

FILE NAME: Goodyear (GY)

DATE: 1994

DOC#: GY083

DOCUMENT DESCRIPTION: Legal - Amended Response of Defendant, Goodyear, to Plaintiffs' Mastery Discovery Requests

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

WILLIAM F. CLARK, et al.,	)	CASE NO. ACV 94 04 1107
	)	
Plaintiffs,	)	JUDGE WILLIAM H. VICTOR
	)	
v.	)	
	)	
OWENS-CORNING FIBERGLAS	)	
CORP., et al.,	)	
	)	
Defendants.	)	

AMENDED

RESPONSE OF DEFENDANT

THE GOODYEAR TIRE & RUBBER COMPANY

TO PLAINTIFFS' MASTER DISCOVERY REQUESTS TO DEFENDANT

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TIRE & RUBBER COMPANY

INTERROGATORIES

1. Identify the person signing these interrogatories on behalf of the answering Defendant.

RESPONSE: James Boyazis, Vice President and Secretary of the Goodyear Tire & Rubber Company, Akron, Ohio.

2. At any time since 1933, were there placed on any of your asbestos-containing products or your talc or soapstone products or on their packaging manufactured or distributed by you any warning, caution, caveat or other statement with respect to any hazard, risk or danger associated with the inhalation of asbestos fibers of such products or with the dust of talc or soapstone products, and if so, please state:

a. When did the warning first appear?

b. What was the exact wording of the warning when it first appeared?

c. Was the warning altered, amended or changed in any manner after it appeared, and if so how and when?

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

e. Please identify each such document or writing consisting of or describing such warning, attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

3. Identify any writings or documents that consist of, describe, or relate to any and all labeling or relabeling

agreements in existences at any time since 1930 between answering Defendants and other persons, including other Defendants, and please attach a copy of such document or writing to the answer to these interrogatories.

RESPONSE: Objection. The interrogatory is not relevant to any issue in this proceeding involving this Defendant and this information has already been produced during prior discovery in this litigation.

4. Have you, at any time since 1900, published and/or distributed any brochures, sales literature, pamphlets, or other written materials (aside from any caution labels on containers) of any kind or character that contain any warnings, cautions, caveats or directions concerning the possibility of injury resulting from inhalation of asbestos fibers, or from talc or soapstone. If your answer is yes, identify each such writing or document,

- a. including the product it related to,
- b. time of publication and method of
distribution,
- c. quantity of written material distributed,
- d. the persons to whom distribution was made,
- e. all other information necessary to identify
the item.
- f. attach a copy of such document or writing to
the answers to these interrogatories.

RESPONSE: Yes.

- a. Asbestos.

- b. In July, 1972, Goodyear's Corporate Medical Director, C.A. Johnson, M.D., sent a letter to all company plants as well as those of subsidiaries implementing NIOSH regulations on asbestos and setting forth procedures for medical surveillance of personnel, monitoring for friable asbestos, use of respirators and calling for engineering control in those plants using asbestos fibers in production. In December 1976, Goodyear's Manager of Corporate Safety, R.G. Cummings, retired, and Corporate Environmental Manager, E.J. Burkett, retired, sent a letter to all plants directing that the use of asbestos insulation cease and setting forth specific procedures for removal of asbestos insulation. A number of subsequent instructions have been sent to all plants on asbestos insulation removal by J.L. Holtshouser, Corporate Manager of Industrial Hygiene. This information was sent to all Plant Managers, Engineers, Safety Managers, Health & Safety Personnel and all medical, industrial hygiene and environmental departments.
- c. Such instructions were sent in sufficient quantity to notify all plants of Goodyear and its subsidiaries.
- d. The information was sent to all plant managers, engineers, safety managers, health and safety personnel, to include medical, industrial hygiene, and environmental departments.
- e. See 4.b. above.
- f. These documents have been produced in prior discovery in this litigation.

5. Please state whether or not any governmental agency has ever issued any warnings whatsoever to you pertaining to the likelihood of injury to persons by inhalation of asbestos dust or fibers, or the inhalation of talc or soapstone and if so

identify all such writings, documents or warnings and attach a copy of such document, writing or warnings to the answers to these interrogatories.

RESPONSE: No, not concerning any plant or facility operated by Goodyear in the Akron, Ohio area.

6. State whether or not you have ever published any warnings whatsoever to your employees at your manufacturing or distribution facilities concerning the hazards of inhaling dust or fibers from talc, soapstone or asbestos and if so, please identify each document and state:

a. The date that each of said bulletins or warnings were distributed to your employee;

b. The name, business address, and title of the author of each of said bulletins or warnings;

c. Your business facilities where facilities where each of said bulletins or warnings were posted and/or distributed;

d. Please attach a copy of each of said bulletins or warnings to the answers to these interrogatories.

RESPONSE: Yes, see answer to Interrogatory No. 4.

7. Did you ever, at any time, give instructions, relating to possible inhalation of asbestos fibers, to workers who may come in contact with such materials through products manufactured or distributed by you or give them any recommended method of working with such asbestos containing products and if so, for each such instruction or warning, please answer the following:

- a. Were they written or oral?
- b. If oral, who gave such recommended methods?
- c. If oral, describe the instruction given.
- d. If oral, to whom were they given.
- e. If oral, the dates they were given.
- f. If oral, the products to which they applied.
- g. If written, please identify each such

document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

8. Have you received any information from any branch, agency or department of the United States government under the Freedom of Information Act (5 U.S.C. Sec. 552 et seq.) or otherwise pertaining to:

- a. Government specifications or standards for the manufacture, production, or use of talc, soapstone, asbestos or asbestos-containing products, and if so identify each such

document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

b. Reports or studies regarding hazards to human health by inhalation or ingestion of talc, soapstone or asbestos dust or fibers, including the connection between such exposure and pulmonary diseases, including asbestosis and lung cancer, and if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

c. Threshold limit values established by the United States Public Health Service or other federal governmental agency or department for airborne asbestos dust or fibers, and if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

d. Correspondence or other writings prepared by any federal governmental agency or department concerning the likelihood of injury to or disease in persons exposed to asbestos and/or asbestos-containing products manufactured or distributed by you or by others, and if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

e. United States Bureau of Mines standards for respirators for pneumoconiosis-producing dusts, and if so identify each such document or writing, and please attach a copy

of such document or writing to the answers to these interrogatories;

f. The use of talc, soapstone, asbestos or asbestos-containing products by persons applying or using the asbestos or asbestos-containing product or products, if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

g. Working in a manufacturing building containing talc, soapstone, asbestos or asbestos-containing products, if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

h. Continued occupancy of a building containing talc, soapstone, asbestos or asbestos-containing products, and if so identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories;

RESPONSE: Goodyear states that it reviewed all regulations relative to asbestos published by OSHA and the EPA in the federal register when and as they appeared and subsequently discarded them as they were superceded and replaced by later regulations. These regulations are a matter of public record as readily available to Plaintiffs as to Goodyear.

9. Have any findings been made by any governmental agency, body, commission or health organization, including but not limited to the U.S. Public Health Service, OSHA, or NIOSH, concerning specific hazards associated with the use and handling of talc, soapstone, asbestos or asbestos products in plants or on job sites owned or controlled by you; or have any restrictions in use of asbestos been imposed on you by any of the above organizations? By "restrictions" we mean requirements for medical surveillance and examinations for your workers, dust monitoring, or availability of safety equipment, aimed at determination of the degree of exposure to asbestos or asbestos products, and at the prevention or limitation of inhalation or consumption of asbestos fibers or dust in connection with use of asbestos. If such finding were made, or restrictions imposed identify:

a. The date or dates of such findings and by which organization or entity such findings were made;

b. The form in which such finding were made and, if written, the exact wording of same or location in regulation, order, bulletin, report or other writing;

c. What steps were taken to comply with such finding and the dates when such acts of compliance occurred;

d. Identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories..

RESPONSE: No, not concerning any plant or facility operated by Goodyear in the Akron, Ohio area.

10. Identify all agreements, meetings, or other communications, oral or written, between you, any of the other Defendants in this lawsuit, and/or any other organizations, associations or other entities identified in relating to the standardization of:

- a. Specifications for asbestos cloth products;
- b. Specifications for any asbestos-containing product;
- c. Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos, asbestos products, talc or soapstone.
- d. Warning or caution labels to be applied to asbestos products and/or their packing, cartons, containers or boxes;
- e. Methods of dissemination of public relations information to Defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- f. Methods of handling claims of employees or others who have contracted lung diseases from talc, soapstone, asbestos or asbestos-containing products;
- g. Safety equipment and/or protective clothing to be utilized while handling talc, soapstone, asbestos or asbestos products;

h. Medical programs to be offered or sponsored by Defendant;

i. Identify each such document or writing relating to the answer to this Interrogatory, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: None.

11. Did you ever sell or distribute asbestos, asbestos products, talc or soapstone?

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant and this information has already been produced during prior discovery in this litigation.

12. Do you have knowledge of a report of some of the studies of Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers", published by A.J. Lanza, assistant medical director, and J. William Fanel, chemist, Metropolitan Life Insurance Company, and published in the Public Health Report, Vol. 50, No. 1, dated January 4, 1935, and if so please:

a. State the date you first became aware of the report;

b. Identify each person employed, associated, or affiliated with you who has knowledge of the details of the report or your response to it, or who have had management

responsibility for keeping you advised of such information or formulating a response to it.

c. Identify each document or writing pertaining to the report and your response to it, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear has no knowledge of this report, other than fact that it is frequently mentioned in interrogatories propounded in asbestos litigation.

13. Have you ever, at any time from 1970 to present, sent any representative to any meeting of the Asbestos Information Association of North America, the Asbestos International Association or the Asbestos Textile Institute, or of any committee or subcommittee thereof, if yes, please:

a. Identify each person who attended each such meeting on your behalf;

b. State the date or dates of each meeting attended by each such individual and the place where each such meeting was held;

c. Identify each such document or writing relating to any such meeting or person, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No.

14. Have you, at any time from 1970 to the present, received copies of minutes of committee meetings, general meetings, or other meetings, or summaries of such proceedings, or copies of any reports, memoranda, correspondence, or other writings prepared by the Asbestos Information Association of North America, the Asbestos International Association or the Asbestos Textile Institute or any committee or subcommittee or group thereof, if yes, as to each such writing received, please:

- a. Identify the writing or document;
- b. Identify each person known to you as presently having custody of the original or a copy thereof;
- c. Please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No.

15. Have you ever been a member of the Industrial Hygiene Foundation of the Industrial Health Foundation, and if so, please state the years inclusively of such membership and:

- a. Identify all documents or writings relating to such persons or meetings and attach copies of such documents or writings.

RESPONSE: Goodyear was a member from 1964 until mid-1974. There are no documents or writing relating to this membership, other than an index card identifying C.A. Johnson, Medical Director, as Goodyear's representative in the IHF and the time period of membership.

16. State whether you have received a copy or copies of the Industrial Hygiene Digest publish monthly by the IHF and state the date of initial receipt of such publication.

RESPONSE: Unknown.

17. Please state whether you at any time have been a member of any trade organization or trade association composed of other manufacturers, miners and/or sellers of talc, soapstone, asbestos or asbestos products, and if so, please state:

a. the name and address of each such association or organization;

b. the dates of your membership;

c. The names of any publications issued or written by such association or organization;

d. whether any such organization or association has had meetings or discussions about potential hazards of talc, soapstone, asbestos or asbestos-containing products and the places and dates thereof;

e. whether you have had correspondence or private meetings with any one or more members of any such organization or association about potential hazards of talc, soapstone, asbestos or asbestos-containing products and the places and dates thereof;

f. the names of each technical or trade association periodical which you have subscribed to or received;

g. whether you have knowledge of any articles printed or withheld from being printed, pertaining to the hazardous potential of talc, soapstone, asbestos or asbestos-containing products, stating the title of each such article, the periodical involved, date of the writing, and a detailed explanation of the reason the articles was withheld from publication;

h. Identify each document or writing pertaining to your answer to this Interrogatory, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No.

18.) Did you ever sell and/or distribute asbestos, asbestos containing products, talc or soapstone to Plaintiffs' employers or any other Defendant in this litigation, or do you have reason to believe that your asbestos, asbestos containing products, talc or soapstone wound up at any of Plaintiffs' Employers facilities or at any other Defendant's facilities.

If so, please state:

- a. the Plaintiffs' employers or Defendants you sold or distributed to;
- b. the products and quantities you sold or supplied;
- c. the Plaintiffs' employers or Defendants you have reason to believe wound up with your products (if different than subsection a.);
- d. the distributors, brokers, middlemen or wholesalers who distributed your products to Plaintiffs employers or other Defendants;
- e. the names of your salesman who made the above-mentioned sales;
- f. whether there is any documentation thereof, and if so please produce a copy.

Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

RESPONSE:

19. Please identify each person who was or is a physician employed, retained or otherwise engaged by you at any of your facilities manufacturing or distributing anything containing asbestos at any time from the years 1930 to present time and state the duties and responsibilities of the position, to whom in the corporate structure the physician reports, and provide the date for each physician's employment.

RESPONSE: Goodyear states that it did employ the following corporate medical directors:

D. Miller, M.D.	1912 succeeded by:
H. Conn, M.D.	succeeded by:
P.A. Davis, M.D.	1938-1941
L.C. Hatch, M.D.	1941-1964
C.A. Johnson, M.D.	1964-1989
J. Wellman, M.D.	1989-present

Medical directors were responsible for the health of employees in the work place and duties generally related to physical examinations and advising management on health matters. Medical directors reported to the Vice President for Industrial Relations, subsequently designated Vice President for Human Resources.

20. Did any of your physicians identified in response to the above Interrogatory, or other corporate personnel ever make, at any time, recommendations or suggestions to you pertaining to the risks of hazards to persons using, handling or being exposed to your asbestos products, and if so, state:

a. When such recommendations or suggestions were made;

b. To whom and by whom were such recommendations or suggestions made;

c. Whether such recommendations included:

- i. Implementation of dust monitoring programs;
- ii. Structural modification of existing ventilation systems and/or installation of new ventilation equipment;
- iii. Provisions of separate locker facilities and/or protective equipment or clothing for your asbestos products;

d. Whether employment of any of your medical directors, physicians or other corporate personnel was involuntarily terminated for reasons other than retirement, disability or death, and if so, for what reason?

e. Identify each document or writing pertaining to each such recommendation or suggestion, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Yes, see answer to Interrogatory No. 4.

21. Please identify each person employed, retained or otherwise engaged by you at any of your facilities mining, milling, processing, manufacturing or distributing anything containing talc, soapstone or asbestos at any time from the years 1933 to the present time who has functioned or does function as

an industrial hygienist. As contemplated by these interrogatories, an industrial hygienist is one who performs engineering health studies to identify and evaluate potential occupational health hazards and/or suggests methods of dealing with them. For each such person identified, please state:

a. The facility of office to which they were assigned;

b. Their duties and responsibilities;

c. The date of each person's employment.

RESPONSE:

Goodyear employed the following Corporate Managers of Industrial Hygiene:

Arthur Kelson	Unknown to 1956
R. A. Manning	1956-1966
H. W. McInerney	1966-1972
R. W. Modrell	1972-1979
J. L. Holtshouser	1979 to present

These persons were assigned to the corporate hygiene department and their duties and responsibilities were primarily to assure the work place was not unhealthy and that corrective and protective measures were taken, if necessary.

22. For each physician or industrial hygienist identified in your answers to the preceding interrogatories, please state whether each such person made, at any time, any recommendations and/or suggestions to you pertaining to the risks or hazards to persons involved in the mining, milling,

processing, manufacture or distribution or use of talc, soapstone, asbestos or asbestos-containing products, and if so please state:

a. Where and when were such recommendations and/or suggestions made?

b. To whom were such recommendations and/or suggestions made?

c. By whom were such recommendations and/or suggestions made?

d. What were such recommendations and/or suggestions?

e. If there is a writing or document that describes or relates to each or any of such recommendations and/or suggestions, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: See response to Interrogatory No. 4.

23. Identify any medical examination programs offered or sponsored by answering Defendant or its insurance carrier(s) for employees handling or otherwise exposed to talc, soapstone, asbestos or asbestos products. With respect to each such program state:

a. The date(s) such programs were offered;

b. The manner and content of communications with employees about such program;

c. Whether examination was mandatory or optional;

d. What percentage of workers permitted to undergo such examinations participate;

e. What percentage of workers were found to have pneumoconiosis, asbestosis or mesothelioma, lung, throat, stomach, intestine and rectum cancer or other asbestos related disease.

f. With respect to (d), what percentage of such workers were paid directly or workmen's compensation benefits or otherwise had their asbestos-related expenses paid by you;

g. Identify each document or writing pertaining to your answers to this interrogatory, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear states that it implemented medical surveillance procedures in accordance with NIOSH standards in 1972. No Goodyear employee examined as part of the medical surveillance program was found to have an asbestos-related chest disease.

24. Has any employee of answering Defendant ever made a claim for pneumoconiosis, asbestosis, mesothelioma, cancer, asbestos related pulmonary disease or other related disease under

the Occupational Disease or Workmen's Compensation Statute of any state? If yes state:

- a. The date that you first received notice of any such claim;
- b. The total number of such claims per year received to date;
- c. The total number of such claims for which disability benefits and/or medical expenses were paid by you;
- d. Identify all persons to whom disability benefits and/or medical expenses were paid by you and the exact medical diagnosis, disease and/or condition for which such benefits/expenses were paid;
- e. The total amount of such claims for which disability benefits and/or medical expenses were paid by you.
- f. Identify all documents and/or writings and attach copies to these interrogatories;
- g. State the total number of employees and former employees who have suffered from lung cancer and mesothelioma.

RESPONSE: Goodyear objects to this Interrogatory on the basis that it is overbroad, unduly burdensome, seeks information not relevant to any issue in this litigation involving this defendant, and is not reasonably calculated to lead to the discovery of probative admissible evidence against this defendant. Without waiving said objection, Goodyear states that several hundred workers' compensation claims by employees of Goodyear in Akron were instigated in the 1980s and heard by the Industrial Commission. In all but half a dozen instances, such claims were denied. Goodyear's records indicate that the first such claim to be granted was filed on September 30, 1986.

25. Identify all of Defendant's compensation, disability and/or health insurance carriers or adjusters from 1900 to the present, and with respect to each, state:

a. Date of coverage;

b. Whether Defendant's insurance rates were ever increased due to health hazards associated with Defendant's employees thereto;

c. Whether Defendant's insurance rates were ever increased as a result of claims submitted for asbestos-related or talc-related diseases and/or disability;

d. Identify each document or writing which consists of or relates to a report, finding, study, recommendation, communication or other document issued by such carriers or adjusters to Defendants relating to Defendant's asbestos products and hazards associated with exposure thereto, and please attach a copy of such documents or writing to the answers to these interrogatories;

e. Identify each document or writing pertaining to your answers to this interrogatory, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Prior to 1962, the Prudential Ins. Co. of America is known to have provided such coverage to Goodyear. Since then, Goodyear has been self-insured in providing such coverage to its employees. It is unknown what company, if any, provided such coverage before Prudential.

a. See above.

b. Not to the knowledge and belief of those in Goodyear.

c. No.

d. None.

e. None.

26. Have you ever sponsored or caused to have been held, at any time since 1933, for your employees or distributors, any meetings, seminars, conferences, or conventions where the subject of inhalation or ingestion of asbestos, talc or soapstone was a topic of discussion, and if so, please state:

a. The date and place of each such meeting, seminar, conference or convention where said subject was discussed.

b. The identity of persons speaking about or discussing the subject or subjects.

c. The nature of the persons attending (i.e., employees, management, distributors, etc.)

d. If there is a writing or document that describes or relates to each or any of such meetings or subjects, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear states that it has no such meetings with any distributors. As explained in its response to Interrogatory No. 4, Goodyear did provide warnings to its employees concerning asbestos, beginning in 1972. Such documents have already been produced during prior discovery in this litigation. Goodyear has no records of any meetings regarding these warnings.

27. Please state the date when you first notified customers using or applying your talc, soapstone or asbestos-containing products as to the need to wear and use respirators to prevent the inhalation or ingestion of talc, soapstone or asbestos dust or fibers.

RESPONSE: Not applicable.

28. Have you ever notified Plaintiff's employers, or their employees of the need to wear and use respirators to prevent the inhalation or ingestion of talc, soapstone or asbestos dust or fibers, and if so, for each such company informed, please state:

- a. The name and address of the plant.
- b. Was said company informed or warned orally or in writing?
- c. The date of said information or warning, and the location to which said information or warning was delivered.
- d. The content and nature of said information or warning, and the location to which said information or warning was delivered.
- e. Identify each person you warned or informed.
- f. If there is a writing or document that describes or relates to each or any of such companies or plants or information or warning, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Not applicable.

29. State whether any of your directors, officers, agents, servants, or employees have ever testified before any legislative or other governmental body or committee (including OSHA and NIOSH) regarding the health effects, or safe levels of exposure to, talc, soapstone or asbestos and if so, please identify each such person and as to each such hearing, please state:

a. When and where such testimony was given.

b. A summary of said testimony.

c. If there is a writing or document that describes or relates to each or any such hearing or a transcript or recording of each or any such hearing, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No.

30. Have you conducted any studies, surveys, or tests, either before or after placing your product(s) on the market, concerning the effects of, or potential health hazards of exposure to talc, soapstone or asbestos dust or fibers by one using or being exposed to any of your products. If so, please state:

a. The date and location of each and any such study, survey, or test.

b. The results of each and any such study, survey, or test.

c. The identity of the persons conducting each and any such study, survey, or test, including those persons names, addresses and job classifications.

d. The identity of the persons to whom the results of each and any such study, survey, or test were reported, including those persons names, addresses and job classifications.

e. What action, if any, was taken based upon such each or any such study, survey, or test.

f. If there is a writing or document that describes or relates to each or any such study, survey or test, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

31. If any design changes in your talc, soapstone or asbestos products were made as a result of the tests discussed in the preceding response please state as follows: .

a. The name and type of each product which was so modified;

b. The nature of the change made;

c. The date such change was made;

d. Who performed such studies;

e. The name, address and job classification of any person having knowledge of such change;

f. Identify each document or writing concerning such changes, and please attach a copy of such document or writing to these interrogatories.

RESPONSE: Not applicable.

32. Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning the relationship between talc, soapstone or asbestos exposure and pneumoconiosis, asbestosis and/or cancer? If so, identify:

a. When, were and at what intervals such studies were performed;

b. Were such studies in writing or reported at a later date in writing;

c. Were the results of such studies published or otherwise disseminated; if so, state to whom and when;

d. Identify all documents or writings relating to such studies, and please attach a copy of such documents or writings to the interrogatories.

RESPONSE: Yes. A report prepared for the Joint URW-Goodyear Occupational Health Committee by the Occupational Health Studies Group, University of North Carolina, Chapel Hill, North Carolina dated 12/77. The study is produced herewith.

33. Have you or any of your employees ever conducted any studies, surveys, inspections, or tests to determine ways to minimize or eliminate the inhalation of talc, soapstone or asbestos dust or fibers by one using or being exposed to any of

the materials mined, milled, produced, processed, compounded, converted, supplied, manufactured or distributed by you, and if so, please state:

a. The date and places that you first started making such inspections, studies or tests.

b. What action, if any, was taken by you as a result of such inspections, studies or tests.

RESPONSE: Yes, in 1972 when the OSHA regulations relating to use of asbestos fiber in production issued as discussed in response to Interrogatory No. 4.

34. Were you, at any time, aware of any mask, respirator, or other breathing device on the market that was intended to prevent the inhalation of talc, soapstone or asbestos dust and fibers, and if so, give; (a) the name and description (including name of manufacturer and model number) of such mask, respirator, or other breathing device and (b) the date you first became aware of such device.

RESPONSE: Goodyear states that it was aware of such devices. Further information concerning such devices is a matter of public record and is as readily available to Plaintiffs as to Goodyear.

35. State whether such products identified in the preceding Interrogatory were ever recommended to purchasers of your asbestos-containing products for use by their employees or

others engaged in handling, or using said products, and attach copies of documents relating to this interrogatory.

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

36. Have you ever been requested by any customer to devise a high temperature heat insulation product which was asbestos-free, as opposed to one which contains asbestos?

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant.

37. Have you ever been advised of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienists, and if so, please state:

a. The year that you were first advised or made aware of such threshold limit values.

b. A detailed description of the advice given.

c. The identity of persons who received the advice or were responsible for receiving or processing such advice.

d. If there is a writing or document that describes or relates to each or any such advice or your response to it, identify each such document or writing, and please attach a copy of such document or writing to these interrogatories.

RESPONSE: Goodyear cannot determine precisely when it first became aware of the ACGIH recommended threshold limit values. Goodyear received ACGIH booklets from 1972 to the present. It is unknown who within Goodyear received this publication other than industrial hygienists. The information in the ACGIH booklets is public information equally available to plaintiffs as to Goodyear. However, this interrogatory is not relevant to any issue in this proceeding involving this Defendant.

38. Have you been made aware of any changes in the threshold limit values for exposure to asbestos dust recommended by the American Conference of Government Industrial Hygienists in the last 20 years, and if so, please state:

a. When you were advised or made aware of such changes in threshold limit values.

b. The identity of persons who received the information or were responsible for receiving or processing such information.

c. If there is a writing or document that describes or relates to each or any such change or your response to it, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear was advised through the ACGIH booklets of changes in the TLVs as they occurred. It is unknown who within Goodyear received this publication other than industrial hygienists. The information in the ACGIH booklets is public information equally available to plaintiffs as to Goodyear.

39. Could the asbestos contained in your asbestos products become friable? Please describe and identify all tests and experiments conducted by you to determine whether or not asbestos fibers contained within your asbestos-containing products would become airborne upon those products being applied,

used, damaged or replaced in a workplace such as Plaintiffs' employers? If so, please state:

a. The date and place of each any such test or experiment;

b. The particular asbestos-containing products to which each test applied;

c. The results of each and any such test or experiment with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site;

d. The identity of the persons conducting each and any such test or experiment;

e. The identity of the persons to whom the results of each and any such test or experiment were reported;

f. What action, if any, was taken based upon each or any such test or experiment;

g. If there is a writing or document that describes or relates to each or any such test or experiment, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No, not if the products were used as intended. Goodyear did not conduct any such tests.

40. At any time prior to 1984, were any tests or studies conducted or sponsored by you to determine:

a. The level of dust or fiber concentration incident to:

i. Cutting or sawing asbestos-containing products;

ii. Installing or using an asbestos-containing product on or in (a) steam pipes, (b) boilers, or (c) manufacturing buildings where there are large amounts of activity or vibration;

iii. Tearing down or out your asbestos product during repair and maintenance functions or when replacing, rebuilding or destroying a manufacturing structure, or any of its component parts, including but not limited to boilers, steam pipes, and other high temperature machinery and equipment.

iv. Mixing asbestos-containing insulation cements.

v. Normal wear and tear, aging or use of your asbestos products in an industrial setting;

vi. Your asbestos products use in any of Plaintiffs' employees plant.

b. Whether long-term (20 years or more) exposure to products containing 15% asbestos or less for work periods less than eight (8) hours a day, both indoors and outdoors, which result in the liberation of asbestos dust or fiber below five (5) million particles per cubic foot (mppcf), might cause asbestosis or expose such worker to asbestos. If your answer to any part of the above interrogatory is yes, for each part to which you answer yes, please state:

c. The date, place, and nature of each and any such test or experiment.

d. The results of each and any such test or experiment.

e. The identity of the persons conducting each and any such test or experiment.

f. The identity of the persons to whom the results of each and any such test or experiment were reported.

g. What action, if any, was taken based upon each such or any such test or experiment..

h. If there is a writing or document that describes or relates to each or any such test or experiment, identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: No.

41. Did you perform, direct to be performed, finance, sponsor or receive the results of any dust monitoring tests at job sites where asbestos or asbestos products were being applied and/or removed by insulators or factory employees. If so, state:

a. The date and location of the first such test;

b. When, where and at which intervals subsequent tests were performed;

c. Who performed such tests;

...

d. Where the results of such tests are maintained;

e. What steps were taken by you to improve results of such tests, and dates when such improvements were made.

RESPONSE: Yes, in accordance with OSHA regulations, Goodyear conducted such tests in the workplace when asbestos insulation was being removed commencing in 1972.

42. Please state whether or not you ever obtained any knowledge concerning the likelihood of asbestos inhalation being hazardous to health, and if so state when you first became aware of the hazardous potential of asbestos and state how you first obtained this knowledge and became aware of said hazards and from what source this information was obtained. If this knowledge was obtained in written form, identify all such writings of documents, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Yes, in 1972 when OSHA regulations concerning asbestos were published in the Federal Register.

43. Are you aware or possessed of knowledge concerning any causal connection or association between exposure to talc, soapstone, asbestos or asbestos products and:

a. Asbestosis, talcosis or pneumoconiosis?

- b. Lung cancer?
- c. Mesothelioma?
- d. Other cancers?

RESPONSE: Goodyear objects to this interrogatory on the basis that it is vague and ambiguous and calls for an expert opinion insofar as it relates to a causal connection. Without waiving this objection, Goodyear states that it now understands that there may be a causal connection between the inhalation of certain quantities of asbestos fibers and certain types of lung disease and that there are disputed positions concerning the relationship, if any, between the inhalation of certain types of asbestos fibers and certain forms of cancer.

44. If you affirmatively answered any sub-part of the preceding Interrogatory identify:

a. When and how Defendant first learned of such connection;

b. If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide identify of persons attending or documents obtained;

c. If knowledge was obtained from medical or scientific studies, or any other published work, identify same;

d. If otherwise obtained, identify manner of receipt of document or communication.

RESPONSE: Goodyear incorporates its objections and responses to Interrogatory Nos. 42 and 43.

45. Did you receive notice at any time that any person was claiming injury as a result of using any talc, soapstone or

asbestos-containing products mined, milled, processed, distributed, converted, manufactured, and/or sold by you? If so, please state:

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

RESPONSE: Goodyear objects to this interrogatory on the basis that it is overbroad, burdensome, seeks information not relevant to any issue in this litigation involving this defendant, and is not reasonably calculated to lead to the discovery of probative admissible evidence against this defendant. Without waiving this objection, Goodyear states upon information and belief that it received its first such claim in 1981. The first claim that can be documented occurred in 1985 in the case captioned, Charles A. Love., et al. v. Raymark Industries, et al., Case No. CA-1260, in the Court of Common Pleas for Westmoreland County, Pennsylvania.

46. Please state whether or not you, at any time since 1933, maintained a library of collection of medical or health related information pertaining to industrial hygiene, medicine, safety, and engineering including but not limited to collections concerning the effects of asbestos upon human health and its hazardous effects, and if so, identify:

- a. where said library or collection was or is located;
- b. who the person was and/os is who has maintained it;
- c. The dates such library existed;
- d. The number of volumes maintained therein;
- e. The number of employees, part-time or full-time, assigned to maintenance of said library, and to whom in the corporate structure those employees report(ed).
- f. Identify each article or publication contained within such library which discusses asbestos or asbestos related disease.

RESPONSE: Yes.

- a. Industrial Hygiene Department.
- b. Various.
- c. Journal of Occupational Medicine, 1947 to date.
- d. See response to c. above.
- e. None.
- f. Goodyear objects to responding further to this interrogatory on the grounds of the attorney work-product privilege.

47. Have you, at any time since 1933, maintained a research department, and if so, please identify the person or persons who headed the department, state the year that such research department was established, state whether or not such research department has operated continuously since being established, state in detail the duties and responsibilities of

such research department in the development and improvement of asbestos products, and state in detail the testing of such asbestos products for potential human health hazards.

RESPONSE: Goodyear objects to this interrogatory on the basis that it is overbroad, seeks information not relevant to any issue in this litigation involving this defendant, and is not reasonably calculated to lead to the discovery of probative admissible evidence against this defendant. Without waiving this objection, Goodyear states that it had a research department, but that this department had no duties or responsibilities in the development or improvement of asbestos products, nor in the testing of such products for potential human health hazards or otherwise.

48. Have you, at any time since 1933, maintained a medical department, and if so, please identify the person or persons who headed the department, state the year that such medical department was established, state whether or not such medical department has operated continuously since being established, state in detail the duties and responsibilities of such medical department in the development and improvement of asbestos products, and state in detail the testing of such asbestos products for potential human health hazards.

RESPONSE: See response to Interrogatory No. 19.

49. a. Identify all documents concerning any communication to anyone by you or your medical directors or management regarding health hazards associated with talc, soapstone or asbestos exposure;

b. Did you transmit any such communication to the Defendants in these cases? If so, identify all documents concerning such communication;

c. Identify any documents concerning communications by any to you, your medical directors, or management, concerning health hazards associated with asbestos exposure.

d. Please attach copies of any such documents identified in this question to these interrogatories.

RESPONSE: Goodyear's Medical Director issued the instructions to plants implementing NIOSH regulations in 1972 referred to in the response to Interrogatory No. 4. These instructions were not transmitted to any of the defendants in this litigation. Such documents have already been produced during prior discovery in this litigation.

50. Have you ever done any type of testing or research to determine whether there were alternative products to use in place of asbestos? If so state:

- a. the nature of the testing or research;
- b. the date of the testing or research;
- c. the conclusion drawn from the testing or research done;
- d. the alternative products that could have been substituted for asbestos;
- e. why you used asbestos instead of an alternative;
- f. how the test results were disseminated;
- g. if there is a writing or document that describes or relates to such testing or research, identify each such document or writing to the answers to these interrogatories.

RESPONSE: No.

51. Did each of your asbestos-containing products or materials generally reach, or were they packaged so as to reach, the consumer, insulators or any ultimate user in the State of Ohio without substantial change in the condition in which they were sold?

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant and this information has already been produced during prior discovery in this litigation. . .

52. Did you ever claim your asbestos containing product(s) to be either safe, effective and/or easy to handle? If so, identify all such documents supporting this claim, including but not limited to brochures or advertisements (radio, television or printed), and revisions thereof by publication(s) or date. Please attach a copy of each such document to the answers to these interrogatories and provide copies of your sales literature for your products containing asbestos for any of the years 1930 to 1970. ("Sales Literature", as used herein, means any writing intended to inform potential or actual customers for your asbestos or asbestos-containing products, of the characteristics, prices, uses, descriptions, purported benefits and advantages of such products and/or to encourage such customers to buy such products).

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant, but the answer is no.

53. Please state the following:

a. Names and addresses and job title or description of each person primarily responsible for your company for preparation, promulgation and writing of advertising or promotional materials regarding talc, soapstone, asbestos or asbestos-containing products for any time from 1925 to the present.

b. Names and addresses of all advertising agencies used by your company in advertising, marketing and promoting your talc, soapstone, asbestos and asbestos-containing products, the inclusive dates during which each agency was engaged by you, and the names and addresses of the individuals within each agency with whom you dealt with respect to such advertising, marketing, and promotion.

RESPONSE: Unknown, except for J.T. Manning, Advertising Manager, General Products of Goodyear.

54. Please state the following:

a. The date and contents of all written advertisements to the general public, to distributors and suppliers and to users, for each talc, soapstone or asbestos product manufactured or distributed by you at any time from 1900 to 1978.

b. Identify each such advertisement, and please attach a copy of such advertisements to the answers to these interrogatories.

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RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant and this information has already been produced during prior discovery in this litigation.

55. Please identify all booklets, manuals, journals, and all publications regarding the use and application of your asbestos-containing products, at any time beginning with the year 1925, directed from you to your customers and users of your types of asbestos-containing products and the dates said information was forwarded to such customers. Attach a copy of each such booklet, manual, journal, or publication to the answers of these interrogatories.

RESPONSE: Objection. This interrogatory is not relevant to any issue in this proceeding involving this Defendant and this information has already been produced during prior discovery in this litigation.

56. Did you ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, please give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company was engaged in the contracting

business. If so, please provide the full name, the last known address, and the job title of the supervisor and/or individual in your company primarily responsible for the "contract unit" and the respective years of his or her employment in such capacity.

RESPONSE: No.

57. On any occasion did you ever give warning, written or oral, to any of the contract unit employees as to potential health hazards related the inhalation and/or ingestion of asbestos dust or fibers? If such warning was written, identify each such document or writing, and please attach a copy of such document or writing to these interrogatories. If so, please state:

- a. the location and address of the job site where such warnings were provided;
- b. the inclusive dates of the jobs, the name and last known address of the foreman or superintendent in charge of the job;
- c. the name, last known address, and job title of each employee of said "contract unit."

RESPONSE: Not applicable.

58. State whether the following information was ever disseminated to your "contract unit" employees and as to each item state the manner in which it was disseminated, by whom it was disseminated, when it was disseminated and if disseminated in

writing, please identify each such writing or document, and attach a copy of each such writings or document to the answers to these interrogatories.

a. That band saw cutting of materials containing asbestos should not be attempted without exhaust ventilation and use of respirators by contract unit employees.

b. That materials containing asbestos should not be wrapped or pounded or cut without general exhaust ventilation or air changes or the wearing of respirators.

c. That old material containing asbestos should not be removed or torn down without the wearing of respirators.

RESPONSE: Not applicable.

59. Was a manual of safe practices for the handling and installation of products containing asbestos ever disseminated to your "contract unit" employee? If so, please state when it was first disseminated, identify each such manual or document, and attach a copy of such manual or document to the answers to these interrogatories.

RESPONSE: Not applicable.

60. Please state the first date that respirators were provided for your "contract unit" employees, the job site, the name of the foreman or supervisor on the job, his last known address and job title, and the specific type respirator provided.

RESPONSE: Not applicable.

61. Please state whether or not any airborne asbestos dust concentration studies were run in the field where "contract unit" employees worked. If so, please state:

- a. The date such first test was run;
- b. The place such first test or study was made;
- c. The results of said test or study;
- d. The name, last known address and title of person or persons conducting such test or study;
- e. Identify any documents or writings relating to such studies, and please attach a copy of these interrogatories.

RESPONSE: Not applicable.

62. For each lawsuit filed in federal or state court wherein the plaintiff claims to have suffered a talc, soapstone or asbestos-related disease and named you as a defendant party, please state:

- a. Case name, number and County of filing;
- b. Date of filing;
- c. The identity of persons who testified on your behalf;
- d. Disposition of the case.
- e. All witnesses deposed and the date and court reporter.

RESPONSE: Goodyear objects to this interrogatory on the basis that it is overbroad, unduly burdensome, oppressive, seeks information not relevant to any issue in this litigation involving this defendant, and is not reasonably calculated to lead to the

discovery of probative admissible evidence against this defendant.

63. For each of your present or past employees, including but not limited to officers, directors, medical directors, research and development personnel, physicians, industrial hygienists, advertising personnel and expert witnesses employed on your behalf, who have been deposed or testified in a lawsuit filed in federal or state court wherein the plaintiff claims to have suffered a talc, soapstone or asbestos-related disease, please state:

- a. The individual's full name;
- b. Job title;
- c. Case name, number and county of filing;
- d. Date of deposition and/or trial testimony;
- e. Present custodian of a copy of the deposition and/or trial testimony and name of the official Court Reporter;
- f. Attach a copy of each such deposition and/or trial testimony to the answers to these interrogatories.

RESPONSE: William E. Barr, an attorney within Goodyear, was deposed in a case captioned, In re: Asbestos Litigation, No. 89-9000, Bucks County, Pennsylvania, on September 27, 1991. Linda A. Snowball, Manager of the Secretary's Office, Goodyear, was deposed in a case captioned, Billingslea v. Abex, et al., Case No. 609115-4, Alameda County, California, on April 21, 1993. No transcript of the testimony of either is available. Dr. C. A. Johnson was also deposed on one occasion. No transcript nor further information concerning the date of the deposition or the case in which he was deposed is available. Goodyear is unable to identify any other employee or prior employee who was deposed or provided trial testimony in asbestos litigation.

64. Identify all documents which exist, either in the files of answering Defendant of which have been produced in other proceedings or "asbestos litigation", in which Defendant has been involved, that represent communications between any of the Defendants to this suit, other manufacturers, suppliers or distributors of asbestos products, the United States government, trade organizations, including but not limited to A.T.I., I.H.F., N.I.M.A., A.I.A., N.I.C.A., T.I.M.A., Q.A.M.A., Q.A.P.A., or P.I.C.A., or scientific or medical foundations, such as Saranac Lake Laboratory or Mount Sinai School of Medicine:

a. Discussing the possible relationship between asbestos exposure and asbestosis, lung cancer, mesothelioma and/or other disease;

b. Medical or scientific studies concerning the relationship between asbestos exposure and asbestosis, lung cancer, mesothelioma and/or other diseases;

c. Discussing the publication or non-publication of any medical or scientific finding concerning such relationship;

d. Identify each such document or writing, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: None.

65. Do you contend that the talc, soapstone and asbestos products mined, milled, manufactured, produced, processed, compounded, converted, sold, supplied, distributed and/or otherwise placed in the stream of commerce by the defendant are not "hazardous substances", as defined in 15 U.S.C. Sec. 1261(5)? If so, state the facts, opinions or conclusions upon which you rely to support such contention, identify each such document or writing which is applicable, and please attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear objects to this interrogatory on the basis that it seeks a legal opinion, irrelevant information, and information protected by the attorney work-product privilege.

66. Do you contend that the Plaintiffs' injuries are not casually related to asbestos exposure? If so, identify:

a. All documents that you contend support this assertion and attach a copy of each such document or writing to the answers to these interrogatories;

b. All witnesses having knowledge of facts relevant to this contention; and

c. State all facts that you contend support this assertion.

RESPONSE: Goodyear objects to this interrogatory on the basis that it is premature, seeks information beyond that permitted by the Ohio Rules of Civil Procedure, and seeks information protected by the attorney work-product privilege. Without waiving its objections, Goodyear states that it is continuing its preparation with respect to these cases.

67. Do you contend that Plaintiffs' injuries are not casually related to talc and soapstone exposure? If so, identify:

a. All documents that you contend support this assertion and attach a copy of each such document or writing to the answers to these interrogatories;

b. All witnesses having knowledge of facts relevant to this contention; and

c. State all facts that you contend support this assertion.

RESPONSE: See response to Interrogatory No. 66.

68. Do you contend that Plaintiffs improperly used your products? If so, please set out in detail in which respect said products were improperly used, identify any documents or writings which support this contention, and attach a copy of each such document or writing to the answers to these interrogatories.

RESPONSE: See response to Interrogatory No. 66.

69. Do you intend to contend that asbestos products can be manufactured so as to eliminate all potential health hazards to workers installing same? If so, please explain and supply any facts, witnesses or documents which support this contention. Please identify each document or writing which support this contention, and attach a copy of each such document or writing to the answers to these interrogatories.

RESPONSE: See response to Interrogatory No. 66.

70. Do you contend that Plaintiffs' claim are barred by laches or the Statute of Limitations? If so:

a. State all facts that you contend support this defense; and

b. Identify all documents and witnesses that you contend support this defense, and please attach a copy of each such document or writing to the answers to these interrogatories.

RESPONSE: See response to Interrogatory No. 66.

71. Do you contend that any individual Plaintiff received warnings of the dangers of asbestos-containing products? If so, identify all witnesses and documents that support this contention, and please attach a copy of each such document or writing to the answers to these interrogatories.

RESPONSE: See response to Interrogatory No. 66.

72. Have you undertaken to investigate the occurrences alleged in plaintiffs' complaints? If so, please state:

a. The name, address, and job title of the persons participating in each such investigation;

b. List each written record pertaining to such investigation and its location and custodian;

c. If any statements have been obtained from any witnesses list each who has given a statement and the name, address, and job title of each person having custody of any such statement;

d. Identify each such statement or document, and please attach a copy of such statement or document to the answers to these interrogatories.

RESPONSE: Goodyear objects to this interrogatory on the basis that it seeks information subject to the attorney-client and/or attorney work-product privilege.

73. Identify any co-worker of any plaintiff or any other fact witness whom you have interviewed or intend to call as a witness in this litigation.

RESPONSE: Goodyear objects to this interrogatory on the basis that it seeks information subject to the attorney-client and the attorney work-product privilege. Furthermore, this interrogatory is premature. Goodyear will disclose the individuals, if any, it intends to call as witnesses at trial at the appropriate time.

74. . Please identify each document you will offer in evidence and any other documents that any expert witness may rely

on or testify about at the trial of this case to support the defenses contained in your answer, and attach a copy of such document or writing to the answers to these interrogatories.

RESPONSE: Goodyear objects to this Interrogatory on the basis that it seeks information subject to the attorney-client privilege and the attorney work-product privilege. Further, this Interrogatory is premature. Goodyear will disclose the Exhibits, if any, it intends to use at trial at the appropriate time.

75. With respect to any policies of insurance (including, but not limited to, corporate liability policies, contracts of insurance or contracts of indemnity) held you which cover or which might cover claims of the type made by plaintiff herein, please state as to each such policy the name of the insurance carrier, the persons or entities covered, the dates of coverage, the policy number, and the amounts of and conditions of coverage, and identify each such writing or document, and please attach a copy of such writing or document to the answers to these interrogatories.

RESPONSE: Goodyear has entered into contracts with various insurers on the dates shown below.

Hartford Accident & Indemnity Company	7/1/40-1/1/49
Liberty Mutual Insurance Company	1/1/49-1/1/53
Continental Casualty Company	1/1/53-1/1/61
AETNA Casualty & Surety Company	1/1/61-1/1/71
Traveler's Indemnity Company	1/1/71-1/1/77

The aforelisted insurers provided general liability coverage with limits of \$300,000 per person, \$1,000,000 per occurrence for bodily injury. Since January 1, 1977, Goodyear has been self-insured for primary limits.

76. As to all records in your custody or control which relate to the information requested in these discovery requests irrespective of whether they were utilized in your responses, please state for each respective interrogatory:

- a. The identity and nature of the records kept;
- b. The name, address, and job title of the

custodian of said records;

RESPONSE: Goodyear objects to this Interrogatory on the basis that it is overbroad, unduly burdensome and lacks reasonable specificity. Without waiving these objections, Goodyear states that its records custodian is James Boyazis, Vice President and Secretary.

77. With respect to the individual(s) in your employ who are most knowledgeable regarding the information requested in these discovery requests irrespective of whether they contributed to your responses, please state for each respective interrogatory:

- a. Their names, addresses and job titles.

RESPONSE: The information necessary to answer these interrogatories was gathered and assimilated through examination of documents and interview of employees and former employees of Goodyear, by several attorneys under the direction of the Vice President and General Counsel of Goodyear in anticipation and preparation for litigation. This interrogatory is therefore objected to on the basis that it seeks work product which is privileged.

78. With respect to individual(s) who are not in your employ at this time whom you believe are the most knowledgeable

regarding the information requested in these discovery request,
please state for each respective interrogatory;

a. Their names and addresses;

b. The name, address, and job title of the
individual(s) in your employe most knowledgeable as to their
names and addresses.

c. As to each Interrogatory, identify the
person(s) and/or document(s) which furnished information upon
which the answer is based, and identify the respective
interrogatory to which the person or document pertains.

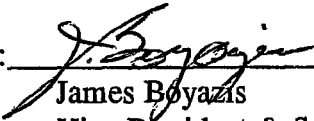
RESPONSE: See response to Interrogatory No. 77.

VERIFICATION

STATE OF OHIO)
)
COUNTY OF SUMMIT)

I, James Boyazis, being duly sworn on oath, state that I am Secretary of The Goodyear Tire & Rubber Company; that I am authorized to make this verification on its behalf; that the foregoing answers to interrogatories are not within my personal knowledge; that the facts stated therein have been assembled by authorized employees and counsel of The Goodyear Tire & Rubber Company, and I am informed that the facts stated therein are true and correct.

I declare that the foregoing verification is true and correct and that it was executed on this 6th day of October, 1994 at Akron Ohio.

By: 
James Boyazis
Vice President & Secretary

The foregoing answers to interrogatories were subscribed and sworn to before me this 6th day of October, 1994.


Notary Public

My Commission Expires:

CAROLYN SUE HAYES, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 7, 1999