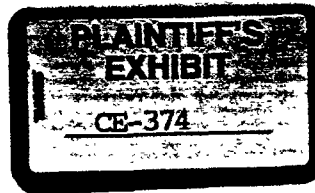


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SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

IN RE: DISCOVERY FOR RELATED
SHIPYARD ASBESTOS CASES (HERRON)

NO. 795582

COMBUSTION ENGINEERING,
INC.'S RESPONSES TO
PLAINTIFFS' FIRST SET
OF INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS

Defendant COMBUSTION ENGINEERING, INC. answers and
objects to plaintiffs' interrogatories as follows:

GENERAL OBJECTION APPLICABLE TO ALL INTERROGATORIES

COMBUSTION ENGINEERING, INC. objects to these interroga-
tories to the extent that they are overbroad and unduly burden-
some and oppressive in that they seek information which is
neither relevant to the subject matter of this action nor
reasonably calculated to lead to the discovery of admissible
evidence.

In Particular, COMBUSTION ENGINEERING, INC. objects
to the use of contention interrogatories in that there are no
adversary issues between defendants raised by the pleadings

1 although this defendant reserves the right to prove any and
2 all facts regarding the mining, supplying, distributing and/or
3 manufacturing of asbestos or asbestos containing products and/or
4 materials at time of trial.

5 PRELIMINARY STATEMENT

6 This defendant first began to manufacture asbestos-
7 containing products on June 5, 1963 and discontinued the manu-
8 facture of all such products in 1972, therefore, the answers to
9 these interrogatories will be confined to that period of time
10 unless otherwise specifically noted.

11
12 INTERROGATORIES

13 1. Have you sold any asbestos products to any United
14 States governmental agency? If so, please

- 15 (a) list each such agency;
16 (b) state the year of each such sale;
17 (c) list the product(s) sold and the volume or
18 dollar amount of each product sold; and
19 (d) state the final government destination of
20 each such product sold.

21 ANSWER: To the best of this defendant's knowledge, it
22 sold little, if any, asbestos-containing insulation products
23 to the U. S. Government.

24 ///

25 ///

26 ///

1 2. For the years 1940 to the present, inclusive, do you
2 claim that you did not manufacture, sell, distribute or supply
3 asbestos products to

4 (a) Mare Island Naval Shipyard?

5 (b) Hunter's Point Naval Shipyard.

6 ANSWER: Yes

7
8 3. If your answer to either Interrogatory No. 2(a) or
9 2(b) above is in the affirmative, please:

10 (a) state all facts upon which you base your claim;

11 (b) identify each person having knowledge of each
12 such fact and state which facts each such person knows;

13 (c) identify each writing which supports your claim;
14 and

15 (d) identify each oral communication which supports
16 your claim.

17 ANSWER: (a) Asbestos-containing products manufactured
18 by this defendant were not on the U. S. Navy Qualified Products
19 List and, to the best of this defendant's knowledge, it sold no
asbestos-containing products to Mare Island Naval Shipyard or
Hunters Point Naval Shipyard.

20 (b) Thomas E. Matthews.

21 (c)/ Defendant has no such writings, except
22 that this defendant believes that the U. S. Navy Qualified
23 Products List was published from time to time, which list should
support the above claim.

24 (d) Unknown.

25 ///

26 ///

1 4. Identify all persons to whom you sold
2 asbestos products or asbestos-containing insulation products
3 the years 1940 to present, inclusive.

4 ANSWER: Defendant objects to Interrogatory No. 4 the
5 grounds that it is too broad, burdensome and harassing. More-
6 over, this defendant was only in the business of manufacturing
7 asbestos products from mid-1963 through 1972 and most of the records of sales no longer exist. 
8
9

10 5. Do you contend that for each year from 1940 to the
11 present, you had a share or percentage of the markets described in
12 subparts below? If so, for each year from 1940 to the present,
13 inclusive, state what you claim was your percentage or share of the
14 following markets:

15 (a) The national asbestos-containing thermal insula-
16 tion products market, exclusive of rebranding agreements;

17 (b) The national asbestos-containing thermal insula-
18 tion products market, inclusive of rebranding agreements;

19 (c) The western states asbestos-containing thermal
20 insulation products market, exclusive of rebranding agreements;

21 (d) The western states asbestos-containing thermal
22 insulation products market, inclusive of rebranding agreements;

23 (e) Asbestos-containing thermal insulation products
24 sold to or for use by the United States Government, exclusive of
25 rebranding agreements;

26 (f) Asbestos-containing thermal insulation products

1 sold to or for use by the United States Government, inclusive of
2 rebranding agreements;

3 (g) Asbestos-containing thermal insulation products
4 sold to or for use by naval shipyards nationally, exclusive of
5 rebranding agreements;

6 (h) Asbestos-containing thermal insulation products
7 sold to or for use by naval shipyards nationally, inclusive of
8 rebranding agreements;

9 (i) Asbestos-containing thermal insulation products
10 sold to or for use by United States naval shipyards in the western
11 states, exclusive of rebranding agreements;

12 (j) Asbestos-containing thermal insulation products
13 sold to or for use by United States naval shipyards in the western
14 states, inclusive of rebranding agreements;

15 (k) Asbestos-containing thermal insulation products
16 sold to or for use by United States naval shipyards in the State of
17 California, exclusive of rebranding agreements;

18 (l) Asbestos-containing thermal insulation products
19 sold to or for use by United States naval shipyards in the State of
20 California, inclusive of rebranding agreements;

21 (m) Asbestos-containing thermal insulation products
22 sold to or for use by private shipyards nationally, exclusive of
23 rebranding agreements;

24 (n) Asbestos-containing thermal insulation products
25 sold to or for use by private shipyards nationally, inclusive of
26 rebranding agreements;

1 (o) Asbestos-containing thermal insulation products
2 sold to or for use by private shipyards in the western states,
3 exclusive of rebranding agreements;

4 (p) Asbestos-containing thermal insulation products
5 sold to or for use by private shipyards in the western states,
6 inclusive of rebranding agreements;

7 (q) Asbestos-containing thermal insulation products
8 sold to or for use by private shipyards in California, exclusive
9 of rebranding agreements;

10 (r) Asbestos-containing thermal insulation products
11 sold to or for use by private shipyards in California, inclusive
12 of rebranding agreements;

13 (s) Asbestos-containing thermal insulation products
14 sold to or for use by Mare Island Naval Shipyard, exclusive of
15 rebranding agreements;

16 (t) Asbestos-containing thermal insulation products
17 sold to or for use by Mare Island Naval Shipyard, inclusive of
18 rebranding agreements;

19 (u) Asbestos-containing thermal insulation products
20 sold to or for use by Hunter's Point Naval Shipyard, exclusive of
21 rebranding agreements;

22 (v) Asbestos-containing thermal insulation products
23 sold to or for use by Hunter's Point Naval Shipyard, inclusive of
24 rebranding agreements.

25 ANSWER: (a) through (v). This defendant only manu-
26 factured asbestos-containing products from June, 1963 through
1972. Market share figures for such years are not available.

1 except for the year 1965 (this defendant's peak production year)
2 which is currently estimated to be less than 1/10 of 1%.
3 Defendant has no figures with respect to particular markets
4 other than to say that it had 0% of markets involving sales to
5 U. S. Navy due to the fact that its asbestos-containing insula-
6 tion products were not on the Navy's Qualified Products List, and
7 that its market share west of the Mississippi was considerably
8 less than it was in the eastern part of the United States, due
9 to the fact that Defendant's production facilities were in the
10 east and Defendant could not compete with other manufacturers
11 on the west coast because of freight differentials. Further,
12 this Defendant had no re-branding agreements.

13
14 ANSWER TO INTERROGATORY NO. 6:

15 (a) See answer to Interrogatory No. 5.

16 (b) Frank T. Christenson, Assistant to Vice President
17 of Industrial Sales, C-E Refractories, Combustion Engineering,
18 Inc., P. O. Box 828, Valley Forge, Pennsylvania.

19 (c) Preliminary calculations made by Mr. Christenson.

20 (d) Unknown.

21
22 ANSWER TO INTERROGATORY NO. 7:

23 From June, 1963 through 1972. See answer to No. 6(b).

24
25 ANSWER TO INTERROGATORY NO. 8:

26 This defendant has no knowledge with respect to any
other Defendant's market share.

27
28 ANSWER TO INTERROGATORY NO. 9:

29 See answer to Interrogatory No. 8.

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1 10. Set forth what, if anything, each of the other
2 defendants has represented to you as being their percentage share
3 of the markets identified in Interrogatory No. 5 (a)-(v) either as
4 a part of their justification for any monies paid by said defendants
5 in settlement in Northern California asbestos litigation or other-
6 wise.

7 ANSWER:

8 See answer to Interrogatory No. 8.
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15 11. For each time period listed below, identify the
16 individuals who have knowledge or information concerning the
17 percentage each of the other defendants who are parties to this
18 litigation had of the markets identified in Interrogatory No. 5
19 (a)-(v):

- 20 A) 1940 - 1950
21 B) 1951 - 1960
22 C) 1961 - 1970
23 D) 1971 - 1980
24 E) 1981 - present

25 ANSWER:

26 See answer to Interrogatory No. 8.

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8 12. Do you contend that you had competitors in each
9 market identified in Interrogatory No. 5 (a)-(v) for each year
10 from 1940 to the present, inclusive? If so, for each year from
11 1940 through present, inclusive, who do you contend were your
12 competitors in each market identified in Interrogatory No. 5
13 (a)-(v)?

14 ANSWER:

15
16 This Defendant can only answer this interrogatory by
17 saying that other companies in the industrial thermal insulation
18 business who manufactured asbestos-containing insulation block
19 and asbestos-containing cement were the competency of this
20 Defendant in the general marketplace, exclusive of any market
21 created by the U. S. Government including Naval shipyards,
22 since this Defendant did not compete in that market.
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1 13. For each such contention in Interrogatory No. 12,
2 please

3 (a) state all facts upon which you base such
4 contention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts each such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such contention.

11 ANSWER:

12 See answer to Interrogatory No. 12.
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1 14. Do you contend that for each year from 1940 to the
2 present, you had a share or percentage of the markets described
3 in subparts (a)-(v) below? If so, for each year from 1940 to the
4 present, inclusive, state what you claim was your percentage of
5 the following markets:

6 (a) The national asbestos-containing textile
7 products market, exclusive of rebranding agreements;

8 (b) The national asbestos-containing textile
9 products market, inclusive of rebranding agreements;

10 (c) The western states asbestos-containing textile
11 products market, exclusive of rebranding agreements;

12 (d) The western states asbestos-containing textile
13 products market, inclusive of rebranding agreements;

14 (e) Asbestos-containing textile products sold to
15 or for use by the United States Government or any of its agencies,
16 exclusive of rebranding agreements;

17 (f) Asbestos-containing textile products sold to
18 or for use by the United States Government or any of its agencies,
19 inclusive of rebranding agreements;

20 (g) Asbestos-containing textile products sold to
21 or for use by naval shipyards nationally, exclusive of rebranding
22 agreements;

23 (h) Asbestos-containing textile products sold to
24 or for use by naval shipyards nationally, inclusive of rebranding
25 agreements;

26 (i) Asbestos-containing textile products sold to

1 or for use by United States naval shipyards in the western states,
2 exclusive of rebranding agreements;

3 (j) Asbestos-containing textile products sold to
4 or for use by United States naval shipyards in the western states,
5 inclusive of rebranding agreements;

6 (k) Asbestos-containing textile products sold to
7 or for use by United States naval shipyards in the State of Cali-
8 fornia, exclusive of rebranding agreements;

9 (l) Asbestos-containing textile products sold to
10 or for use by United States naval shipyards in the State of Cali-
11 fornia, inclusive of rebranding agreements;

12 (m) Asbestos-containing textile products sold to
13 or for use by private shipyards nationally, exclusive of rebranding
14 agreements;

15 (n) Asbestos-containing textile products sold to
16 or for use by private shipyards nationally, inclusive of rebranding
17 agreements;

18 (o) Asbestos-containing textile products sold to
19 or for use by private shipyards in the western states, exclusive
20 of rebranding agreements;

21 (p) Asbestos-containing textile products sold to
22 or for use by private shipyards in the western states, inclusive
23 of rebranding agreements;

24 (q) Asbestos-containing textile products sold to
25 or for use by private shipyards in California, exclusive of re-
26 branding agreements;

1 (r) Asbestos-containing textile products sold to
2 or for use by private shipyards in California, inclusive of re-
3 branding agreements;

4 (s) Asbestos-containing textile products sold to
5 or for use by Mare Island Naval Shipyard, exclusive of rebranding
6 agreements;

7 (t) Asbestos-containing textile products sold to
8 or for use by Mare Island Naval Shipyard, inclusive of rebranding
9 agreements;

10 (u) Asbestos-containing textile products sold to
11 or for use by Hunter's Point Naval Shipyard, exclusive of rebranding
12 agreements;

13 (v) Asbestos-containing textile products sold to
14 or for use by Hunter's Point Naval Shipyard, inclusive of rebranding
15 agreements.

16 ANSWER:

17
18 This Defendant did not manufacture asbestos-containing
19 textiles of any sort and was not involved with the asbestos-
20 containing textile product market in any way.
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1 15. For each such contention in Interrogatory No. 14,
2 please

3 (a) state all facts upon which you base such con-
4 tention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts each such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such contention.

11 ANSWER:

12 See answer to Interrogatory No. 14.
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1 16. For each time period listed below, identify the
2 individuals who have knowledge of or can testify (pursuant to Code
3 of Civil Procedure §2018(a), (b) as to information concerning
4 your share of the markets identified in Interrogatory No. 14
5 (a)-(v):

- 6 A) 1940 - 1950
7 B) 1951 - 1960
8 C) 1961 - 1970
9 D) 1971 - 1980
10 E) 1981 - present

11 ANSWER:

12 Not applicable. See answer to Interrogatory No. 14.
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18 17. Do you contend that other defendants who are parties
19 to this litigation had a share or percentage of the markets identi-
20 fied in Interrogatory No. 14 (a)-(v) from 1940 to the present. If
21 so, for each year from 1940 through present, inclusive, state the
22 percentage of each of the markets identified in Interrogatory No.
23 14 (a)-(v) which you claim the other defendants involved in this
24 case had.

25 ANSWER:

26 Not applicable. See answer to Interrogatory No. 14.

1 18. For each such contention in Interrogatory No. 17,
2 please

3 (a) state all facts upon which you base such
4 contention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts each such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such contention.

11 ANSWER:

12 Not applicable. See answer to Interrogatory No. 14.
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1 19. For each time period listed below, identify the
2 individuals who have knowledge of or who can testify (pursuant to
3 Code of Civil Procedure §2018(a), (b)) as to information concerning
4 the percentage of the markets identified in Interrogatory No. 14
5 (a)-(v) which you claim the other defendants involved in this case
6 had:

7 A) 1940 - 1950

8 B) 1951 - 1960

9 C) 1961 - 1970

10 D) 1971 - 1980

11 E) 1981 - present

12 ANSWER:

13 Not applicable. See answer to Interrogatory No. 14.
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22 20. Do you contend that for each year from 1940 to the
23 present, you had competitors in each market identified in Interro-
24 gatory No. 14 (a)-(v)? If so, for each year from 1940 through
25 present, inclusive, who do you contend were your competitors in
26 each market identified in Interrogatory No. 14 (a)-(v)?

1 ANSWER:

2 Not applicable. See answer to Interrogatory No. 14.
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10 21. For each such contention in Interrogatory No. 21,
11 please

12 (a) state all facts upon which you base such
13 contention;

14 (b) identify each person having knowledge of each
15 such fact and state which facts each such person knows;

16 (c) identify each writing which supports each such
17 contention; and

18 (d) identify each oral communication which supports
19 such contention.

20 ANSWER:

21 Not applicable. See answer to Interrogatory No. 14.
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1 22. Do you contend that for each year from 1940 to the
2 present, you had a percentage or share of the markets described
3 below? If so, for each year from 1940 through present, inclusive,
4 state your contention with respect to your percentage of the
5 following markets:

6 (a) The national asbestos-containing products for
7 general construction market, exclusive of rebranding agreements;

8 (b) The national asbestos-containing products for
9 general construction market, inclusive of rebranding agreements;

10 (c) The western states asbestos-containing products
11 for general construction market, exclusive of rebranding agreements;

12 (d) The western states asbestos-containing products
13 for general construction market, inclusive of rebranding agreements;

14 (e) Asbestos-containing products for general con-
15 struction sold to or for use by the United States Government or any
16 of its agencies, exclusive of rebranding agreements;

17 (f) Asbestos-containing products for general con-
18 struction sold to or for use by the United States Government or any
19 of its agencies, inclusive of rebranding agreements.

20 : ANSWER:

21 This Defendant cannot specifically answer Interrogatory
22 No. 22 since it is unaware of a general construction market for
23 asbestos-containing products. Asbestos-containing thermal
24 products manufactured by this Defendant could have been used
25 in general construction as well as other uses; however, it has
26 no specific knowledge with respect to particular types of
markets for products manufactured by it. Therefore, this
Defendant cannot answer this interrogatory.

1 23. For each such contention in Interrogatory No. 22,
2 please

3 (a) state all facts upon which you base such
4 contention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such contention.

11 ANSWER:

12 See answer to No. 22.
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1 24. Identify the individual(s) who has (have) knowledge
2 of or can testify (pursuant to Code of Civil Procedure §2018(a),
3 (b)) as to information concerning your share of the markets identi-
4 fied in Interrogatory No. 22 (a)-(f) for each time period listed
5 below:

- 6 A) 1940 - 1950
7 B) 1951 - 1960
8 C) 1961 - 1970
9 D) 1971 - 1980
10 E) 1981 - present

11 ANSWER:

12 See answer to No. 22.
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18 25. Do you contend that other defendants who are parties
19 to this litigation had a share or percentage of the markets identi-
20 fied in Interrogatory No. 23 (a)-(f) for each year from 1940 to
21 the present? If so, for each year from 1940 through present, in-
22 clusive, state the percentage of the markets identified in Interro-
23 gatory No. 22 (a)-(f) which you claim each of these defendants had.

24 ANSWER:

25 See answer to No. 22
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5 26. For each such contention in Interrogatory No. 25,
6 please

7 (a) state all facts upon which you base such con-
8 tention;

9 (b) identify each person having knowledge of each
10 such fact and state which facts each such person knows;

11 (c) identify each writing which supports each such
12 contention; and

13 (d) identify each oral communication which supports
14 such contention.

15 ANSWER:

16 See answer to No. 22.
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1 27. Set forth what, if anything, each of the other
2 defendants has represented to you as being their percentage share
3 of the market identified in Interrogatory No. 22 (a)-(f), either
4 as a part of their justification for monies paid by said defendants
5 in settlement in Northern California asbestos litigation, or other-
6 wise.

7 ANSWER:

8 See answer to No. 22.
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15 28. For each time period listed below, identify the in-
16 dividual(s) who has (have) knowledge of or can testify (pursuant
17 to Code of Civil Procedure §2018(a),(b)) as to information concerning
18 the percentage each of the other defendants who are parties to this
19 litigation had of the markets identified in Interrogatory No. 22
20 (a)-(f):

- 21 A) 1940 - 1950
22 B) 1951 - 1960
23 C) 1961 - 1970
24 D) 1971 - 1980
25 E) 1981 - present

26 ANSWER:

 See answer to No. 22.

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8 29. Do you contend that you had competitors in each
9 market identified in Interrogatory No. 22 (a)-(f) for each year from
10 1940 to the present? If so, for each year from 1940 through present,
11 inclusive, who do you contend were your competitors in each market
12 identified in Interrogatory No. 22 (a)-(f)?

13 ANSWER:

14 See answer to No. 22.
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19 30. For each such contention in Interrogatory No. 29,
20 please

21 (a) state all facts upon which you base such con-
22 tention;

23 (b) identify each person having knowledge of each
24 such fact and state which facts each such person knows;

25 (c) identify each writing which supports each such
26 contention; and

1 (d) identify each oral communication which supports
2 such contention.

3 ANSWER:

4 See answer to No. 22.
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14 31. Do you contend that for each year from 1940 to the
15 present, you had a percentage or share of the markets described
16 in subparts (a)-(f) below? If so, for each year from 1940 through
17 present, inclusive, state what you claim was your percentage or
18 share of the following markets:

19 (a) The national asbestos-containing products for
20 vehicles market, exclusive of rebranding agreements;

21 (b) The national asbestos-containing products for
22 vehicles market, inclusive of rebranding agreements;

23 (c) The western states asbestos-containing products
24 for vehicles market, exclusive of rebranding agreements;

25 (d) The western states asbestos-containing products
26 for vehicles market, inclusive of rebranding agreements;

1 (e) Asbestos-containing products for vehicles
2 sold to or for use by the United States Government or any of
3 its agencies, exclusive of rebranding agreements;

4 (f) Asbestos-containing products for vehicles
5 sold to or for use by the United States Government or any of
6 its agencies, inclusive of rebranding agreements.

7 ANSWER:

8
9 This Defendant made no asbestos-containing insulation
10 products which, to this Defendant's knowledge, were used for
11 vehicles and, therefore, this interrogatory is not applicable
12 to this Defendant.
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1 32. For each such contention in Interrogatory No. 31
2 (a)-(f), please

3 (a) state all facts upon which you base such con-
4 tention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts each such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such contention.

11 ANSWER:

12 See answer to No. 31.
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19 33. Identify the individual(s) who has (have) knowledge
20 of or can testify (pursuant to Code of Civil Procedure §2018(a), (b))
21 as to information concerning your share of the markets identified in
22 Interrogatory No. 31 (a)-(f) for each time period listed below:

23 A) 1940 - 1950

24 B) 1951 - 1960

25 C) 1961 - 1970

26 D) 1971 - 1980

27 E) 1981 - present

1 ANSWER:

2 See answer to No. 31.
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10 34. Do you contend that other defendants who are parties
11 to this litigation had a share or percentage of the markets identi-
12 fied in Interrogatory No. 31 (a)-(f) for each year from 1940 to the
13 present? If so, for each year from 1940 through present, inclusive,
14 state the percentage of the markets identified in Interrogatory No.
15 31 (a)-(f) which you claim each of these defendants had.

16 ANSWER:

17 See answer to No. 31.
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22 35. For each such contention in Interrogatory No. 34,
23 please

24 (a) state all facts upon which you base such con-
25 tention;

26 (b) identify each person having knowledge of each

1 such fact and state which facts each such person knows;

2 (c) identify each writing which supports each such
3 contention; and

4 (d) identify each oral communication which supports
5 such contention.

6 ANSWER:

7 See answer to No. 31.
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17 36. Set forth what each other defendant has represented
18 to you as being their percentage or share of the market identified
19 in Interrogatory No. 31 (a)-(f) as a part of their justification
20 for monies paid by said defendants in settlement in Northern Cali-
21 fornia asbestos litigation.

22 ANSWER:

23 See answer to No. 31.
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1 37. For each time period listed below, identify the
2 individual(s) who has (have) knowledge or information concerning
3 the percentage each of the other defendants who are parties to
4 this litigation had of the markets identified in Interrogatory
5 No. 31 (a)-(f):

6 A) 1940 - 1950

7 B) 1951 - 1960

8 C) 1961 - 1970

9 D) 1971 - 1980

10 E) 1980 - present

11 ANSWER:

12 See answer to No. 31.
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21 38. Do you contend that you had competitors in any of
22 the markets identified in Interrogatory No. 31 (a)-(f) for each
23 year from 1940 to the present, inclusive? If so, for each year
24 from 1940 through present, inclusive, who do you contend were your
25 competitors in each market identified in Interrogatory No. 31 (a)-
26 (f)?

1 ANSWER:

2 See answer to No. 31.

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10 39. For each such contention in Interrogatory No. 38,

11 please

12 (a) state all facts upon which you base such con-
13 tention;

14 (b) identify each person having knowledge of each
15 such fact and state which facts each such person knows;

16 (c) identify each writing which supports each such
17 contention; and

18 (d) identify each oral communication which supports
19 each contention.

20 ANSWER:

21 See answer to No. 31.

1 40. Identify all your asbestos-containing products for
2 which you received military specifications from the United States
3 Government or its agencies, and state the date of first receipt of
4 each such military specification.

5 ANSWER:

6 None.
7
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9

10 41. Were any of the asbestos containing products identi-
11 fied in Interrogatory No. 40 sold, shipped, distributed to or used
12 at Mare Island? If so, which of the asbestos-containing products
13 identified in Interrogatory No. 40 do you contend was sold, shipped,
14 distributed to or used at Mare Island?

15 ANSWER:

16 Not applicable.
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19

20 42. Were any of the asbestos products you identified in
21 Interrogatory No. 40 sold, shipped or distributed to or used by the
22 United States Navy? If so, which of the products identified in In-
23 terrogatory No. 40 above, do you contend was sold, shipped, dis-
24 tributed to or used by the United States Navy?

25 ANSWER:

26 Not applicable.

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7 43. Were any of the asbestos products identified in
8 Interrogatory No. 40 sold, shipped or distributed to or used at
9 Hunter's Point? If so, which of the products identified in Inter-
10 rogatory No. 40 above, do you contend was sold, shipped, distributed
11 to or used at Hunter's Point?

12 ANSWER:

13
14 Not applicable.
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20 44. Were any of the products identified in Interrogatory
21 No. 40 sold, shipped, distributed to or used at private shipyards
22 in California? If so, which of the products identified in Interro-
23 gatory No. 40 above do you contend was sold, shipped or distributed
24 to or used at private shipyards in California?

25 ANSWER:

26 Not applicable.

1 45. Identify each written communication and/or oral
2 communication from you to the United States Government, or any of
3 its agencies, which contained a warning regarding the possible
4 health hazards to people exposed to asbestos products capable of
5 releasing airborne asbestos fibers.

6 ANSWER:

7 To the best of this Defendant's knowledge, none.
8
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11

12 46. For each such communication identified in Interro-
13 gatory No. 45, which do you contend the United States Government
14 or its agencies received?

15 ANSWER:

16 Not applicable.
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20 47. Do you contend that other defendants involved in this
21 litigation manufactured the asbestos products which plaintiff and
22 other workers at Mare Island came in contact with? If so, who do
23 you contend manufactured the asbestos products to which plaintiff
24 and other workers at Mare Island came in contact?

25 ANSWER: Defendant is unaware of what asbestos-containing
26 products were either purchased by the U. S. Navy for use at Mare
Island or what products, if any, any particular plaintiff may have
come in contact with at Mare Island.

1 48. For each contention in Interrogatory No. 47, please
2 (a) state all facts upon which you base such con-
3 tention;
4 (b) identify each person having knowledge of each
5 such fact and state which facts each such person knows;
6 (c) identify each writing which supports each such
7 contention; and
8 (d) identify each oral communication which supports
9 such contention.

10 ANSWER:

11 Not applicable. See answer to No. 47.
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19 49. Do you contend that other defendants involved in
20 this litigation manufactured the asbestos products which plaintiff
21 and other workers at Hunter's Point came in contact with? If so,
22 who do you contend manufactured the asbestos products which plain-
23 tiff and other workers at Hunter's Point came into contact?

24 ANSWER: Defendant is unaware of what asbestos-containing
25 products were either purchased by the U. S. Navy for use at Hunters
26 Point or what products, if any, any particular plaintiff may have
 come in contact with at Hunters Point.

1 50. For each such contention in Interrogatory No. 50,
2 please

3 (a) state all facts upon which you base such con-
4 tention;

5 (b) identify each person having knowledge of each
6 such fact and state which facts each such person knows;

7 (c) identify each writing which supports each such
8 contention; and

9 (d) identify each oral communication which supports
10 such communication.

11 ANSWER:

12 See answer to No. 49.
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22 51. Do you contend that you did not manufacture any
23 asbestos product from 1940 to 1982? If so,

24 (a) state all facts upon which you base such con-
25 tention;

26 (b) identify each person having knowledge of each

1 such fact and state which facts each such person knows;

2 (c) identify each writing which supports each such
3 contention; and

4 (d) identify each oral communication which supports
5 such communication.

6 ANSWER:

7 This defendant contends that it manufactured asbestos-
8 containing insulation products from June 5, 1963 through 1972.

9 (a) Defendant relies on its own knowledge of its business.

10 (b) Frank T. Christenson, as well as some personnel in
11 Defendant's Legal Department.

12 (c) See answer to (a).

13 (d) Unknown.

14 52. Do you contend that you did not manufacture any
15 asbestos product from 1940 to 1982 that was either sold, shipped,
16 distributed or used in California? If so,

17 (a) state all facts upon which you base such con-
18 tention;

19 (b) identify each person having knowledge of each
20 such fact and state which facts each such person knows;

21 (c) identify each writing which supports each such
22 contention; and

23 (d) identify each oral communication which supports
24 such communication.

25 ANSWER: This Defendant did not manufacture any asbestos-
26 containing products prior to June 5, 1963 or after 1972 that were
shipped, distributed or used in California.

1 53. Do you contend that you did not manufacture any
2 asbestos product from 1940 to 1982 that was sold, shipped or dis-
3 tributed to or used by the United States Navy? If so,

4 (a) state all facts upon which you base such con-
5 tention;

6 (b) identify each person having knowledge of each
7 such fact and state which facts each such person knows;

8 (c) identify each writing which supports each such
9 contention; and

10 (d) identify each oral communication which supports
11 such communication.

12 ANSWER:

13 Yes.

14 (a) through (d) See answers to previous interroga-
15 tories.

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21 54. Do you contend that you did not manufacture any
22 asbestos product from 1940 to 1982 that was either sold, shipped,
23 distributed to or used at Mare Island Naval Shipyard? If so,

24 (a) state all facts upon which you base such con-
25 tention;
26

1 (b) identify each person having knowledge of each
2 such fact and state which facts each such person knows;

3 (c) identify each writing which supports each such
4 contention; and

5 (d) identify each oral communication which supports
6 such contention.

7 ANSWER:

8 Yes.

9 (a) through (d) See answers to previous interroga-
10 tories.

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17 55. Do you contend that you did not manufacture any
18 asbestos product from 1940 to 1982 which was either sold, shipped,
19 distributed to or used at Hunter's Point Naval Shipyard? If so,

20 (a) state all facts upon which you base such con-
21 tention;

22 (b) identify each person having knowledge of each
23 such fact and state which facts each such person knows;

24 (c) identify each writing which supports each such
25 contention; and

26 (d) identify each oral communication which supports
27 such contention.

1 ANSWER:

2 Yes.

3 (a) through (d) See answers to previous interroga-
4 tories.

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14 56. Do you contend that you could not have manufactured
15 the asbestos product(s) which plaintiff alleges he was exposed to
16 and injured by? If so,

17 (a) state all facts upon which you base such con-
18 tention;

19 (b) identify each person having knowledge of each
20 such fact and state which facts each such person knows;

21 (c) identify each writing which supports each such
22 contention; and

23 (d) identify each oral communication which supports
24 such contention.

25 ANSWER: It is unknown at this time exactly what products
26 plaintiff alleges ~~he~~ was exposed to and injured by and, therefore,
Defendant is unable to answer this interrogatory at this time.

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7 57. For each of the years 1940 through the present, do
8 you agree that the defendants joined by plaintiff herein constitute
9 a substantial share of the asbestos products market:

10 (a) in Northern California;

11 (b) at Mare Island;

12 (c) at Hunter's Point;

13 (d) sold to the United States Navy;

14 (e) sold to the United States Government.

15 ANSWER:

16 This Defendant is unaware of the market shares of
17 various Defendants and, therefore, cannot answer this in-
18 terrogatory.
19
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21
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23 58. If your answer to Interrogatory No. 57 is in the
24 negative, in whole or in part, identify the manufacturers of asbestos-
25 containing products you contend should be joined to constitute a
26 substantial share of the asbestos-containing products market identi-
27 fied in Interrogatory No. 57 (a)-(e).

1 ANSWER:

2 Unknown. See answer to No. 57.
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11 59. Did you ship asbestos-containing products to ship-
12 yards during any time from 1940 to the present? If so, for each
13 of the years 1940 through the present, to what shipyards do you
14 contend you shipped asbestos-containing products? Further,

15 (a) identify each such product; and

16 (b) identify the year(s) each such product was
17 shipped.

18 ANSWER: -

19 Defendant objects to Interrogatory No. 59 on the
20 grounds that it is overly broad and for that reason will
21 restrict its answer to those shipyards and other facilities set
22 forth in subsequent interrogatories which Defendant assumes are
23 all in the San Francisco Bay Area.
24
25
26

1 60. Do you contend that for each year from 1940 through
2 the present, none of the workers at the following shipyards ever
3 inhaled airborne asbestos fibers from asbestos-containing products
4 which you manufactured:

- 5 (i) Mare Island Naval Shipyard;
- 6 (ii) Hunter's Point Naval Shipyard;
- 7 (iii) Bethlehem Steel Shipyard;
- 8 (iv) Triple A Shipyard;
- 9 (v) Todd Shipyard;
- 10 (vi) Marin Shipyard;
- 11 (vii) Sausalito Shipyard;
- 12 (viii) Alameda Naval Air Station;
- 13 (ix) Benicia Arsenal;
- 14 (x) Oakland Naval Supply Center;
- 15 (xi) Kaiser Shipyard;
- 16 (xii) Moore's Dry Dock Company;
- 17 (xiii) Suisun Bay Reserve Fleet.

18 If so,

- 19 (a) state all facts upon which you base your claim;
- 20 (b) identify each person having knowledge of each
21 such fact and state which facts each such person knows;
- 22 (c) identify each writing which supports each such
23 contention; and
- 24 (d) identify each oral communication which supports
25 such contention.

26 ANSWER: Defendant can make no such contentions since it
is possible that vessels containing some asbestos products manu-
factured by this Defendant may have been repaired or otherwise
worked on at one or more of the facilities mentioned in this in-

terrogatory. However, Defendant did not believe it supplied the facilities directly with its asbestos-containing products.

1 61. Do you admit that for each year from 1940 through
2 1982, shipboard workers used asbestos-containing products at each
3 of the following:

- 4 (i) Mare Island Naval Shipyard;
5 (ii) Hunter's Point Naval Shipyard;
6 (iii) Bethlehem Steel Shipyard;
7 (iv) Triple A Shipyard;
8 (v) Todd Shipyard;
9 (vi) Marin Shipyard;
10 (vii) Sausalito Shipyard;
11 (viii) Alameda Naval Air Station;
12 (ix) Benicia Arsenal;
13 (x) Oakland Naval Supply Center;
14 (xi) Kaiser Shipyard;
15 (xii) Moore's Dry Dock Company;
16 (xiii) Suisun Bay Reserve Fleet.

17 If not,

- 18 (a) state all facts upon which you base your claim;
19 (b) identify each person having knowledge of each
20 such fact and state which facts each such person knows;
21 (c) identify each writing which supports each such
22 contention; and
23 (d) identify each oral communication which supports
24 such contention.

25 ANSWER: No.

26 (a) Defendant does not believe that all shipboard
workers are necessarily in contact with asbestos products since

1 Defendant is not aware of all of the various job classifications
2 and job sites at the shipyards. Further, Defendant does not
3 believe that shipboard workers were employed by some of the
4 entities listed, for instance, Alameda Naval Air Station. More-
over, Defendant is not able to ascertain with any specificity
the extent to which any particular shipboard worker may or may
not have been exposed to asbestos-containing products.

5 62. For each year from 1940 through the present, what
6 type of asbestos-containing products did you sell, distribute or
7 supply at each of the following:

- 8 (i) Mare Island Naval Shipyard;
- 9 (ii) Hunter's Point Naval Shipyard;
- 10 (iii) Bethlehem Steel Shipyard;
- 11 (iv) Triple A Shipyard;
- 12 (v) Todd Shipyard;
- 13 (vi) Marin Shipyard;
- 14 (vii) Sausalito Shipyard;
- 15 (viii) Alameda Naval Air Station;
- 16 (ix) Benicia Arsenal;
- 17 (x) Oakland Naval Supply Center;
- 18 (xi) Kaiser Shipyard;
- 19 (xii) Moore's Dry Dock Company;
- 20 (xiii) Suisun Bay Reserve Fleet.

21 ANSWER:

22 To the best of this Defendant's knowledge, none.

23 ///

24 ///

25 ///

26 ///.

1 63. With respect to each product listed in response of
2 Interrogatory No. 62 above, what is your market share with respect
3 to each such product?

4 ANSWER:

5 Not applicable.
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10 64. For each year from 1940 through present, do you claim
11 that the defendants, other than yourself, manufactured the asbestos-
12 containing products to which workers were exposed at each of the
13 following locations:

- 14 (i) Mare Island Naval Shipyard;
- 15 (ii) Hunter's Point Naval Shipyard;
- 16 (iii) Bethlehem Steel Shipyard;
- 17 (iv) Triple A Shipyard;
- 18 (v) Todd Shipyard;
- 19 (vi) Marin Shipyard;
- 20 (vii) Sausalito Shipyard;
- 21 (viii) Alameda Naval Air Station;
- 22 (ix) Benicia Arsenal;
- 23 (x) Oakland Naval Supply Center;
- 24 (xi) Kaiser Shipyard;
- 25 (xii) Moore's Dry Dock Company;
- 26 (xiii) Suisun Bay Reserve Fleet

1 If so,

2 (a) identify each manufacturer you claim manu-
3 factured the asbestos-containing products;

4 (b) identify each asbestos-containing product you
5 claim the defendant manufactured which workers were exposed to at
6 each of the above locations; and

7 (c) identify the year(s) you claim each such
8 product was used.

9 . ANSWER:

10 This Defendant is unaware of whether other Defendants
11 sold asbestos products to any of the entities listed in this
12 interrogatory and, therefore, cannot answer this interrogatory
13 with specificity.
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22 65. With respect to the manufacturers listed in Interro-
23 gatory No. 64, what do you contend is each manufacturer's market
24 share of asbestos-containing products at each location?

25 ANSWER:

26 See answer to No. 64.

1 66. Describe the documentation you reviewed to
2 determine your market share of the asbestos-containing products
3 market.

4 ANSWER: The general method of arriving at this Defendant's
5 market share was as follows: Available production records were
6 used as well as estimates of production where no records were
7 extant. The production records and estimates were converted to
8 tons of asbestos used. The tonnage was then compared to total
9 tonnage of asbestos mined in the United States or imported into
10 the United States from statistics published by the U. S. Bureau
11 of Mines for the year or years in question. This resulted in an
12 estimated national market share.

13 67. Do you contend that your market share of asbestos-
14 containing products used in California can be factually determined?
15 If so, describe how you could compute your market share.

16 ANSWER: This Defendant does not believe national or
17 California market share can be determined specifically; however,
18 this Defendant by using the method described in Interrogatory No.
19 66 estimated its national market share, and Defendant is aware
20 that its sales in California were minimal compared to sales in
21 other areas of the United States. Thus, its California market
22 share would be substantially less than its national market share.

23 68. Identify the person or persons who have worked for
24 you in any of the years from 1940 through the present who have
25 knowledge of the documents from which it can be determined to whom
26 your asbestos-containing products were sold and how much were sold.

ANSWER:

See answer to No. 6(b).

1 69. State the name, present business address, present
2 residence, and capacity and title of the individual signing these
3 Interrogatories on behalf of the answering defendant.

4 ANSWER:

5 See answer to No. 6(b).
6
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8

9 70. Please state the address of your principal place of
10 business.

11 ANSWER:

12 900 Long Ridge Road, Stamford, Connecticut.
13
14

15 71. Please state whether you have:

16 (a) assumed the assets of any predecessor corpora-
17 tion or entity; and/or

18 (b) assumed the liabilities of any predecessor
19 corporation or entity.

20 [Answer these subparts as to each such acquired company
21 which manufactured asbestos containing products.]

22 ANSWER:

23 (a) No, as we understand the word "Predecessor".

24 (b) No.
25
26

1 72. State separately, by weight and dollar amount unless
2 otherwise specified, for each year from 1940 to the present, your

3 (a) total sales (all products), (dollars only);

4 (b) total sales for asbestos products;

5 (c) total sales to the United States of America,
6 (dollars only);

7 (d) total asbestos product sales to the United
8 States of America;

9 (e) total sales to the United States Navy (dollars
10 only);

11 (f) total asbestos product sales to the United
12 States Navy;

13 (g) total asbestos product sales to Mare Island
14 Naval Shipyard;

15 (h) total asbestos product sales to Hunter's Point
16 Naval Shipyard;

17 (i) total asbestos product sales to Oakland Naval
18 Supply Center.

19 ANSWER: Sales volume figures of asbestos-containing
20 products for the years during which this Defendant manufactured
21 such products, i.e., from mid-1963 through 1972, are unavailable.
22 This Defendant estimates, however, that in 1963 the annual sales
23 volume was less than \$1,000,000, from 1964 through 1969, less
24 than \$2,000,000 annually and from 1970 through 1972, less than
25 \$500,000 annually. All of these sales occurred within the United
26 States and to the best of this Defendant's knowledge, none of
these sales were made to the United States of America, including
the United States Navy.

1 73. Describe all efforts or activities by you to find
2 a substitute product for asbestos, including, but not limited to:

- 3 (a) the dates of such efforts or activities;
4 (b) reasons for such efforts or activities;
5 (c) names and addresses of persons who conducted
6 such efforts or activities; and
7 (d) the result of such efforts or activities.

8 ANSWER:

9 None.
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16 74. Have you stopped producing, distributing and/or
17 selling any of your asbestos products you have identified in these
18 Interrogatories? If so, state:

- 19 (a) what asbestos product you stopped producing,
20 distributing and/or selling;
21 (b) the reason you stopped;
22 (c) when you stopped;
23 (d) who authorized or directed the stopping; and
24 (e) whether any studies were conducted before you
25 directed that production and/or sale to be stopped and, if so,
26 identify each study by date, author, title and subject matter and
27 attach a copy.

1 ANSWER:

2 Yes.

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12 75. From the time you first began manufacturing or dis-
13 tributing asbestos products, did the asbestos products manufactured
14 or distributed by you contain any warning, caution, caveat or other
15 statement on the product or its packaging?

16 ANSWER: Warnings were placed on the packaging of all
17 asbestos-containing products manufactured by this Defendant
beginning in 1969.

18 76. If you answered yes to Interrogatory No. 75 above,
19 please identify all documents setting forth said warning and

20 (a) when the warning first appeared;

21 (b) the precise wording of the warning when it
22 first appeared;

23 (c) whether the warning was altered, amended or
24 changed in any manner and, if so, how and when;

25 (d) where the warning was located on the product
26 or packaging;

1 (e) when, if ever, you became aware of the warnings
2 placed on the products distributed by other defendants;

3 (f) the identify of these other defendants and said
4 warnings; and

5 (g) state the reasons warnings of other defendants
6 were not placed on your products.

7 ANSWER:

8 (a) 1969 (exact date unknown).

9 (b) "CAUTION: This product contains asbestos fibers.
10 Excessive inhalation of asbestos may be harmful.
11 If adequate ventilation is not possible, wear
12 respirators approved by U. S. Bureau of Mines."

13 (c) No.

14 (d) On the packaging.

15 (e) Unknown.

16 (f) Not applicable.

17 (g) Not applicable.

18 77. From the time you first manufactured or sold asbestos
19 products or products containing asbestos, have you ever provided
20 a warning of any potential hazards of exposure to asbestos directly
21 to workers at any United States Government Naval installation such
22 as Mare Island Naval Shipyard or Hunter's Point Naval Shipyard? If
23 so,

24 (a) state the date of each such direct warning;

25 (b) identify the name of your employee who provided
26 the direct warning;

1 (c) if the warning was in writing, identify each
2 document containing the warning and state the content of each
3 warning;

4 (d) if the warning was oral, state the substance
5 of the warning, where given and the names of the employees to whom
6 it was given.

7 ANSWER:

8 Since to the best of this Defendant's knowledge it
9 supplied no products to U. S. Naval installations such as Mare
10 Island Naval Shipyard and Hunters Point Naval Shipyard, it
11 would not have provided any such warning.

12
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14
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16 78. Have any of your asbestos-containing products been
17 supplied or sold to any other defendant in this litigation since
18 1945?

19 ANSWER:

20 Yes, but not in California.

21
22 79. Do you have any records indicating that any of your
23 products containing asbestos fibers were sold to any of the com-
24 panies named as co-defendants in this suit?

25 ANSWER:

26 Yes.

1 80. If the answer to Interrogatories No. 78 and 79 is
2 yes, please.

3 (a) identify each individual who currently has pos-
4 session of such records;

5 (b) identify each co-defendant to whom your products
6 have been sold;

7 (c) state the dollar and tonnage amounts of such
8 sales and the inclusive dates of same;

9 (d) state whether any warnings, cautions, caveats
10 or directions accompanied the asbestos or asbestos materials sold
11 or distributed to these other defendants;

12 (e) identify each such warning, caution, caveat
13 or direction accompanying said asbestos-containing product; and

14 (f) state approximately what date said warnings,
15 cautions, caveats or directions first appeared on asbestos-con-
16 taining products distributed to other defendants.

17 ANSWER: (a) Frank T. Christenson.

18 (b) & (c) AC&S - 1968, Block Stick, \$412.80
19 1969, Block Stick, \$ 28.00
 1970, Block Stick, \$ 18.00

20 Such sales were made in Illinois.
21 Forty-Eight Insulations, Inc.

22 1968-Pyroscat, \$1,933.80.

23 1969-Griptex Block, \$15,248.77

24 1970-Griptex Block, \$ 7,839.25

25 1972-Unknown Products, \$1,182.00

26 These sales were made in Pennsylvania.

 There were also some incidental sales to Owens-Corning
Fiberglas; however, Defendant has no records of the dates or the
amounts of products involved. It is believed that these sales
did not take place in California.

(d) (e) (f) See answers to previous interrogatories.

1 81. Is it possible to distinguish your asbestos products
2 from those manufactured by a competitor?

3 (a) If your answer is yes, please describe how you
4 contend your product can be so distinguished and identify the prod-
5 ucts (yours and your competitors') by trade and generic name;

6 (b) If there are any products which you contend
7 cannot be distinguished from products of a similar kind manufactured
8 by a competitor, please state the name of such product, who manu-
9 factures it, as well as the trade name of the product manufactured
10 by your competitor.

11 ANSWER: Yes.

12 (a) Products manufactured by this Defendant were
13 distinguishable from products manufactured by
other companies by the packaging.

14 (b) Defendant is not aware of all products manu-
15 factured by others and, therefore, cannot answer
this interrogatory with any degree of specificity.
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21 82. Have you, at any time, entered into a "rebranding"
22 agreement with any other company, either as a buyer or a seller,
23 concerning asbestos-containing materials?

24 ANSWER:

25 No.
26

1 83. If your answer to Interrogatory No. 82 is in the
2 affirmative, as to each of those arrangements, please

3 (a) identify the company manufacturing the asbestos
4 products under the agreement;

5 (b) state the trade name affixed to those products;

6 (c) state the periods of time covered by the agree-
7 ment;

8 (d) state the volume (in dollar amounts) of the
9 transactions;

10 (e) state the purchaser of the products; and

11 (f) identify all documents relating to said
12 "rebrand" agreement.

13 ANSWER:

14 Not applicable.
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1 84. Did you ever recommend to purchasers or users of
2 your asbestos products that respirators, protective masks and/or
3 protective clothing be worn with the product? If so, please state:

4 (a) the date or dates when such recommendation was
5 made to any agency of the United States Government such as the
6 Naval Supply System;

7 (b) the date or dates when each such recommendation
8 was made to each user;

9 (c) who made the recommendation;

10 (d) who received the recommendation;

11 (e) if oral, the manner and substance of the
12 recommendation;

13 (f) if written, identify the document by title,
14 date, file designation and author of each such recommendation and
15 the location and present custodian of each such recommendation;
16 and

17 (g) if you did make a recommendation, set forth
18 all information, correspondence or documents relating to such
19 recommendation.

20 ANSWER:

21 See answer to No. 76.
22
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1 85. Have you undertaken or financed any studies to
2 determine what type of respirator and/or protective mask would
3 afford protection against the inhalation of asbestos fibers? If
4 so, state:

- 5 (a) who made the study;
6 (b) when the study was made;
7 (c) the result of the study; and
8 (d) if the result was written and, if so, identify
9 the document by title, date, file designation and author of each
10 study, and the location and present custodian thereof.

11 ANSWER:

12 No.
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1 86. Have you undertaken or financed any studies to
2 determine what type of ventilator or ventilating system would
3 eliminate or decrease the number of airborne asbestos fibers
4 in confined spaces? If so, please state:

- 5 (a) who made the test or study;
6 (b) when the test or study was made;
7 (c) the result of the study or test; and
8 (d) if the result was written and, if so, identify
9 the document by title, date, file designation and author of each
10 such test or study, and the location and present custodian thereof.

11 ANSWER:

12 No.
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1 87. When do you contend that the health hazards arising
2 out of exposure to airborne asbestos fibers was first generally
3 known by

4 (a) you;

5 (b) the medical profession in:

6 (1) the United Kingdom;

7 (b) the United States;

8 (c) Canada;

9 (c) the asbestos industry.

10 ANSWER:

11 (a) 1969.

12 (b) Unknown.

13 (c) Unknown.

14
15
16 88. Can inhaling airborne asbestos fibers cause
17 asbestosis?

18 (a) If your answer is yes, when did you come to
19 the realization and what action, if any, did you take in response
20 to it?

21 (b) If your answer is anything but an unqualified
22 affirmative, please explain the basis for your answer; and

23 (c) If you contend that inhalation of asbestos
24 dust or fibers causes certain types of occupational diseases, list
25 such diseases you contend are caused thereby.

26 (d) If your answer is anything but an unqualified

1 affirmative, state all facts, data and information upon which you
2 base your answers.

3 (e) Identify all documents and persons on which
4 you base your contention.

5 ANSWER:

6 This Defendant understands that asbestosis is by
7 definition caused by asbestos exposure.

8 (a) See previous answerw.

9 (b) Not applicable.

10 (c) This Defendant does not have sufficient scientific
or medical information from which to answer this
interrogatory and, therefore, objects to same.

11 (d) Not applicable.

12 (e) Not applifable.

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18 89. Can inhalation of asbestos dust cause lung cancer?

19 (a) If your answer is yes, when did you come to
20 such realization and what action, if any, did you take in response
21 thereto?

22 (b) If your answer is anything but an unqualified
23 affirmative, state all facts, data and information upon which you
24 base your answer.

25 ANSWER: Defendant does not have sufficient scientific
26 or medical information from which to answer this interrogatory
and, therefore, objects to same.

1 90. Would you agree that there is a casual relationship
2 between the inhalation of asbestos dust and fibers and the disease
3 mesothelioma?

4 (a) If your answer is affirmative, state:

5 (1) when you first recognized the relationship;
6 (2) what notices, if any, were given to those
7 exposed to your asbestos products of this fact;

8 (3) the date of each such notice;

9 (4) the methods of dissemination or publication
10 of same;

11 (5) when you first suspected such a casual
12 relationship; and

13 (6) when you first learned that there might be
14 a casual relationship;

15 (b) If your answer is anything other than an un-
16 qualified affirmative, state all facts, data and information upon
17 which you base your answer.

18 ANSWER:

19 Defendant does not have sufficient scientific or
20 medical information from which to answer this interrogatory and,
21 therefore, objects to same.
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91. Would you agree that there is a casual connection between inhalation of asbestos dust and fibers and other diseases of the lungs and gastro-intestinal area? If yes, please state:

(a) when you first recognized the connection;

(b) what disease or diseases you recognize;

(c) what notice was given to those exposed to your asbestos products of this fact;

(d) the date of such notices;

(e) the methods of dissemination or publication of same; and

(f) the identify of all documents and persons on which you base your affirmative or negative contention.

ANSWER:

Defendant does not have sufficient/scientific/or medical information from which to answer this interrogatory and, therefore, objects to same.

1 92. Would you agree that the possibility of exposure to
2 asbestos dust and fibers extends not only to workers actually
3 handling the asbestos products; but also to:

4 (a) other workers in the area where the asbestos
5 products are being used;

6 (b) members of the families of workers, who dusted
7 and laundered the work clothes of such workers, which work clothes
8 contained asbestos fibers and dust.

9 ANSWER:

10 Defendant objects to this interrogatory since any
11 answers would be based on speculation and would not constitute
12 relevant admissible evidence.
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16 93. Have any workers' compensation claims based on alle-
17 gations of asbestosis or asbestos-induced diseases been filed against
18 you? If so, please state:

19 (a) when and where the claims were filed;

20 (b) the number of claims filed; and

21 (c) the outcome of the claim.

22 ANSWER: Yes.

23 (a) (c) The first Workmen's Compensation claim filed
24 against this Defendant based upon an allegation of harm from
25 asbestos-containing products was filed in October of 1973, after
26 this Defendant ceased to manufacture asbestos-containing products.
Since that time several other claims have been asserted; however,
Defendant is not aware of any final adjudication of such claim or
claims.

1 94. Have any of the other defendants named in this liti-
2 gation ever furnished you, not your attorneys, with information as
3 to the state of the medical knowledge regarding the connection
4 between asbestos exposure and the contracting of pulmonary diseases
5 including cancer and asbestosis?

6 ANSWER:

7 No.

8 95. If your answer to Interrogatory No. 94 is in the
9 affirmative, please

- 10 (a) state with what information you were furnished;
11 (b) state when you were furnished the information;
12 (c) state who furnished the information; and
13 (d) identify each writing or communication.

14 ANSWER:

15 Not applicable.
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1 96. Have any co-defendants furnished you, not your
2 attorneys, or have you furnished any other co-defendant, with the
3 results of any research, tests, medical studies or experiments
4 regarding any connections between asbestos exposure and the con-
5 tracting of pulmonary disease, including lung cancer and asbestosis,
6 since 1940?

7 ANSWER:

8 No.

9 97. If the answer to Interrogatory No. 96 is in the
10 affirmative, please

11 (a) state when each took place;

12 (b) state who participated in each; and

13 (c) identify each document or communication.

14 ANSWER:

15 Not applicable.
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1 98. Have you contributed any funds to research con-
2 cerning asbestos and its relation to lung, heart or larynx disease.
3 If so, please state for each year:

- 4 (a) the amount of money contributed;
5 (b) when and to whom; and
6 (c) the identity of any reports to or from each
7 individual or organization to whom your funds were contributed.

8 ANSWER:

9 No.
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17 99. From the time you first sold or manufactured asbestos
18 products or products containing asbestos until the present, have
19 you conducted, participated in, financed or had conducted for you
20 any studies to determine the effects of your asbestos products on
21 workers working with such products? If so, please state as to each
22 study:

- 23 (a) the subject matter, title and date of each study;
24 (b) the date and name of the person authorizing the
25 study;
26 (c) the reason for the study;

- 1 (d) the names of the persons who conducted the study;
2 (e) the date the study was completed;
3 (f) whether the results were published and dissemi-
4 nated and, if so, where and to whom;
5 (g) the results of the study;
6 (h) If statistical analyses were made, state the
7 results and describe the date and assumptions upon which they were
8 based; and
9 (i) If in writing, identify it by date, title,
10 identification number, present location and custodian and attach
11 a copy.

12 ANSWER:

13 No.
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1 100. From the time you first manufactured or sold
2 asbestos products or products containing asbestos, have you con-
3 ducted, participated in, financed or had conducted for you any
4 studies to determine the effects of inhalation of asbestos dust
5 or fibers by one using or being exposed to asbestos insulation
6 products manufactured by your company? If so, please state for
7 each study:

8 (a) the subject matter, title and date of each
9 study;

10 (b) the date and name of the person authorizing
11 the study;

12 (c) the reason for the study;

13 (d) the names of the persons who conducted the
14 study;

15 (e) the date the study was completed;

16 (f) Whether the results were published and
17 disseminated and, if so, where and to whom;

18 (g) the results of each study;

19 (h) If statistical analyses were made, state the
20 results and describe the date and assumptions upon which they were
21 based; and

22 (i) If in writing, identify it by date, title,
23 identification number, present location and custodian and attach
24 a copy.

25 ANSWER:

26 No.

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101. Have you conducted, participated in, financed or had conducted for you any studies which had the purpose to prevent, minimize or eliminate inhalation of asbestos dust and fibers by those using or exposed to your asbestos insulation products? If so, please state for each study:

- (a) the subject matter, title and date of each study;
- (b) the date and name of the person authorizing such study;
- (c) the reason for the study;
- (d) the names of the persons who conducted the study;

- 1 (e) the date the study was completed;
2 (f) whether the results were published and
3 disseminated and, if so, where and to whom;
4 (g) the results of each study;
5 (h) If statistical analyses were made, state the
6 results and describe the date and assumptions upon which they were
7 based; and
8 (i) If in writing, identify it by date, title,
9 identification number, present location and custodian and attach
10 a copy.

11 ANSWER:

12 No.
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1 102. State whether you took any action as a result of
2 any of the studies listed in your answers to Interrogatories num-
3 bered 99, 100 or 101. If so, please

- 4 (a) describe the action taken;
5 (b) identify who authorized or directed the action;
6 (c) state when the action was taken; and
7 (d) identify all documents discussing the study,
8 the action considered and the action taken by date, title, subject,
9 author and present custodian and location and produce the documents.

10 ANSWER:

11 Not applicable.
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22 103. Please state when, if ever, you formed within your
23 corporate structure a group known as "contract unit."

24 ANSWER:

25 This Defendant has never formed what is referred to as
26 "contract units".

1 104. Please state whether or not any of your "contract
2 units" were employed at any time in California for the years 1940
3 to present. If so, please state:

4 (a) the dates said "contract units" were in
5 operation; and

6 (b) the locations of same.

7 ANSWER:

8 Not applicable.
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16 105. On any occasion did you, in connection with your
17 "contract units," ever advise any of the contract unit employees
18 as to health hazards related to the inhalation and/or ingestion
19 of asbestos fibers? If so, please

20 (a) state the job site where such warnings were
21 provided;

22 (b) state the time period of the job;

23 (c) identify the foreman or superintendant in
24 charge of the job; and

25 (d) identify each employee of said "contract
26 unit" receiving such warning.

1 ANSWER:

2 Not applicable.

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9 106. State whether respirators were provided to "contract
10 unit" employees and, if so, the date first provided.

11 (a) Identify the documents you contend indicate
12 said date.

13 ANSWER:

14 Not applicable.

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19 107. State whether the following information was ever
20 disseminated to your "contract unit" employees:

21 (a) That band saw cutting of materials containing
22 asbestos should not be attempted without exhaust ventilation and
23 use of respirators;

24 (b) That materials containing asbestos should not
25 be wrapped or pounded or cut without general exhaust ventilation or
26 air changes or the wearing of respirators; and

1 (c) That old material containing asbestos should
2 not be removed or torn out or down without the wearing of respira-
3 tors.

4 As to items (a) through (c), please state:

- 5 (1) the manner in which it was disseminated;
6 (2) by whom it was disseminated;
7 (3) the date disseminated; and
8 (4) if disseminated in writing and, if so,
9 identify said writing.

10 ANSWER:

11 Not applicable.
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18 108. State when, if ever, the first manual of safe
19 practices (or its reasonable facsimile) for the handling and in-
20 stallation of products containing asbestos was disseminated to
21 your "contract unit" employees.

22 (a) Identify said writing.

23 ANSWER:

24 Not applicable.
25
26

1 109. When do you contend the first safety meeting for
2 your "contract unit" employees was held in California at which it
3 was revealed to "contract unit" employees that:

4 (a) the inhalation of asbestos dust or fibers
5 might cause asbestosis;

6 (b) the inhalation of asbestos dust or fibers
7 might cause mesothelioma;

8 (c) asbestos workers faced a higher statistical
9 risk than the general population of contracting:

10 (1) lung cancer;

11 (2) mesothelioma;

12 (3) gastro-intestinal cancer.

13 ANSWER:

14 Not applicable.
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1 110. Do you contend that your "contract unit" employees
2 who were provided respirators received instruction at the time of
3 the provision of such respirators relative to:

- 4 (a) proper facial fitting;
5 (b) proper maintenance of the respirator;
6 (c) the necessity for wearing the respirator; and
7 (d) the necessity to rotate respirators.

8 ANSWER:

9 Not applicable.

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13 111. If your answer to Interrogatory No. 110 is in the
14 affirmative, please

- 15 (a) state the first occasion that you contend that
16 any type of respirator was provided for your "contract unit" em-
17 ployees;
18 (b) state the job sites;
19 (c) state the exact date;
20 (d) identify the employees on said job; and
21 (e) state the specific type of respirator provided.

22 ANSWER:

23 Not applicable.
24
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26

1 112. Did any of your "contract units" do any of the
2 following:

3 (a) rip-outs of old asbestos-containing insulation
4 products;

5 (b) new construction in power plants;

6 (c) insulation of boilers;

7 (d) insulation at shipyards.

8 ANSWER:

9 Not applicable.
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14 113. Do you contend your "contract units" employees used
15 routers, saws, sanders, grinders or any type device used to shape,
16 form, cut or fabricate asbestos-containing materials?

17 ANSWER:

18 Not applicable.
19

20 114. If your answer to Interrogatory No. 113 is in the
21 affirmative, please state whether any vacuum systems, dust control
22 devices, or watering-down systems or systems of any kind designed
23 to reduce asbestos dust in the air were at any time used by said
"contract units" employees.

24 ANSWER:

25 Not applicable.
26

1 115. If your Answer to Interrogatory No. 113 is in the
2 affirmative, please state the first time such devices were used,
3 describing in detail the type of devices which were used.

4 ANSWER:

5 Not applicable.
6
7

8 116. When was the first claim for workers' compensation
9 filed by any of your "contract unit" employees in which it was
10 alleged that said claimant had contracted:

- 11 (a) asbestosis;
12 (b) lung cancer;
13 (c) mesothelioma.

14 Identify each such claimant, list the date that
15 such claim was filed and the state of filing.

16 ANSWER:

17 Not applicable.
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1 117. Have you ever conducted or caused to be conducted
2 any inspection, including any dust counts, of areas at Mare Island
3 Naval Shipyard and/or Hunter's Point Naval Shipyard regarding workers
4 using asbestos products manufactured, sold or distributed by your
5 company?

6 (a) If you have not, set forth the reasons, if any,
7 for not conducting such inspection.

8 (b) If you have, explain what action, if any, was
9 taken by the company following the inspection or the taking of dust
10 counts in any of the locations referred to above.

11 (c) Give the dates and places, if any, that your
12 company first started making such inspections or dust counts.

13 (d) Set forth in detail the dates and places that
14 the action referred to in No. 112(b) took place.

15 ANSWER:

16 No.
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1 118. Have you ever conducted or caused to be conducted
2 any inspection, including any dust counts of areas at other United
3 States Government naval shipyards or at any non-United States
4 Government facility regarding workers using asbestos products
5 manufactured, sold or distributed by your company?

6 (a) If you have not, set forth the reasons, if
7 any, for not conducting such inspections.

8 (b) If you have, explain what action, if any,
9 was taken by the company following the inspection or the taking of
10 dust counts in any of the locations referred to above.

11 (c) Give the dates and places, if any, that your
12 company first started making such inspections or dust counts; and

13 (d) Set forth in detail the dates and places that
14 the action referred to in (b) above took place.

15 ANSWER:

16 No.
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1 119. When and where did you first begin monitoring
2 asbestos dust levels in your own plant and manufacturing facilities?

3 ANSWER: Defendant did not monitor dust levels at its
4 plant and manufacturing facilities.

5 120. Was the monitoring of dust levels required by any
6 government regulation or rule of any government, agency or insurance
7 company? If so, state the substance of the rule, the source im-
8 posing it and the date it was first imposed.

9 ANSWER: To the best of this Defendant's knowledge, no.
10 This defendant ceased manufacturing asbestos-containing products
11 in 1972.
12

13 121. What technique, if any, do you (or did you) use to
14 take dust samplings? Explain the technique, when it was commenced,
15 what the purpose was and what action has been taken in response to
16 the findings as to dust samples.

17 ANSWER:

18 Not applicable.
19
20

21 122. State whether from 1940 to date you have promulgated
22 any rules, written or oral, for handling of asbestos products by
23 your own employees? If so,

24 (a) state when such rules were promulgated;

25 (b) state the substance of the rules, if oral, and
26 the name and title of the person who disseminated them;

1 other than physicians to conduct routine pre-employment physical
2 examinations and to handle emergencies. These physicians
3 rendered no advice relative to asbestos. This Defendant did
4 not have a Medical Director during that period of time.

5
6
7 127. When was the first time you hired an "industrial
8 hygienist?" Please state:

- 9 (a) the reason for hiring such a hygienist;
10 (b) the location where the hygienist was assigned;
11 (c) the duties of the hygienist;
12 (d) the names and addresses of the persons hiring
13 such hygienist; and
14 (e) the name and address of the hygienist.

15 ANSWER:

16 1956.

- 17 (a) Industrial hygienists were originally hired to
18 comply with regulations of the Atomic Energy
19 Commission.
20 (b) Windsor, Connecticut.
21 (c) Health, Physics, Radio Chemistry, Fire and
22 Safety, Industrial Hygiene generally.
23 (d) George Chambers, Reynold L. Hoover, Robert
Daniels, Robert Hancock, all of Windsor, Connecti-
24 cut.
25 (e) Reynold L. Hoover, 1000 Prospect Hill Road,
26 Windsor, Connecticut; Robert L. Hancock, 1000
Prospect Road, Windsor, Connecticut; Ernest T.
Borawski, 1000 Prospect Hill Road, Windsor,
Connecticut; Carl Greene, 1000 Prospect Hill
Road, Windsor, Connecticut; Paul Osimo, P. O.
Box 828, Valley Forge, Pennsylvania.

1 128. Did you in any way assist or participate in the
2 1929 Metropolitan Insurance Company study of asbestos? If so,

3 (a) state what role or action you took;

4 (b) identify all documents in your possession
5 relating to said study; and

6 (c) when did you receive such documents?

7 ANSWER:

8 No.
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13 129. Do you maintain a library or file of pathological
14 findings, slides, x-rays and related material concerning asbestos-
15 induced injuries, disability or impairment? If so,

16 (a) state the date such file was first organized;

17 (b) state all past and present custodians of the
18 file;

19 (c) state where the file is presently located; and

20 (d) identify the material included in the file.

21 ANSWER:

22 No.
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1 130. Has your company, at any time, subscribed to the
2 services of the Industrial Hygiene Foundation (IHF), Pittsburgh,
3 Pennsylvania? If so, please state:

4 (a) the dates your company has used their services;

5 (b) whether any reports, 5"x8" index cards or
6 documents were furnished to your company and, if so, identify the
7 documents by name, date, title and present location;

8 (c) whether any reports, 5"x8" index cards or
9 documents were furnished to your company covering asbestos-related
10 illnesses under I.H.F. Nos. 752 and/or 753 and, if so, identify
11 the document by name, date, title and present location; and

12 (d) whether you have any reason to believe that
13 you did not receive any reports from the I.H.F. mailed to its sub-
14 scribers (members) in the ordinary course of the Foundation's
15 business.

16 ANSWER:

17 No.
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1 131. Did any of your officers or corporate personnel
2 attend any one or more of the Saranac Symposiums which took place
3 in the 1930's? If so, identify the officer, position in your
4 company and the dates he/she attended the symposium.

5 ANSWER:

6 No.
7

8 132. Have you ever been a member of the American Textile
9 Institute (ATI)? If so, state the periods of time during which
10 you were such a member.

11 ANSWER:

12 No.
13

14 133. Did you ever receive the minutes of the ATI meetings?
15 If so,

16 (a) give the dates of the meetings of which you
17 received such minutes; and

18 (b) give the date or approximate date that you
19 received such minutes.

20 ANSWER:

21 No.
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1 134. Do you have any reason to believe that you did
2 not receive minutes of meetings of ATI during such periods that
3 you were a member thereof?

4 (a) If your answer is anything but an unqualified
5 negative, set forth all facts or information on which you base
6 such a belief.

7 ANSWER:

8 Yes.

9 (a) This Defendant did not belong to the
10 organization.

11
12 135. Which minutes of the ATI have you seen or reviewed?

13 (a) When did you first see or review them?

14 ANSWER:

15 None.

16
17 136. Do you have any reason to believe the minutes of
18 ATI seen or reviewed by you are not correct?

19 (a) If your answer is anything but an unqualified
20 negative, set forth all facts, data, documents or information on
21 which you base such belief.

22 ANSWER:

23 Not applicable.
24
25
26

1 137. Have you ever been a member of the Industrial
2 Hygiene Foundation? If so, state the periods of time during which
3 you were such a member.

4 ANSWER:

5 No.

6
7 138. Did you ever receive minutes of or reports of the
8 Industrial Hygiene Foundation? If so,

9 (a) give the dates of such reports or minutes that
10 you received; and

11 (b) give the date or approximate date you believe
12 you received such minutes or reports.

13 ANSWER:

14 No.

15
16
17 139. Do you have any reason to believe that you did not
18 receive any such reports or minutes of meetings from Industrial
19 Hygiene Foundation during such periods that you were a member thereof?

20 (a) If your answer is anything but an unqualified
21 negative, set forth all facts or information on which you base such
22 belief.

23 ANSWER:

24 Yes.

25 (a) This Defendant did not belong to the
26 organization.

1 140. Which minutes or reports of the Industrial Hygiene
2 Foundation in which asbestos was discussed or referred to have
3 you read or reviewed?

4 (a) When did you first read or review them?

5 ANSWER:

6 None.

7
8
9 141. Do you have any reason to believe any such minutes
10 or reports of the Industrial Hygiene Foundation read or reviewed by
11 you are not correct?

12 (a) If your answer is anything but an unqualified
13 negative, set forth all facts, data, documents or information on
14 which you base such belief.

15 ANSWER:

16 Not applicable.

17
18
19 142. Have you ever been a member of the Industrial Health
20 Foundation? If so, state the periods of time during which you were
21 such a member.

22 ANSWER:

23 No.

1 143. Did you ever receive any reports or minutes of the
2 Industrial Health Foundation meetings in which asbestos was dis-
3 cussed or referred to? If so,

4 (a) give the dates of such reports or minutes that
5 you received; and

6 (b) give the date or approximate date that you
7 believe you received such minutes or reports.

8 ANSWER:

9 No.

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14 144. Do you have any reason to believe that you did not
15 receive any such reports or minutes of meetings of Industrial Health
16 Foundation during such periods that you were a member thereof?

17 (a) If your answer is anything but an unqualified
18 negative, set forth all facts or information on which you base such
19 a belief.

20 ANSWER:

21 Yes.

22 (a) This Defendant did not belong to the
23 organization.
24
25
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1 145. Which minutes or reports of the Industrial Health
2 Foundation in which asbestos was discussed or referred to have you
3 read or reviewed?

4 (a) When did you first read or review them?

5 ANSWER:

6 None.

7
8 146. Do you have any reason to believe any such reports
9 or minutes of the Industrial Health Foundation reviewed by you are
10 not correct?

11 (a) If your answer is anything but an unqualified
12 negative, set forth all facts, data, documents or information
13 on which you base such belief.

14 ANSWER:

15 Not applicable.

16
17 147. Have you ever been a member of the National Insula-
18 tion Manufacturers Association (NIMA)? If so, state the periods
19 of time during which you were such a member.

20 ANSWER:

21 No.

22 148. Did you ever receive reports or minutes of the NIMA
23 meetings in which asbestos was discussed or referred to? If so,

24 (a) give the dates of the reports or minutes that
25 you received; and

26 (b) give the date or approximate date that you

1 received such reports or minutes.

2 ANSWER:

3 No.

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10 149. Do you have any reason to believe that you did not
11 receive any such reports or minutes of meetings of NIMA during such
12 periods that you were a member thereof?

13 (a) If your answer is anything but an unqualified
14 negative, set forth all facts or information on which you base such
15 a belief.

16 ANSWER:

17 Yes.

18 (a) This Defendant did not belong to the
19 organization.

20
21 150. Which reports or minutes of the NIMA have you read
22 or reviewed in which asbestos was discussed or referred to?

23 (a) When did you first read or review them?

24 ANSWER:

25 None.

1 151. Do you have any reason to believe any such reports
2 or minutes of NIMA read and reviewed by you are not correct?

3 (a) If your answer is anything but an unqualified
4 negative, set forth all facts, data, documents or information on
5 which you base such belief.

6 ANSWER:

7 Not applicable.
8
9
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12

13 152. Identify by date and present custodian of:

14 (a) minutes or notes of your Board of Directors
15 meetings since 1935 in which

16 (1) asbestos-related disease was discussed
17 or referred to; and

18 (2) preventative measures relating to asbestos-
19 related disease were discussed or referred to;

20 (b) minutes or notes of an Executive Committee
21 meetings since 1935 in which

22 (1) asbestos-related disease was discussed
23 or referred to; and

24 /////

25 /////

26 /////

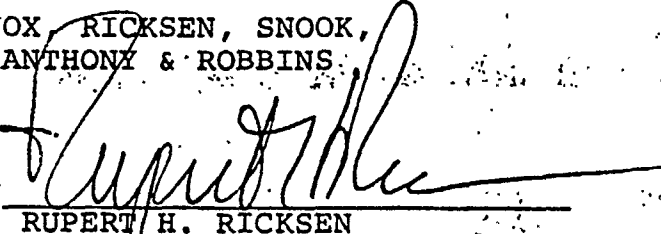
1 (2) preventative measure; relating to asbestos-
2 related disease were discussed or referred to.

3 ANSWER:

4 The Minutes of this Defendant's Board of Directors
5 and Executive Committee meetings contain no reference to asbestos
6 or asbestos-related disease.

7
8 DATED: June 28, 1983.

9
10 KNOX, RICKSEN, SNOOK,
11 ANTHONY & ROBBINS.

12
13 By 

14 RUPERT H. RICKSEN
15 Attorneys for Defendant
16 Combustion Engineering, Inc.
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VERIFICATION

I, RUPERT H. RICKSEN, hereby declare under penalty of perjury that I am one of the attorneys for the defendant, COMBUSTION ENGINEERING, INC., a corporation, in the above-entitled action; that said defendant maintains its principal place of business outside of the county in which I maintain my office and place of business; and that for that reason I make this declaration for and on behalf of said defendant; that I have read the foregoing RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS and know the contents thereof and based on information and belief I believe them to be true.

Executed at Oakland, California, this 30 day of

June, 1983.



RUPERT H. RICKSEN

my business address is ONE KAISER PLAZA, SUITE #850, OAKLAND, CA, 94612. I executed this declaration and served a true copy of the foregoing document by mail by placing same in an envelope, sealed, fully prepaid postage thereon and depositing said envelope in the U. S. Mail at Oakland, California, on the 30 day of June, 1983, addressed as follows:

- ✓ A.C. and S.
VAN DE POEL & STRICKLAND
436 - 14th St., #1316
Oakland, CA 94612
- () ARMSTRONG CORK
GUDMONDSON, SIGGINS & STONE
235 Montgomery Street
San Francisco, CA 94104
- () ASARCO - LAKE ASBESTOS
PETTIT & MARTIN
600 Montgomery Street
San Francisco, CA 94111
- () ASBESTOS CORPORATION
SOUTHERN PACIFIC
CROSBY, HEAFY, et. al.
1939 Harrison Street
Oakland, CA 94612
- () BABCOCK & WILSON
ANDERSON, GALLOWAY, et al
2201 Broadway #319
Oakland, CA 94612
- () BRINCO MINING, LTD.
STARK, STEWART, et al
180 Grand Avenue
Oakland, CA 94612
- () BELL ASBESTOS
RUSS & DANIELS
333 Market Street
San Francisco, CA 94133
- () BENDIX CORPORATION
GORDON & REES
601 Montgomery Street
San Francisco, CA 94111
- () BETHLEHEM STEEL
WILLIAM PARSONS
710 California St.
San Francisco, CA 94115
- () BIGELOW-LIPTAK CO.
COOPER, WHITE & COOPER
44 Montgomery St.
San Francisco, CA 94104
- () CASSIER ASBESTOS
STARK, STEWART, et al
Fidelity Plaza, 14th Flr.
180 Grand Avenue
Oakland, CA 94612
- ✓ CELOTEX
BERRY & BERRY
1221 Broadway, #1880
Oakland, CA 94612
- () NORTHWEST COPPER WORKS
ELIZASSEN, POSTEL, et al
50 California St., #600
San Francisco, CA 94111
- ✓ OWENS-CORNING
POPELKA, ALLARD, et al
1 Almaden Blvd. 8th Flr.
San Jose, CA 95113
- () OWENS-ILLINOIS
MORGENSTEIN, LADD, et al
255 California St., 8th Flr.
San Francisco, CA 94104
- () PITTSBURGH CORNING
HASSARD, BONNINGTON, ROGERS
44 Montgomery St., #3500
San Francisco, CA 94104
- ✓ PLANT INSULATION (PLANT ASB)
LEACH & SCHNEIDER
2833 Laguna Street
San Francisco, CA 94123
- () PLANT ASBESTOS
MARTIN & RYAN LAW OFFICES
Ordway Bldg., #785
Oakland, CA 94612
- () CERTAIN-TEED
FREITAS, MCCARTHY, BETTINI, et al
960 - 5th Avenue
San Rafael, CA 94901
- () THE CLAREMONT CO., INC.
WILD & JEFFREY
10 Vinton Court at Grant Avenue
San Francisco, CA 94108
- () CROWN CORK & SEAL
FORD MOTOR COMPANY
MARK H. ROSENTHAL, ESQ.
3 Embarcadero Ctr.
San Francisco, CA 94111
- () EAGLE-PICHER
WININGHAM, ROBERTS & ROGIE
425 California St., #401
San Francisco, CA 94104
- () E.I. DUPONT, deNEMOURS & CO.
FILLSBURY, MADISON & SUTRO
225 Bush Street
San Francisco, CA 94111
- () FIBREBOARD
LAW OFFICES OF RONALD E. HOTHAM
369 Broadway
San Francisco, CA 94133
- () FLEXITALLIC GASKET CO., INC.
BLEDSOE, CATHCART, BOYD, et al
650 California St., Ste. 2828
San Francisco, CA 94108
- ✓ FLINTKOTE
LAFOLLETTE, JOHNSON
320 No. Vermont Ave.
Los Angeles, CA 90017
- () FORTY-EIGHTY INSULATIONS
DILLINGHAM & MURPHY
225 Bush Street
San Francisco, CA 94104
- () GAF - RUBEROID
MCCUTCHEN, DOYLE, etc.
#3 Embarcadero Center
San Francisco, CA 94111
- ✓ GARLOCK - COLT LTD.
GLASPY, ELLIOTT, CREECH
171 - 12th St., #100
Oakland, CA 94607
- () GENERAL DYNAMICS
PELAVIN, NORBERG, HARLOCK, et al
2 Embarcadero Center, 23rd Flr.
San Francisco, CA 94111
- () PPG INDUSTRIES
BISHOP & BARRY
220 Bush Street, #350
San Francisco, CA 94104
(*PPG*Non-Sac./Solano Cases)
- ✓ RAYBESTOS MANHATTAN
MALONEY, CHASE, FISHER
#4 Embarcadero, 25th Flr.
San Francisco, CA 94111
- () ROCK WOOL MFG. CO.
BERG & PHELPS
615 S. Flower St., #1900
Los Angeles, CA 90017
- () RYDER INDUSTRIES
JAMES ENGLISH
400 Montgomery Street
San Francisco, CA 94104
- () SACOMO-SIERRA, INC. &
SACOMA MFG. CO., INC.
BRONSON, BRONSON & MCKINNON
555 California St., Ste. 3400
San Francisco, CA 94104
- () SEPCO CORP.
RANDOLPH, SELMAN & LEVANAS
11620 Wilshire Blvd.
Los Angeles, CA 90025
- () GENERAL MOTORS
PARICHAN, RENBERG, et al
2350 W. Shaw, Ste. #130
Fresno, CA 93711
- () GEORGIA PACIFIC CORP.
MARRON, REID & SHEEY
One Nob Hill Circle
San Francisco, CA 94123
- ✓ H. K. PORTER - SO. TEXTILE
LAW OFFICES OF WILLIAM J. DUKE
433 California St., #330
San Francisco, CA 94104
- ✓ LEACH & SCHNEIDER, APC
2833 Laguna Street
San Francisco, CA 94111
- ✓ J. P. STEVENS
CARROLL, BURDICK, et al
1 Ecker Bldg., #400
San Francisco, CA 94105
- () KAISER ALUMINUM & CHEMICAL
KAISER STEEL CORP.
THELEN, MARRIN, JOHNSON, et al
2 Embarcadero Center
San Francisco, CA 94111
- ✓ KAISER CEMENT & GYPSUM
KINCAID, GIANUNGIO & CAUDLE
100 Webster Street, #300
Oakland, CA 94607
- ✓ KEENE CORP.
MULLALLY, CEDERBORG, et al
436 - 14th Street, #1405
Oakland, CA 94612
- () MUNDET CORK
CROWN/FORD MOTOR CO.
BARFIELD, BARFIELD, et al
One California St., #2125
San Francisco, CA 94111
- ✓ NATIONAL GYPSUM COMPANY
OWEN, MELBYE & ROHLFF
700 Jefferson Avenue
Redwood City, CA 94063
- () NICOLET
ST. CLAIR, ZAPPETTINI
235 Montgomery St., #635
San Francisco, CA 94104
- () NORTH AMERICAN ASBESTOS
ERICKSON, MACKENROTH
100 Oak Street
Oakland, CA 94607
- () SOUTHERN TEXTILE
LAW OFFICES OF WM. J. DUKE
433 California St., #330
San Francisco, CA 94104
- () STANDARD ASBESTOS
LAFOLLETTE, JOHNSON
320 No. Vermont Avenue
Los Angeles, CA 90004
- () STATES STEAMSHIP CO.
LOW, BALL & LYNCH
601 California St.
San Francisco, CA 94108
- ✓ THORPE INSULATION
JAMES CUSICK
4201 Wilshire Boulevard
Los Angeles, CA 90010
- () TURNER & NEWALL
MONGER, TOOLES & RICKERSHAUSER
612 So. Flower Street
Los Angeles, CA 90017
- ✓ U. S. GYPSUM
JOHN J. MURRAY, ESQ.
702 Marshall St., #250
Redwood City, CA 94063
- ✓ HERRON & HERRON
600 Montgomery
St., 33rd Fl.
San Francisco, CA 94111
- ✓ WESTERN MACARTHUR
HARDIN, COOK, LOFER
#1 Kaiser Plaza, #17
Oakland, CA 94612
- ✓ Keith Stakes
Keith Stakes

1 (c) if in writing, either attach a copy of the
2 rules or identify the written rules by date, title, identification
3 number, present location and the name and address of the custodian
4 thereof; and

5 (d) state whether any such material was provided
6 to any agency or department of the United States Government or any
7 other defendant and, if so, when and to whom.

8 ANSWER: Although respirators were always available to
9 plant employees during all of the time this Defendant manu-
10 factured asbestos-containing products, i.e., from mid-1963
11 through 1972, it was only from 1969 through 1972 that this
12 Defendant required its employees working with asbestos to wear
13 such respirators. It is our understanding that these rules were
14 oral and were enforced.

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18 123. Since 1940, state the names and addresses of any
19 organizations to which you have belonged having anything to do with:

20 (a) the setting of any standards regarding asbestos-
21 containing products;

22 (b) promulgating regulations regarding asbestos-
23 containing products;

24 (c) disseminating information regarding asbestos-
25 containing products;

26 (d) engaging in lobbying activities regarding

1 asbestos-containing products;

2 (e) doing any research regarding asbestos-
3 containing products; and

4 (f) conducting engineering studies, in any way,
5 regarding asbestos-containing products.

6 ANSWER:

7 None.
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16 124. Do you maintain a library dealing with industrial
17 hygiene, medicine, safety or engineering? If so, please state:

18 (a) the date you established the library;

19 (b) the location of the library;

20 (c) the name or names of the librarian(s) since
21 1940; and

22 (d) all journals subscribed to by you concerning
23 asbestos-related industrial hygiene, medicine, safety and/or
24 engineering since 1940.

25 ANSWER:

26 This Defendant does not maintain a library dealing
specifically with industrial hygiene, safety and engineering;
however, this Defendant has for a number of years maintained a

1 corporate library which may contain material dealing with these
2 subjects. The library is located in Windsor, Connecticut.
3 The names of the librarians are Marie Richardson and William
4 Simon. A number of publications involving occupational health
5 generally have been received over the years. Specific articles
6 containing information with respect to asbestos products would
7 be difficult to ascertain, however, some of the articles received
8 would include:

6 Occupational Health, May R. Mayers, M.D., The William & Wilkins
7 Company, Baltimore, MD, 1969, pp. 48-50, 58, 294-296; Industrial
8 Environmental Health, Lester V. Cralley, George D. Clayton and
9 John A. Jurgiel, Academic Press New York and London, 1972, pp.
10 4-9, 94, 292, 313, 344; Accident Prevention Manual for Indus-
11 trial Operations, National Safety Council, Chicago, Illinois,
12 1974, pp. 1030, 1045, 1128; Fundamentals of Industrial Hygiene,
13 Julian R. Oleshifski and Frank E. McElray, National Safety
14 Council, Chicago, Illinois, 1971, pp. 112, 751-861; Occupational
15 Cancer, U. S. Department of Labor, July, 1975, Vol. 3, No. 7;
16 Asbestos: Airborne Danger, U. S. Department of Labor, 1972
17 RLV's AGGIH, including 1976; Job Safety and Health, U. S.
18 Department of Labor, pp. 13-14, March, 1976; OSHA Federal
19 Register, Title 29 Labor, Part 1910, Subpart G-Occupational
20 Health & Environmental Control, 1910.93a - Asbestos; Industrial
21 Hygiene Progress Reports, Environmental Sciences Laboratory,
22 Mt. Sinai School of Medicine, New York; Occupational Safety and
23 Health Reporter, BNA, Washington, D.C.

1 125. Have you, at any time since 1940, maintained any
2 office or department dealing with medical research? If so, please
3 state:

- 4 (a) the name of such department;
5 (b) the location of such department;
6 (c) the name, address and title of each person who
7 has been in charge of the department.

8 ANSWER:

9 No.

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17 126. When was the first time you hired a "medical
18 director?" Please state:

- 19 (a) the reason for hiring such a medical director;
20 (b) the location where the medical director was
21 assigned;
22 (c) the duties of the medical director;
23 (d) the names and addresses of the persons hiring
24 such medical director; and
25 (e) the name and address of the medical director.

26 ANSWER: During the time that this Defendant manufactured
asbestos-containing insulation products, it employed no physicians