

INTERROGATORY NO. 87:

Did you and/or any predecessor/related entity, at any time, provide to anyone, any warning, caution, notification, guidelines, practices, advice, recommendation and/or like information/communication concerning the hazards of asbestos, the association between asbestos and asbestos-related diseases (specifically, cancer and/or mesothelioma), TLVs, recommended practices for working with and/or around asbestos/asbestos-containing materials/products, and/or any risk/precaution relating to asbestos? If so:

- (a) describe the content of each such information/communication (including differences and changes thereto);
- (b) state the date(s) on which and/or during which said information/communication was composed and identify any and all persons participating in composing it;
- (c) state the date(s) during which said information/communication was disseminate/used and identify the persons and/or groups to whom it was disseminated/directed;
- (d) describe the reasons for the information/communication;
- (e) identify any and all meetings/discussions relating to the subject, including, but not limited to, prior discussions concerning whether or not to issue such information/communication; and,
- (f) identify any and all documents referring to, relating to, and/or reflecting said information/communication and/or any discussion and/or dissemination thereof.

ANSWER:

(a) Beginning in the late 1970's Kelsey-Hayes began attaching tags to skids and pallets of brake assemblies made with asbestos containing friction materials to be delivered to the OEM's identifying the assemblies as containing asbestos. Kelsey-Hayes believes that the text of the tags read: "Danger – Contains asbestos fibers. Avoid creating dust. Cancer and lung disease hazard." At the same time, Kelsey-Hayes also began putting warnings on aftermarket brake kits made with asbestos-containing friction materials. On brake kit boxes the warning is believed to have read: "Caution: Contains Asbestos Fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily harm."

(b) The dates on which the warnings began to appear are described in response to subpart (a) above. Kelsey-Hayes has no knowledge or information regarding how the warnings were composed or who participated in composing them.