



IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY
STATE OF FLORIDA

IN RE: ASBESTOS INJURY LITIGATION

Case No. 85-4666

NOTICE OF FILING

Comes now the Defendant, Owens-Corning Fiberglas Corportion
and hereby gives notice that it is filed its response to the
Plaintiff's Interrogatories numbered 1a-f.

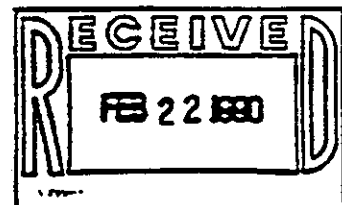
CROSBY, SAAD & BEEBE, P.C.
Attorneys for Defendant

By: 
RICHARD M. CRUMP

CERTIFICATE OF SERVICE

I do hereby certify that I have this 21 day of Feb,
1990, served a true and correct copy of the foregoing pleading
upon all counsel of record by mailing copy of same, United States
mail, first class postage prepaid.


RICHARD M. CRUMP



IN THE CIRCUIT COURT FOR ESCAMBIA COUNTY, FLORIDA

IN RE: ASBESTOS LITIGATION

CASE NO: 85-466

DEFENDANT, OWENS CORNING FIBERGLAS CORPORATION'S
RESPONSE TO PLAINTIFFS' INTERROGATORIES

Defendant, Owens Corning Fiberglas Corporation, by counsel and pursuant to the rules of this Court, responds to Plaintiffs' Request for Production as follows:

INTRODUCTORY STATEMENT AND OBJECTIONS

Plaintiffs seek information which in many instances is contained in numerous files and records. Further, certain of these interrogatories may call for the collection of information from OCF offices located in various parts of the United States. Therefore, OCF has responded on the basis of the best information now available to it. Subsequent investigation may reveal additional information relevant to these interrogatories and lead to a supplemental response. It is also noted that persons who are not now officers, directors or managing agents of OCF may have information relevant to the subject matter of these requests, and OCF is not purporting in the following responses to be giving the response of any such persons to plaintiffs' interrogatories.

OCF's responses are made without in any way waiving: (1) the right to object on the grounds of competency, relevancy and materiality, hearsay or any other proper ground to the use of any such information, for any purpose, in whole or in part, in any

subsequent stage or proceeding in this action or any other action: (2) the right to object on any and all grounds, at any time, to any other discovery procedure involving or relating to the subject matter of these interrogatories.

Furthermore, to the extent that these interrogatories seek information concerning injury or disease other than those allegedly experienced by plaintiffs herein or concerning asbestos containing products other than those to which plaintiffs allegedly were exposed, OCF objects on the grounds that such information is beyond the proper scope of discovery and is not reasonably calculated to lead to the discovery of admissible evidence. To the extent these interrogatories are not limited in time to the years that OCF manufactured and/or sold asbestos containing products, OCF objects on the grounds that these interrogatories are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

OCF also objects to these interrogatories to the extent that they seek information which is protected from discovery as attorney work product, attorney client communications, protected by the right to privacy, any other applicable privilege or material which is considered to be proprietary and trade secret.

Incorporating the above objections into each response, OCF responds as follows:

INTERROGATORY NO. 1:

Please provide the following information with respect to all workers' compensation, third party, any other legal claims of any type whatsoever brought against you between calendar years 1950 and 1973 in which a claimant contended that he had been injured

by exposure to asbestos:

- a. Name of client;
- b. Date of claim;
- c. Date on which Owens Corning received notice of the claim;
- d. The disease process that the plaintiff contended he suffered;
- e. The job description of the plaintiff, including a description of how he contended he was exposed to asbestos and in what trade he was exposed to asbestos; and
- f. The resolution of the claim.

RESPONSE NO. 1:

OCF objects to this interrogatory on the grounds that it is overly broad and burdensome and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, OCF states that it was named as a party in Workmen's Compensation actions filed by persons believed to have been employees of its Contracting and Supply Division alleging injury from exposure to asbestos. These claimants were apparently insulation workers, who filed actions against numerous past and present employers, and alleged injury from exposure to a variety of asbestos and non-asbestos containing materials over a period of many years.

OCF does not have records to provide a complete response to this interrogatory, because Worker's Compensation claims historically have been processed by OCF's insurance carriers, and OCF's corporate headquarters would not always have received contemporaneous notifications of individual claims.

OCF has had in its possession certain claims materials from

these kinds of Worker's Compensation actions. These materials were located, for the most part, in the Law Department of the company's Santa Clara, California manufacturing plant. However, all of these files originally located at Santa Clara have not been located in company files during a recent review of documents. A diligence search continues.

The following table sets forth the factual information which is presently known about these claims. Based on a preliminary review of these materials conducted in 1980, it appears that the injuries claimed were asbestosis, and in some instances, lung cancer.

	Name	Approx. date of claim filed against OCF	Location
1.	Harold Bronson	1964	Los Angeles, CA
2.	Leonard Brookenshire	1968	Los Angeles, CA
3.	Allan Everitt	1963	
4.	Minnie Louise & Bruce Frederick	1967	Fresno, CA
5.	Steve Gillovich		
6.	Robert O. Goans	1963	Oakland, CA
7.	Robert E. Goodwin	1969	CA
8.	Paul Gratshire	1962	Oakland, CA
9.	Allen Hamberg		Seattle, Washington
10.	Roy B. Harris	1973	Phoenix, Arizona
11.	Gerald Herrick	1970	Anchorage, Alaska
12.	Harold Hilstrom	1973	Washington
13.	Burton Kramer	1960	Washington

14.	Marvin Lindholm	1973	Seattle, Washington
15.	William Lee Mabry	1967	Oregon
16.	W.L. Menzies	1968	Los Angeles, CA
17.	Fred Moffett	1966	Oregon
18.	Willis E. Moore		Seattle, Washington
19.	Edward Meyers	1962	San Francisco, CA
20.	George Nelson	1968	Phoenix, Arizona
21.	Henry Puetz	1966-1967	
22.	John Stanley	1969	Los Angeles, CA
23.	M.E. Sutton		
24.	David Swindell	1975	Sacramento, CA
25.	William E. Tudor	1967	Seattle, Washington
26.	Charles Vincent	1970	Anchorage, Alaska
27.	James Whitcomb Riley	1959	
28.	Leroy C. Winters	1959	Albuquerque, NM
29.	John Wyss	1962	

In addition, a review of the OCF Toledo Medical Department files indicate the following information relating to these kinds of Workmen's Compensation claims.

	Name	Approx. date of claim filed against OCF	Alleged Injury	Location
1.	Wayne E. Boyer	1969-70	Asbestosis	Los Angeles, CA
2.	Lawrence F. Brimmer	1969	Unknown	Flint/Grand Rapids, MI
3.	Maurine Clark	1969-70	Unknown	Los Angeles, CA
4.	James E. Clark	1969-70	Unknown	San Francisco,
5.	James Clark	1970	Asbestosis	Seattle, WA

6.	Bruce Frederick (Minnie Louise)	1967-70	Asbestosis	Fresno, CA
7.	Charles F. Funkhouser	1970	Asbestosis	Los Angeles, CA
8.	Robert E. Goodwin	1969-70	Pneumoconiosis Asbestos Exposure	Los Angeles, CA
9.	Gerald D. Herrick	1970	Asbestosis	Anchorage, AK
10.	Robert J. Horsman	1969-70	Asbestosis	Los Angeles, CA
11.	Roy B. Merrill	1969-70	Pneumoconiosis Asbestos exposure	Los Angeles, CA
12.	Fred Moffat	1967-68	Disability: Exposure to asbestos	
13.	Willis W. Moore	1969-70	Asbestosis	Seattle, WA
14.	Frances E. Owens	1969-70	Unknown	Los Angeles, CA
15.	Edward L. Pflughar	1968-70	Asbestosis	San Francisco,
16.	Henry C. Puetz	1966-70	Asbestosis	San Francisco,
17.	John Stanley	1968-70	Asbestosis	Los Angeles, CA
18.	Vernon F. Tucker	1969-70	Asbestosis	Los Angeles, CA
19.	William E. Tudor	1967-70	Asbestosis	Seattle, WA
20.	Charles L. Vincent	1969-70	Asbestosis	Anchorage, AK

Additional information relating to that which is discussed herein would be located in OCF's document library located in Richmond, Virginia.

The document library contains existing documents generated and/or received at the OCF corporate headquarters in Toledo, Ohio; its technical center in Granville, Ohio; and from manufacturing facilities in Berlin, New Jersey; Bloomington, Illinois; Newark, Ohio; and Santa Clara, California. The

library also contains certain files obtained from Fiberglas Engineering and Supply Company in San Francisco and Seattle, Washington. Other documents relating to Fiberglas Engineering and Supply Co. of San Francisco are maintained by the law firm of Popeka, Allard, McCowan & Jones in San Jose, California pursuant to an agreement contained in Defendant's response to plaintiffs' request for production in Helev, et al. v. Fibreboard, et al., June 10, 1989.

The library contains responsive, non-privileged materials generated before and during the time that OCF manufactured asbestos containing Kaylo insulation.

At a mutually convenient time, OCF will make available for inspection by plaintiffs' counsel the non-privileged documents stored in its document library. Counsel for OCF will provide an index, which sets forth the file titles of those files contained in each box, and personnel to assist plaintiffs' counsel in locating documents responsive to the discovery requests in this matter. OCF will also make arrangements for copying documents which plaintiffs' counsel may select. Copying and shipping costs will be borne by plaintiff(s), unless otherwise ordered by the Court.

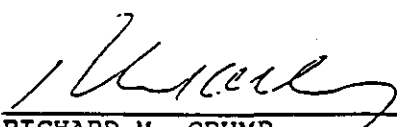
OCF's library includes documents that contain information which is considered to be proprietary and trade secret. Therefore, they will be produced after the entry of an appropriate protective order.

OCF has removed from the library any existing materials which it contends are protected from discovery as privileged

attorney-client communications, attorney work product materials, materials within the physician/patient privilege or those otherwise beyond the scope of permissible discovery. Each document removed as privileged has been substituted with an easily identifiable marker which describes the privileged document by document type, (e.g., memo, letter, note), date, author, recipient, subject matter and basis for objection. These markers may be designated for copying in the same manner as non-privileged documents.

Visits to the library may be scheduled through OCF's local counsel.

Certain other Worker's Compensation claims files have been furnished to OCF by plaintiffs' counsel in the course of litigation. It is believed that these files were originally obtained from co-defendants or from public records. Copies of these files were not found among OCF's historical documents, but some of these files relate to the same claimants whose names appear in the tables above. These files number in excess of 2,300 pages and will be made available upon request for inspection and copying at a reasonable cost.

BY: 

RICHARD M. CRUMP
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P. O. Drawer 850249
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon counsel for all parties to this proceeding, by mailing a copy of same by United States Mail, properly addressed and first class postage prepaid on this the 21 day of 1723, 1990.



RICHARD M. CRUMP

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IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY
STATE OF FLORIDA

IN RE: ASBESTOS LITIGATION

Plaintiff,

v.

OWENS-CORNING FIBERGLAS CORP.
ET AL.,

Defendants.

Case No. 85-466

STATE OF OHIO

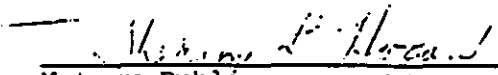
COUNTY OF LUCAS

AFFIDAVIT

ROBERT A. MCOMBER, being duly sworn, deposes and says that he is Counsel - Litigation for OWENS-CORNING FIBERGLAS CORPORATION and that he verifies the foregoing answers to plaintiffs' Interrogatories for and on behalf of OWENS-CORNING FIBERGLAS CORPORATION and is duly authorized so to do; that 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 OWENS-CORNING FIBERGLAS CORPORATION and deponent is informed that the facts stated therein are true.


ROBERT A. MCOMBER

SWORN to and subscribed
before me this 15th day
of February, 1990.


Notary Public

SHERY L. HOGAN

Notary Public, State of Ohio

My Commission Expires Aug. 13, 1994