subject is also maintained in the Medical Department with reprints and articles on Asbestos.

EXHIBIT A

RECOMMENDED PROCEDURES FOR REDUCING ASBESTOS DUST DURING BRAKE SERVICING

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

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

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

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

increases the difficulty in complying with the OSHA standards. In addition to the approved respirator, there must be local exhaust ventilation such that worker exposures are maintained below the OSHA asbestos standards. If there is any question as to the efficiency of asbestos dust removal by the machine, the manufacturer should be contacted.

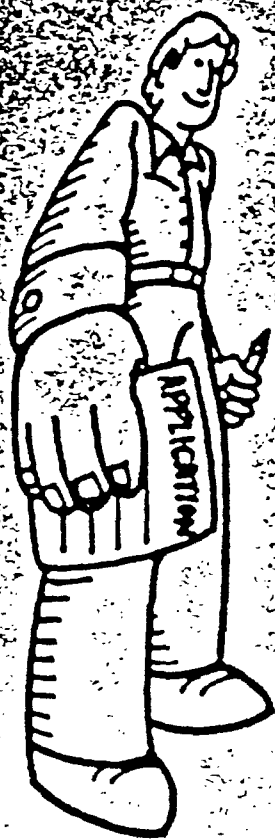
5. Industrial vacuum cleaner bags containing asbestos dust and cloths used for wiping brake assemblies should be sealed in plastic bags and labeled with the following warning label printed in letters of sufficient size and contrast to be readily visible and legible.

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

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

6. Good housekeeping is essential in a workplace where asbestos containing materials are handled. Industrial vacuum cleaners equipped with multiple stage high efficiency filters should be used for removing accumulations of asbestos dust and waste. Never use compressed air or dry sweeping for cleaning. Water or other dust suppressants should be applied if brooms are used.
7. Good personal hygiene practices are important in minimizing asbestos dust exposure. Do not smoke. Wash before eating. Shower after work. Change to work clothes upon arrival at work and change from work clothes at conclusion of work. Work clothing should not be taken home. Laundering of asbestos contaminated clothing shall be done so as to prevent release of airborne asbestos fibers in excess of the exposure limits.

**CAUTION: DO NOT BREATHE ASBESTOS
DUST**

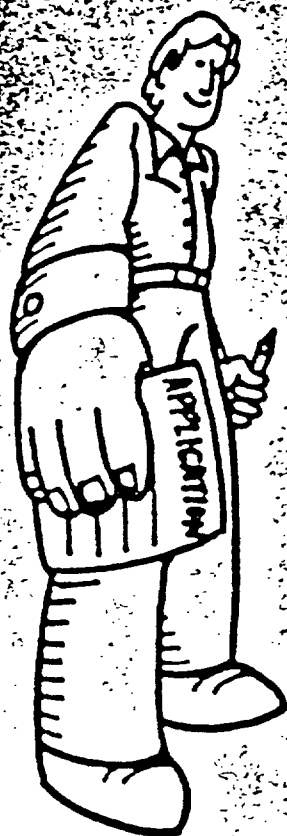


There Are Some Things You Should Know

Every person seeking employment in Abex plants where asbestos fiber is used should know that breathing excessive amounts of asbestos causes certain health problems.

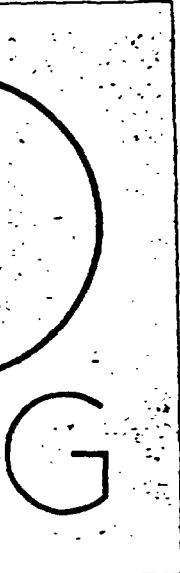
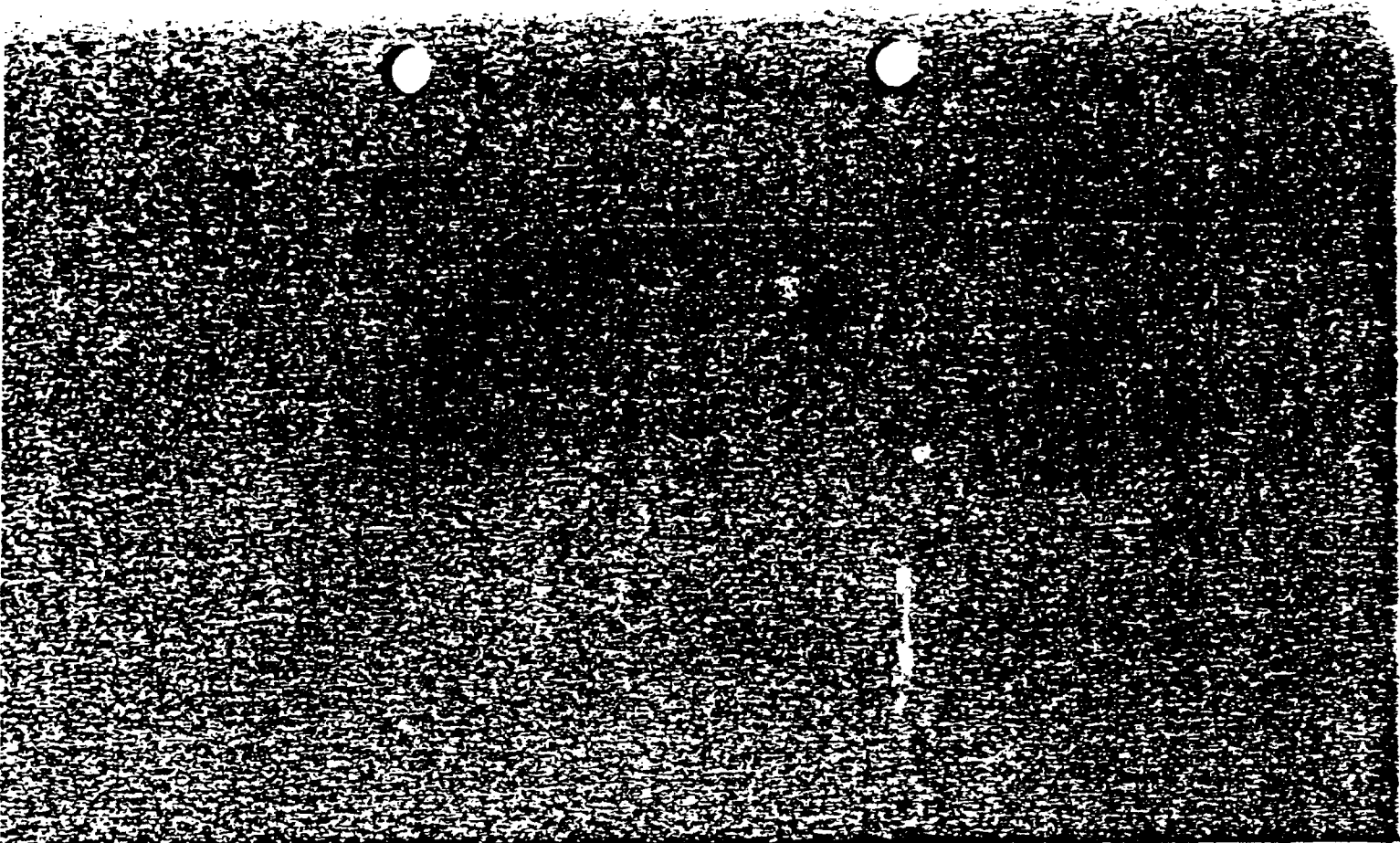
Abex has taken many steps to protect you from exposure to harmful amounts of asbestos fiber. To make these steps effective, you must follow safe working rules on the job.

The health problems



**before
you
begin**

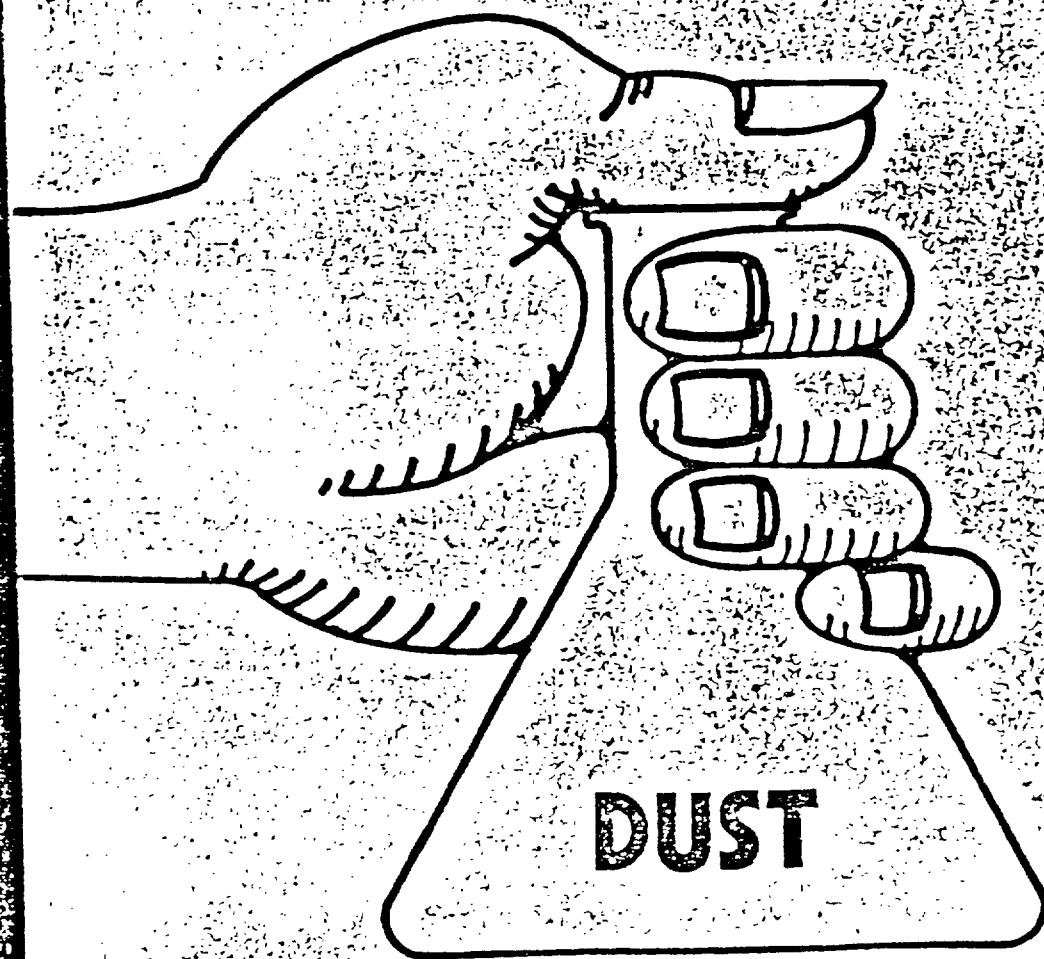


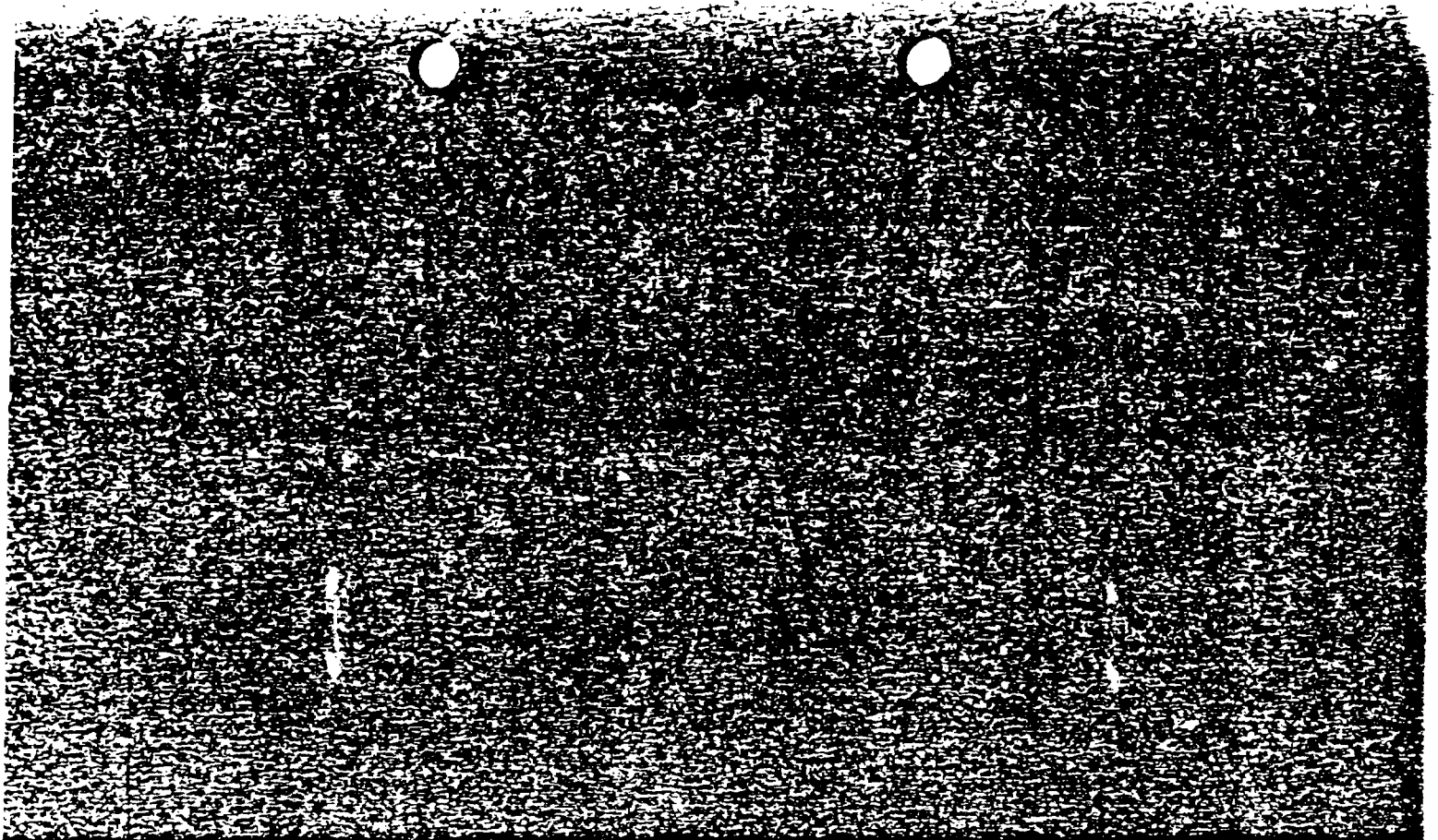


The health problems that have been connected with exposure to asbestos are these:

- Breathing excessive amounts of asbestos fiber in the air might result in a disease called **asbestosis** - a scarring of the lung tissue - which, when severe, makes it difficult to breathe properly.
- Persons who smoke cigarettes and inhale excessive amounts of asbestos dust are at a greater risk of developing **lung cancer**. Asbestos alone does not appear to cause this disease, but it can make people who smoke cigarettes more likely to develop this cancer. Studies show that if you don't smoke cigarettes, asbestos exposure does not increase your risk of getting lung cancer.
- Persons exposed to excessive amounts of asbestos have a greater risk of developing **mesothelioma**, which is a rare cancer of the lining of the chest or abdomen. There also is some indication from unconfirmed studies that there might be a greater incidence of **cancer of the digestive tract** in persons exposed to excessive amounts of airborne asbestos.

The health problems





Be concerned, not alarmed about asbestos-related health problems in coming to work for Abex today. Present cases of the health problems we mentioned are related to working conditions that existed many years ago. As we became aware of the risks, Abex began spending millions of dollars to improve equipment and processes and to upgrade dust control systems to prevent excessive asbestos exposures. We are confident that as long as employees follow safe work rules and equipment is operated properly, no employee will be exposed to hazardous amounts of asbestos fiber in our operations.

To assure continued control of risk, the company will be regularly checking asbestos-using operations with trained industrial hygienists. You must cooperate with these hygienists when they are checking your work areas.

Government inspections also are made of our facilities to make sure you are not being exposed to hazardous levels of asbestos. The government has set standards that limit how much asbestos you can be exposed to, and Abex abides fully with those regulations.

Be concerned, not alarmed

You will be required to do certain things on the job to help
Some of these are:

- 1** You **must** do everything you can to prevent dust or getting asbestos fiber into the air where it could be inhaled.
- 2** Strict rules about how to perform your job **must** be followed at all times.
- 3** In some areas you may at times be required to wear a respirator temporarily or other forms of personal protective equipment. You **must** wear this equipment properly whenever it is necessary.

on the job to help us protect you.

prevent
air

our job

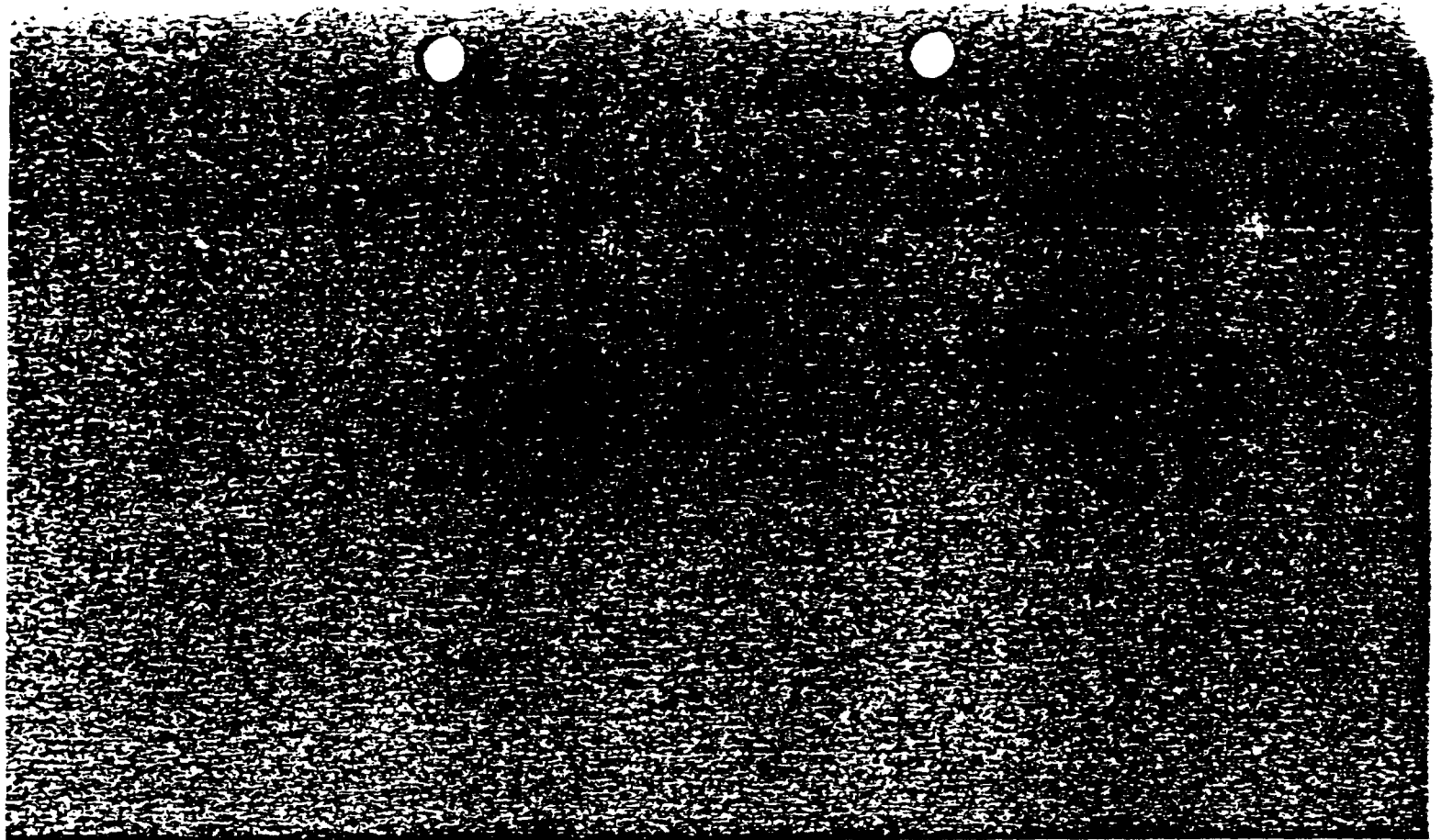
quired
ther
ent. You
whenever

4 You will be requested not to smoke on the job if you might be exposed to asbestos. You will be urged, for your health's sake, to quit smoking completely.

5 You will be encouraged to use facilities provided to change work clothes and wash before going home.

6 If equipment is not working correctly, you must report it to your supervisor immediately.

VIOLETION OF
HEALTH
WORK RULES
CAN RESULT
IN
DISMISSAL.



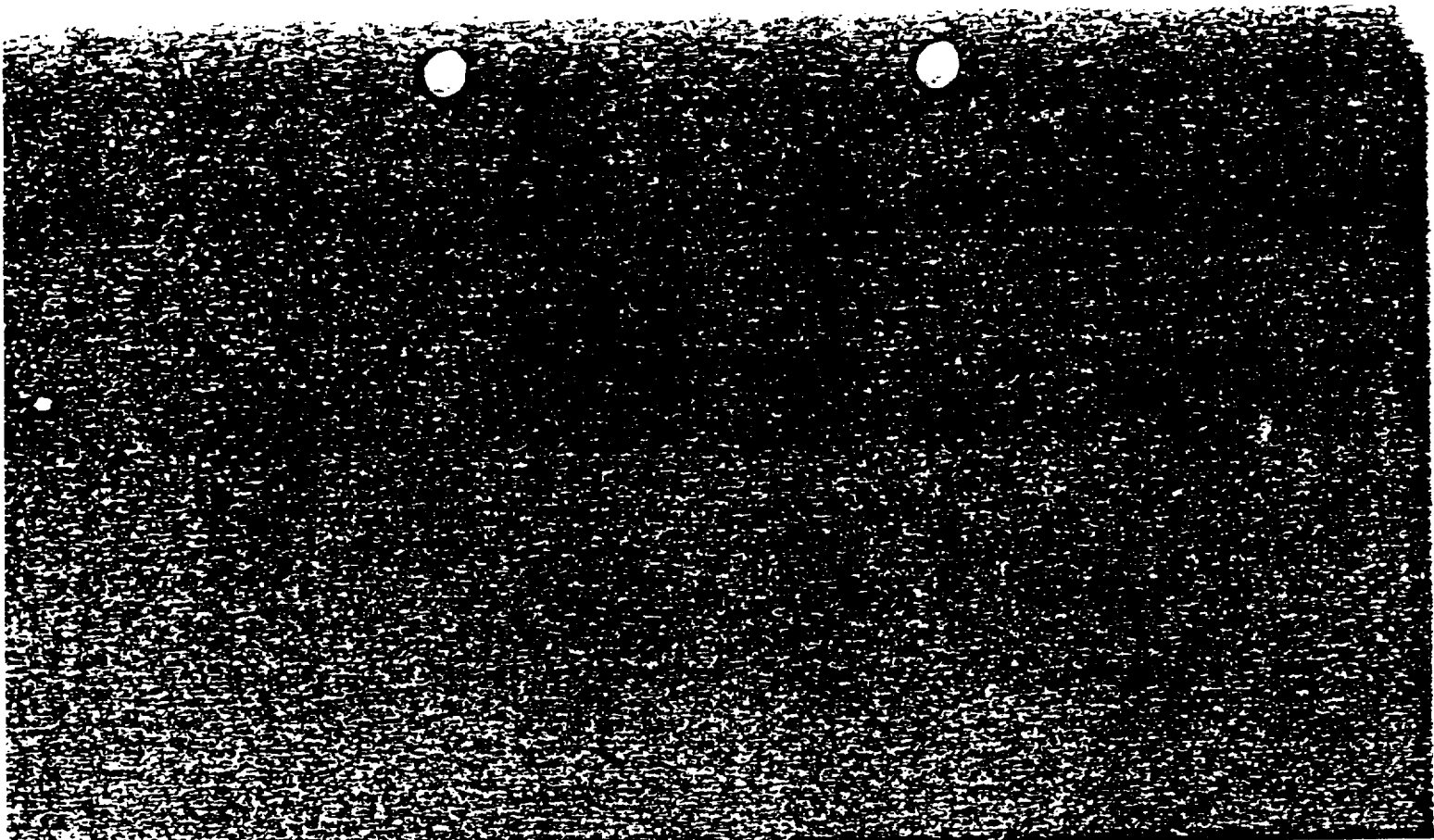
JO
ES
LT
L.

After you begin work, you will be given an opportunity to learn more about the potential health risks of asbestos and what the company is doing to protect you on the job. You will be taught how to use personal protective equipment and other methods of protecting yourself. Because of the efforts of Abex and your own efforts, it is likely that you will be as safe working for Abex as in any other occupation or endeavor.

That is the way we want it. We will not take chances with your health and we won't allow you to take chances with it.

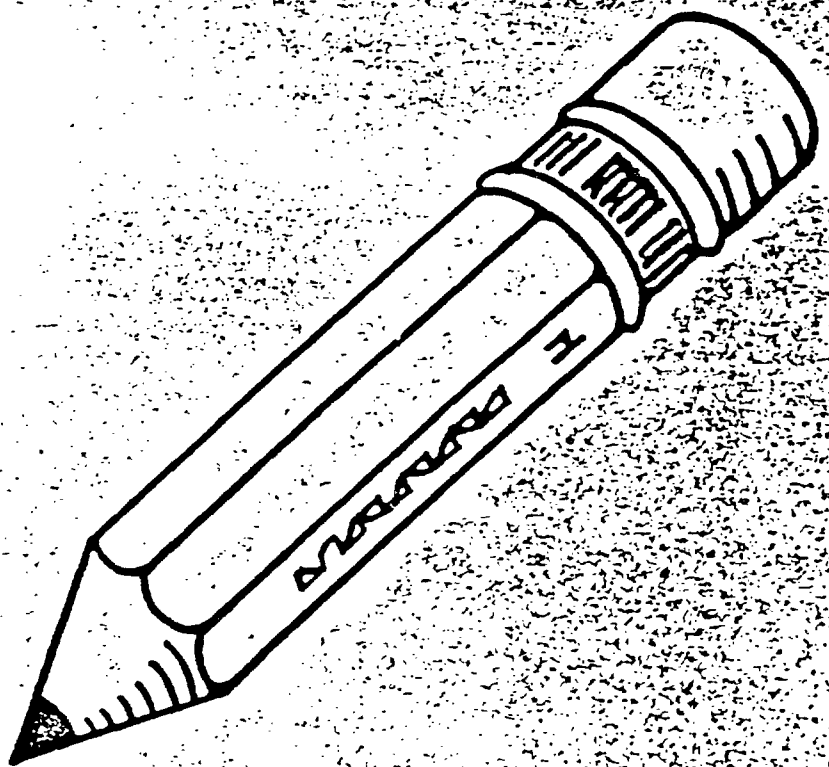
Violation of health work rules can result in dismissal.

After you begin work

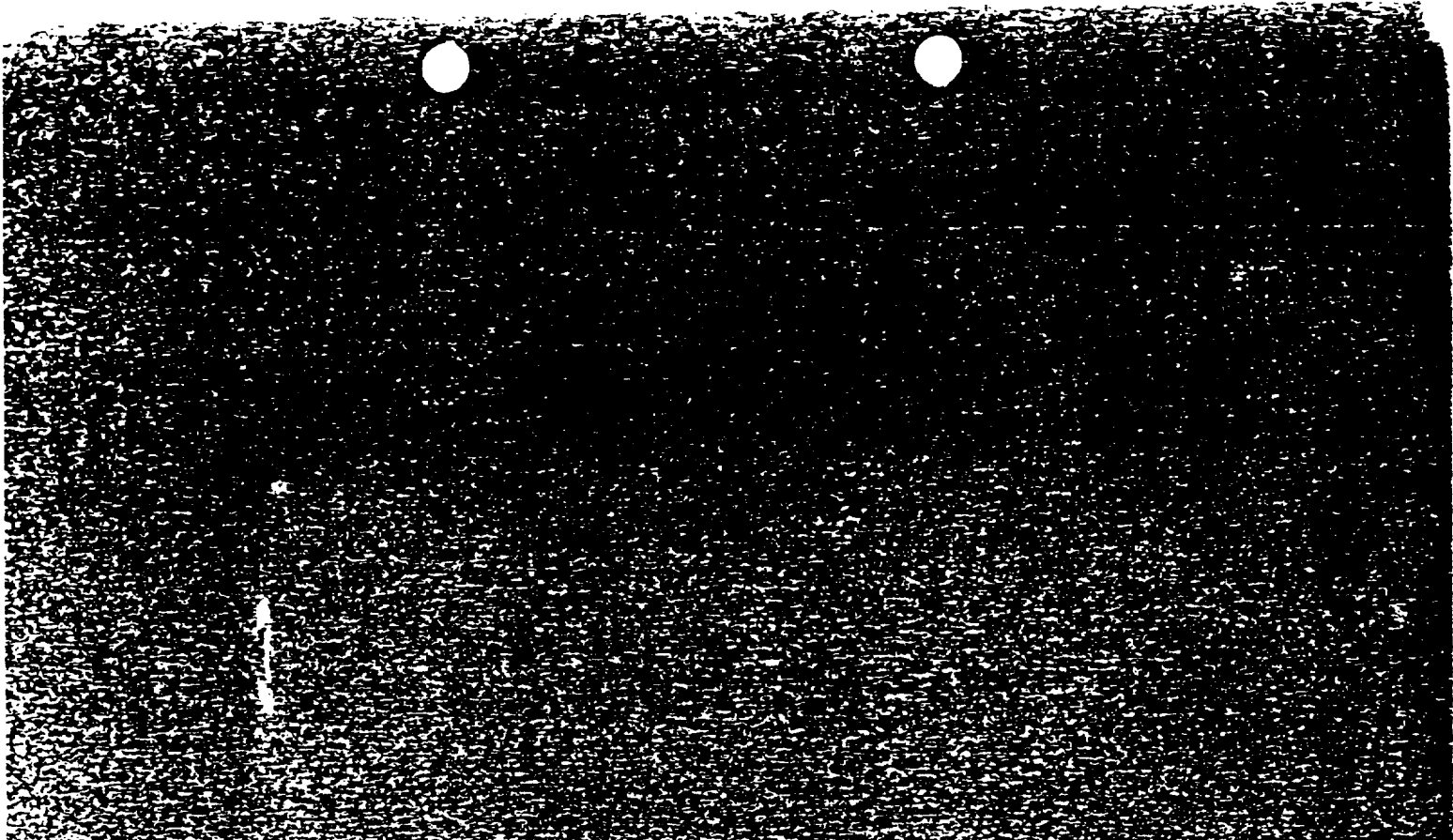


REFER
TO
THIS
BOOKLET
OFTEN

REFER
TO
HIS
LET
EN



So we can be sure you have read this booklet and know about the potential risks connected with your job and the strict rules you must follow, we would like you to fill out the form at the right and return it to us. This sheet must be forwarded to your foreman before your first pay period ends.



Abex

An IC Industries Company

Friction Products Group

Abex's Answers to Interrogs., Vaughn v
Raymark, (Missouri) 11/7/83