

INTERROGATORY NO. 16:

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

RESPONSE TO INTERROGATORY NO. 16:

See General Objections. Abex further objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, argumentative, vague and ambiguous.

Abex further objects to this interrogatory on the ground that the terms "material contents," "method of manufacturing," "method of application," "applied," "worker" and "dust" are undefined, and call for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to the defendant.

Abex further objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory to the extent to which it seeks information regarding time periods and products that are not at issue in this case on the ground that such information lacks relevance, and is not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the ground that the information it seeks otherwise lacks relevance to the issues arising in this case, and is not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiver of these objections, Abex responds that it considers its brake products to be inherently safe when used properly because the asbestos in Abex's asbestos-containing automotive friction products was resin bound and encapsulated.