

ROBERT J. ABTS, et al.,

Plaintiffs,

vs.

Case No. 011-122

LAKE ASBESTOS OF QUEBEC,
LTD., et al.

Defendants.

GAF CORPORATION'S RESPONSES TO
PLAINTIFFS' SECOND SET OF INTERROGATORIES
TO ALL DEFENDANTS

Defendant, GAF Corporation ("GAF") hereby responds to Plaintiffs' Second Set of Interrogatories. GAF's response is subject to two qualifications. First, the information supplied in these responses is not based solely upon the knowledge of the person executing them, but includes the knowledge of GAF and its representatives and attorneys, unless privileged. Second, the word usage and sentence structure used in these responses may be that of attorneys assisting in preparing them and is not necessarily the precise language of the executing person.

GENERAL OBJECTIONS

1. GAF objects to the interrogatories to the extent they request information about GAF prior to its merger with Ruberoid Co. ("Ruberoid") in 1967. GAF responds with such knowledge as it possesses for Ruberoid prior to the merger and for GAF thereafter.

2. GAF objects to the interrogatories on the ground they seek information which is neither relevant nor reasonably

PLAINTIFF'S
EXHIBIT

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calculated to lead to the discovery of admissible evidence and which are unduly broad to the extent they seek to require GAF to, without limitation, respond to questions about or to identify or produce documents relating to:

- (a) Products other than thermal insulation products;
- (b) Persons having no connection with the manufacture and sale of any such products including, but not limited to, joint venturers, licensees, insurance carriers, attorneys and others similarly situated;
- (c) The time period before 1928 or after 1981 before and after which GAF was not involved with the manufacture and sale of any asbestos-containing material.

3. GAF objects to the definition of "you" or "your" on the ground that such is broader than the controlling Wisconsin Statutes as interpreted. GAF responds to the discovery requested only to the extent required by the Wisconsin Statutes.

4. GAF objects to the implication in the discovery requested that asbestos-containing materials are "products." GAF responds to the relevant questions without waiving this objection.

5. GAF objects to the interrogatories to the extent they are vague, unintelligible, insufficiently specific, use undefined terms capable of one or more interpretation or require GAF to speculate as to the specific information requested by the plaintiffs.

6. GAF objects to the interrogatories to the extent they are redundant, argumentative, inflammatory, or otherwise unfair, and to the extent they require GAF to assume facts not in the record.

7. GAF objects to the interrogatories to the extent they seek to require GAF to provide information or to identify any documents or other tangible things prepared or obtained in anticipation of litigation or for trial because the plaintiffs have not made the requisite showing of inability to obtain the substantial equivalent of requested information or materials by other means without undue hardship.

8. GAF objects to the interrogatories to the extent they seek to require GAF to disclose privileged attorney-client communications or information otherwise protected from discovery on the grounds of privilege.

9. GAF objects to the interrogatories on the ground that they are unduly burdensome to the extent they seek to require GAF to, without limitation:

(a) Provide information other than that which may be obtained through a reasonably diligent search of its records;

(b) Respond other than in accordance with the applicable Wisconsin Rules of Civil Procedure;

(c) Locate or interview former employees, insurance carriers, consultants or any other person not presently employed or engaged by GAF;

(d) Synthesize or generate documents not in existence at present;

(e) Describe its unsuccessful efforts to answer any interrogatory;

(f) Identify an unknown custodian or the current custodian of documents not in GAF's possession;

(g) Identify the file designation and other identifying designation, the present location, or the source of documents identified unless specifically requested in the interrogatory;

(h) Add to or change the meaning of any interrogatory;

(i) Respond to any aspect of an interrogatory not described with reasonable particularity in the express language of the interrogatory;

(j) Provide expert opinions beyond the scope of GAF's business;

(k) Gather and summarize information contained in voluminous papers that are already a matter of public record;

(l) Provide information which is equally available to the Plaintiffs as to GAF; or

(m) Respond on behalf of any other entity.

10. GAF adopts the motions and objections of the other defendants and reserves the right to adopt future motions and objections relating to plaintiffs' interrogatories.

11. GAF reserves the right, as exercised herein, to refer to interrogatory answers supplied by GAF in previous matters where a copy of such answers are already in plaintiffs' possession.

INTERROGATORIES

INTERROGATORY NO. 1: State the name, address, telephone number and current title of the corporate officer answering these interrogatories.

RESPONSE: See GAF's answers to Interrogatory No. 1 in Hostak v. Lake Asbestos of Quebec, Ltd., et al., Milwaukee County Case No. 687-478 (hereinafter referred to as "Hostak").

INTERROGATORY NO. 2: Identify the registered name of the answering defendant as well as all prior names or predecessor entities by which the defendant has existed and/or has been known or referred to at any time up to the present date. For each please state:

- (a) The current address of the entity's(ies') principle place of business;
- (b) The state and date of incorporation; and
- (c) Whether or not it is an active corporation at this time.

RESPONSE: See GAF's answers to Interrogatory No. 2 in Hostak.

INTERROGATORY NO. 3: For the entire time you or your predecessor company(ies) have been in existence, list each and every division, subsidiary and/or affiliated company (the underlined entities hereafter referred to as "business"), and provide the following information.

- (a) Identify the nature of the business at the time you acquired it.
- (b) State whether the business was ever involved in the mining, processing, manufacturing, sale or distribution of asbestos-containing products.
- (c) For each response made in (b) above, identify the location of the business, the product(s) produced (if mined -- the type of asbestos fiber mined) by the business,

and the period of time during which the product was produced by the business.

RESPONSE: See GAF's answer to Interrogatory No. 2 in Hostak.

INTERROGATORY NO. 4: Identify all corporate officers or officials which are or were responsible for creating, directing, setting or determining your activities with regard to the mining, manufacturing, processing, sale and/or packaging of asbestos-containing products at any and all times since 1930.

RESPONSE: GAF objects to this interrogatory to the extent it seeks information concerning the mining, manufacturing, processing, sale and/or packaging of asbestos-containing products on the ground that such information is irrelevant to the subject matter of this litigation. GAF further objects on the ground that this interrogatory lacks specificity as to time, products and location. GAF further objects on the ground that this interrogatory seeks information regarding non-industrial thermal insulation products not relevant to this action.

INTERROGATORY NO. 5: Are you now or have you or any of your predecessors ever:

- (a) Mined asbestos;
- (b) Processed and/or refined asbestos;
- (c) Manufactured asbestos-containing products; or
- (d) Sold and/or distributed asbestos-containing products.

RESPONSE: GAF objects to subparagraphs (a) and (b) of this interrogatory on the ground they seek information which is not relevant to this action and which is not reasonably calculated

to lead to the discovery of admissible evidence. For its answers to subparagraphs (c) and (d), see GAF's answers to Interrogatory No. 5 in Hostak.

INTERROGATORY NO. 6: For each affirmative answer provided in Interrogatory No. 5, identify the business, and the dates and locations where each activity occurred.

RESPONSE: See GAF's answers to Interrogatory No. 2 in Hostak.

INTERROGATORY NO. 7: For each asbestos-containing product which you have manufactured since 1930, please state:

- (a) The dates of manufacture of each such product;
- (b) The generic name, brand name and any trademark of each such product;
- (c) The asbestos content of each formulation for each such product, in terms of percentage by weight and by type of asbestos;
- (d) The intended end use and/or application of each such product;
- (e) Any steps, such as cutting, sawing, shaping and/or mixing which must be done by the end user to use or apply each such product;
- (f) The date the product was designed, formulated and developed, which information is to include the date(s) any changes were made to the product;
- (g) The reason(s) for each and every alteration to the design or formulation of each product, and the nature of each such change;
- (h) The identity and present address and telephone number of the person(s) responsible for the original and all subsequent designs, formulations, and/or developments of the product;
- (i) The identity and present location of all documents relating to the original and all subsequent designs, formulations, and/or developments of each such product;

- (j) Describe in detail the method for distribution and sale of each asbestos-containing product manufactured by you;
- (k) The label on the packaging of that particular product for each year of its manufacture;
- (l) All sales brochures, specification sheets, performance data or other promotional material, as well as any and all installation material, data or brochures which would have accompanied or been distributed in connection with the installation, application or use of each of the products listed above;
- (m) The advertised use of the product (as to this interrogatory, you may provide a copy of the document in lieu of describing the same); and
- (n) The identity and present location of all documents relating to the testing of each such product or the constituents in each such product, including but not limited to tests concerning use, application, durability, efficacy and toxicity.

RESPONSE:

Calsilite - Pipecovering and Block: A light, hard substance of various thicknesses and sizes. Calsilite pipecovering was most often manufactured in 3-foot sections, with various diameters available, depending upon customer needs. Calsilite pipecovering was manufactured in two half-circle pieces, for assembly around a pipe. Both Calsilite pipecovering and block were manufactured using essentially the same product formula, which included lime, diatomaceous earth, silica sand and approximately 13.5% asbestos, approximately half of which was amosite asbestos. Calsilite-Hi, developed subsequent to 1960, was manufactured using essentially the same formula as Calsilite, but had a higher clay content. Calsilite was manufactured from 1944 until 1971 at the GAF facility in Gloucester City, New Jersey. From time to time, there were minor changes in composition due to the

availability of various raw materials. In 1970, GAF manufactured Calsilite II, which was asbestos free. Calsilite II was discontinued that same year, however, because the United States Government refused to accept it. Throughout the time it was manufactured Calsilite pipecovering and block was packaged in corrugated boxes.

"115" and "214" Insulation Cements: These insulation cements were composed entirely of chrysotile asbestos fiber. They were produced after 1937 at Hyde Park, Vermont and were sold by GAF from 1937 through September, 1975. These cements were also produced by Johns-Manville and other firms for resale by GAF. Manufacture of these products was discontinued because it was not profitable. There was no change in the composition of these products during the period of their manufacture and sale by GAF and Ruberoid. The insulation cements could be packed "loosely" in burlap through the 1940's and thereafter "pressure packed" or "semi-pressure packed" in either kraft paper, plastic lined or woven plastic bags.

"313" and "412" Insulation Cements: These insulation cements were composed of asbestos fiber and clay. The principal ingredient was chrysotile asbestos, approximately 90%. "313" and "412" insulation cements were sold from 1960 to 1971 and to the best of GAF's present knowledge, "313" and "412" insulation cements were manufactured by Eagle-Picher, and were sold under the GAF label. Since GAF did not manufacture these products, the exact location of manufacture is unknown. These cements were darker in color and of a smoother consistency than Ruberoid and GAF cements.

"313" and "412" were packaged in kraft paper bags with a plastic lining. Packaging of these products may have varied on occasions, however, "313" and "412" insulation cements could be mixed with water or Portland Cement, depending on whether the cement was to be used for insulation of finishing purposes, and could then be used on irregular and rounded heat-conducting surfaces.

Calsilite Insulation Cement: This insulation cement was a combination of chrysotile asbestos fiber, ground Calsilite pipecovering and block scrap, Portland and other cements. The basic formula for calsilite insulation cement was ground calsilite scrap, approximately 45% chrysotile asbestos fiber, lumnite cement and Portland Cement. Although advertised until 1968, this cement was manufactured from 1948 to 1960 in Gloucester City, New Jersey. Production ceased in 1960 because Calsilite insulation cement never gained any commercial acceptance. Calsilite insulation cement was combined with water and troweled onto irregular and rounded heat-conducting surfaces as noted above. This product was discontinued because of lack of commercial demand and sales were minimal. From time to time, there were minor changes in the composition of this product due to the availability of raw materials. Ordinarily, Calsilite insulation cement was packaged in kraft paper bags with plastic lining.

T/NA-100: Insulating jacketing, manufactured from 1962 to September, 1971, was used for covering tanks and for protecting piping. T/NA-100 was a white-colored two-ply laminated product consisting of a layer of asbestos paper in which chrysotile asbestos

fibers were bonded with Neoprene and a layer of polyvinyl fluoride plastic film attached by adhesive on one side. Asbestos content was approximately 80%. From time to time, there were minor changes in the composition of this product due to availability of raw materials. T/NA-100 is covered by U.S. Patent No. 3,300,927 dated January 31, 1967. Manufacture of this product was discontinued because it was not profitable. T/NA-100 was assembled in Passaic, New Jersey.

Asbestos Millboard: A gray or off-white colored densely compressed sheet of uniform size and thickness, composed of asbestos fiber combined with binding materials. Millboard could be produced in a variety of thicknesses. Asbestos content was normally around 95% but varied depending upon customer specifications. Millboard was manufactured from 1928 to 1981 at Erie, Pennsylvania.

Manufacture was discontinued in 1981 when GAF's Erie facility was sold. Minor changes in the product's composition were made from time to time to compensate for changes in raw materials. In or about 1975, latex binders were added to the product. Asbestos Millboard was shipped in cardboard cartons of varying sizes.

Asbestos Rollboard: Composed of sulphite pulp and asbestos, Rollboard was designed to withstand temperatures not to exceed 250 degrees and was manufactured by combining sulphite pulp and asbestos in a slurry, to be formed into a flat sheet on

standard paper-making machinery. Asbestos Rollboard was manufactured from 1928 to 1981 in Erie, Pennsylvania. Manufacture of asbestos Rollboard by GAF continued until 1981, when the Erie facility was sold.

Flat and Corrugated Asbestos Paper: Composed of a mixture of sulphite pulp and chrysotile asbestos fiber bonded with starch, and manufactured in various thicknesses. Asbestos content was approximately 95%. This product was manufactured from 1928 until 1981 in Erie, Pennsylvania and such manufacture was discontinued when this facility was sold in 1981. Corrugated asbestos paper was used in the manufacture of air-cell pipe-covering. One brand name of the corrugated asbestos paper was Watcocell which was produced between the years 1928 and 1962, in Erie, Pennsylvania.

Minor changes in the composition of the product were made from time to time to compensate for changes in raw materials. In 1975, latex binders were added to the product. Both flat and corrugated asbestos papers were packaged in cardboard cartons of varying sizes.

Sponge Felt Laminated Insulation: Pipecovering, Sheet and Block: These products were composed of small pieces of sponge imbedded into asbestos felt. They could withstand temperatures up to 750 degrees F. The percentage of asbestos is not known as GAF's information on this product is very limited. It was discontinued because of lack of commercial demand. To the best of

GAF's knowledge, Ruberoid sponge felt products were manufactured in Erie, Pennsylvania, from 1936 to approximately 1960.

From time to time, minor changes in the composition of this product may have occurred. Because of their weight and bulk, sponge felt laminated products were packed into sections in wooden crates.

Imperial Laminated Insulation Pipecovering: Imperial insulation pipecovering consisted of twenty two layers per inch of one flat and one indented sheet of asbestos paper. It was discontinued because of lack of commercial demand. To the best of GAF's knowledge, Imperial laminated insulation products were manufactured from 1928 to approximately 1959 in Erie, Pennsylvania. From time to time, minor changes in the composition of this product may have occurred due to changes in the availability of raw materials. Because of their weight and bulk, these products were packed into sections in wooden crates.

85% Magnesia and Diatomaceous Earth Products: At various times prior to approximately 1954, Ruberoid product brochures and/or advertising listed for sale asbestos-containing products that GAF believes Ruberoid did not manufacture, including 85% magnesia and diatomaceous earth products. These products were or may have been manufactured for Ruberoid by others. GAF has not found any sales documents with respect to these products. GAF is not aware of the year or any sale of any such products or of any specific installation or sale. However, GAF recently became aware through litigation that a section of 85% magnesia pipe covering

bearing a Ruberoid label and indicating that the material was manufactured for Ruberoid by Plant Rubber and Asbestos Company was produced in Cincinnati, Ohio. It is believed that this material located in Ohio dates from the late 1930's. GAF believes that Ruberoid did not offer 85% magnesia products for sale after approximately 1954. Investigation continues.

INTERROGATORY NO. 8: For each asbestos-containing product which you have sold and/or distributed since 1930, please state:

- (a) The dates of sale and/or distribution by you of each such product;
- (b) The generic name, brand name and any trademark of each such product;
- (c) The asbestos content of each such product in terms of percentage by weight and by type of asbestos;
- (d) The intended end use and/or application of each such product;
- (e) Any steps, such as cutting, sawing, shaping and/or mixing which must be done by the end user to use or apply each such product.
- (f) The date the product was designed, formulated and developed, which information is to include the date(s) any changes were made to the product;
- (g) The reason(s) for each and every alteration to the design or formulation of each product, and the nature of each such change;
- (h) The identity and present address and telephone number of the person(s) responsible for the original and all subsequent designs, formulations, and/or developments of the product;
- (i) The identity and present location of all documents relating to the original and all subsequent designs, formulations, and/or developments of each such product;
- (j) Describe in detail the method for distribution and sale of each asbestos-containing product manufactured by you;

- (k) The label on the packaging of that particular product for each year of its manufacture;
- (l) All sales brochures, specification sheets, performance data or other promotional material, as well as any and all installation material, data or brochures which would have accompanied or been distributed in connection with the installation, application or use of each of the products listed above;
- (m) The advertised use of the product (as to this interrogatory, you may provide a copy of the document in lieu of describing the same); and
- (n) The identity and present location of all documents relating to the testing of each such product or the constituents in each such product, including but not limited to tests concerning use, application, durability, efficacy and toxicity.

RESPONSE: See response to Interrogatory No. 7.

INTERROGATORY NO. 9: List all asbestos-containing products by brand name that you sold and/or distributed which were manufactured by some company other than you and list the name of said manufacturer and the dates during which you sold and/or distributed such products.

RESPONSE: See GAF's answer to Interrogatory No. 13 in Hostak.

INTERROGATORY NO. 10: For each product identified in answer to Interrogatory 9, list the brand names and state whether or not that product was sold and/or distributed under your brand name or under the brand name given that product by its manufacturer.

RESPONSE: See GAF's answer to Interrogatory No. 13 in Hostak.

INTERROGATORY NO. 11: Identify any and all labeling or relabeling agreements in existence since 1925 between you and any other person including co-defendants.

RESPONSE: See GAF's answer to Interrogatory No. 13 in Hostak.

INTERROGATORY NO. 12: Did you sell/supply any products containing asbestos fibers or any raw fiber to any of the companies named as co-defendants in this suit? If so, please:

- (a) List the names of each co-defendant to whom your products have been sold;
- (b) Identify the dates of each such exchange, the amount of fiber sold or otherwise exchanged, and grade of fiber involved in each exchange; and
- (c) Identify each individual who currently has possession of such knowledge, either by documents or records, including that person's job classification in addition to the information requested under the general instructions.

RESPONSE: See GAF's objection and answer subject to objection to Interrogatory No. 14 in Hostak.

INTERROGATORY NO. 13: State whether your company manufactured asbestos-containing products for a co-defendant and placed the co-defendant's labels, logos or insignia on said products. If so, identify the products and list each co-defendant for whom you manufactured asbestoscontaining products, the dates you supplied such products, and the reasons why you stopped manufacturing such products for a co-defendant.

RESPONSE: See GAF's objection and answer subject to objection to Interrogatory No. 13 in Hostak.

INTERROGATORY NO. 14: Have you ever acquired another corporation, company or business which manufactured, sold, processed, distributed or contracted to apply insulation products containing asbestos? If so, please state the following concerning such other entity:

- (a) The full and correct name;
- (b) The principle place of business;
- (c) The state of incorporation;
- (d) The date of its acquisition by you; and
- (e) The products that the other entity manufactured, distributed, sold or used.

RESPONSE: See GAF's answer to Interrogatory No. 16 in Hostak.

INTERROGATORY NO. 15: Did you ever stamp or imprint the name of your company, its initials or any identifying logo /trademark on any asbestoscontaining products? If so, please describe the identifying logo or initials, the dates of inclusion on the product and identify each product on which it was included.

RESPONSE: See GAF's answer to Interrogatory No. 17 in Hostak.

INTERROGATORY NO. 16: As of the date of your answers to these interrogatories, is your company still manufacturing, selling or distributing any (a) asbestos fiber or (b) asbestos-containing products? If so, give the brand names of each such product. If you are no longer manufacturing, selling or distributing any asbestos fiber or asbestos-containing products, identify the date(s) when you ceased each such activity.

RESPONSE: See GAF's answer to Interrogatory No. 18 in Hostak.

INTERROGATORY NO. 17: For each asbestos-containing product that you manufactured, please identify the product, the supplier(s) of the raw asbestos fiber used for that product, and the date(s) you received asbestos fibers from each supplier for each such product.

RESPONSE: See GAF's objection and answer subject to objection to Interrogatory No. 19 in Hostak.

INTERROGATORY NO. 18: For each product identified in answer to Interrogatories 7, 8, 9, 12, 13 and 14:

- (a) Identify the physical appearance of that product, giving the color, size, shape and consistency;
- (b) Give a description of the container, carton or other packaging that the product was packaged in for distribution including the color, logo, trademark, printing on said container, as well as the size of the container, carton or other packaging, and its configuration;
- (c) State whether you have photographs or catalogs of any product listed in answer to Interrogatories 7, 8, 9, 12, 13 and 14, and, if so, where same are located;

- (d) If any of the products you have identified in response to Interrogatories 7, 8, 9, 12, 13 and 14 are pipe covering, block, or insulating cloth, then state whether any of these products had any distinctive markings, design, or weaving and describe same in detail;
- (e) If any of the products you have identified in response to Interrogatories 7, 8, 9, 12, 13 and 14 are asbestos-containing cements, then:
 - (i) state whether any such cements changed color when mixed with water;
 - (ii) Describe the appearance of said cement after it is properly applied; that is, whether it was rough or smooth, its consistency and color.

RESPONSE: See response to Interrogatory No. 7.

INTERROGATORY NO. 19: With respect to each asbestos-containing product identified in response to Interrogatories 7 through 14, state whether you ever considered the possibility that users of such products might inhale asbestos fibers released from the product during use. If so:

- (a) Describe in detail everything you considered which pertains to the possibility that users of such products might inhale asbestos fibers released from the product during use;
- (b) Give the date, location and name of participants at each meeting where the matter was discussed or considered; and
- (c) Identify each document relating to such consideration.

RESPONSE: See GAF's objection and answer subject to objection to Interrogatory No. 11 in Hostak.

INTERROGATORY NO. 20: With respect to each asbestos product identified in response to Interrogatories 7 through 14, state whether you gave any instructions or warnings to the purchasers of the product or to the users of the product. If so, state separately for each product:

- (a) The verbatim content of each warning or set of instructions;
- (b) The exact date you decided to use the warning or give the instructions;

- (c) The exact date each warning was first used or instructions first given;
- (d) The date you contend each of the products identified in response to Interrogatories 7, 8, 9, 12, 13 and 14 had a warning affixed to it;
- (e) The identity of the author(s) of each such warning and/or instructions;
- (f) Whether the warning and/or instructions were communicated or delivered to any distributors of the products identified in response to Interrogatories 7, 8, 9, 12, 13 and 14, and if so, identify the persons who communicated and who received the warning and/or instructions, and the date the warnings and/or instructions were communicated to the distributor(s);
- (g) Whether the warnings and/or instructions were communicated or delivered to the purchasers of the products identified in response to Interrogatories 7, 8, 9, 12, 13 and 14, and if so, identify the persons who communicated and who received the warnings and/or instructions and the date the warnings and/or instructions were communicated to the purchaser;
- (h) Whether the warning and/or instructions were attached to either the product, the product package or both when sold and/or delivered, and describe the location where such warning and/or instruction was attached;
- (i) Whether you conducted any studies, evaluations or analyses of any potential health hazards of each asbestos product identified in response to Interrogatories 7, 8, 9, 12, 13 and 14 prior to the time you began attaching each warning and/or instruction to the product and/or its packaging. If so, identify all documents relating to such studies, evaluations or analyses and state their present location; and
- (j) . Whether you have a copy of the warning and/or instructions at the present time, and if so, the location thereof.

RESPONSE: See GAF's answer to Interrogatory No. 12 in Hostak.

INTERROGATORY NO. 21: If you have discontinued manufacturing, selling or distributing asbestos-containing products, please state the reason or reasons therefor.

RESPONSE: See GAF's answer to Interrogatory No. 20 in Hostak.

INTERROGATORY NO. 22: Did you ever consider that public knowledge of health hazards linked or allegedly linked to asbestos would affect the sales of your asbestos products? If so, please state:

- (a) The form of consideration and the circumstances that prompted the consideration of such matters;
- (b) The date of the consideration;
- (c) The names of each person who considered the matter;
- (d) If the consideration occurred at a meeting, the identity of those attending; and
- (e) The identity of all documents relating to such consideration.

RESPONSE: GAF objects to this interrogatory on the ground the phrase "ever consider" is ambiguous and is not capable of a meaningful response. Subject to said objection, see GAF's answers to Interrogatory No. 21 in Hostak.

INTERROGATORY NO. 23: Have you ever imposed or considered imposing any restriction or limitation on the intended use, frequency of use and/or likely use of the asbestos-containing products you manufactured, sold or distributed? If so, for each product:

- (a) Identify the circumstances that prompted each such consideration;
- (b) Identify the verbatim content of each such limitation;
- (c) Identify the date it was first imposed;
- (d) Identify the reason for imposing the restriction or limitations;
- (e) If the reason for the restriction is stated in any document, then identify each such document;
- (f) Identify the person responsible for imposing the restriction or limitation;

- (g) If the limitation or restriction was communicated to purchasers of the product, state how it was communicated and if in writing, identify the documents by which such communication was effected;
- (h) If any such restriction or limitation was considered but was not imposed, state why it was not imposed.

RESPONSE: See GAF's objection and answer subject to objection to Interrogatory No. 22 in Hostak.

INTERROGATORY NO. 24: When was the first time that you received notice that any person was claiming an injury as the result of using asbestoscontaining products manufactured, sold or distributed by your company? For each such injury of which you received notice or a claim prior to 1970, please list:

- (a) The name and address of each claimant;
- (b) The date of the notice of each claim;
- (c) A description of the claim (i.e. worker's compensation or a third party liability action);
- (d) The type of injury allegedly sustained;
- (e) The name and address of each attorney representing individuals making such claims,
- (f) The style and the court number of each claim;
- (g) The resolution of each claim that has been disposed of;
- (h) Identify the records that relate to the claim (in lieu of answering this question, you may attach copies of any and all such documents).

RESPONSE: GAF objects to this interrogatory on the ground the information requested is not relevant nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, and without waiving it, GAF answers as follows: The first asbestos-related lawsuit naming GAF as a defendant was Potter v. Fibreboard, et al., (USDC Eastern District of Texas; CV 7329; filed July 29, 1969).

The following worker's compensation claims were filed against Ruberoid/GAF Corporation prior to 1970. None of these cases were tried to verdict, and to the best of GAF's knowledge, none resulted in a diagnosis of asbestosis.

1. In 1934 claims were filed by two workers employed by Eternit, U.S.A., which in 1930 had become a part of Ruberoid, alleging exposure to dust including lime, silica, free silica, carbon and asbestos. These two cases from the Circuit Court for the City of St. Louis are Smith v. Eternit, Inc. and The Ruberoid Company; and Robertson v. Eternit, Inc. and The Ruberoid Company. These claims alleged causes of action for exposure to dust in the work place. The disposition of these cases is unknown.

2. In 1935 three cases were filed against Eternit and Ruberoid similar to the above cases. These cases are Hugie v. Eternit, Inc. and The Ruberoid Company; Weaver v. Eternit, Inc. and The Ruberoid Company; and _____ v. Eternit, Inc. and The Ruberoid Company. These three cases were dismissed.

3. In 1936 two cases were filed against Ruberoid similar to the above cases. These cases, the disposition of which are unknown, were Kelsey v. Eternit, Inc., Eternit Mills, Ruberoid Corporation, and Paul Beeson; and Stites v. Eternit, Inc., Eternit Mills, Ruberoid Corporation and Paul Beeson.

4. In 1952 a worker at the Ruberoid St. Louis manufacturing facility filed a Petition for Damages alleging occupational disease as a result of exposure to dust, including asbestos and

cement. This matter is believed to have been settled. No other information is available. The case is Fee James v. The Ruberoid Company.

5. In 1954 a worker at the Ruberoid St. Louis manufacturing facility filed a Petition for Damages alleging asbestosis and emphysema, among others, as a result of exposure to dust including asbestos and cement. This matter is believed to have been settled. No other information is available. This case is Gloria Reed v. The Ruberoid Company.

The following are the first worker's compensation claims filed prior to 1970 in which an asbestos-related disease was alleged.

1. In 1964 a worker at the Ruberoid Vermont Mine filed a worker's compensation claim, which was settled in 1965 under the Vermont Occupational Disease Law with a diagnosis of asbestosis emphysema and chronic bronchitis. This case is Reed C. Manosh v. The Ruberoid Company.

2. In 1967 one worker's compensation claims was filed out of the South Bound Brook, New Jersey, GAF facility alleging exposure to asbestos dust. This was settled as an asbestos-related disease. The case is Demeter Stanislaw v. The Ruberoid Company.

3. In 1968 a worker's compensation claim was filed under the Vermont Occupational Disease Law by an employee of the Vermont Mine facility of GAF alleging exposure to rock dusts and chemical fumes related to the heating of the asbestos-containing ore. This case was settled in 1969 with a diagnosis of probable asbestosis. The case is Arthur J. Lumbra v. The Ruberoid Company.

4. In 1968 a worker's compensation claim was filed in Missouri by an employee of the GAF St. Louis Building Products facility. This action was setted in 1970 with a diagnosis of pulmonary asbestosis and coronary pulmonale. The case is Charles Nikola v. The Ruberoid Company.

INTERROGATORY NO. 25: If you draw a distinction in Interrogatory No. 24 as to your own employees, when was the first time that you received notice that an employee or former employee was claiming an injury as the result of using asbestos-containing products manufactured, sold or distributed by your company. For each such injury of which you received notice or claim prior to 1970, please list:

- (a) The name and address of each claimant;
- (b) The date of the notice of each claim;
- (c) Your plant location(s) where the employee or former employee worked with asbestos;
- (d) The Type of injury allegedly sustained;
- (e) The name and address of each attorney representing individuals making such claims;
- (f) The style and the court number of each claim;
- (g) The resolution of each claim that has been disposed of; and
- (h) Identify the records that relate to the claim (in lieu of answering this question, you may attach copies of any and all such documents).

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, GAF objects on the ground that Joan Abts was never an employee of GAF nor was she ever employed in the same capacity as GAF employees.

INTERROGATORY NO. 26: Do you contend that asbestos-containing products used in firedoors can be manufactured or treated so as to eliminate all potential health hazards to workers who work with and around the asbestos-containing products? If so, please explain in detail your contentions, and each and every fact that forms the basis for each contention.

RESPONSE: GAF objects to this interrogatory on the ground it only has knowledge regarding its own asbestos-containing products and not asbestos-containing products manufactured or sold by any other entity. Furthermore, GAF is not aware of what type of asbestos-containing products are used in firedoors.

INTERROGATORY NO. 27: Have you received any reports or communications from your worker's compensation insurance carrier or products liability insurance carrier with regard to the hazards incident to the use of asbestos-containing products? If so:

- (a) For each such report/communication, identify the respective insurance company, its address, the person who issued or was responsible for the communication, and the date of such report/communication.
- (b) Identify the persons(s) who has possession of such reports/communications; and
- (c) Identify the location of such reports and the substance of the contents of such reports.

RESPONSE: No.

INTERROGATORY NO. 28: Have any persons, groups or companies, including any of the co-defendants named in this litigation, ever furnished you with any information as to the state of the medical knowledge regarding the connection between asbestos dust exposure and the contracting of pulmonary diseases including asbestosis and cancer? If so, identify:

- (a) What information you were furnished;
- (b) Who furnished that information; and
- (c) When that information was furnished to you.

RESPONSE: No.

INTERROGATORY NO. 29: Have you at any time since 1930 exchanged or shared results of research tests, medical studies or experiments regarding the state of the medical knowledge regarding the connection between asbestos exposure and the contracting of pulmonary diseases including lung cancer and asbestosis with any other person, group or company including any co-defendants in this action? If so, please state:

- (a) When this exchange or sharing took place;
- (b) Who participated in these exchanges or sharings; and
- (c) Summarize the content of these exchanges or sharings.

RESPONSE: No.

INTERROGATORY NO. 30: Please state if you or anyone on your behalf ever conducted, sponsored or contributed financially to any studies or research to determine if the inhalation of asbestos fibers may be harmful. If so, please state:

- (a) By whom each such study or research was conducted, giving complete names and addresses;
- (b) The dates that each such study or research project or test was conducted;
- (c) The complete results of each research project, test or study;
- (d) Identify all documents that refer, reflect or relate to the test or study (in lieu of answering this question you may attach copies of the reports of the research project, test or study);
- (e) Where the documents identified in the interrogatory are maintained; and
- (f) Identify the custodian of all such records.

RESPONSE: No.

INTERROGATORY NO. 31: Please state the names and addresses of your chief medical officers from 1930 until the present time, listing the periods of time each such medical officer was employed by you in that capacity. If you did not have a medical officer, please indicate what person or persons performed the function of a medical officer.

RESPONSE: GAF objects to this interrogatory on the ground the information requested is not relevant nor is it calculated to lead to the discovery of admissible evidence. Subject to said objection, and without waiving it, GAF answers as follows: GAF did not have facilities for medical testing or research, did not itself conduct tests or studies on its employees or products of a medical nature. During certain periods or time, GAF called upon local physicians from surrounding cities or towns near its plant locations to perform routine physical examinations and to administer routine treatment when and if necessary.

INTERROGATORY NO. 32: From 1930 until the present, identify the names and addresses of all physicians who you employed, retained or otherwise engaged for work connected with any of your facilities.

RESPONSE: See GAF's response to Interrogatory No. 31.

INTERROGATORY NO. 33: Identify the names and addresses of all persons you employed from 1930 until the present time who functioned as industrial hygienists. As used in this interrogatory an industrial hygienist is one who performs engineering or health studies to identify and evaluate potential occupational health hazards and suggest methods of dealing with the same. For each industrial hygienist listed, please state:

- (a) The facility or office to which that individual was assigned; and
- (b) The complete and precise duties and responsibilities of the industrial hygienist.

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, GAF answers as follows:
None.

INTERROGATORY NO. 34: Did anyone ever make any recommendations and/or suggestions to you pertaining to the risks and hazards associated with the manufacturing or use of products containing asbestos? If so, please state:

- (a) Where such recommendations or suggestions were made;
- (b) Who made such recommendations or suggestions;
- (c) To whom these recommendations or suggestions were made;
- (d) The substance of the recommendations or suggestions; and
- (e) What actions you took as the result of those recommendations and suggestions.

RESPONSE: GAF objects to this interrogatory on the ground the interrogatory could be construed to seek information relating to non-industrial thermal insulation products irrelevant to the present litigation. Subject to this objection, GAF answers as follows: Prior to 1964 or early 1965, Ruberoid officials were not aware of any health hazards related to the use of its thermal insulation products containing asbestos. In approximately 1964 or early 1965, Ruberoid became aware of opinions expressed by certain members of the medical profession that inhalation of asbestos by users of asbestos-containing products could be harmful although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers could be harmful, but GAF did not receive specific medical information on the results of such exposure. Upon enactment of the Federal Occupational Safety and Health Act of 1970, GAF became aware of tests and examinations made as a result of that legislation.

INTERROGATORY NO. 35: Have you, as part of processing, distribution and/or sales of asbestos materials and products, had a system of inspections (quality control, safety, etc.) of such materials or products? If so, please state:

- (a) When the system was initiated;
- (b) Who was responsible for initiating and overseeing the system;
- (c) Describe the system used;
- (d) If there are any documents describing the inspection system, identify each such document; and
- (e) State whether any such asbestos products were rejected during the inspection process. If so, state what the reasons were for any such rejection.

RESPONSE: GAF objects to this interrogatory on the ground it is overly broad and unduly burdensome in that it is not limited as to time. Subject to said objection, GAF answers as follows: GAF states that its products were tested for purposes of quality control and, with respect to sales to government agencies and departments, such tests were mandatory and performed by the government itself in many instances. The government was thus responsible for such testing in such instances. In accordance with industry practice and later with direction of OSHA, tests were to be made in the workplace by contractors and other sophisticated purchasers of such products. To the best of GAF's knowledge, no testing of GAF's industrial thermal insulation products were performed other than as set forth above.

INTERROGATORY NO. 36: State whether the asbestos-containing products you manufactured, sold or distributed were the subject of any type of advertisement, regardless of media, issued on your behalf since 1930. If so, please state for each product:

- (a) The subject matter of the advertisement;

- (b) The media in which the advertisement was placed;
- (c) When the advertisement(s) was so placed;
- (d) The geographic area(s) in which the advertisement was used;
- (e) Whether any photographs or diagrams were included in the copy of the advertisement;
- (f) Identify the advertisement by author, date, and present location and custodian;
- (g) Attach copies of all advertisements and state exactly where the advertisement was published, broadcast or made public; and
- (h) Was anyone, besides you, involved in the preparation of the copy for the advertisement, and if so, identify such other person or entity.

RESPONSE: Ruberoid/GAF presented product and technical information in trade and other magazines and maintained entries in Sweet's Catalog Files. Such documents, to the extent that they exist, will be made available to plaintiffs for inspection and copying at local counsel's offices upon reasonable request.

INTERROGATORY NO. 37: Do you have knowledge from any source that:

- (a) Asbestos causes asbestosis?
- (b) There is a correlation between exposure to asbestos and the occurrence of asbestosis?

If your answer to either (a) or (b) or both is "yes," state what that knowledge is, how it was acquired, when you acquired it, from whom you acquired it, or how you otherwise obtained the information.

RESPONSE: GAF objects to this interrogatory on the ground the information requested calls for an expert medical

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opinion and is not limited as to time. Subject to
GAF answers as follows: See GAF's answers to Inter-
34.

INTERROGATORY NO. 38: Do you have knowle
source that:

- (a) Asbestos causes lung cancer?
- (b) There is a correlation between asbestos e.
the occurrence of lung cancer?

If your answer to either (a) or (b) or bot
state what that knowledge is, how it was acquired,
acquired it, from whom you acquired it, or how you o
obtained the information.

RESPONSE: See GAF's response to Interroga

INTERROGATORY NO. 39: Do you have knowled
source that:

- (a) Asbestos causes mesothelioma?
- (b) There is a connection between asbestos expo
the disease mesothelioma?

If your answer to either (a) or (b) or both
state what that knowledge is, how it was acquired, wh
acquired it, from whom you acquired it, or how you ot
obtained the information.

RESPONSE: See GAF's response to Interrogat

INTERROGATORY NO. 40: Do you have knowledg
source that once asbestos fibers or dust are inhaled
lungs of a person, there is no way to eliminate a por
dust or fibers from the lungs for the balance of such
life? If so, state what that knowledge is and when yo
it.

RESPONSE: GAF objects to this interrogatory
ground the information requested calls for an expert m
opinion.

INTERROGATORY NO. 41: Do you have knowledge
source that the symptoms of asbestosis and other asbes
lung diseases or cancers may not manifest themselves u

RESPONSE: GAF objects to this interrogatory on the ground the information requested calls for an expert medical opinion.

INTERROGATORY NO. 45: Have you ever conducted or financed any studies of the dust levels of asbestos produced when your asbestos products are or were used, installed or removed from a prior installation? If so, identify all documents relating to such studies and the person(s) responsible for making the decision to conduct or finance such studies.

RESPONSE: No.

INTERROGATORY NO. 46: If you have not conducted such studies as described in Interrogatory No. 45, state whether you ever considered doing so and for each such occasion when such consideration was given:

- (a) Identify the date, form and results of each such consideration;
- (b) Identify all persons involved in such consideration; and
- (c) Identify all documents relating to such consideration.

RESPONSE: GAF objects to this interrogatory on the ground the term "considered" is ambiguous and is not capable of a meaningful response.

INTERROGATORY NO. 47: When did you first become aware that warnings or cautions were placed on asbestos containing products manufactured, sold or distributed by other manufacturers of asbestos-containing products.

RESPONSE: GAF is aware that most if not all of those manufacturers which produced asbestos-containing placed warnings on their products during the 1960's and 1970's. Until 1972, GAF's use of these warnings followed other manufacturers in the industry which used such cautionary notices after certain opinions were expressed by members of the medical profession that there might be a health risk to persons who installed thermal insulation

products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions.

INTERROGATORY NO. 48: Identify any medical examination programs offered or sponsored by you or your insurance carrier for your employees who handled or were otherwise exposed to the asbestos and asbestoscontaining products you mined, manufactured, sold, or distributed. With respect to each such program, please state:

- (a) The manner of communicating with employees about such program;
- (b) Whether examination was mandatory or optional;
- (c) What percentage of workers permitted to undergo such examination actually participated;
- (d) What percentage of workers were found to have asbestosis;
- (e) What percentage of workers were found to have mesothelioma;
- (f) What percentage of workers were found to have bronchogenic carcinoma; and
- (g) With respect to (d) through (f), what percentage of such workers were paid disability, worker's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

RESPONSE: GAF objects to this interrogatory on the ground it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Joan Abts was never employed by GAF nor was she ever employed in the same capacity as GAF employees.

INTERROGATORY NO. 49: Identify all trade organizations, associations or other entities, including, but not limited to ATI, IHF, NIMA, AIA, NICA, TIMA, QAMA, PICA, QAPA, and the Safe Building Alliance ("SBA") of which you have been a member or in which you have participated since 1925 and the years of your membership and/or participation.

RESPONSE:

Asbestos Information Association/North American
Suite 509
1745 Jefferson Davis Highway
Arlington, Virginia 10017
1958-1977

National Insulation Manufacturers' Association, Inc.
441 Lexington Avenue
New York, New York 10017
1958-1981

Mineral Fiber Products Bureau, formerly known as
Asbestos Cement Product Association
New York, New York
1937-mid 1970's

American Society of Testing Materials
1916 Race Street
Philadelphia, Pennsylvania 19103
1946-1981

Seven Kirby Plaza
Mount Kisco, New York 10549
1973-1977

National Safety Council
444 N. Michigan Avenue
Chicago, Illinois 60611
Prior to 1966 to 1981

This defendant is aware of documents reflecting that General Aniline and Film Corporation was a new member of the Industrial Health Foundation, during the years 1945 to 1947, a period when General Aniline and Film Corporation was under government ownership and not even in any aspect of the asbestos business, and further reflecting that The Ruberoid Co. was a new member for a limited period in 1953-1954. This defendant does not have any internal documents which reflect actual, as opposed to contemplated, membership at any time. Moreover, this defendant knows of no evidence that it ever received any IHF documents at any time.

RESPONSE:

Asbestos Information Association/North American
Suite 509
1745 Jefferson Davis Highway
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This defendant is aware of documents reflecting that General Aniline and Film Corporation was a new member of the Industrial Health Foundation, during the years 1945 to 1947, a period when General Aniline and Film Corporation was under government ownership and not even in any aspect of the asbestos business, and further reflecting that The Ruberoid Co. was a new member for a limited period in 1953-1954. This defendant does not have any internal documents which reflect actual, as opposed to contemplated membership at any time. Moreover, this defendant knows of no evidence that it ever received any IHF documents at any time.

INTERROGATORY NO. 50: Identify all persons attending on your behalf any meetings held by any trade organization listed in response to Interrogatory No. 49.

RESPONSE: It is believed that J.M. High, Thomas J. Walters, Duane Davis and William C. Schwingen attended certain meetings of ASTM.

INTERROGATORY NO. 51: Identify the nature of all documents submitted by you or received by you at meetings identified in response to Interrogatory No. 49.

RESPONSE: Documents, to the extent they exist, will be made available for inspection and copying at local counsel's office upon reasonable request.

INTERROGATORY NO. 52: Identify any documents relating to the relationship between asbestos exposure and disease which you received from or submitted to those trade organizations, associations or other entities identified in response to Interrogatory No. 49.

RESPONSE: GAF objects to this interrogatory on the grounds of vagueness and ambiguity as to the terms "asbestos exposure" and "disease." Subject to said objections, GAF answers as follows: GAF is not aware of such documents.

INTERROGATORY NO. 53: Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory or the Trudeau Foundation relating to asbestos exposure and its effect on human life? If so, identify:

- (a) All documents summarizing findings or results of those studies or tests which you have in your possession or control;
- (b) All communications, oral or written, between answering defendant and Saranac personnel, including but not limited to Gerrit W. H. Schepers, M.D.;
- (c) All documents relating to Saranac studies received or submitted by you, either directly, through associated

or predecessor companies, through other companies, or through any trade associations, organizations or entities;

- (d) All recommendations or findings of such studies in relation to:
 - (i) adequacy or inadequacy of the threshold limit values;
 - (ii) the substitution of materials other than asbestos to be used in the insulation process; and
- (e) Where the documents and/or communications identified in this interrogatory are presently maintained.

RESPONSE: No.

INTERROGATORY NO. 54: Identify all persons who have testified on your behalf and all documents presented to or utilized in preparation of testimony before the Occupational Safety and Health Administration, the National Institute of Occupational Safety and Health, any U. S. Congressional committee or sub-committee or governmental hearing or investigative proceeding on the subjects of biological effects on human life from exposure to asbestos and the setting, modification, feasibility and acceptance of allegedly safe or proper levels of such exposure to asbestos and asbestos products.

RESPONSE: Robert H. Beber testified before the Subcommittee on Labor Standards of the Committee on Education and Labor on June 14, 1983. At the time of his testimony, Mr. Beber was Senior Vice President, General Counsel and Secretary of GAF Corporation. Edward E. Shea testified before a House Subcommittee on H.R. 1626 in 1985. At the time of his testimony, Mr. Shea was Senior Vice President, General Counsel and a Director of GAF Corporation.

INTERROGATORY NO. 55: For all testimony set forth in response to Interrogatory No. 54, please identify:

- (a) All dates and descriptions of the proceedings;

- (b) the relationship between the person who testified or responded and you;
- (c) All studies, test results or other scientific or medical documents relied upon by said person as a basis for any recommendation made or testimony given;
- (d) Whether at any time prior to or following such testimony you possessed knowledge of documents suggesting that existing or proposed threshold limit values were not safe or proper or that lower threshold limit values were necessary in order to prevent disease; as to this response, please identify the origin of the knowledge and all documents relating thereto; and
- (e) Whether at any time prior to or following such testimony you were aware that the proper method for determination of safe levels of asbestos dust was to test concentrations of fibers in the air rather than the total number of particles. If your answer is in the affirmative, identify the origin of said knowledge and all documents relating thereto.

RESPONSE: See response to Interrogatory No. 54.

INTERROGATORY NO. 56: What do you understand "threshold value limit" to mean?

RESPONSE: GAF does not have an independent understanding of the term "threshold limit value." GAF first became aware of the term in 1972, when OSHA set standards for the threshold limit value ("TLV").

INTERROGATORY NO. 57: What is being measured when you take the measurement of threshold limit value as you define it?

RESPONSE: In 1972, the OSHA's acceptable standard was 5 fibers/cc for TWA "time weighted average" and 10 fibers/cc for peak time. In 1976, the standard changed to 2 fibers/cc for TWA; the peak time asbestos fiber remained unchanged.

INTERROGATORY NO. 58: What do you understand "dose response relationship" to mean?

RESPONSE: GAF does not have an independent understanding of the term "dose response relationship."

INTERROGATORY NO. 59: Have you ever conducted any dust studies in any of your asbestos manufacturing facilities? If so, please state:

- (a) The date of each such study;
- (b) The person conducting the study;
- (c) The result or conclusion; and
- (d) Who presently has possession of the report or study.

RESPONSE: GAF objects to this interrogatory on the ground it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. Joan Abts was never employed by GAF nor was she ever employed in the same capacity as GAF employees.

INTERROGATORY NO. 60: Do you maintain a library dealing with industrial hygiene, medicine, safety and/or engineering? If so, state:

- (a) The date you established the library;
- (b) The location of the library;
- (c) The name or names of the librarian(s) since 1930;
- (d) The identity of all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, occupational health, and/or engineering; and
- (e) The identity of all books and articles dealing with asbestos and asbestos-related diseases in your library and the date you acquired such books and articles.

RESPONSE: GAF objects to this interrogatory on the ground that it is overly broad and unduly burdensome in that it is not limited as to time. Subject to said objection, GAF answers as follows: Neither Ruberoid nor GAF maintained a central corporate

library of occupational safety and health materials. Any information which did exist was kept by Harry Messler while he headed the corporate safety department from the early 1960's to 1971. Mr. Messler died in 1972 and the whereabouts of his materials are unknown.

INTERROGATORY NO. 61: Have you, at any time since 1930, maintained any office or department dealing in any way with medical research related to asbestos exposure? If so, state:

- (a) The name of such department;
- (b) The location of such department; and
- (c) The identity of each person who has been in charge of the department.

RESPONSE: GAF objects to this interrogatory on the ground that it is overly broad and unduly burdensome in that it is not limited as to time. Subject to said objections, GAF answers as follows: GAF never had any facilities for medical research. Its products were tested for quality control, weather and element resistance, and for compliance with mandatory government specifications.

INTERROGATORY NO. 62: Have you ever been cited or admonished by any government agency for dust levels in excess of any threshold limit value (TLV) or other predetermined number respecting all dusts found in work areas where asbestos or asbestos products were manufactured or handled? If so, please state:

- (a) The dust and TLV or number involved (including standard and actual number);
- (b) The date of the citation;
- (c) The government agency issuing the citation;
- (d) The identity of any document related to such an occurrence; and

- (e) Any action taken by you and/or the agency involved in response to the citation.

RESPONSE: GAF objects to this interrogatory on the ground that it is overly broad and unduly burdensome in that it is not limited as to time. Subject to said objection, GAF answers as follows: Not to the best of GAF's present knowledge.

INTERROGATORY NO. 63: Have you contributed any funds to research concerning asbestos and its relation to lung, heart, gastro-intestinal and/or larynx disease? If so, please state for each year the amount of money contributed, when and to whom, attaching any report or reports from each individual or organization to whom your funds were distributed.

RESPONSE: GAF objects to this interrogatory on the ground that it is overly broad and unduly burdensome in that it is not limited as to time. Subject to said objection, GAF answers as follows: No.

INTERROGATORY NO. 64: Do you have knowledge that any respirators or other breathing devices prevent inhalation of the asbestos dust and fiber from your product? If so:

- (a) Give a detailed description of such respirator or other breathing device;
- (b) State the source of your knowledge that such a respirator or other breathing device would prevent the inhalation of such dust and fibers and the date you received such knowledge; and
- (c) Identify any relevant tests performed on such respirators or other breathing devices.

RESPONSE: GAF objects to this interrogatory on the grounds of vagueness as to the time in question and what is meant by "product." Without waiving those objections, GAF is not presently engaged in the manufacture, sale or distribution of asbestos-containing products.

INTERROGATORY NO. 65: Have you destroyed any documents pertaining to:

- (a) Health hazards of asbestos;
- (b) Worker's Compensation claims arising out of asbestosis, lung cancer, mesothelioma, corpulominle, pneumoconiosis or pulmonary fibrosis;
- (c) Placing warning labels on your products;
- (d) Dust-related hazardous conditions in your plants or factories;
- (e) Funding of studies about health hazards of asbestos;
- (f) Lawsuits arising out of injuries alleged to have been caused by asbestos;
- (g) Sales of asbestos products; and
- (h) Purchases of raw asbestos.

RESPONSE: GAF objects to this interrogatory on the ground the manner in which GAF's records are retained is neither relevant nor likely to lead to the discovery of admissible evidence and on the further ground that it requests privileged information.

INTERROGATORY NO. 66: Identify all sales records in your possession concerning sales of your asbestos products to U.S. Plywood/Champion International, South River, New Jersey, including invoices, shipping records, computer records, customer records and state for each:

- (a) The location of such records;
- (b) The current custodian;
- (c) The time period covered by such records;
- (d) Whether an index or summary of such records exists; and
- (e) The format or manner by which these records are organized.

RESPONSE: GAF objects to this interrogatory on the ground that it is overly broad and unduly burdensome in that the

information requested lacks particularity as to time, products and location. Subject to said objections, GAF answers as follows: The only documents known to GAF were produced during discovery in Hostak and again in this litigation.

INTERROGATORY NO. 67: Identify all records of your purchase of raw asbestos, including invoices, shipping records, and computer records, and state for each:

- (a) The location;
- (b) The current custodian;
- (c) The time period covered by such records;
- (d) Whether an index or summary of such records exists; and
- (e) The format or manner by which these records are organized.

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. Also, the interrogatory is overly broad and unduly burdensome in that it is not limited as to time, products or location.

INTERROGATORY NO. 68: State whether or not any warnings, cautions, caveats or directions accompanied any raw asbestos fiber you received or you distributed, and identify the source of the asbestos fiber, the nature and a summary description of any warnings, cautions, caveats or directions accompanying said asbestos fiber.

RESPONSE: See GAF's objections to Interrogatory No. 67.

INTERROGATORY NO. 69: State what date the information provided in Interrogatory No. 68 first appeared on the containers, cartons or other packaging for the asbestos fiber.

RESPONSE: See GAF's objections to Interrogatory No. 67.

INTERROGATORY NO. 70: If you maintain an index, summary, card catalog, computer listing, outline or other listing of records stored or retained by your company, please identify each and state the location, custodian, time period and documents covered.

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, the interrogatory is not limited as to time or to types of records.

INTERROGATORY NO. 71: If a patent covers any product listed in response to any interrogatories, give the number of each patent, the date the patent was issued, and the number of each patent application that is pending.

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, GAF answers as follows: An original patent on the Calsilite heat insulation process was held by Herbert Abraham, former president of the Ruberoid Co., and Hubert E. Lloyd. Mr. Lloyd assigned his patent to Ruberoid in 1946, and the patent No. is 2,400,884. Mr. Abraham assigned his patent to Ruberoid in 1952, and its patent No. is 2,602,754. Aspects of the method of manufacture of T/NA-100 was covered by U.S. Patent No. 3,300,927. The holder of this patent is Phillip Stephen Bettoli.

INTERROGATORY NO. 72: Do you contend that there is a dose response relationship between exposure to asbestos and the:

- (a) Cause of mesothelioma.
- (b) Initiation of mesothelioma.

(c) The development of mesothelioma.

RESPONSE: GAF objects to this interrogatory on the ground it calls for an expert medical opinion.

INTERROGATORY NO. 73: If you have entered into any agreement with any party to this lawsuit, identify:

- (a) The date such agreement was formed;
- (b) All of the parties to the agreement; and
- (c) What each party to the agreement must do in order to fulfill his responsibilities under the agreement.

RESPONSE: GAF objects to this interrogatory on the ground that it seeks information which is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence, and on the further ground that it requests attorney-client privileged information. Furthermore, the interrogatory is overly broad and unduly burdensome in that it is not limited as to time and on the further ground that the phrase "any agreement" is ambiguous and not capable of a meaningful response.

INTERROGATORY NO. 74: Do you contend that The Plywood is a manufacturing company that was aware of potential health hazards of asbestos used in manufacturing operations? If your answer is yes, identify:

- (a) Every detail and document that supports your answer;
- (b) The date The Plywood first knew of the health hazards of asbestos, and identify all facts and documents that support your answer.

RESPONSE: GAF objects to this interrogatory on the ground the information requested is just as available to the plaintiffs as it is to GAF. Furthermore, the interrogatory calls for information which is subject to the attorney work product

privilege. Without waiving these objections, Yes. See National Gypsum's response to this interrogatory, which is incorporated herein in full.

INTERROGATORY NO. 75: Explain why you did not conduct medical research concerning the health effects associated with exposure to asbestos fiber.

RESPONSE: GAF objects to this interrogatory on the ground it is overly broad and unduly burdensome in that it is not limited as to time or products. Subject to said objections, GAF answers as follows: See GAF's answers to Interrogatory No. 34.

INTERROGATORY NO. 76: In response to OSHA regulations pertaining to asbestos, did you ever request an independent laboratory to analyze or test your asbestos-containing products? If so:

- (a) Identify which asbestos-containing products you had tested;
- (b) Identify the laboratory which did the testing;
- (c) Identify any reports prepared about such tests, the date of the report, the author of the report, and a summary of the report;
- (d) Do you contend that the products you had tested were a "toxic substance" as that term is defined in OSHA; and
- (e) Do you contend that legislation mandating cautionary labeling is the only reason why you should place cautionary labels on a product?

RESPONSE: GAF objects to this interrogatory on the ground it is overly broad and unduly burdensome in that it is not limited as to time or types of products.

INTERROGATORY NO. 77: Do you contend that The Plywood is a manufacturer which was aware during Joan E. Abts' employment at The Plywood of the need for its employees to avoid excessive dust? If so, identify:

- (a) Every detail and document that supports your answer;

- (b) The date The Plywood first knew of the need to avoid excessive dust exposure;
- (c) The date you became aware that The Plywood knew of the need to avoid excessive dust exposures;
- (d) The date The Plywood knew of the need to monitor the amount of asbestos dust that was part of the general dust exposure at The Plywood;
- (e) As you would use the term, define "excessive dust exposure";
- (f) As you would use the term, define "safe working conditions" with respect to the use, handling or other work with asbestos-containing products; and
- (g) Did you believe that you could rely on The Plywood to maintain safe working conditions with respect to the use of your asbestos-containing products. Explain each and every fact and detail in support of your answer.

RESPONSE: GAF objects to this interrogatory on the grounds that it is overbroad, unduly harassing, seeks information protected by the work product and attorney/client privileges, is unduly burdensome, is repetitive and assumes "facts" which are not true. Without waiving those objections, see GAF's responses to Interrogatory No. 74.

In addition, GAF notes that by 1966 when Joan Abts began working at The Plywood, it was well known in the industrial hygiene community that the primary responsibility for maintaining the plant environment rested with the plant owner. The Plywood had knowledge concerning the potential hazards of asbestos exposure at its workplace, and standard industrial hygiene practices placed upon it responsibility for maintaining a safe working environment. Further, GAF did not supply any asbestos fiber directly to The

Plywood, and it had no reason to believe that The Plywood would not maintain safe working conditions for all of its employees.

INTERROGATORY NO. 78: With respect to each and every warning or instruction you provided The Plywood concerning any matter related to the use of your product:

- (a) Describe in detail the warning, instruction or any other communication concerning exposure to asbestos fibers;
- (b) Identify the date, location and name of any persons who provided such information to The Plywood;
- (c) Identify the person(s) at The Plywood who was given such information;
- (d) Identify any documents that relate to this interrogatory.

RESPONSE: GAF is not aware that it ever supplied any asbestos-containing products to "The Plywood." If the products described in the documents produced in the Hostak case were supplied to "The Plywood," they would have contained the warnings described in answer to Interrogatory No. 12 in Hostak.

INTERROGATORY NO. 79: State the name(s), address(es), official titles, if any, of each and every fact witness, who, it is contemplated will be called upon to testify in support of your defense(s) in this action, and for each and every witness separately state:

- (a) The subject matter on which each witness is expected to testify;
- (b) The substance of the facts to which each witness is expected to testify;
- (c) The relationship of the witness to you, if any;
- (d) State whether the witness has testified in any other asbestos related litigation or proceeding, and if so, state the name of the case, the case number, the approximate date of such testimony, and the forum in which the case was heard; and

- (e) Identify each document that you have presented, supplied, or otherwise made available to each witness in connection with or in preparation for his/her testimony.

RESPONSE: GAF objects to this interrogatory on the grounds that it calls for information which is protected by the work product and/or attorney-client privilege. GAF further objects to this interrogatory on the grounds that it is impossible to answer, since what witnesses (if any) GAF decides to call at trial will depend on many factors, none of which can yet be determined.

Notwithstanding those objections, and without waiving them, GAF states that if it calls any fact witnesses, among the categories of witnesses whom it might possibly call are co-workers/managers from the Algoma plant, present or former employees of Champion International/U.S. Plywood, former employees of The Wisconsin State Board of Health - Industrial Hygiene Unit, plaintiff, and its own employees (or former employees). Without limitation, to the extent that those witnesses have been deposed in previous cases involving the Algoma plant, GAF would expect that the evidence they would present in this case would be very similar to their deposition testimony from the previous Algoma cases.

Dated this 10 day of March, 1990.

FOLEY & LARDNER
Attorneys for GAF Corporation

By Trevor J. Will
Trevor J. Will
Michael P. Van Alstine

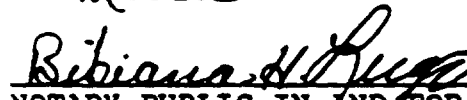
STATE OF NEW JERSEY)
) SS:
COUNTY OF PASSAIC)

A F F I D A V I T

I, ELEANOR CARLSON, being duly sworn according to law, depose and say that I am an Assistant Secretary of GAF Corporation, one of the Defendants herein, and that I am authorized to make this Affidavit in its behalf, and that the facts set forth in the foregoing Responses are true and correct to the best of my knowledge, information and belief.


ELEANOR CARLSON

SWORN TO AND SUBSCRIBED
before me this 19th day
of March, 1990.


NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE

Bibiana H. Lugo
Notary Public of New Jersey
My Commission Expires Jan. 31, 1995

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