

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT
Civil Action No. PC 94-4187

IN RE: ASBESTOS LITIGATION

EDITH BEAUREGARD, as Executrix	)
of the Estate of Robert Beauregard	)
and Individually as the Widow of	)
Robert Beauregard	)
	)
Plaintiffs,	)
	)
v.	)
	)
ACANDS, INC., et al.	)
	)
Defendants.	)
	)

**RILEY STOKER CORPORATION'S AMENDED ANSWERS
TO PLAINTIFFS' INTERROGATORIES**

Defendant Riley Stoker Corporation ("Riley Stoker"),
pursuant to and under the protection of the Rhode Island Rules of
Civil Procedure, hereby files the following Answers to
Plaintiffs' Interrogatories.

PRELIMINARY STATEMENT

These interrogatories concern events which may have occurred
as much as eighty years ago. The Answers are believed to be
accurate as of the date of filing, but Riley Stoker Corporation's
investigation of the underlying facts is continuing. If further
discovery of additional facts, adds meaning to the known facts,
or establishes new factual conclusions or legal contentions,

these Answers will be supplemented if required by applicable law. Thus, the following Answers are made without prejudice to Riley Stoker Corporation's right to produce evidence of any subsequently discovered fact or facts Riley Stoker Corporation may later recall. Riley Stoker Corporation accordingly reserves the right to amend or supplement any and all Answers herein, if permitted or required by applicable law, as additional facts are ascertained, or as the contentions of the plaintiffs herein may be discovered or amended.

Plaintiffs' interrogatories are addressed to a corporation which has no independent knowledge of the information supplied in these Answers. Riley Stoker Corporation refers to and is limited to the officers and directors of Riley Stoker Corporation located in Worcester, Massachusetts, and those Riley Stoker Corporation employees who the Company believes are responsible for and in possession of corporate documents or information that is responsive to plaintiffs' interrogatories. The information supplied in these Answers is based on the knowledge of Riley Stoker Corporation's employees and authorized agents as to which the affiant may not have personal knowledge of the matter stated herein.

The Answers contained herein are made in a good faith effort to supply as much factual information and as much specification of legal contentions as is presently known, but in no way should be to the prejudice of Riley Stoker Corporation in relation to further discovery, research or analysis.

Neither Riley Stoker Corporation nor any company it controlled, purchased, or acquired any interest in has ever made, mined, manufactured, sold, distributed or processed, as Riley Stoker Corporation understands these terms, any asbestos-containing products such as pipecovering, block insulation, or insulation cement. Certain boilers designed by Riley Stoker Corporation, however, had components that contained asbestos.

Riley Stoker Corporation's product line of industrial and utility fuel burning equipment is marketed and sold primarily to large, sophisticated and knowledgeable commercial customers whose architects, engineers, consultants or other agents frequently specified the type, brand and quality of component parts to be utilized in the installation of their boilers. Moreover, component manufacturers supplied product selection and instructions for proper and safe application, use and installation of their asbestos products.

Riley Stoker Corporation incorporates by reference this preliminary statement into the Response to each interrogatory.

GENERAL OBJECTIONS

Riley Stoker Corporation objects to these interrogatories on the grounds that they are more prejudicial than probative, vague, ambiguous, misleading, overly broad, unduly burdensome, beyond the scope of product identification in this litigation and not reasonably calculated to lead to the discovery of relevant or admissible evidence. Riley Stoker Corporation also objects to the form, as well as the ambiguous and compound nature of many of the questions, in addition to the false predicates contained therein.

Moreover, these interrogatories call for information which is necessarily outside of the scope of this defendant's knowledge, and therefore, any response is formulated on the basis of the best information available to the defendant.

Any response by Riley Stoker Corporation to these interrogatories does not in any way constitute a waiver as to any information which is protected by the attorney-client and/or attorney work product privileges, or any other proprietary rights or material including, but not limited to, trade secrets.

Moreover, defendant Riley Stoker Corporation objects to any interrogatory which implies or assumes that any individual

plaintiff actually has an asbestos related disease or any injury allegedly related to asbestos. Defendant Riley Stoker Corporation in no way admits, by responding to these interrogatories, that any plaintiff has an asbestos related disease or injury. The burden of proof is on each plaintiff to prove that he/she has an asbestos related disease, and defendant has a constitutional right to deny same.

Moreover, defendant Riley Stoker Corporation objects to any interrogatory which is not reasonably calculated to lead to the discovery of admissible evidence.

All of these objections are incorporated by reference and adopted as to each and every interrogatory contained herein.

OBJECTIONS TO DEFINITIONS

1. "defendant, or "you:" Riley Stoker objects to this definition on the grounds that it is overly broad, ambiguous, vague, misleading and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, Riley Stoker objects to the extent that this definition may encompass information which is protected by the attorney-client privilege and attorney work product doctrine.

2. "Identify" or "provide the identity of:" Riley Stoker objects to this definition on the grounds that it overly broad,

vague, ambiguous, misleading, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, Riley Stoker objects to the extent that this definition may encompass information which is protected by the attorney-client privilege and attorney work product doctrine.

3. "document:" Riley Stoker objects to this definition to the extent that it exceeds the scope of R.I. R. Civ. P. 34. Additionally, Riley Stoker objects to the extent that this definition may encompass information which is protected by the attorney-client privilege, attorney work product doctrine and privilege pertaining to trade secrets.

4. "asbestos containing product:" Riley Stoker objects to this definition as overly broad, misleading, vague, ambiguous and not reasonably calculated to lead to the discovery of admissible evidence.

Riley Stoker incorporates by reference into every Answer the foregoing objections to plaintiffs' definitions as if fully set forth therein.

LIMITATIONS

1. Trial preparation and factual investigation are ongoing. Accordingly, defendant's Answers to these interrogatories are based solely on information known to

defendant at the time of the service of these Answers. Defendant reserves the right, therefore, to make reference at trial, or in any other hearings, in this action, to facts and documents not identified in these Answers, the existence or relevance of which is subsequently discovered by defendant or its counsel.

2. Plaintiffs' interrogatories are addressed to persons who have no independent personal knowledge of the information supplied in these Answers. The information supplied in these Answers to interrogatories is based upon information as to which the affiant may not have personal knowledge of the matter stated herein.

INTERROGATORIES

INTERROGATORY NO. 1

State the name of the defendant, your state of incorporation, your address of your principal place of business, your dates of incorporation, your corporate predecessor(s) (whether acquired by merger, stock, purchase or otherwise), the dates of existence of your corporate predecessors, the identity of the individual signing these interrogatories (including his/her name, present business and home address and capacity and title), the years that you conducted business in the State of Rhode Island, and the years you had a registered agent in the

State of Rhode Island and/or held a certificate of authority to do business in the State of Rhode Island.

ANSWER TO INTERROGATORY NO. 1

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome, compound and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker responds please see attached Corporate History Rider and Verification page. Riley Stoker further responds by stating that it has done business in the State of Rhode Island and has a registered agent in the State of Rhode Island.

INTERROGATORY NO. 2

State the name, present business address, capacity and title of the individual signing these interrogatories on behalf of Defendant.

ANSWER TO INTERROGATORY NO. 2

Riley Stoker objects to this interrogatory as more prejudicial than probative and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states please see the attached Verification page.

INTERROGATORY NO. 3

Identify each asbestos-containing product that Riley Stoker, or its predecessors, ever manufactured, distributed, sold, supplied, marketed, and/or installed. As to each asbestos-containing product state:

- a. the trade or brand name of each such product;
- b. the dates each such product were placed on the market;
- c. the dates each such product contained asbestos;
- d. a description of the physical composition of each product including the asbestos content by percentage and type;
- e. the color, texture, physical characteristics, and appearance of each product;
- f. all other names under which the product was sold; and
- g. the number and date of each patent, patent application, trademark and/or trademark application is to each product.

ANSWER TO INTERROGATORY NO. 3

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome and not relevant to the extent it assumes that Riley Stoker manufactured, distributed, sold, supplied, marketed and/or installed asbestos-containing products. Without waiving

this objection, Riley Stoker does not concede that its boilers are or were "asbestos-containing products." Riley Stoker is a manufacturer of boilers and steam-generating equipment. Neither Riley Stoker Corporation nor any company it controlled, purchased, or acquired any interest in has ever made, mined, manufactured, sold, distributed or processed, as Riley Stoker Corporation understands these terms, any asbestos-containing products such as pipecovering, block insulation, or insulation cement. Certain boilers designed by Riley Stoker Corporation, however, had components that contained asbestos. This interrogatory appears to be directed at manufacturers of asbestos-containing products. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 3

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 3 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Please see the contract documents which Riley Stoker has previously provided the plaintiffs.

INTERROGATORY NO. 4

State whether you (i) are or were a labellee, licensee or rebrandee or (ii) have distributed or sold any asbestos-containing products that are or were not manufactured by you under your own name or (iii) have distributed or sold any asbestos-containing products that are or were not distributed or sold under the name of the entity by which it was manufactured. If so, state:

- a. the terms and conditions of all agreements, licenses, arrangements and understandings which relate, refer or pertain to the business relationship under which you conducted any such activity; and
- b. the identify of each person, company, corporation or other business entity whose asbestos-containing products you have sold or distributed on a product-by-product basis; and
- c. the generic name or identity of each; and
- d. the manufacturer's brand name for each and your corresponding brand name of each; and
- e. the manufacturer's trademark name for each and your correspondence trademark name of each; and

- f. the dates during which you distributed or sold each asbestos-containing product under your brand name or trademark, the quantitative percentage by weight and volume of asbestos content (by each type of asbestos, separately) and the intended marketable use of each; and
- g. with respect to Defendant's answer to this interrogatories and each subpart thereof, identify each person who you believe has knowledge about any of the facts addressed in the answer.

ANSWER TO INTERROGATORY NO. 4

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome, seeking a legal conclusion and not relevant to the extent it assumes that Riley Stoker manufactured, sold, or distributed asbestos-containing products. Without waiving this objection, Riley Stoker states that Riley Stoker did not label, license, rebrand, sell or distribute asbestos or asbestos-containing products, as it understands these terms.

INTERROGATORY NO. 5

As to each asbestos-containing product identified in your answer to Questions number 3 and 4 above, describe in detail the packaging of each, listing the dates, type and method of package

used, physical description of the package including any printed material and/or trademarks that appeared on each product.

ANSWER TO INTERROGATORY NO. 5

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome and not relevant to the extent it assumes that Riley Stoker manufactured, sold, or distributed asbestos-containing products. Without waiving this objection, Riley Stoker states that it did not identify any asbestos-containing products in its Answer to Interrogatories Nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 5

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 5 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Most of Riley Stoker's boilers were erected on-site at the customer's facility and, thus, did not come in "packages" as that term is normally used. These "field-erected" boilers were typically very large industrial and utility boilers, sometimes several stories high. The erection process frequently took one to two years. In other words, Riley Stoker's boilers did not reach the consumer or user in the same sense that a product

manufactured at a manufacturer's facility is shipped intact from that facility. With respect to the packaging of any asbestos-containing materials which may or may not have been incorporated into a particular boiler, Riley Stoker has no knowledge concerning the type and method of package used, physical description of the package, including any printed material and/or trademarks that may have appeared on such products.

INTERROGATORY NO. 6

From 1920 until the present, did the asbestos containing products manufactured, distributed, sold, supplied, marketed, or installed by you as identified in your answer to Questions number 3 and 4 above contain any warning, caution, instructions or caveat on the product or on the product's packaging? If so, state:

- a. when the warning first appeared;
- b. the precise wording of any warning when it first appeared;
- c. all subsequent alterations, amendments, or changes in the warning and the date of each such was implemented;
- d. where on the product of packaging the warning was located; and

- e. a full description, including size and color of any warning.

ANSWER TO INTERROGATORY NO. 6

Riley Stoker objects to this interrogatory as more prejudicial than probative, overly broad, vague, ambiguous and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it did not identify any asbestos-containing products in its Answer to Interrogatories Nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 6

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 6 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

As Riley Stoker did not itself manufacture asbestos-containing materials, but rather purchased such products, as required by particular contracts, from manufacturers or distributors of those products, Riley Stoker never placed warnings on the asbestos-containing materials that may have been used as a component on some of the boilers which it designed.

Riley Stoker never packaged such products itself, so never placed warnings on the containers of asbestos-containing materials that may have been used as a component of some of the boilers it designed.

INTERROGATORY NO. 7

Describe the design, formula, preparation, manufacture, method of application or use, and intended marketable use of each asbestos-containing product identified in your answer to Questions number 3 and 4 above and for each:

- a. list every reason you included asbestos as a part of the product;
- b. state whether you ever considered not including asbestos as part of the product and if so state:
 - i) every reason you continued to place asbestos in the product; and
 - ii) the identity of the person(s) involved in each consideration.
- c. If the product has ever changed in its composition or its asbestos content (either by a change in the amount of asbestos or by a change in the type of asbestos used), for each state:
 - i) the nature of each such change;

- ii) the date of each such change;
 - iii) identify the person(s) who participate ion the decision to make or allow the change; and
 - iv) the reason for the change.
- d. State whether substitutes were available for the asbestos in the product, and if so, the dates it was available and why the defendant did not use each identified substitute.

ANSWER TO INTERROGATORY NO. 7

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome and not relevant to the extent it assumes that Riley Stoker manufactured, sold, or distributed asbestos-containing products. Without waiving this objection, Riley Stoker states that it did not identify any asbestos-containing products in its Answer to Interrogatories Nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 7

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 7 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, processed, sold, distributed, patented, or relabelled asbestos-containing materials such as pipecovering, block insulation and insulation cement. Certain boilers designed by Riley Stoker, however, had components that contained asbestos. Riley Stoker frequently relied upon the owner's or its architect's or engineer's specifications for what materials to use and relied upon the manufacturer's specifications and representations for the quality, integrity, and safety of any asbestos-containing materials used or specified. Since Riley Stoker was not a manufacturer of asbestos-containing materials, it has no information concerning the design, formula, preparation, manufacture, method of application or use and intended marketable use of asbestos-containing materials manufactured by others. Riley Stoker does not know the chemical composition of those products, the dates they were manufactured, or any patents. Riley Stoker selected insulation based upon their insulation properties with respect to temperatures of those areas being insulated. Riley Stoker purchased insulation products that did not contain asbestos when they were available from insulation manufacturers. Riley Stoker had no control over the insulation

products available. Riley Stoker does not precisely know when asbestos-free materials suitable for high temperature insulation became available.

INTERROGATORY NO. 8

For each asbestos-containing product identified in your answer to Questions number 3 and 4:

- a. identify each business entity to whom each product was sold, supplied or distributed in Rhode Island;
- b. state the beginning and ending dates that each product was sold, supplied or distributed in Rhode Island;
- c. state the amount of sales (in dollars & weight) of each product that you sold, supplied or distributed in Rhode Island;
- d. identify by name, address and dates of all contractors, suppliers, distributors, or sellers of your products in Rhode Island.

ANSWER TO INTERROGATORY NO. 8

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome and not relevant to the extent it assumes that Riley Stoker manufactured, sold, or distributed asbestos-containing products. Without waiving this objection, Riley Stoker states that it did not identify any asbestos-containing

products in its Answer to Interrogatories Nos. 3 & 4.

Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 8

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 8 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Please see the contract documents previously provided to plaintiffs.

INTERROGATORY NO. 9

Identify (include name, current home and business address, and dates of employment) all managing, marketing, sales and/or distributor personnel responsible for your sales, supply distribution and/or marketing of asbestos-containing products in Rhode Island and identify the local or regional office out of which they worked.

ANSWER TO INTERROGATORY NO. 9

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing

objections, Riley Stoker does not concede that its boilers are or were "asbestos-containing products." Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, marketed, processed, sold, distributed, patented, or relabeled asbestos-containing thermal insulation products such as pipecovering, block insulation and insulation cement. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 9

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 9 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Please see the contract documents previously provided to plaintiffs. Further, Riley Stoker has no additional information at this time which would be responsive to this Interrogatory, but discovery is continuing.

INTERROGATORY NO. 10

Please state the name of each supplier of the asbestos that was used in the manufacture of each of your asbestos-containing products and include the inclusive dates and state whether any

warnings or cautions were contained on the packaging of the asbestos that was delivered to you.

ANSWER TO INTERROGATORY NO. 10

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome and not relevant to the extent it assumes that Riley Stoker manufactured, sold, or distributed asbestos-containing products. Without waiving the foregoing objections, Riley Stoker states that it did not manufacture, sell or distribute asbestos-containing products. Riley Stoker is a manufacturer of boilers and steam-generating equipment. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 10

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 10 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Since Riley Stoker did not manufacture, sell or distribute asbestos-containing materials, it does not know the identity of the suppliers of the raw asbestos used in any asbestos-containing materials that may have been incorporated as a component in Riley Stoker's boilers.

INTERROGATORY NO. 11

List the names, addresses, and titles of all person who have custody, control, possession or knowledge of sales records, sales summaries, graphs of sales, purchase orders, or invoices for your asbestos-containing products sales, distribution, and/or supply in the New England states.

ANSWER TO INTERROGATORY NO. 11

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it is a manufacturer of boilers and steam-generating equipment. Neither Riley Stoker Corporation nor any company it controlled, purchased, or acquired any interest in has ever mined, manufactured, sold or distributed, as Riley Stoker Corporation understands these terms, any asbestos or asbestos-containing products, which Riley Stoker Corporation understands to mean thermal insulation products that contain asbestos as an ingredient. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 11

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 11 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Mr. Norman Sarkesian, Manager of Administrative Services and Facilities, c/o Riley Stoker Corporation, P.O. Box 15040, Worcester, Massachusetts 01615-0040.

INTERROGATORY NO. 12

If any asbestos-containing product sales, distribution, and/or supply records, kept by you or your predecessors, are unavailable or have been destroyed, please give the names, addresses and positions within your company of all persons who have knowledge of the information contained in such unavailable or destroyed records and/or knowledge of the destruction.

ANSWER TO INTERROGATORY NO. 12

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it is a manufacturer of boilers and steam-generating equipment. Neither Riley Stoker

Corporation nor any company it controlled, purchased, or acquired any interest in has ever mined, manufactured, sold or distributed, as Riley Stoker Corporation understands these terms, any asbestos or asbestos-containing products, which Riley Stoker Corporation understands to mean thermal insulation products that contain asbestos as an ingredient. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 12

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 12 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Mr. Norman Sarkesian, Manager of Administrative Services and Facilities, c/o Riley Stoker Corporation, P.O. Box 15040, Worcester, Massachusetts 01615-0040.

INTERROGATORY NO. 13

Did the defendant at any time publish and/or distribute brochures, sales literature, pamphlets or other written material describing your asbestos-containing products identified in your answer to Questions number 3 and 4. If so describe each such printed material, state the dates that the document was first

published, how the documents was distributed, and who authored the document.

ANSWER TO INTERROGATORY NO. 13

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, Riley Stoker states that it did not identify any asbestos-containing products in its Answer to Interrogatories Nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 13

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 13 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

As Riley Stoker did not itself manufacture asbestos-containing materials, but rather purchased such materials, as required by particular contracts, from manufacturers or distributors of those products, Riley Stoker did not publish and/or distribute the literature described in this Interrogatory. Riley Stoker is willing, however, to allow plaintiffs, at a

mutually convenient location, time and date, to inspect representative sales literature concerning boilers designed and erected by Riley Stoker.

INTERROGATORY NO. 14

Identify any asbestos-containing product you listed in your answer to Questions number 3 and 4 that was/is not dangerous to the health of persons coming into contact with the product, and as to each such product, identify all documents and any other information upon which you rely, and identify each individual who has knowledge of such facts, opinions, conclusions, and documents and other information allegedly confirming your contention.

ANSWER TO INTERROGATORY NO. 14

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it did not identify any asbestos-containing product in response to interrogatories nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 14

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 14 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Riley Stoker is a manufacturer of boilers and steam-generating equipment. Neither Riley Stoker nor any company which it controlled, purchased, or in which it acquired any interest has ever made, manufactured, sold, distributed or processed, as Riley Stoker understands these terms, any asbestos-containing materials such as pipecovering, block insulation or insulation cement. Accordingly, this Interrogatory is not applicable to Riley Stoker because it is directed to manufacturers of asbestos-containing materials. Riley Stoker further states that this Interrogatory seeks medical and/or scientific opinions which Riley Stoker is not qualified to render.

INTERROGATORY NO. 15

Did you ever attempt by written communications to inform anyone of the health and safety effects of exposure to asbestos and/or exposure to your asbestos-containing products? If so, fully describe each attempt and:

- a. state the date of each communication;

- b. identify the author of each communication;
 - c. identify the person who first recommended each communication;
 - d. state the means used to transmit each communication;
 - e. identify the custodian of each written communication;
- and
- f. identify any person or entity that received each communication; and
 - g. identify the persons or entities to whom each communication was directed.

ANSWER TO INTERROGATORY NO. 15

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that Riley Stoker does not concede that its boilers are or were "asbestos-containing products." Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, processed, sold, distributed, patented, or relabeled asbestos-containing thermal insulation products such as pipecovering, block insulation and insulation cement. This interrogatory,

appears to be directed to manufacturers of asbestos-containing insulation. As Riley Stoker did not itself manufacture asbestos-containing insulation products, Riley Stoker did not make any of the communications described in this interrogatory.

AMENDED ANSWER TO INTERROGATORY NO. 15

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 15 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

INTERROGATORY NO. 16

State the dates when management personnel of your company (identify the name and current address of each person) became aware that exposure to asbestos, if sufficient in quantity, could cause:

- a. asbestosis;
- b. lung cancer;
- c. mesothelioma; and
- d. colon cancer.

ANSWER TO INTERROGATORY NO. 16

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, assumes facts not in evidence, seeks a medical opinion, is unduly

burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states some time after 1972, Riley Stoker became aware that some diseases were alleged to be associated with exposure to asbestos, namely, asbestosis, lung cancer, colon cancer and mesothelioma. Riley Stoker does not know precisely how or when after 1972 it became aware of such allegations.

INTERROGATORY NO. 17

Have you or anyone on behalf of the defendant ever conducted research, tests, medical studies or experiments at any time concerning the health effects to workers of exposure to asbestos and/or your asbestos-containing products? If so, please state who conducted the tests, when the test were conducted, what the results of the test were, and to whom the results were communicated.

ANSWER TO INTERROGATORY NO. 17

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states no.

INTERROGATORY NO. 18

To this date, have you issued a recall of any of your asbestos-containing products listed in your answer to Questions number 3 and 4. If so, state:

- a. the date of the recall;
- b. the means that the recall was communicated to the public; and
- c. identify all written materials communication concerning any recall.

ANSWER TO INTERROGATORY NO. 18

Riley Stoker objects to this Interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that Riley Stoker did not list any asbestos-containing products in its answers to interrogatories nos. 3 & 4. Accordingly, this interrogatory is not applicable to Riley Stoker.

INTERROGATORY NO. 19

To this date; have you issued any warnings or purchased any advertisements containing warnings of the health hazards of asbestos and/or exposure to your asbestos-containing products in

any newspapers, magazines, trade publications or other media. If so, identify the dates of each, the name of the publication and the contents of each.

ANSWER TO INTERROGATORY NO. 19

Riley Stoker objects to this Interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, Riley Stoker does not concede that its boilers are or were "asbestos-containing products." Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, processed, sold, distributed, patented, or relabeled asbestos-containing thermal insulation products such as pipecovering, block insulation and insulation cement. This interrogatory, as were previous interrogatories, appears to be directed to manufacturers of asbestos-containing insulation. As Riley Stoker did not itself manufacture asbestos-containing insulation products, but rather purchased such products, as required by particular contracts, from manufacturers or distributors of those products, Riley Stoker did not publish and/or distribute the literature described in this interrogatory.

INTERROGATORY NO. 20

To this date, have you sent any letters or other written communications to former customers, distributors, suppliers, or your asbestos-containing products concerning the hazards of asbestos and/or your asbestos containing products. If so, please fully identify each communication, including the date, content, author and recipient.

ANSWER TO INTERROGATORY NO. 20

Riley Stoker objects to this interrogatory as unintelligible, overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that Riley Stoker does not concede that its boilers are or were "asbestos-containing products." Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, marketed, processed, sold, distributed, patented, or relabeled asbestos-containing thermal insulation products such as pipecovering, block insulation and insulation cement. See Answer to Interrogatory No. 15. Accordingly, this interrogatory is not applicable to Riley Stoker.

AMENDED ANSWER TO INTERROGATORY NO. 20

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 20 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

As Riley Stoker did not itself manufacture asbestos-containing materials, but rather purchased such products, as required by particular contracts, from manufacturers or distributors who made those products, Riley Stoker did not make any of the communications described in this Interrogatory.

INTERROGATORY NO. 21

Have you ever had asbestos removed or abated from any building you own. If so, please state why it was removed, who decided it would be renewed, and identify all documents which concern the decision and implementation of the removal.

ANSWER TO INTERROGATORY NO. 21

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 22

Prior to the first time you used asbestos in any of your products, did you conduct any tests on:

- a. the effects of asbestos on the health of human beings; and/or
- b. the level of asbestos dust in the air when your product was used as intended?

If so, fully describe each such test:

ANSWER TO INTERROGATORY NO. 22

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it is a manufacturer of boilers and steam-generating equipment. Neither Riley Stoker Corporation nor any company it controlled, purchased, or acquired any interest in has ever mined, manufactured, sold or distributed, as Riley Stoker Corporation understands these terms, any asbestos or asbestos-containing products, which Riley Stoker Corporation understands to mean thermal insulation products that contain asbestos as an ingredient. Certain boilers designed by Riley Stoker Corporation, however, had components

that contained asbestos. Riley Stoker Corporation's product line of industrial and utility fuel burning equipment is marketed and sold primarily to large, sophisticated and knowledgeable commercial customers whose architects, engineers, consultants or other agents frequently specified the type, brand and quality of component parts to be utilized in the installation of their boilers. Moreover, component manufacturers supplied product selection and instructions for proper and safe application, use and installation of their asbestos products. Accordingly, Riley Stoker did not conduct any medical tests or research on products designed, manufactured, sold and/or distributed by other companies.

AMENDED ANSWER TO INTERROGATORY NO. 22

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 22 together with its objections.

INTERROGATORY NO. 23

Prior to the first time you used asbestos in any of your products, did you conduct any research in the medical or scientific literature on the effects of asbestos on the health of human beings. If so, fully describe the research done, when it

was done, who conducted the research, and the results of the research.

ANSWER TO INTERROGATORY NO. 23

Riley Stoker objects to this interrogatory as overly broad, vague, assumes facts not in evidence, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states see Riley Stoker's Answer to Interrogatory No. 22.

AMENDED ANSWER TO INTERROGATORY NO. 23

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 23 together with its objections.

INTERROGATORY NO. 24

To this date, have you or anyone on the behalf of the defendant ever conducted or sponsored or contributed financially to any studies or research to determine if inhalation of asbestos fibers may be harmful to human beings? If so, please state by whom the research was conducted, the dates that each such test was conducted, complete results of each test or study, and how much you contributed financially.

ANSWER TO INTERROGATORY NO. 24

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states no.

INTERROGATORY NO. 25

State the name and address of your medical officer from 1930 until the present time, listing the periods of time each such medical officer was employed by the defendant, to whom they reported, and list his or her duties and responsibilities.

ANSWER TO INTERROGATORY NO. 25

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it has never had a "medical officer."

INTERROGATORY NO. 26

State the name of each trade association to which you belonged from 1920 to the present and state whether any employee or agent of this defendant was a member of any committee of such

organizations. If so, state the name of the representative, the committee and the dates of all meetings attended by the representative.

ANSWER TO INTERROGATORY NO. 26

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it has been a member of the American Boiler Manufacturers' Association.

INTERROGATORY NO. 27

Have you or your predecessors at any time required your employees who worked directly or indirectly with asbestos or asbestos-containing products to wear respirators, masks or other protective clothing, and/or to utilize dust control equipment or other devices? If so, explain each and every reason why and state:

- a. the date you first required employee to do so;
- b. whether your requirement or policy is embodied in any corporate memoranda, employee manual, or stated in any other document and, if so, identify each such documents;

- c. whether instruction for the proper use of the devices or clothing were communicated to your employee and, if so, how;
- d. whether any employee were warned or reprimanded for failure to use such devices or to wear such masks or protective clothing; and
- e. whether you provided or furnished the devices or protective clothing to your employees and, if so, what devices or protective clothing were provided or furnished, what year(s) was each provided or furnished, and from whom they were purchased or acquired.

ANSWER TO INTERROGATORY NO. 27

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that since becoming subject to OSHA requirements, Riley Stoker supplied masks or respirators to employees working with asbestos-containing materials when required by OSHA regulations. Riley Stoker occasionally supplies masks to employees, prior to OSHA, who were engaged in construction work to guard against nuisance dust. Riley Stoker

does not have documents or other information sufficient to enable it to supply dates or other details regarding the use of masks and respirators by its employees.

INTERROGATORY NO. 28

Have you or your predecessors at any time required your employees who worked directly or indirectly with asbestos or asbestos-containing products to undergo medical examinations, to have chest x-rays, or pulmonary function tests? If so, explain each and every reason why and state:

- a. the date you first required employees to undergo such examinations or tests;
- b. whether this requirement or policy was or is embodied in any corporate memoranda, employee manual, or stated in any other document, if so, identify each such document;
- c. if the examinations or tests were conducted on site by company physicians, provide the names and current address of each physician;
- d. if the examination or tests were conducted or analyzed off-site or by an independent physician, clinic or other health care providers identify each;

- e. whether the Saranac Laboratories, Saranac Lake, New York, were involved in a any way in such examinations and testing;
- f. whether the examination were conducted at the employers' expense;
- g. whether any data were compiled or retained from such examinations and testing, and if so, the place and manner of its storage, and the identity of the custodian of the data; and
- h. whether medical records generated by such examinations and testing were maintained, and if so, the place and manner of it storage, and the identity of the custodian of the records.

ANSWER TO INTERROGATORY NO. 28

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

AMENDED ANSWER TO INTERROGATORY NO. 28

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 28 together with its

objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

Riley Stoker is a manufacturer of boilers and steam-generating equipment, and never designed, manufactured, processed, sold, distributed, patented or relabelled asbestos-containing materials such as pipecovering, block insulation and insulation cement. Accordingly, Riley Stoker did not require its employees to undergo examinations, including the use of chest x-rays or pulmonary function tests, which examination's purpose was to detect asbestos-related illnesses.

INTERROGATORY NO. 29

Do you have any reports or documents available showing the number of your employees who have been exposed to asbestos dust and fibers in their employment, that have worked for you 10 years or longer, and have lung disease? If so, please state the names and address of the custodian of such reports and documents and fully describe each.

ANSWER TO INTERROGATORY NO. 29

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the

discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states no.

AMENDED ANSWER TO INTERROGATORY NO. 29

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 29 together with its objections.

INTERROGATORY NO. 30

Did you receive any report or communication from any employees or your insurance carrier concerning worker compensation claims for asbestos-related disease? If so, please state a list of all such claims from 1930-1972 and include the disease alleged, the date, and any case number.

ANSWER TO INTERROGATORY NO. 30

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states, according to available documents, Riley Stoker was named in two workers' compensation proceedings prior to 1972 in which the claimant sought compensation for an alleged asbestos-related injury. Ernest R. Moreno v. Marine Engineering & Supply Co., et al., claim number

L.A. 76-144, was brought in the Industrial Accident Commission of the State of California in 1947. The suit was dismissed as to Riley Stoker. In or around August 1956, Riley Stoker appears to have received a Notice of Hearing from the Workers' Compensation Department of the State of Michigan in connection with Lewis Munger v. Armstrong Cork C., Travelers Insurance Co. So far as Riley Stoker is able to determine, neither claim included any "report" or "communication" regarding the alleged hazards of asbestos apart from the making of the claim itself. Discovery is ongoing and Riley Stoker reserves the right to supplement this response.

INTERROGATORY NO. 31

Did you receive any report or communication from your workers compensation insurance carrier or liability insurance carrier with regard to the hazardous incidence involved in the use of asbestos-containing products and/or the health hazards of asbestos and/or the claims of employees of asbestos related disease? If so, fully describe including the date, each communication.

ANSWER TO INTERROGATORY NO. 31

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative,

unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states, according to available documents, Riley Stoker was named in two workers' compensation proceedings prior to 1972 in which the claimant sought compensation for an alleged asbestos-related injury. Ernest R. Moreno v. Marine Engineering & Supply Co., et al., claim number L.A. 76-144, was brought in the Industrial Accident Commission of the State of California in 1947. The suit was dismissed as to Riley Stoker. In or around August 1956, Riley Stoker appears to have received a Notice of Hearing from the Workers' Compensation Department of the State of Michigan in connection with Lewis Munger v. Armstrong Cork C., Travelers Insurance Co. So far as Riley Stoker is able to determine, neither claim included any "report" or "communication" regarding the alleged hazards of asbestos apart from the making of the claim itself. Discovery is ongoing and Riley Stoker reserves the right to supplement this response.

AMENDED ANSWER TO INTERROGATORY NO. 31

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 31 together with its objections.

INTERROGATORY NO. 32

State whether any insurance carrier or company has denied insurance coverage or has declined to insure you or any of your subsidiaries or divisions because of asbestos dust conditions at your plant(s), or because of employee lung disease complaints of for any other reason related to asbestos-containing products or diseases. If so, identify each such insurance carrier, the reason the coverage was denied or declined, and the dates of each denial or declination.

ANSWER TO INTERROGATORY NO. 32

Riley Stoker objects to this interrogatory as overly broad, compound, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

AMENDED ANSWER TO INTERROGATORY NO. 32

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 32 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows:

As of yet, Riley Stoker's insurance carrier has thus far provided insurance coverage to Riley Stoker for claims brought

against Riley Stoker involving alleged asbestos-related illnesses.

INTERROGATORY NO. 33

Identify all person who have testified on your behalf (employees or agents) and all documents presented to or utilized in preparation of testimony before any Congressional or state legislative committee or subcommittee, or any federal or state administrative agency, including but not limited to, the Occupational Safety and Health Administration, the National Institute of Occupational Safety and Health, or the Environmental Protection Agency, or any other governmental hearing or investigative proceeding on the subjects of asbestos. For each such testimony, please identify:

- a. the dates and description of the proceedings;
- b. the identity of the person who responded or testified and his or her position;
- c. all studies, test results or other scientific or medical documents relied upon as a basis for any recommendation made or testimony given.

ANSWER TO INTERROGATORY NO. 33

Riley Stoker objects to this interrogatory as overly broad, compound, unduly burdensome, vague, ambiguous, more prejudicial

than probative and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states not applicable.

AMENDED ANSWER TO INTERROGATORY NO. 33

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 32 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows: None.

INTERROGATORY NO. 34

When was the first time that this defendant became aware of the contents and existence of Public Health Bulletin No. 241, entitled "A Study of Asbestosis in the Asbestos Textile Industry" by Dreessen, Dallavalle, Edwards, Miller and Sayers. With respect to the article state:

- a. how defendant became aware of the existence of such article;
- b. how defendant first became aware of the content of such article;
- c. which individuals or representatives of defendant were the first to become aware of the content and existence of such article;

- d. the job title or position held by that representative(s) of defendant who first became aware of the content and existence of the article.

ANSWER TO INTERROGATORY NO. 34

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it is unable to determine whether or when any of its employees learned of this article.

AMENDED ANSWER TO INTERROGATORY NO. 34

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 34 together with its objections.

INTERROGATORY NO. 35

When was the first time that this defendant became aware of the contents and existence of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels" by Fleischer, Viles, Gade and Drinker. With respect to the article state:

- a. how defendants became aware of the existence of such article;

- b. how defendant first became aware of the content of such article;
- c. which individuals or representatives of defendants were the first to become aware of the content and existence of such article;
- d. the job title or position held by that representative(s) of defendant who first became aware of the contents and existence of the article.

ANSWER TO INTERROGATORY NO. 35

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that it is unable to determine whether or when any of its employees learned of this article.

AMENDED ANSWER TO INTERROGATORY NO. 35

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 35 together with its objections.

INTERROGATORY NO. 36

Identify each expert whom you expect to call as a witness and trial and state:

- a. the subject matter on which each expert is expected to testify:
- b. the substance of the facts and opinions to which each expert is expected to testify; and
- c. give a summary of the grounds for each such opinion and state the subject area or areas as to which such expert will give testimony and has previously testified in any trial or deposition.

ANSWER TO INTERROGATORY NO. 36

Riley Stoker objects to this interrogatory as vague, ambiguous, more prejudicial than probative, overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that its legal, medical and factual investigation into these matters is continuing. As a result, Riley Stoker has not yet determined which, if any, experts it may utilize at trial in these matters. Furthermore, Riley Stoker will designate its trial experts in accordance with the applicable pretrial order for these cases and any subsequent orders issued by this court. Riley Stoker reserves the right to supplement this Answer pending completion of discovery in these matters.

AMENDED ANSWER TO INTERROGATORY NO. 36

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 36 together with its objections.

INTERROGATORY NO. 37

List and identify every document and exhibit which you contemplate that you might use at trial.

ANSWER TO INTERROGATORY NO. 37

Riley Stoker objects to this interrogatory as vague, ambiguous, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Riley Stoker states that discovery in these matters, as well as Riley Stoker's factual, legal and medical investigation, is ongoing. As a result, Riley Stoker has not yet contemplated which exhibits or documents it may offer at trial. Riley Stoker will designate its exhibits in accordance with the applicable pretrial order for these cases and any subsequent order issued by this court. Riley Stoker reserves the right to supplement this Answer pending completion of discovery in these matters.

AMENDED ANSWER TO INTERROGATORY NO. 37

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 37 together with its objections.

INTERROGATORY NO. 38

Do you contend that there is any difference between chrysotile fiber, amosite fiber, crocidolite fiber, and/or tremolite fiber in the development of mesothelioma or lung cancer? If so, explain in detail your contention as to the distinction between or among fiber types in the development of each disease.

ANSWER TO INTERROGATORY NO. 38

Riley Stoker objects to this interrogatory as overly broad, vague, ambiguous, misleading, more prejudicial than probative, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence and seeks a medical opinion which Riley Stoker is not qualified to render. Without waiving the foregoing objections, Riley Stoker states yes. Riley Stoker anticipates that experts expected to testify at trial will opine that there are differences between chrysotile, amosite, crocidolite and/or tremolite fibers in regard to their oncogenic potential.

INTERROGATORY NO. 39

If the defendant has policies of insurance that might cover the claims that have ben made by the plaintiff, please list the name of each insurance carrier who had the coverage, the amount of such coverage, the dates of each such policies, and the current amount of insurance available.

ANSWER TO INTERROGATORY NO. 39

Riley Stoker objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous and not reasonably calculated to produce evidence admissible at trial. Without waiving these objections, Riley Stoker states that it anticipates it has sufficient insurance coverage with which to satisfy reasonable judgments in these cases.

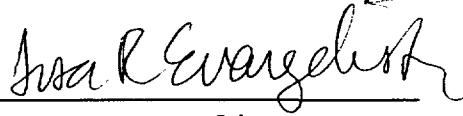
AMENDED ANSWER TO INTERROGATORY NO. 39

Riley Stoker incorporates by reference Riley Stoker's previous Answer to Interrogatory No. 39 together with its objections. Without waiving these objections, Riley Stoker supplements its original response as follows: Riley Stoker states the following is a list of the applicable insurance for Riley Stoker under the terms and conditions of a policy held by Liberty Mutual:

<u>Policy Period</u>	<u>Policy Number</u>	<u>Policy Limits for Bodily Injury</u>
1/1/52-1/1/53	Unknown	\$1,000,000
1/1/53-1/1/54	Unknown	\$1,000,000
1/1/54-10/1/54	LB-1-82046-54	\$1,000,000
10/1/54-10/1/55	LB-1-690870-54	\$1,000,000
10/1/55-10/1/56	LP-1-690870-55	\$1,000,000
10/1/56-10/1/57	LP-1-690870-56	\$1,000,000
10/1/57-10/1/58	LP-6014-903043-37	\$1,000,000
10/1/58-10/1/59	LP-6014-903043-38	\$1,000,000
10/1/59-10/1/60	LP-6014-903043-39	\$1,000,000
10/1/60-10/1/61	LP1-614-004050-030	\$1,000,000
10/1/61-10/1/62	LP1-614-004050-031	\$1,000,000
10/1/62-10/1/63	LP1-614-004050-032	\$1,000,000
10/1/63-10/1/64	LP1-614-004050-033	\$1,000,000
10/1/64-10/1/65	LP1-614-004050-034	\$1,000,000
10/1/65-10/1/66	LP1-614-004050-035	\$1,000,000
10/1/66-10/1/67	LG1-614-004050-036	\$1,000,000
10/1/67-10/1/68	LG1-614-004050-037	\$ 960,000
10/1/68-10/1/69	LG1-614-004050-038	\$1,000,000
10/1/69-10/1/70	LG1-614-004050-039	\$1,000,000
10/1/70-10/1/71	LG1-612-004050-030	\$1,000,000
10/1/71-10/1/72	LG1-612-004050-031	\$ 945,000
10/1/72-10/1/73	LG1-612-004050-032	\$1,000,000
1/1/73-1/1/74	LG1-612-004050-343	\$1,000,000
1/1/74-7/1/74	LG1-612-004050-344	\$1,000,000
7/1/74-7/1/75	LG1-612-004050-414	\$ 998,400
7/1/75-7/1/76	LG1-612-004050-415	\$1,000,000
7/1/76-7/1/77	LG1-612-004050-416	\$1,000,000
7/1/77-7/1/78	LG1-612-004050-417	\$ 429,176
7/1/78-7/1/79	LG1-6120004050-418	\$ 543,764
7/1/79-2/1/80	LG1-612-004050-419	\$ 999,500 (subject to
7/1/79-2/1/80	LG2-612-004140-049	to a
		\$100,000
		per
		occurrence
		deductible)

Dated:

AS TO OBJECTIONS,



Lisa R. Evangelista
CETRULO & CAPONE
Exchange Place
53 State Street
Boston, MA 02109

CERTIFICATE OF SERVICE

I, Lisa R. Evangelista, hereby certify that I have served a true copy of the foregoing, by First-Class Mail, on all counsel of record in this matter on this the ____ day of June, 1997.



Lisa R. Evangelista

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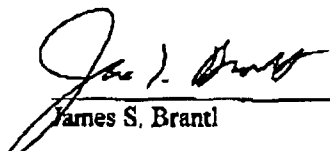
VERIFICATION

COMMONWEALTH OF MASSACHUSETTS)

COUNTY OF WORCESTER)

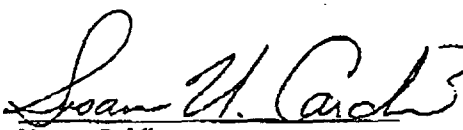
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JAMES S. BRANTL, being duly sworn, deposes and says that he is an authorized agent of DB Riley, Inc., and that he verifies the foregoing Defendant, DB Riley, Inc.'s Amended Answers to Plaintiffs' Interrogatories for and on behalf of DB Riley, Inc.; that of the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of DB Riley, Inc., and deponent is informed that the facts stated therein are true.


James S. Brantl

SWORN TO BEFORE ME and subscribed in my presence this 12 day of

June, 1997.


Notary Public
My commission expires: 7-22-99