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PLAINTIFF'S
EXHIBIT

31902.0

SHANNON STAFFORD P.S.
THOMAS D. FREY
CHARLES W. MERTEL
DOUGLAS K. HAUGHTON
DAVID E. HARTMAN
JON R. HUNT
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LAW OFFICES

Stafford, Frey & Mertel

400 UNION STREET
SEATTLE WASHINGTON 98101

(206) 623-9900

April 2, 1984

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APR - 2 1984

DODD, CONEY & BISHOP, P.S.

PLAINTIFF'S
EXHIBIT

WV-12403

Mary Ellen Keegan
Dodd, Coney, & Bishop, P.S.
1411 Fourth Ave. Bldg. Suite 312
Seattle, WA 98101

Re: Donald L. Horn vs. The Bendix Corp.

Dear Ms. Keegan:

Enclosed is S.K. Wellman's Answers to Plaintiff's First Interrogatories, Requests for Production, and Requests for Admission. These answers are conditional upon our client in Cleveland, Ohio reviewing them and signing the signature page. We will mail him a set of the answers today by Express Mail and hopefully he will be able to certify the answers and return the signature page to us by next week. Upon receipt of the certification, we will file the original and send a copy of the signature page on to you.

Thank you for your cooperation in this matter.

Very truly yours,

STAFFORD, FREY & MERTEL

Marsha A. Thomaler

Marsha A. Thomaler
Legal Assistant

Encl

ABEX 207.750

SCF-ABEX-2810

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April 11, 1984

Mr. Brian D. Lynch
Attorney at Law
312 - 1411 Fourth Avenue Bldg
Seattle, Washington 98101

Re: Horn v. S. K. Wellman
Our File: 107/3252

Dear Brian:

Enclosed please find pages 24, 27, 103, Exhibit 4.40/4.41 and the executed signature page of S. K. Wellman's answers to plaintiff's interrogatories. These pages contain the only changes that were made to the answers to interrogatories and we would therefore ask that you insert the pages in the correct sequence in your copy of the answers to interrogatories. Thank you.

Very truly yours,

STAFFORD, FREY & MERTEL



Charles W. Mertel

CWM:kl
Enclosures

PRELIMINARY STATEMENT

1. ~~S. K.~~ Wellman was incorporated in 1971 in the State of Ohio to receive assets purchased from the Wellman Division of Abex Corporation. In responding to these discovery requests, S. K. Wellman is relying solely upon information in its own possession. S. K. Wellman interprets the words "you, your" and words of similar intendment to refer only to S. K. Wellman and, for the sake of convenience and expediting discovery, the Wellman Division of Abex Corporation, to the extent the information is known to personnel of S. K. Wellman. S. K. Wellman undertakes no responsibility to develop information from Abex Corporation, and does not purport to speak for Abex Corporation. To the extent any definition established by plaintiff in the discovery requests is inconsistent with this treatment, S. K. Wellman objects to the definition on the ground that it is overly broad and vague and renders the requests unduly burdensome.

2. S. K. Wellman objects generally to the discovery requests on the ground that they are overly broad in the nature and scope of their inquiry and in the period of time to which the inquiry applies, and are therefore unduly burdensome and oppressive, especially in view of the specific facts now known about this plaintiff's claim. In addition, a portion or all of several of the requests seeks information which is not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

3. Without waiving any of these objections, S. K. Wellman provides the following responses. If, and to the extent, plaintiff deems that the scope, interpretations or conditions of S. K. Wellman's responses are not fully responsive to any portion or portions of the discovery requests, S. K. Wellman objects to those portions on the ground that they are so vague and unprecise as to be unintelligible, that they seek information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and that they are unduly broad, burdensome and oppressive.

4. The following answers and objections are based upon information in the possession of the responding party at the time of the preparation of the answers. Discovery will continue as long as permitted by statute or stipulation of the parties, and the investigation of S. K. Wellman's attorneys and agents will continue to and throughout the trial of this action. S. K. Wellman specifically reserves the right at the time of trial to introduce any evidence from any source which may hereafter be discovered and testimony from any witnesses whose identities may hereafter be discovered.

5. If any information has unintentionally been omitted from these responses, S. K. Wellman reserves the right to apply for relief so as to permit the insertion of the omitted data from these responses.

6. The above preliminary statements shall apply to each and every response given herein, and shall be incorporated by reference as though fully set forth in each and all of the responses appearing in the following pages.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

DONALD L. HORN,

Plaintiff,

v.

THE BENDIX CORP., et al.,

Defendants.

NO. 80-2-09935-3

PLAINTIFF'S FIRST
INTERROGATORIES, REQUESTS FOR
PRODUCTION OF DOCUMENTS AND
REQUESTS FOR ADMISSION
AND ANSWERS AND RESPONSES THERETO

TO: Defendant S. K. Wellman

AND TO ITS ATTORNEY: Stafford, Frey & Mertel

PLEASE TAKE NOTICE that the plaintiff hereby submits the original and two copies of the following interrogatories pursuant to the Style Order, CR 26 and CR 33, together with Plaintiff's First Requests for Production of Documents and First Requests for Admission pursuant to CR 34 and CR 36. In accordance with CR 33, you are to answer the interrogatories under oath, and return within sixty (60) days of the date of service of these interrogatories, requests for production and requests for admission. To the extent possible, answers to the interrogatories should be typed in the spaces provided, adding pages if additional space is required. In accordance with CR 34, you are to produce the documents requested herein for inspection and copying at the offices of Dodd, Coney & Bishop, P. S., Suite 312 - 1411 Fourth Avenue Building, Seattle,

PLAINTIFF'S FIRST INTERROGS, ETC. - 1

1 Washington within sixty (60) days of the date of service of this
2 request.

3 SPECIAL INSTRUCTIONS

4 1. All interrogatories are directed to information or
5 knowledge of the named party, attorneys, agents, corporate
6 officers, employees, representatives, partners, subsidiaries,
7 private investigators and all other persons or entities who are in
8 possession of or who may have obtained information for or on behalf
9 of the named party. The term "you" or "your" shall be defined to
10 include all such persons.

11 2. In answering these interrogatories, all language
12 should be kept in context, the singular including the plural, and
13 the plural including the singular where appropriate. The masculine
14 is intended to refer to the feminine where appropriate and vice
15 versa.

16 3. When listing or identifying a record or document, the
17 term shall mean any recorded material in any form, including
18 originals and all nonidentical copies (whether different from the
19 originals by reason of any notation made on such copies or
20 otherwise), including without limitation correspondence, memoranda,
21 notes, desk calendars, diaries, statistics, letters, telegrams,
22 minutes, contracts, reports, studies, checks, invoices, statements,
23 receipts, returns, warranties, guaranties, summaries, pamphlets,
24 books, prospectuses, interoffice and intraoffice communications,
25

1 offers, notations of any sort of conversations, telephone calls,
2 meetings or other communications, bulletins, magazines,
3 publications, printed matter, photographs, microfilms, indexes,
4 computer printouts, teletypes, telefax, invoices, worksheets and
5 all drafts, alterations, modifications, changes and amendments of
6 any of the foregoing, tapes, tape recording transcripts, graphic or
7 aural records or representations of any kind, and electronic,
8 mechanical or electric records of representations of any kind, of
9 which you have knowledge or which are now, or were formerly in your
10 actual or constructive possession, custody or control, or which
11 come into your control during the course of this litigation.

12 4. "Possession, custody or control" includes the joint
13 or several possession, custody or control not only by the person to
14 whom these interrogatories and requests are addressed, but also the
15 joint or several possession, custody or control by each other
16 person acting or purporting to act on behalf of the person, whether
17 as employee, attorney, accountant, agent, sponsor, spokesman or
18 otherwise.

19 5. "Relates to" means supports, evidences, describes,
20 mentions, refers to, contradicts or comprises.

21 6. "Person" means any natural person, firm, corporation,
22 partnership, proprietorship, joint venture, organization, group of
23 natural persons or other association separately identifiable,
24 whether or not such association has a separate juristic existence
25

1 in its own right.

2 7. "Identify" or "identity" means

3 --as to a person to state with respect thereto:

4 (a) if a natural person, his or her full name,
5 present residence address, and telephone number;

6 (b) if a natural person, the name and last known
7 business address of his or her employer(s) at
8 the time referred to in your answer and at the
9 present time, and the employment position held
by such employees with each employer and the
date when each such employment began and ceased,
and if a doctor, his area of specialization;

10 (c) with reference to persons who are not natural
11 parents, the last known complete address,
12 including zip code, and last known complete
13 telephone number, including area code, of its
headquarters and its nearest or local office or
agent.

14 8. "Identify" or "identity" means:

15 --as to a document to state with respect thereto:

16 (a) the name of the person who prepared it;

17 (b) the name of the person who signed it or over
whose signature it was issued;

18 (c) the name of each person to whom it was addressed
19 or distributed;

20 (d) the nature and substance of the writing with
21 sufficient particularity to enable it to be
identified;

22 (e) the date when it was prepared;

23 (f) the date when it was signed;

24 (g) the physical location of it and the name and
25 address of its custodian or custodians;

1 (h) whether it will be voluntarily made available to
2 plaintiff for inspection and copying, and
3 whether copies are attached to your answers to
4 these interrogatories. (In lieu of fully
5 identifying the documents referred to herein,
6 you may instead attach copies of such documents
7 to these answers.);

8 (i) if any such document was, but is no longer in
9 your possession or subject to your control, what
10 disposition was made of it and the reason for
11 its disposition.

12 9. "Identify" or "identity" means:

13 --as to an oral communication to state with respect
14 thereto:

15 (a) the identity of each person who participated in
16 the communication and the identity of each
17 person who was present at the time it was made;

18 (b) the identity of each such person's employer and
19 whom each such person represented or purported
20 to represent in making such oral communication;

21 (c) the date and place where such oral communication
22 was made;

23 (d) what each such person said; and

24 (e) the identity of each document or recording
25 pertaining to such oral communication.

26 10. "Identify" or "identity" in any other context means

its general and ordinary meaning, i.e., to state all
characteristics that are helpful in describing the particular
thing, place, feeling, sensation, phenomenon, etc. for which an
identification is sought.

11. Unless otherwise specified, the Relevant Time period
contemplated by each of these interrogatories is the period from

1 1940 through the present.

2 12. The term "asbestos" or "asbestos product", unless
3 otherwise specified, includes any mined, converted, fabricated,
4 processed or rebranded product or compound which has been
5 manufactured, supplied, delivered, distributed, consigned or
6 otherwise placed into the stream of commerce and which contains any
7 asbestos or chrysotile amosite, crocidolite, tremolite,
8 anthophyllite or actinolite, whether in their raw or natural
9 state. The term specifically includes, but is not limited to,
10 friction products containing asbestos, including brake linings,
11 brake facings, molded brake linings, roll brake linings, disc pads,
12 asbestos-containing adhesives or any other friction material
13 containing asbestos.

14 13. THESE INTERROGATORIES ARE DEEMED CONTINUING AND
15 SUPPLEMENTAL ANSWERS SHALL BE REQUIRED PURSUANT TO CR 26(e).

16 SECTION 1.0

17 INTERROGATORIES

18 1.01 Identify each person by name, address and position of
19 each person who prepared answers or was consulted with regard to
20 answering these interrogatories or supplying information used in
21 answering these interrogatories, including experts, and as to each
22 interrogatory, please state either at the conclusion of the answer
23 thereto or at the conclusion of all the answers the name, addresses
24 and positions of the persons who answered, supplied the information

1 and who drafted the answer.

2
3 ANSWER: J. E. Mencini, Vice President, Administration
4 The S. K. Wellman Corporation
200 Egbert Road
Bedford, Ohio 44146

5 Mr. Mencini gathered the information and prepared the responses in consultation with
6 counsel. Principal contributors of information included:

7 R. Frichette, Vice President-Production & Quality Assurance;
8 G. Carrigan, Director of Distribution Development and Product Distribution;
9 S. Cvitkovich, Marketing Assistant;
C. K. Yeager, Environmental Administrator;
F. Murphy, Administrative Nurse.

10 All are employed at S. K. Wellman's Bedford, Ohio facility.

11 1.02 State:

12 (a) Your correct corporate name;

13 (b) The state of your incorporation;

14 (c) The date of your incorporation;

15 (d) The address of your principal place of business;

16 (e) Whether or not you were registered to do
17 business in the State of Washington during the
Relevant Times, which has been defined as 1940
through the present;

18 (f) Whether or not you had a registered agent for
19 the purpose of accepting process in the State of
Washington during any period of the Relevant
20 Times and the name and present address of each
such agent;

21 (g) Whether or not you are challenging service of
22 process;

23 (h) Your corporate purposes;

24 (i) Identify the person(s) who incorporated
25 defendant;

(j) Identify the custodian of the Articles of Incorporation and By-Laws of defendant.

ANSWER: (a) The S. K. Wellman Corporation;
(b) Ohio;
(c) 1971;
(d) 200 Egbert Road, Bedford, Ohio;
(e) No;
(f) No;
(g) No, not on the basis of insufficiency of service or lack of personal jurisdiction;
(h) Manufacture, market and distribute products;
(i) Objection pursuant to CR 26(b)1--seeks information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence (hereinafter "irrelevant objection").
1.03 State in what form, if any, business was conducted by you or your corporate predecessor prior to incorporation.

ANSWER: See preliminary statement attached to these interrogatories.

1.04 Identify each director of defendant from date of incorporation by name and last known address and dates of service.

ANSWER: Irrelevant objection.

1
2 1.05 Identify the custodian of the minutes of the meetings
3 of the Board of Directors and Articles of Incorporation of
4 defendant and/or its corporate predecessors.

5 ANSWER: Robert McManamon, 1200 Hanna Bldg., Cleveland, Ohio 44115
6
7
8
9

10 REQUEST FOR PRODUCTION A: Pursuant to CR 34, attach or
11 produce according to the above instructions a copy of the minutes
12 of the meetings of the Board of Directors referred to in the
13 foregoing interrogatory.

14 RESPONSE: Objection—overly broad, burdensome and seeks information which is for
15 the most part irrelevant and therefore objected to under the irrelevant objection.
16
17
18

19 1.06 Identify each director known to you who served as a
20 director, officer, employee or consultant to any other business,
21 corporation or co-defendant which manufactured, distributed, sold,
22 installed or otherwise dealt with asbestos products.
23
24
25

1
2 ANSWER: None known.
3
4
5
6

7 1.07 As to the foregoing answer, list each such director,
8 together with each such business, including the name and address
9 thereof and the nature of its asbestos-related enterprise.
10

11 ANSWER: See 1.06 above.
12
13
14
15
16

17 1.08 State where defendant has maintained its principal
18 offices, including its corporate headquarters, since its inception,
19 including dates of such locations.

20 ANSWER: 200 Egbert Road
21 Bedford, Ohio 44146
22 1374 East 51st Street
23 Cleveland, Ohio 44103 (prior to 1952).
24
25
26

1 Does defendant maintain an organization table or
 2 have answered this in the affirmative, identify the
 3 table.

4 ~~Joseph E. Mancini.~~

5
 6
 7
 8
 9
 10 ~~FOR~~ FOR PRODUCTION B: Pursuant to CR 34, attach or
 11 produce ~~according~~ to the above instructions a copy of each such
 12 identified table or organization.

13 ~~RESPONSE:~~ ~~it~~ will be produced when satisfactory arrangements have been made
 14 between counsel to do so.

15
 16
 17
 18 1.10 Has defendant or any of its subsidiary companies at
 19 any time engaged in the mining, manufacturing, marketing,
 20 assembling, rebranding, distributing or sale of any material or
 21 product containing asbestos fibers? See instruction 12, page 6,
 22 for definition of the terms "asbestos or asbestos product". The
 23 scope of this interrogatory includes the manufacture, distribution,
 24 assembling, marketing or sale of products into which
 25 asbestos-containing products were incorporated.

26 PLAINTIFF'S FIRST INTERROGS, ETC. - 11

1 ANSWER: Yes.

2
3
4
5
6 1.11 If the answer to the preceding interrogatory is in
7 the affirmative, state the following:

- 8 (a) The names of the companies mining,
9 manufacturing, marketing, distributing,
10 rebranding, assembling and/or selling each of
11 those products, and specify whether these
12 companies mined, manufactured, marketed,
13 distributed and/or sold material containing
14 asbestos fibers;
- 15 (b) The trade or brand name of each of those
16 products mined, manufactured, marketed,
17 distributed and/or sold;
- 18 (c) The date each of the named products was placed
19 on the market;
- 20 (d) The date each of the named products was
21 withdrawn from the market;
- 22 (e) A description of the physical (chemical)
23 composition of each of the named products,
24 including the type and percentage of asbestos
25 contained in each product and the purpose of
26 each ingredient for each year said product was
manufactured, sold, distributed, rebranded
and/or sold;
- (f) A description of the physical appearance of each
of the named products, including any identifying
color(s), stamp(s), stripe(s), texture, etc. for
each year said product was manufactured, sold,
distributed, rebranded and/or sold;
- (g) The sources of the asbestos ingredients
contained in each product;

- (h) Where each asbestos ingredient was obtained;
- (i) Where the asbestos ingredients were delivered;
- (j) When the asbestos ingredients were obtained;
- (k) A detailed description of the intended uses of each of the asbestos-containing products;
- (l) The date you controlled, purchased or acquired any interest in any other corporation which mined, manufactured, marketed, distributed or sold asbestos-containing products;
- (m) The manner of acquisition, including percentage of ownership;
- (n) The date of the sale of any such interest, or portion of such interest and the purchaser;
- (o) The date any such predecessor or subsidiary corporation ceased doing business.

ANSWER:

- (a) S. K. Wellman - manufacture, market, distribute, sell;
 - (b) Velvetouch Organik; Velvetouch Ferrometal;
 - (c) 1963 to present - roll lining and fabricated parts; 1984 to present - paper friction products;
 - (d) See 1.11(c) above;
 - (e) Woven roll lining--composed of long fiber asbestos spun into yarn with friction modifiers of brass, copper or zinc wire; woven on carpet looms to width, thickness and length; treated with organic resins and heat; ground.
- Flexible molded and molded materials including 3/4" truck block, industrial sets, pads and gears--composed of short fiber asbestos mixed with metal chips of brass, copper or zinc (continued on attached).
- 1.12 Please identify by location and product produced each plant in which the asbestos-containing products listed in the previous answer were manufactured and/or assembled, rebranded or otherwise produced and for each plant state:

- (a) The dates each such plant was in operation;

Continuation of Answer to No. 1.11:

and organic resins; extruded or passed into a mold; cured under heat and pressure to rough dimensions; ground to finished dimension and drilled for mounting.

Paper friction products--composed of cellulose fibers, crysotile asbestos, carbon or graphite and mineral fillers, e.g., silica and ullite, bonded together by phenolic resins, affixed to both sides of a flat steel ring with a phenolic adhesive under heat and pressure and finished by machining grooves in the friction material. Asbestos content range: 13%-24%.

Investigation continuing as to type of asbestos contained in these products.

- (f) See response to No. 1.11(e); can contain part number "SKW" and/or "Velvetouch";
- (g) Raybestos Manhattan (Raymark); Abex Corp.; Wheeling Br. Block; Frasle, Virginia Friction, Lydall; Armstrong; QuinnT, Inc.
- (h) See response to No. 1.11(g);
- (i) S. K. Wellman facilities;
- (j) Continuous basis;
- (k) Clutch or brake devices for control of motion through application of friction;
- (l) See preliminary statement;
- (m) See preliminary statement;
- (n) None;
- (o) None.

- 1
- 2 (b) The time span during which each named item was
produced;
- 3 (c) The amount of each product, expressed in pounds
4 or tons, which was produced by each plant during
the Relevant Times;
- 5 (d) The person(s) at each such plant in charge of
6 producing each such asbestos product;
- 7 (e) The person(s) in charge of packaging each
asbestos product;
- 8 (f) The person(s) in charge of labeling each such
9 product.

10 ANSWER:

- 11 (a) In the U.S. - Cleveland, Ohio up to 1952
- Bedford, Ohio 1952-present
- Nashville, Tennessee 1982-present
- 12 (b) 1963-present--roll lining, fabricated parts
1974-present--paper friction materials;
- 13 (c) Irrelevant objection and probably not able to lead to
the development of this data, in any event;
- 14 (d) Bedford - Robert Martin, Vice President, Manufacturing
Nashville - Ed Stanek, Plant Manager;
- 15 (e) See response to No. 1.12(d);
- 16 (f) See response to No. 1.12(d).
- 17
- 18
- 19

20 1.13 During the Relevant Times, did you maintain or
21 distribute manuals, instructions, dealer handbooks or pricing
22 information pertaining to the sale, use, installation or removal of
23 asbestos or asbestos products?

24

25

26

1
2 ANSWER: Yes.

3
4
5
6
7 1.14 If the answer to the preceding interrogatory is in
8 the affirmative, state the present location of records or other
9 such materials and the name and address of the custodian.

10 ANSWER: See response to Request for Production C.
11
12
13
14
15

16 REQUEST FOR PRODUCTION C: Pursuant to CR 34, attach or
17 produce according to the above instructions a copy of each such
18 manual, instruction, dealer handbook or pricing information.

19 RESPONSE: Copies attached as part of Request for Production C. There
20 is no single custodian or single point where such materials are
21 located. S. K. Wellman will continue to search its files for such
22 documents. The documents attached are representative of dealer
23 materials. Pricing information documentation is objected to as
24 proprietary and further objected to under the irrelevant objection.
25
26

1.15 During the period of time from 1940 to the present, were any sales materials prepared by defendant or its agents for the purposes of marketing or advertising defendant's asbestos or asbestos-containing products anywhere in the United States?

ANSWER: Yes.

1.16 If your answer to the preceding interrogatory is in the affirmative, state:

- (a) The name and address of each person or entity who prepared the same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material. Specify the names of the magazines, trade publications, catalogs, trade shows and/or sales staff involved in the dissemination;
- (e) State whether any of the materials referred to in your answer to this interrogatory were mailed, circulated, distributed or otherwise made available in the State of Washington during the Relevant Times.

1
2 ANSWER: (a) By or under the direction of The S. K. Wellman Corp. or
its predecessors;

- 3 (b) See response to Request for Production D;
4 (c) See response to Request for Production D;
5 (d) Sales, staff, trade shows, mailings;
6 (e) Unknown.

7
8
9
10 REQUEST FOR PRODUCTION D: Pursuant to CR 34, attach or
11 produce according to the above instructions a copy of each such
12 item of sales or marketing information, including but not limited
13 to books, movies, sales literature, training and/or marketing aids,
14 and an index thereto.

15 RESPONSE: See answer to Request for Production C above, including
16 attachments.

17
18
19 1.17 State whether any of your agents, employees,
20 manufacturers, representatives or dealers during the Relevant Times
21 were instructed to advertise, solicit, sell or otherwise encourage
22 the purchase of your asbestos products or asbestos-containing
23 products for use in motor vehicle brake linings, brake pads or
24 brake facings.

1 ANSWER: Yes.
2
3
4
5
6
7

8 1.18 If the answer to the preceding interrogatory is in
9 the affirmative, state the location of said promotional materials
10 and the name and address of the custodian.
11

12 ANSWER: See response to Request for Production C above.
13
14
15
16
17

18 1.19 Identify the location, existence and present
19 custodian of any manuals, specifications or instructional materials
20 pertaining to the use, installation or removal of asbestos or
21 asbestos-containing products which were distributed or made
22 available to purchasers of your products during the Relevant Times.
23
24
25

26 PLAINTIFF'S FIRST INTERROGS, ETC. - 18

1 ANSWER: See Request for Production C above.
2
3
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7

8 1.20 If asbestos or asbestos-containing products were sold
9 to or purchased from any of the other defendants in this suit state:

10 (a) The name of each such defendant(s);

11 (b) The date(s) of sale, purchase or rebranding of
12 each said product, including the amount and kind
of materials sold or purchased, specifying trade
names for each year of the Relevant Times;

13 (c) The name, address and job classification of the
14 individual currently having possession of such
records.

15 ANSWER: (a) See response to Interrogatory No. 1.11(g) for vendors;
16 no sales to any defendants for automobile applications;
17 (b) Irrelevant objection--burdensome and it is not presently
clear whether data is available from which to compile this information.
Investigation continuing.
18 (c) J. E. Mencini is investigating to determine if informa-
19 tion can be collected to respond to Interrogatory 1.20(b).

20 1.21 State the names and addresses of all distributors,
21 dealers, agents or manufacturers' representatives of any of your
22 asbestos-containing products in the States of Washington, Oregon
23 and California during the period of 1950 through the present, and
24
25

1 for each such person you have identified, state the time periods
2 each such person represented you.
3

4 ANSWER: Objection - this is privileged, proprietary information.
5 Counsel in Seattle has in his possession the names and addresses and
6 will deliver same for an inspection by the court and would agree to a
7 review of the list by plaintiff's counsel pursuant to an agreement of
8 confidentiality and nondisclosure to other persons or parties including
9 defendants in the present litigation without further order of the court
10 Western Brake is not a distributor, dealer, agent or manufacturing
11 representative of S. K. Wellman. S. K. Wellman has no records of
12 sales to the Western Brake Co.
13

14 1.21.1 If you are a defendant manufacturer, seller or
15 distributor of motor vehicles, identify:
16

- 17 (a) The name and address of each and every
18 manufacturer from whom defendant or any of its
19 subsidiary companies obtained brake linings or
20 brake pads or brake facings for installation or
21 use in any motor vehicles manufactured or sold
22 by defendant from 1950 through 1978;
23
24 (b) The name and address of the distributor or
25 seller from whom defendant or any of its
26 subsidiary companies obtained brake linings,
brake facings or brake pads for use in any motor
vehicles manufactured or sold by defendant from
1950 through 1978;
27
28 (c) The type, including dimensions, and brand name
29 of each brake lining, brake facing or brake pad
30 defendant or any of its subsidiary companies
31 purchased or obtained for use in any motor
32 vehicles manufactured or sold by defendant from
33 1950 through 1978, and from whom each such
34 product was purchased or otherwise obtained;

- 1
- 2 (d) The dates (years) defendant or any of its
- 3 subsidiary companies purchased or obtained such
- 4 brake lining(s) or brake pad(s) from each
- 5 manufacturer, distributor and/or seller, and the
- 6 amounts expressed in pounds or tons which
- 7 defendant or any of its subsidiary companies
- 8 purchased or otherwise obtained;
- 9
- 10 (e) The type and percentage of asbestos contained in
- 11 each trade or brand named brake lining or brake
- 12 pad identified above which you obtained from
- 13 1950 through 1978;
- 14
- 15 (f) The physical characteristics of each kind of
- 16 brake lining, brake pad or brake facing
- 17 purchased or used by defendant or defendant's
- 18 subsidiaries for use in vehicles manufactured or
- 19 sold by you, including size, dimensions, weight,
- 20 color, identifying tags, stamps or markings on
- 21 said brake liners, pads or facings;
- 22
- 23 (g) The name, last known address and telephone
- 24 address of defendant's or defendant's
- 25 subsidiaries' purchasing agent(s) responsible
- 26 for obtaining brake linings and brake pads for
- use in any motor vehicles manufactured or sold
- by you from 1950 through 1978;
- (h) During the time period 1950 through 1978, did
- you maintain records relating to the purchase,
- sale and/or use of brake linings, brake pads or
- disc brake pads, including, but not limited to,
- records which indicate what brake linings were
- installed or to be installed on particular types
- or models of defendant's motor vehicles.
- (i) Describe all such records referred to in
- subsection (h) above;
- (j) Identify (by manufacturer, trade name, number
- and brand name) what brake linings, brake pads
- or brake facings were installed, assembled,
- placed in or otherwise used or furnished in each
- of the motor vehicles you manufactured, sold or
- distributed for the period 1950 through 1978.

1
2 otherwise stated, identify what brake pads,
3 brake linings or brake facings went into which
4 of your motor vehicles during the period 1950
5 through 1978;

6 (k) State when and how you were first made aware of
7 health hazards associated with the use of
8 asbestos;

9 (l) When did you first become aware that warnings
10 were plaed on asbestos products with respect to
11 the health hazards associated with the use of
12 asbestos;

13 (m) When did you first learn in any manner or from
14 any source that asbestos or asbestos products
15 are hazardous or dangerous to the health of
16 persons;

17 (n) From whom did you learn the information referred
18 to in the answer to the preceding interrogatory;

19 (o) State what documents reflect the information
20 given in answer to the two preceding
21 interrogatories, their date, and the present
22 custodian of said records;

23 (p) Did you at any time maintain or distribute
24 manuals, instructions or information relating to
25 the sale, use or removal of asbestos or asbestos
26 products, including, but not limited to, the use
or removal of asbestos-containing brake linings,
brake pads or brake facings;

(q) If the answer to the preceding interrogatory is
in the affirmative, state the present location
of records or other such materials and thename
and address of the custodian of said manuals,
instructions, directories or information.

1
2 ANSWER: N/A
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9 REQUEST FOR PRODUCTION E: Pursuant to CR 34, attach or
10 produce according to the above instructions a copy of all such
11 purchase or sale records, and such information, written directions
12 or instruction manual(s) identified in Interrogatories 1.21(h),(o)
13 (i), (p) and (q).

14 RESPONSE: N/A
15
16
17
18

19 1.22 Have any asbestos products identified in your answers
20 to Interrogatory 1.11 been, or are any of such asbestos products
21 now, distributed in interstate commerce?

22 ANSWER: Yes.
23
24
25

1.23 If the answer to the preceding interrogatory is affirmative, state:

- (a) Into which states of the United States of American such product has been distributed;
- (b) The quantity distributed into each state of the U. S. for every year of the Relevant Times;
- (c) The name and address of each company or other business entity, in the states of Washington, and Oregon to which such product has been distributed and the dates of the distribution.

ANSWER: (a) Irrelevant objection--however, S. K. Wellman believes its products were distributed in the state of Washington;
(b) Unknown;
(c) Release of customer lists is objected to as privileged and proprietary. There is, however, no record of any materials sold to the Western Brake Co. There is a recollection of sales of metallic friction material to Western Brake ending some time in the early 1970s..

1.24 During the time period from January 1, 1950 through December 31, 1978, have you, directly or indirectly, sold, distributed, delivered, installed or consigned any asbestos products for use in brake renovation and repair such as brake

1 1.23 If the answer to the preceding interrogatory is
2 affirmative, state:

- 3 (a) Into which states of the United States of
4 American such product has been distributed;
5 (b) The quantity distributed into each state of the
6 U. S. for every year of the Relevant Times;
7 (c) The name and address of each company or other
8 business entity, in the states of Washington,
and Oregon to which such product has been
distributed and the dates of the distribution.

9 ANSWER: (a) Irrelevant objection--however, S. K. Wellman believes
10 its products were distributed in the state of Washington;
11 (b) Unknown;
12 (c) Release of customer lists is objected to as privileged
and proprietary. There is, however, no record of any materials sold
to the Western Brake Co.

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21 1.24 During the time period from January 1, 1950 through
22 December 31, 1978, have you, directly or indirectly, sold,
23 distributed, delivered, installed or consigned any asbestos
24 products for use in brake renovation and repair such as brake
25

1 lining, molded or roll linings, disc brake pads, or adhesives to
2 any of the following facilities, including their predecessors or
3 successors:
4

- 5 (a) Western Brake Industries Company, Seattle,
6 Washington;
7 (b) Western Brake Industries Company, Los Angeles,
8 California;
9 (c) Western Brake Industries Company, San Francisco,
10 California;
11 (d) Stewart-Western, Inc., Seattle, Washington;
12 (e) Stewart-Western, Inc., San Francisco, California;
13 (f) Stewart-Western, Inc., Los Angeles, California.

14 ANSWER:

- 15 (a) No;
16 (b) No;
17 (c) No;
18 (d) No;
19 (e) No;
20 (f) No.

21 1.25 If any portion of your answer to the preceding
22 interrogatory was in the affirmative, state:
23

- 24 (a) The name of the agency, or facility identified
25 in Interrogatory No. 1.24 to whom you sold,
26 distributed, delivered, installed or consigned
asbestos products;
(b) Whether sold by you directly or through an agent
manufacturers' representative, dealer or
subsidiary;
(c) The name and address of the agent manufacturers'
representative, dealer and/or subsidiary;

1
2 (d) Specifically state the amount and kind of all
3 asbestos products sold, distributed, delivered,
4 installed or consigned to each facility referred
5 to herein, stating in detail for each facility
6 identified in Interrogatory No. 1.24 for every
7 year during the period 1950 through 1978:

- 8 1. The brand or trade name of the asbestos
9 products which were delivered;
10 2. The date of delivery of the products;
11 3. the volume of sales for every month during
12 the period 1950 through 1978 for each
13 product and facility expressed in pounds or
14 tons;
15 4. The dollar value of sales for every month
16 during the period 1950 through 1978 for
17 each product and facility;

18 (e) The ultimate purchaser or user of said products;

19 (f) State the name and present address of the person
20 or persons responsible for providing the answer
21 to this interrogatory.

22 ANSWER: For answers to 1.25(a) - (f), see answers to 1.24(a) - (f).
23
24
25
26

1
2 1.26 Identify by name, job title, current or last known
3 address, and phone number the persons that your records show to be
4 the purchasing agents for the companies or agencies listed in your
5 answer to Interrogatory No. 1.24 for each year during the period
6 January 1, 1950 through December 31, 1978.

7 ANSWER: No names recalled.
8
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14 1.27 During the period 1950 through the present, did you
15 or any of your predecessors or subsidiaries at any time sell brake
16 linings or brake lining components to companies engaged in the
17 manufacture and/or sale of motor vehicles?

18 ANSWER: S. K. Wellman does not sell any brake lining or brake lining
19 components to such companies for use in on-highway motor vehicles
20 except that during the referenced period, the S. K. Wellman Corporation
21 sold sintered metal non-asbestos containing disc brake pads to a racing
22 team representing British Leyland Motors.

23 1.28 If the answer to the preceding interrogatory is in
24 the affirmative, identify the name and address of the companies
25 engaged in the manufacture and/or sale to whom you sold
26 asbestos-containing brake linings or brake lining components to and

1.26 Identify by name, job title, current or last known address, and phone number the persons that your records show to be the purchasing agents for the companies or agencies listed in your answer to Interrogatory No. 1.24 for each year during the period January 1, 1950 through December 31, 1978.

ANSWER: No names recalled.

1.27 During the period 1950 through the present, did you or any of your predecessors or subsidiaries at any time sell brake linings or brake lining components to companies engaged in the manufacture and/or sale of motor vehicles?

ANSWER: S. K. Wellman does not sell any brake linings or brake lining components to companies for use on highway motor vehicles.

1.28 If the answer to the preceding interrogatory is in the affirmative, identify the name and address of the companies engaged in the manufacture and/or sale to whom you sold asbestos-containing brake linings or brake lining components to and

1 the dates of such sales, and identify by trade and brand name
2 exactly what product you sold and the quantity of the product you
3 sold to said companies.

4 ANSWER: See answer to 1.27 above.
5
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11 1.29 Identify each medical director of defendant by name,
12 last known address, duration of service, and all previous and
13 subsequent employers of each such medical director.
14

15 ANSWER: None.
16
17
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19
20

21 -
22 1.30 Identify by name and address the custodian of the
23 records of the various medical directors.
24
25

26 PLAINTIFF'S FIRST INTERROGS, ETC. - 28

1 ANSWER: N/A
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6
7

8 REQUEST FOR PRODUCTION NO. F: Pursuant to CR 34, attach
9 or produce according to the above instructions a copy of the most
10 current curriculum vitae for each and every medical director named
11 in answer to the preceding interrogatory.
12

13 RESPONSE: N/A
14
15
16
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18

19 1.31 Have you at any time requested and/or received
20 information from medical officers, hygienists, or other employees
21 of your company pertaining to the possible existence of a
22 relationship between asbestos exposure and disease, or to the risks
23 or hazards to persons involved in the manufacture, installation, or
24 use of products containing asbestos?
25

1
2 ANSWER: S. K. Wellman has kept current with regulatory requirements,
3 and information of this kind has come into its possession in various
4 ways.

5
6
7
8 1.32 If your answer to the preceding interrogatory is in
9 the affirmative:

- 10
11 (a) Identify the person(s) involved;
12 (b) State the dates relevant to the collection or
13 receipt of such information described above;
14 (c) Describe in detail the nature of the study or
15 information;
16 (d) Identify all documents related to the study or
17 information described above;
18 (e) Identify the custodian of the documents
19 identified in subpart (d) by name and address.

20
21
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26 ANSWER: See response to Interrogatory No. 1.31 and Request for
Production G.

REQUEST FOR PRODUCTION G: Pursuant to CR 34, attach or

produce according to the above instructions a copy of all documents identified in your response to the preceding interrogatory.

RESPONSE: S. K. Wellman complies with state and federal standards, which standards are available to the general public, and therefore, production is objected to. The objection is on the grounds that the standards are in the public domain and equally accessible to the plaintiff.

1.33 Have you at any time requested, received information from or participated in studies with persons outside your company pertaining to the possible existence of a relationship between asbestos exposure and disease, or to the risks and hazards to persons involved in the manufacture, installation or use of products containing asbestos?

ANSWER: Yes. Information received is in the form of state and federal standards references in answer to interrogatories 1.31, 1.32 and Request for Production G above.

1 1.34 If your answer to the preceding interrogatory is in
2 the affirmative:

- 3 (a) Identify the person(s) involved;
4
5 (b) State the dates relevant to the collection or
6 receipt of such information described above;
7
8 (c) Describe in detail the nature of the study or
9 information;
10
11 (d) Identify all documents related to the study or
12 information described above;
13
14 (e) Identify the custodian of the documents
15 identified in subpart (d) with names and
16 addresses.

17 ANSWER: See answer to 1.33 above.
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REQUEST FOR PRODUCTION H: Pursuant to CR 34, attach or
produce according to the above instructions a copy of all documents
identified in your response to the preceding interrogatory.

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2 RESPONSE: See answer, including objection, to Request for
3 Production G above.
4
5
6

7 1.35 Do you have or have you ever had person(s) in your
8 employ who were charged with responsibility for monitoring the
9 state of domestic knowledge of the safety and health aspects of
10 your industry?

11 ANSWER: Objection as overly broad. Virtually every employee is
12 responsible for safety and health matters. No single person is charged
13 with this responsibility.
14
15
16
17

18 1.36 If your answer to the preceding interrogatory is in
19 the affirmative:

- 20 (a) Identify all such person(s) with names and
21 addresses;
22 (b) State the dates of service of each such
23 person(s);
24 (c) State the formal title, if any, of the person(s)
25 described above;
26 (d) Identify all documents relevant to the
position/person described above.

1
2 ANSWER: See 1.35 above.
3
4
5
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7
8

9 REQUEST FOR PRODUCTION I: Pursuant to CR 34, attach or
10 produce according to the above instructions a copy of all documents
11 identified in subparagraph (d) above.

12 RESPONSE: Objection--overly broad and cannot identify documents, if
13 any, which should be produced in response to this Request for
14 Production. J. E. Mencini is aware of state and federal safety and
15 health standards which we assume represent the state of domestic
16 knowledge. The standards are available to the general public and
17 production of same is objected to.

18 1.37 Do you have or have you ever had person(s)
19 responsible for monitoring the state of current foreign knowledge
20 of the safety and health aspects of your industry?

21 ANSWER: No.
22
23
24
25
26

1 1.38 If your answer to the preceding interrogatory is in
2 the affirmative:

- 3 (a) Identify all such person(s) with names and
4 addresses;
- 5 (b) State the dates of service of each such
6 person(s);
- 7 (c) State the formal title, if any, of the person(s)
8 described above;
- 9 (d) Identify all documents relevant to the
10 position/person described above.

11 ANSWER: N/A
12
13
14
15

16 REQUEST FOR PRODUCTION J: Pursuant to CR 34, attach or
17 produce according to the above instructions a copy of all documents
18 identified in subparagraph (d) above.

19 RESPONSE: N/A
20
21
22
23
24
25

1.39 Describe your record retention program from 1935 to the present date and state:

- (a) Where records are kept;
- (b) Location and existence of written materials concerning your program and date of adoption;
- (c) Description of the information contained in such records;
- (d) The length of time purchase, bid, shipping and/or sale records are maintained by your company.

ANSWER:

- (a) Principally on Solon, Ohio and Bedford, Ohio;
- (b) None;
- (c) Objection--vague, overbroad, burdensome;
- (d) Generally seven years, although with some variation.

1.40 Did the defendant at any time assign, license or otherwise allow any of their asbestos-containing friction products, trademarks or copyrights to be used by any person, firm or corporation?

ANSWER: Not in the United States.

1 1.41 If your answer to the preceding interrogatory is in
2 the affirmative:

- 3 (a) State the name of the product, trademark or
4 copyright so assigned or licensed;
5 (b) The time period of the assignment or license;
6 (c) The nature of the assignment or license (whether
7 exclusive or not);
8 (d) The terms and conditions of each such agreement
(you may attach said material to these
interrogatory answers).

9 ANSWER: N/A

10
11
12
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14
15
16 1.42 At the time of such assignment or license, was there
17 any agreement between the parties concerning liability in the event
18 of future litigation concerning the product?

19 ANSWER: N/A
20
21
22
23
24
25

1
2 1.43 If your answer to the preceding interrogatory is in
3 the affirmative, state:

4 (a) The nature and substance of such agreement;

5 (b) The location of said agreement and/or copies.

6 ANSWER: N/A
7
8
9

10
11 1.44 State the location of your national and Washington,
12 California and Oregon State warehouse, warehouse facilities, or
13 distribution centers for your asbestos-containing products during
14 the Relevant Times.

15 ANSWER: Solon, Ohio
16 Portland, Oregon
17 Los Angeles, California
18 San Francisco, California.
19
20
21

22 1.45 Specify the corporate relationship between you and
23 local dealers and/or manufacturer's representatives of asbestos
24 products who sold products containing your corporate identification
25 or trademark during each year of the Relevant Times.

1 ANSWER: In the U.S., S. K. Wellman has employed direct sales people.
2 Recently it has also developed a program involving independent
3 distributors. In the past there may also have been manufacturers'
4 representatives used.

5
6
7
8 SECTION 2.0
9

10 2.01 Have any of the asbestos-containing products listed
11 in Interrogatory No. 1.11 been altered in chemical composition
12 since first being manufactured, sold or marketed?
13

14 ANSWER: None known for reasons related to health.
15
16
17
18

19 2.02 If the answer to the preceding interrogatory is in
20 the affirmative, please state:

- 21 (a) The trade name of each of those products;
22 (b) The date each of the named products was altered;
23 (c) The nature of the alteration;
24 (d) The reason for the alteration.
25
26

1
2 ANSWER: Not applicable as there were no known changes related to
3 health.
4
5
6

7 2.03 State the name, address and job title of each person
8 who participated in the design and preparation of manufacturing
9 specifications for each product listed in Interrogatory No. 1.11.

10 ANSWER: Ross Frichette (previously identified)

11 Robert Thomas, Manager-Material Development-Paper
12 3572 Darrow Road
13 Stow, OH 44224

14 Robert Taylor, Director-Materials Development
15 1441 Century Oaks Dr.
16 Elgin, IL 60120

17 Bruce A. Washington, Director-Facilities, Maintenance,
18 Safety & Environment
19 3215 Cannon Drive
20 Twinsburg, OH 44087.
21
22
23
24
25

1 2.04 Do any documents, including written memoranda,
2 specifications, recommendations, blueprints or other written
3 materials of any kind or character relating to the design and
4 preparation of the asbestos products listed in Interrogatory No.
5 1.11 now exist?
6

7 ANSWER: Yes.

8
9 2.05 If the answer to the preceding interrogatory is in
10 the affirmative:
11

12 (a) List each document;

13 (b) State the name, address and job title of each
14 person who currently has possession of each
document, and where the documents are presently
located.

15 ANSWER: (a) Irrelevant objection--overly broad, vague, burdensome;
16 (b) J. E. Mencini is designated custodian in Bedford, Ohio;
Ed Stanek is designated custodian in Nashville, Tennessee.

1 REQUEST FOR PRODUCTION K: Pursuant to CR 34, you are

2 hereby requested to produce and/or make available for inspection
3 and copying all such correspondence or other material pertaining to
4 your answer supplied in the previous interrogatory.
5

6 RESPONSE: Irrelevant objection--overly broad and burdensome and it
7 is further objected on the grounds that it would involve disclosure of
8 privileged, proprietary information.

9 2.06 Before releasing the products listed in Interrogatory
10 No. 1.11 to the public, were any tests conducted on them to
11 determine potential health hazards involved in the use of the
12 asbestos materials contained in those products?

13 ANSWER: None.
14
15
16
17

18 2.07 If the answer to the preceding interrogatory is in
19 the affirmative, state:

- 20 (a) The names of the products tested;
21 (b) When the products were tested;
22 (c) The name, address, and job title of each person
23 who conducted those tests;
24 (d) The results of those tests.
25
26

1
2 ANSWER: See answer to 2.06 above.
3
4
5
6
7

8 2.08 Do any documents, including written memoranda,
9 specifications, recommendations, blueprints, or other written
10 materials of any kind or character relating to the testing of the
11 products identified or in Interrogatory No. 1.11 now exist?

12 ANSWER: See answer to 2.06 above.
13
14
15
16

17 2.09 If the answer to the preceding interrogatory is in
18 the affirmative, state:

19 (a) List each document;

20 (b) State the name, address and job title of each
21 person who currently has possession of each
document, and where it is presently located.

22 ANSWER: See answer to 2.06 above.
23
24
25
26

1 REQUEST FOR PRODUCTION L: Pursuant to CR 34, you are

2 hereby requested to produce according to the above instructions a
3 copy of all documents identified in your response to the preceding
4 interrogatory.
5

6 RESPONSE: See answer to 2.06 above.
7
8
9

10 2.10 Did defendant or any of its subsidiary companies make
11 any design changes as a result of the tests referred to in
12 Interrogatory No. 2.06?

13 ANSWER: None. See answer to 2.06 above.
14
15
16

17 2.11 If the answer to the preceding interrogatory is in
18 the affirmative, state:

- 19 (a) The trade names of the products changed;
20 (b) The nature of the changes made;
21 (c) The name, address and job title of each person
22 responsible for having made a change.
23
24
25
26

1
2 ANSWER: N/A
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4
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6

7 2.12 After releasing the products listed in Interrogatory
8 No. 1.11 to the public, were any tests conducted on them or were
9 any on-site inspections conducted to determine potential health
10 hazards involved in the use and/or removal of the asbestos
11 materials contained in those products?

12 ANSWER: Many tests are performed on the products to see that they
13 perform, which performance can relate to the health of the persons using
14 the products. No tests were made as to dusts or quality of the product
during their ordinary life. As stated in answer to 2.06 above, the
products are designed and intended to function in a wet environment.

15
16 2.13 If the answer to the preceding interrogatory is in
17 the affirmative, state:

18 (a) The names of the products tested;

19 (b) The name, address, and job title of each person
20 who conducted those tests;

21 (c) The results of those tests.

22 ANSWER: N/A
23
24
25
26

1 2.14 Do any documents, including written memoranda,
2 specifications, recommendations, blueprints or other written
3 materials of any kind or character relating to the potential health
4 hazards of the products listed in Interrogatory No. 1.11 now exist?

5 ANSWER: Yes.
6
7
8

9 2.15 If the answer to the preceding interrogatory is in
10 the affirmative, state:
11

12 (a) Name each product;

13 (b) List each document;

14 (c) State the name, address and job title of each
15 person who currently has possession of each
document and where it is presently located.

16 ANSWER: See response to Request for Production M.
17
18
19
20
21

22 REQUEST FOR PRODUCTION M: Pursuant to CR 34, attach or
23 produce according to the above instructions a copy of each such
24 document or test.
25

1
2 RESPONSE: Existant federal and state standards available to the
3 general public currently prescribe warnings to be placed on these
4 products. Copies of warnings are attached.

5
6 2.16 Did defendant or any of its subsidiary companies make
7 any design changes as a result of those tests?

8 ANSWER: N/A
9
10
11

12
13 2.17 If the answer to the preceding interrogatory is in
14 the affirmative, state:

15 (a) The names of the products changed;

16 (b) The name, address and job title of each person
17 responsible for having made a change.

18 ANSWER: N/A
19
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26

1 REQUEST FOR PRODUCTION N: Pursuant to CR 34, you are

2 hereby requested to produce according to the above instructions a
3 copy of all documents pertaining to design changes as identified in
4 your response to the preceding interrogatory.
5

6 RESPONSE: N/A
7
8
9

10 SECTION 3.0
11

12 3.01 Did you provide instructions and/or warnings
13 concerning the potential health hazards of asbestos exposure to
14 plaintiff's employer Stewart-Western, Inc. or Western Brake Ind.
15 Company at any time?

16 ANSWER: No. S. K. Wellman has no record of any sale of products to
17 the listed companies.
18
19

20 3.02 If the answer to the preceding interrogatory is in
21 the affirmative, state the following:

22 (a) Whether the employer was expected or requested
23 to transfer the instructions and/or warnings to
its employees such as plaintiff;

24 (b) The date(s) you provided instructions and/or
25 warnings to plaintiff's employer;
26

- 1 (c) Who prepared the instructions and/or warnings;
2 (d) To whom the instructions and/or warnings were
3 addressed;
4 (e) The manner in which the instructions and/or
5 warnings were transmitted to plaintiff's
6 employers (i.e., orally, printed, pamphlets,
7 printed on carton, etc.);
8 (f) The precise wording used in the instructions
and/or warnings, or in lieu thereof, attach an
authenticated copy of the instructions and/or
warnings.

9 ANSWER: N/A

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3.03 Did you, at any time, provide instructions and/or
warnings concerning the potential health hazards of asbestos
exposure to either (a) plaintiff and/or (b) his co-workers?

ANSWER: No.

1
2 3.04 If the answer to the preceding interrogatory is in
3 the affirmative, state the following:

- 4 (a) The date(s) you provided instructions and/or
5 warnings to each plaintiff and/or his co-workers;
6 (b) Who prepared the instructions and/or warnings;
7 (c) To whom the instructions and/or warnings were
8 addressed;
9 (d) The manner in which the instructions and/or
10 warnings were transmitted to plaintiff and/or
11 his co-workers (i.e., orally, printed,
12 pamphlets, printed on carton, etc.);
13 (e) The precise wording used in the instructions
14 and/or warnings, or in lieu thereof, attach an
15 authenticated copy of the instructions and/or
16 warnings.

17 ANSWER: N/A
18
19
20
21
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24
25
26

1 3.05 Did you provide instructions and/or warnings

2 concerning the potential health hazards of asbestos exposure to any
3 persons at plaintiff's work place during the time period during
4 which plaintiff was employed at Stewart-Western, Inc. or Western
5 Brake Ind. Company, Seattle, Washington?
6

7 ANSWER: No. We have no record of any sales to or other involvement
8 with plaintiff's work sites listed.
9

10 3.06 If the answer to the preceding interrogatory is in
11 the affirmative, state the following:
12

- 13 (a) The date(s) you provided instructions and/or
14 warnings to plaintiff and/or his co-workers;
15 (b) Who prepared the instructions and/or warnings;
16 (c) To whom the instructions and/or warnings were
17 addressed;
18 (d) The manner in which the instructions and/or
19 warnings were transmitted to plaintiff and/or
20 his co-workers (i.e., orally, printed,
21 pamphlets, printed on carton, etc.);
22 (e) The precise wording used in the instructions
23 and/or warnings, or in lieu thereof, attach an
24 authenticated copy of the instructions and/or
25 - warnings.
26

1
2 ANSWER: See 3.05 above.
3
4
5
6
7

8
9 3.07 Did you at any time place any kind of an instruction
10 or warning label on any container, shipping tag, invoice or product
11 of any kind which purported to warn a user of your product of the
12 danger of using asbestos?

13 ANSWER: Yes.
14
15
16

17 3.08 If the answer to the preceding interrogatory is in
18 the affirmative, state:

19 (a) When the warning, notice or instruction first
20 appeared;

21 (b) On what asbestos-containing products did the
22 - caution, warning, notice or instruction appear,
23 and where were such warnings located on each of
24 the products or packages;

25 (c) For each individual product when did the warning
26 first appear;

- 1 (d) The exact wording of each such warning, notice
2 or instruction for each individual
3 asbestos-containing product;
4 (e) The time period each such warning was used for
5 each asbestos-containing product;
6 (f) Who prepared the instructions or warnings.
7 (g) Has the warning notice, statement or instruction
8 ever been altered, amended or changed in any
9 manner; if so:
10 1. For each product warning that was altered
or amended, indicate how and when it was
amended and the reason for such amendment
or change, and the identity of the person
responsible for such amendment or change.

11 ANSWER: (a) Approximately 1972;
12 (b) All; on the exterior of the package;
13 (c) Approximately 1972;
14 (d) See response to Request for Production O;
15 (e) Approximately 1972 to present;
16 (f) S. K. Wellman employees or vendors;
17 (g) See response to Request for Production O.

18 REQUEST FOR PRODUCTION O: Pursuant to CR 34, attach or
19 produce according to the above instructions an authenticated copy
20 of each warning label or notice used on any asbestos-containing
21 product sold, manufactured or incorporated in any product
22 manufactured or distributed by you.

1
2 RESPONSE: See answer to Request for Production M above.
3
4
5

6 3.09 Did you provide respirators to plaintiff, plaintiff's
7 employers or persons at plaintiff's job sites during the time
8 period plaintiff was employed at Stuart-Western, Inc. or Western
9 Brake Industries, Seattle, Washington?

10 ANSWER: See 3.05 above.
11
12
13
14

15 3.10 If the answer to the preceding interrogatory is in
16 the affirmative, state the following:

- 17 (a) The date(s) respirators were provided;
18 (b) To whom the respirators were provided;
19 (c) The type of respirators provided;
20 (d) The instructions and/or warnings provided with
21 respirators, if any.
22
23
24
25
26

1
2 ANSWER: N/A
3
4
5
6
7
8
9

10 3.11 Did you receive any comments or complaints concerning
11 asbestos dust and/or asbestos health hazards from any persons who
12 were co-employees or employed at plaintiff's place of employment
13 during the time period plaintiff was employed at Stuart-Western,
14 Inc. or Western Brake Industries, Seattle, Washington?

15 ANSWER: See answer to 3.05 above.
16
17
18

19 3.12 If the answer to the preceding interrogatory is in
20 the affirmative, state the following:

21 (a) The name and address of the person commenting or
complaining;

22 (b) The precise wording of the comment and/or
23 complaint;

24 (c) The date the comment and/or complaint was
received by you;

25 (d) What action, if any, was taken in response to
26 the comment and/or complaint.

1
2 ANSWER: See answer to 3.05 above.
3
4
5
6
7
8
9

10
11 3.13 Did you receive notice of any workmen's compensation
12 claims alleging injury as a result of asbestos exposure?

13 ANSWER: Yes. See answer to 3.05 above.
14
15
16
17

18 3.14 If the answer to the preceding interrogatory is in
19 the affirmative, state the following for each year from the date of
20 your incorporation:

- 21 (a) The name and address of each claimant;
22 (b) The date you received notice;
23 (c) The state in which the claim was filed;
24
25
26

1 (d) The injury alleged in the claim;

2 (e) The outcome of the claim (i.e., settled,
3 dismissed, etc.).

4 ANSWER: N/A

5
6
7
8
9
10 3.15 State the total number of product liability, third
11 party cases which have been filed naming you as a party defendant,
12 in which it was alleged in any way that your asbestos-bearing
13 product caused harm.

14
15 ANSWER: Irrelevant objection.

1 REQUEST FOR ADMISSION A: Over 10,000 cases described in

2 Interrogatory No. 3.17 are pending or have been filed naming you as
3 a defendant.

4 RESPONSE: Denied.
5
6
7

8 3.16 When were you first served with a summons and
9 complaint in which it was alleged that asbestos-related damages
10 were sustained by a third party as a result of alleged exposure to
11 an asbstos product manufactured, distributed or incorporated into a
12 product manufactured or distributed by you?

13 ANSWER: 1981.
14
15
16
17
18
19
20
21

22 3.17 State the court, cause number, attorney
23 identification, and ultimate resolution of such lawsuit identified
24 above.
25

26 PLAINTIFF'S FIRST INTERROGS, ETC. - 58

1
2 ANSWER: Irrelevant objection.
3
4
5

6 3.18 For each and every year from 1930 to present, state
7 the number of such suits which were served upon you.
8

9 ANSWER: See response to 3.16. Irrelevant objection.
10
11
12
13

14 3.19 Identify by name and address the person or persons
15 who act as corporate custodian of documents pertaining to the third
16 party litigation in which asbestos-related damage is alleged.
17

18 ANSWER: J. E. Mencini.
19
20
21
22
23
24
25

1
2 3.20 When was defendant first served with a third party
3 summons and complaint in which it was alleged then or later that a
4 plaintiff or a plaintiff's decedent sustained mesothelioma as a
5 result of exposure to asbestos products manufactured, distributed
6 or incorporated into a product manufactured or distributed by you?

7 ANSWER: 1981.

8
9
10
11
12
13 3.21 State the court, cause number, attorney
14 identification and ultimate resolution of such lawsuit identified
15 above.

16 ANSWER: Irrelevant objection.

17
18
19
20
21 3.22 For each and every year from 1930 until the present,
22 state the number of such suits which were served upon you.

1
2 ANSWER: None until 1981 and as to the number of suits after 1981, irrelevant
3 objection.
4
5
6
7

8 3.23 When was defendant first served with a summons and
9 complaint in which it was then or later alleged that a plaintiff or
10 plaintiff's decedent sustained lung cancer as a result of exposure
11 to asbestos products manufactured, distributed or incorporated into
12 a product manufactured or distributed by you?
13

14 ANSWER: See response to interrogatory No. 3.16.
15
16
17
18
19

20 3.24 State the court, cause number, attorney
21 identification and ultimate resolution of such lawsuit identified
22 above.
23
24
25

1 ANSWER: Irrelevant objection.
2
3
4
5
6

7 3.25 For each and every year from 1930 to the present,
8 state the number of such suits which were served upon you.
9

10 ANSWER: None until 1981, and the number of suits after 1981, irrelevant objection.
11
12
13
14

15 3.26 When was defendant first served with a summons and
16 complaint in which it was then or later alleged that a plaintiff or
17 plaintiff's decedent sustained asbestosis as a result of exposure
18 to asbestos products manufactured, distributed or incorporated into
19 products manufactured or distributed by you?

20 ANSWER: See response to No. 3.16.
21

22 3.27 State in detail the court, cause number, attorney
23 identification and ultimate resolution of such lawsuit identified
24 above.
25

1 ANSWER: Irrelevant objection.
2
3
4
5
6

7 3.28 For each and every year since 1930 to the present,
8 state the number of such suits which were served upon you.

9 ANSWER: See answer to 3.16, and to years after 1981, irrelevant objection.
10
11
12
13

14 3.29 Do you retain records of the worker's compensation or
15 third party claims described in the foregoing interrogatories?
16

17 ANSWER: Yes.
18
19
20

21 3.30 Identify with name and address the corporate
22 custodian of records concerning claims of workers.
23
24
25

1
2 ANSWER: J. E. Mancini.
3
4
5

6 3.31 Identify all documents relating to the information
7 kept on worker's compensation claims.
8

9 ANSWER: Materials as provided by State of Ohio, Bureau of Workman's
10 Compensation which generally includes claimant's report, on Action index as
11 maintained by the State Bureau, any medical reports filed with the State Bureau
12 and any applications for adjustment of the claim which may be filed by any
13 party to the proceeding. None until 1981 and as to the number of suits after
14 1981, irrelevant objection.
15

16 REQUEST FOR PRODUCTION P: Pursuant to CR 34, attach or
17 produce according to the above instructions a copy of all documents
18 identified in the preceding interrogatory.

19 RESPONSE: Irrelevant objection—overly broad and burdensome.
20
21
22
23
24
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26

1 REQUEST FOR ADMISSION B: You were aware as early as 1900

2 that one or more individuals had filed workmen's compensation
3 claims alleging injury or disease as a result of exposure to
4 asbestos while employed at one or more of your facilities.

5 RESPONSE: Denied.
6
7
8
9

10 REQUEST FOR ADMISSION C: You were aware as early as 1910

11 that one or more individuals had filed workmen's compensation
12 claims alleging injury or disease as a result of exposure to
13 asbestos while employed at one or more of your facilities.

14 RESPONSE: Denied.
15
16
17
18

19 REQUEST FOR ADMISSION D: You were aware as early as 1920

20 that one or more individuals had filed workmen's compensation
21 claims alleging injury or disease as a result of exposure to
22 asbestos while employed at one or more of your facilities.
23
24
25

1 RESPONSE: Denied.

2
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5
6 REQUEST FOR ADMISSION E: You were aware as early as 1930
7 that one or more individuals had filed workmen's compensation
8 claims alleging injury or disease as a result of exposure to
9 asbestos while employed at one or more of your facilities.

10 RESPONSE: Denied.

11
12
13
14
15 REQUEST FOR ADMISSION F: You were aware as early as 1940
16 that one or more individuals had filed workmen's compensation
17 claims alleging injury or disease as a result of exposure to
18 asbestos while employed at one or more of your facilities.

19 RESPONSE: Denied.

1 REQUEST FOR ADMISSION G: You were aware as early as 1950
2 that one or more individuals had filed workmen's compensation
3 claims alleging injury or disease as a result of exposure to
4 asbestos while employed at one or more of your facilities.
5

6 RESPONSE: Denied.
7
8
9

10 REQUEST FOR ADMISSION H: You were aware as early as 1960
11 that one or more individuals had filed workmen's compensation
12 claims alleging injury or disease as a result of exposure to
13 asbestos while employed at one or more of your facilities.
14

15 RESPONSE: Denied.
16
17
18
19

20 REQUEST FOR ADMISSION I: You were aware as early as 1965
21 that one or more individuals had filed workmen's compensation
22 claims alleging injury or disease as a result of exposure to
23 asbestos while employed at one or more of your facilities.
24
25

1 RESPONSE: Denied.
2
3
4
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6

7 REQUEST FOR ADMISSION J: You were aware as early as 1970
8 that one or more individuals had filed workmen's compensation
9 claims alleging injury or disease as a result of exposure to
10 asbestos while employed at one or more of your facilities.

11 RESPONSE: Denied.
12
13
14
15

16 REQUEST FOR ADMISSION K: You were aware as early as 1975
17 that one or more individuals had filed workmen's compensation
18 claims alleging injury or disease as a result of exposure to
19 asbestos while employed at one or more of your facilities.

20 RESPONSE: Denied.
21
22
23
24
25
26

1 REQUEST FOR ADMISSION L: You were aware as early as 1979

2 that one or more individuals had filed workmen's compensation
3 claims alleging injury or disease as a result of exposure to
4 asbestos while employed at one or more of your facilities.

5 RESPONSE: Admitted.
6
7
8

9 REQUEST FOR ADMISSION M: You were aware as early as 1980

10 that one or more individuals had filed workmen's compensation
11 claims alleging injury or disease as a result of exposure to
12 asbestos while employed at one or more of your facilities.

13 RESPONSE: See response to Request for Admission L.
14
15
16

17 REQUEST FOR PRODUCTION Q: Pursuant to CR 34, attach or
18 produce according to the above instructions annual summaries of
19 compensation claims analyzed by nature of claims, lost time,
20 disposition and the like.
21

22 RESPONSE: Irrelevant objection.
23
24
25

SECTION 4.0

4.01 Does or did defendant provide pulmonary function tests on its asbestos-exposed workers?

ANSWER: Yes.

4.02 If the answer to the foregoing interrogatory is in the affirmative, state:

- (a) The nature of such program(s);
- (b) Whether such program was optional or mandatory; if mandatory, when it became so;
- (c) The location(s) of such program(s);
- (d) The date of service of such program(s);
- (e) If any of the program(s) have undergone modification, the nature and dates of such modification;
- (f) The custodian (by name, address and position) of records of such pulmonary function test program(s);
- (g) The highest level of management (by name, address and position) who participated in the decision to institute such program(s).

1 ANSWER: (a) Since 1977 S. K. Wellman, pursuant to OSHA regulations, has
2 requested employees working in areas with possible asbestos exposure to undergo
3 annual pulmonary function tests;
4 (b) See answer to interrogatory 4.02(a);
5 (c) S. K. Wellman's plant dispensary;
6 (d) See answer to 4.02 (a);
7 (e) None;
8 (f) Plant nurse at S. K. Wellman corporation;
9 (g) There are no records that exist as to information requested in
10 this interrogatory.

11 REQUEST FOR PRODUCTION R: Pursuant to CR 34, attach or
12 produce according to the above instructions a copy of the records
13 pertaining in any way to the implementation of the previously
14 identified pulmonary function test programs.

15 RESPONSE: None available.

16
17
18
19 4.03 With reference to the pulmonary function testing
20 program described in your answer to Interrogatory No. 4.02, state
21 the frequency (e.g., tests per year or per month) such tests were
22 administered to individual employees (and if frequency varies by
23 categories of employee or if testing policy was modified, indicate
24 when and where the modifications occurred and by what categories).

1 ANSWER: See answer to 4.02 above.

2
3
4
5
6 4.04 Did you ever institute a program of chest x-rays for
7 asbestos-exposed workers?

8 ANSWER: Yes.

9
10
11
12 4.05 If the answer to the foregoing interrogatory is in
13 the affirmative, state:

- 14 (a) The nature of such program(s);
- 15 (b) Whether such program was optional or mandatory;
- 16 if mandatory, when it became so;
- 17 (c) The location(s) of such program(s);
- 18 (d) The date of service of such program(s);
- 19 (e) If any of the program(s) have undergone
- 20 modification, the nature and dates of such
- 21 modification;
- 22 (f) The custodian (by name, address and position) of
- 23 records of such x-ray test program(s);
- 24 (g) The highest level of management (by name,
- 25 address and position) who participated in the
- 26 decision to institute such program(s).

1 ANSWER: (a) Since 1977, S. K. Wellman, pursuant to OSHA regulations has
2 requested its employees working in areas with possible asbestos exposure to undergo
anterior and posterior chest x-rays;

3 (b) See answer to 4.05(a);

4 (c) X-rays were taken by radiologists in Cleveland, Ohio who were
contracted to perform these tests for S. K. Wellman;

5 (d) See answer to 4.05(a) above;

6 (e) None;

7 (f) Plant nurse and outside doctors;

8 (g) No such records exist as to info requested in this interrogatory.

9 4.06 For each and every such program identified in your
10 answer to the preceding interrogatory, describe in detail the
11 method by which the results of such testing was made available to
12 the employees.

13 ANSWER: Irrelevant objection.
14
15
16

17 REQUEST FOR PRODUCTION S: Pursuant to CR 34, attach or
18 produce according to the above instructions a copy of the records
19 of the implementation of the afore-identified chest x-ray
20 programs.

21 RESPONSE: Irrelevant objection.
22
23
24
25

1 4.07 Did defendant ever institute a safety program other
2 than pulmonary function tests and x-ray exams for its
3 asbestos-exposed workers?
4

5 ANSWER: S. K. Wellman has taken air samples in its facilities since the mid-1970s.
6 For a time in the 1970s and possibly early 1980s when materials of unknown identity
7 were being subject to certain processes in its laboratory, S. K. Wellman made
8 respirators available to laboratory employees.
9
10
11

12 4.08 If the answer to the foregoing interrogatories is in
13 the affirmative, state:

- 14 (a) The nature of such program(s);
15 (b) Whether such program was optional or mandatory;
16 if mandatory, when it became so;
17 (c) The location(s) of such program(s);
18 (d) The date of service of such program(s);
19 (e) If any of the program(s) have undergone
20 modification, the nature and dates of such
21 modification;
22 (f) The custodian (by name, address and position) of
23 records of such x-ray test program(s);
24 (g) The highest level of management (by name,
25 address and position) who participated in the
26 decision to institute such program(s).

1 ANSWER: (a) See 4.07 above;
2 (b) See 4.07 above;
3 (c) Location of S. K. Wellman plants and warehouses. See answer to
interrogatory 1.08 and 1.12 for location information;
4 (d) See 4.07 above;
5 (e) We try to review and update all programs;
6 (f) J. E. Mencini;
7 (g) J. E. Mencini, Vice President of Administration. See answer
to interrogatory 1.01.

8 REQUEST FOR PRODUCTION T: Pursuant to CR 34, attach or
9 produce according to the above instructions a copy of the records
10 of the implementation of the afore-identified chest safety program.

11 RESPONSE: Irrelevant objection.

12
13
14
15 4.09 Did defendant ever institute a no-smoking program for
16 its asbestos-exposed workers?

17 ANSWER: No.

18
19
20
21 4.10 If the answer to the preceding interrogatory is in
22 the affirmative, state:

23 (a) The nature of such program(s);

24 (b) Whether such program was optional or mandatory;
25 if mandatory, when it became so;

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- 1 (c) The location(s) of such program(s);
2 (d) The date of service of such program(s);
3 (e) If any of the program(s) have undergone
4 modification, the nature and dates of such
5 modification;
6 (f) The custodian (by name, address and position) of
7 records of such x-ray test program(s);
8 (g) The highest level of management (by name,
address and position) who participated in the
decision to institute such program(s).

9 ANSWER:

See answer to 4.09 above.

10
11
12
13
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15
16
17
18 4.11 Identify all records which pertain to the
19 implementation of the above-described program(s).

20 ANSWER: See answer to 4.09 above.
21
22
23
24
25

1 REQUEST FOR PRODUCTION U: Pursuant to CR 34, attach or

2 produce according to the above instructions a copy of the records
3 of the implementation of the above-identified no-smoking programs.
4

5 RESPONSE: See answer to 4.09 above.
6
7
8
9

10 REQUEST FOR ADMISSION N: Prior to 1900, dust counts, air
11 sampling surveys, or other types of studies or tests were conducted
12 at one or more of your facilities where products containing
13 asbestos were manufactured to determine the levels of dust or
14 asbestos fiber concentrations in the air.

15 RESPONSE: Denied.
16
17
18
19

20 REQUEST FOR ADMISSION O: Prior to 1910, dust counts, air
21 sampling surveys, or other types of studies or tests were conducted
22 at one or more of your facilities where products containing
23 asbestos were manufactured to determine the levels of dust or
24 asbestos fiber concentrations in the air.
25

1 RESPONSE: Denied.
2
3
4

5 REQUEST FOR ADMISSION P: Prior to 1920, dust counts, air
6 sampling surveys, or other types of studies or tests were conducted
7 at one or more of your facilities where products containing
8 asbestos were manufactured to determine the levels of dust or
9 asbestos fiber concentrations in the air.
10

11 RESPONSE: Denied.
12
13
14
15

16 REQUEST FOR ADMISSION Q: Prior to 1930, dust counts, air
17 sampling surveys, or other types of studies or tests were conducted
18 at one or more of your facilities where products containing
19 asbestos were manufactured to determine the levels of dust or
20 asbestos fiber concentrations in the air.

21 RESPONSE: Denied.
22
23
24
25
26

1 REQUEST FOR ADMISSION R: Prior to 1940, dust counts, air
2 sampling surveys, or other types of studies or tests were conducted
3 at one or more of your facilities where products containing
4 asbestos were manufactured to determine the levels of dust or
5 asbestos fiber concentrations in the air.
6

7 RESPONSE: Denied.
8
9
10
11

12 REQUEST FOR ADMISSION S: Prior to 1950, dust counts, air
13 sampling surveys, or other types of studies or tests were conducted
14 at one or more of your facilities where products containing
15 asbestos were manufactured to determine the levels of dust or
16 asbestos fiber concentrations in the air.
17

18 RESPONSE: Denied.
19
20
21
22
23
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25

1 REQUEST FOR ADMISSION T: Prior to 1960, dust counts, air
2 sampling surveys, or other types of studies or tests were conducted
3 at one or more of your facilities where products containing
4 asbestos were manufactured to determine the levels of dust or
5 asbestos fiber concentrations in the air.
6

7 RESPONSE: Denied.
8
9
10

11 REQUEST FOR ADMISSION U: Prior to 1970, dust counts, air
12 sampling surveys, or other types of studies or tests were conducted
13 at one or more of your facilities where products containing
14 asbestos were manufactured to determine the levels of dust or
15 asbestos fiber concentrations in the air.
16

17 RESPONSE: Denied.
18
19
20

21 REQUEST FOR ADMISSION V: Prior to 1979, dust counts, air
22 sampling surveys, or other types of studies or tests were conducted
23 at one or more of your facilities where products containing
24 asbestos were manufactured to determine the levels of dust or
25 asbestos fiber concentrations in the air.
26

1
2 RESPONSE: Admitted.
3
4
5
6

7 4.12 Was defendant ever involved in a suit or claim by an
8 individual (or a union on behalf of an individual) instituted to
9 gain access to the medical or exposure records of defendant's
10 employees?
11

12 ANSWER: No.
13
14
15

16 4.13 If the answer to the foregoing interrogatory is in
17 the affirmative, state:

- 18 (a) When such a suit occurred;
19 (b) The attorneys involved in representing each
20 party, together with the cause number and court
21 where filed;
22 (c) The individual and/or union involved;
23 (d) The nature of the medical records in question;
24 (e) Identify the custodian (by name, address and
25 position) of records relating to the above
26 subject.

1
2 ANSWER: See answer to 4.12 above.
3
4
5
6
7
8
9

10 REQUEST FOR PRODUCTION V: Pursuant to CR 34, attach or
11 produce according to the above instructions a copy of all records
12 relating to the above subject.
13

14 RESPONSE: See answer to 4.12 above.
15
16
17

18 4.14 Does defendant now, or have you in the past, ever
19 contributed money or other support toward the research of the
20 biological effects of asbestos?
21

22 ANSWER: No. -
23
24
25
26

1 4.15 If the answer to the preceding interrogatory is in
2 the affirmative, state:

- 3 (a) the date(s) of such contribution;
4 (b) The substance, either monetary amount or other,
5 of such contribution;
6 (c) The type of project or projects contributed to;
7 (d) The recipient of such contribution by name;
8 address and affiliation for study;
9 (e) Identify by name, address and title the person
10 or persons in highest responsibility post for
11 such a decision to contribute toward such
12 research;
13 (f) Identify all documents which pertain to the
14 decision to contribute to such research;
15 (g) Identify the name and address of the custodian
16 of all documents relating to such research.

17 ANSWER: See answer to 4.14 above.
18
19
20

21 REQUEST FOR PRODUCTION W: Pursuant to CR 34, attach or
22 produce according to the above instructions all documents relating
23 to the research identified in response to Interrogatory No. 4.14.
24
25

1 RESPONSE: See answer to 4.14 above.
2
3
4
5

6 REQUEST FOR ADMISSION X: You conducted or caused to be
7 conducted no tests before 1900 on your products containing asbestos
8 to determine whether asbestos or asbestos particles might be
9 harmful to human beings if inhaled.

10 RESPONSE: Admitted.
11
12
13
14

15 REQUEST FOR ADMISSION Y: You conducted or caused to be
16 conducted no tests before 1910 on your products containing asbestos
17 to determine whether asbestos or asbestos particles might be
18 harmful to human beings if inhaled.

19 RESPONSE: Admitted.
20
21
22
23
24
25

1 REQUEST FOR ADMISSION Z: You conducted or caused to be

2 conducted no tests before 1920 on your products containing asbestos
3 to determine whether asbestos or asbestos particles might be
4 harmful to human beings if inhaled.

5 RESPONSE: Admitted.
6
7
8
9

10 REQUEST FOR ADMISSION AA: You conducted or caused to be
11 conducted no tests before 1930 on your products containing asbestos

12 to determine whether asbestos or asbestos particles might be
13 harmful to human beings if inhaled.
14

15 RESPONSE: Admitted.
16
17
18
19

20 REQUEST FOR ADMISSION BB: You conducted or caused to be

21 conducted no tests before 1940 on your products containing asbestos
22 to determine whether asbestos or asbestos particles might be
23 harmful to human beings if inhaled.
24
25

1 RESPONSE: Admitted.
2
3
4
5

6 REQUEST FOR ADMISSION CC: You conducted or caused to be
7 conducted no tests before 1950 on your products containing asbestos
8 to determine whether asbestos or asbestos particles might be
9 harmful to human beings if inhaled.

10 RESPONSE: Admitted.
11
12
13
14
15

16 REQUEST FOR ADMISSION DD: You conducted or caused to be
17 conducted no tests before 1960 on your products containing asbestos
18 to determine whether asbestos or asbestos particles might be
19 harmful to human beings if inhaled.

20 RESPONSE: Admitted.
21
22
23
24
25

1 REQUEST FOR ADMISSION EE: You conducted or caused to be
2 conducted no tests before 1970 on your products containing asbestos
3 to determine whether asbestos or asbestos particles might be
4 harmful to human beings if inhaled.

5 RESPONSE: Admitted.
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7
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9

10 4.16 State in detail when you first became aware of the
11 existence of articles on the subject of the relationship between
12 asbestos exposure and
13

14 (a) asbestosis;

15 (b) lung cancer;

16 (c) mesothelioma;

17 (d) forms of cancer other than lung cancer.

18 ANSWER: S. K. Wellman is aware of such articles, but cannot identify when
19 knowledge of such articles first came to the attention of its employees.
20
21
22

23 4.17 For each disease mentioned in subparts a through d of
24 the preceding interrogatory, state in what manner you gained
25 awareness of each.

1 ANSWER: General medical literature and government publications. Such articles
2 were available to the general public and obtained by S. K. Wellman in that manner
3 or forwarded to us by various state and federal agencies.

4
5
6
7 4.18 Identify all documents which pertain in any way to
8 your answer to the preceding interrogatory.

9 ANSWER: See answer to 4.16 and 4.17 above. All such documents are available
10 to the general public, including state and federal regulations and publications.

11
12
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14
15 REQUEST FOR PRODUCTION X: Pursuant to CR 34, attach or
16 produce according to the above instructions a copy of all documents
17 identified in response to the preceding interrogatory.

18
19 RESPONSE: See answer to 4.18 above.

1 REQUEST FOR ADMISSION FF: You were aware as early as 1900

2 of research, studies and/or articles indicating a causal connection
3 between asbestos exposure and

4 (a) asbestosis;

5 (b) lung cancer;

6 (c) mesothelioma;

7 (d) forms of cancer other than lung cancer.

8 RESPONSE: Denied.
9

10
11
12 REQUEST FOR ADMISSION GG: You were aware as early as 1910

13 of research, studies and/or articles indicating a causal connection
14 between asbestos exposure and

15 (a) asbestosis;

16 (b) lung cancer;

17 (c) mesothelioma;

18 (d) forms of cancer other than lung cancer.
19

20 RESPONSE: Denied.
21
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1 REQUEST FOR ADMISSION HH: You were aware as early as 1920
2 of research, studies and/or articles indicating a causal connection
3 between asbestos exposure and

- 4 (a) asbestosis;
5 (b) lung cancer;
6 (c) mesothelioma;
7 (d) forms of cancer other than lung cancer.

8 RESPONSE: Denied.
9

10
11
12 REQUEST FOR ADMISSION II: You were aware as early as 1930
13 of research, studies and/or articles indicating a causal connection
14 between asbestos exposure and

- 15 (a) asbestosis;
16 (b) lung cancer;
17 (c) mesothelioma;
18 (d) forms of cancer other than lung cancer.

19 RESPONSE: Denied.
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1 REQUEST FOR ADMISSION JJ: You were aware as early as 1940

2 of research, studies and/or articles indicating a causal connection
3 between asbestos exposure and

4 (a) asbestosis;

5 (b) lung cancer;

6 (c) mesothelioma;

7 (d) forms of cancer other than lung cancer.

8 RESPONSE: Denied.

12 REQUEST FOR ADMISSION KK: You were aware as early as 1950

13 of research, studies and/or articles indicating a causal connection
14 between asbestos exposure and

15 (a) asbestosis;

16 (b) lung cancer;

17 (c) mesothelioma;

18 (d) forms of cancer other than lung cancer.

19 RESPONSE: Denied.

1 REQUEST FOR ADMISSION LL: You were aware as early as 1960
2 of research, studies and/or articles indicating a causal connection
3 between asbestos exposure and
4

5 (a) asbestosis;

6 (b) lung cancer;

7 (c) mesothelioma;

8 (d) forms of cancer other than lung cancer.

9 RESPONSE: Denied.
10
11
12

13 REQUEST FOR ADMISSION MM: You were aware as early as 1970
14 of research, studies and/or articles indicating a causal connection
15 between asbestos exposure and

16 (a) asbestosis;

17 (b) lung cancer;

18 (c) mesothelioma;

19 (d) forms of cancer other than lung cancer.

20 RESPONSE: Admitted as to (a) and (c). We are unclear as to what you are
21 referencing in (b) and (d) and therefore deny the same.
22
23
24
25

1 REQUEST FOR ADMISSION NN: You were aware as early as 1975
2 of research, studies and/or articles indicating a causal connection
3 between asbestos exposure and

4 (a) asbestosis;

5 (b) lung cancer;

6 (c) mesothelioma;

7 (d) forms of cancer other than lung cancer.

8 RESPONSE: Admitted as to (a) and (c). We are unclear as to what you are
9 referencing in (b) and (d) and therefore deny the same.

10
11
12 4.19 Have you ever lobbied for or participated in the
13 lobbying for, or in the creation of, governmental/legislative
14 remedies for asbestos-related lung diseases?

15 ANSWER: No.

16
17
18
19
20 4.20 If your answer to the preceding interrogatory is in
21 the affirmative, state in detail:

22 (a) The form such lobbying took;

23 (b) All person(s) acting on behalf of defendant;

- 1 (c) The amount of monies spent on the above lobbying;
2 (d) The intended and actual results of such lobbying.

3 ANSWER: See 4.19 above.
4
5
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8

9 4.21 Were you involved in any stage of the preparation of
10 the bill H.R. 2740 introduced by Millicent Fenwick, Republican-New
11 Jersey, in the House of Representatives?
12

13 ANSWER: No.
14
15
16
17

18 4.22 If your answer to the preceding interrogatory is in
19 the affirmative, identify:

- 20 (a) the manner in which defendant was involved;
21 (b) The person(s) so involved;
22 (c) The time spent in contribution to the creation
23 of the Fenwick bill;
24 (d) All documents generated by your involvement in
25 the preparation of H.R. 2740.
26

1
2 ANSWER: See 4.21 above.

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9 REQUEST FOR PRODUCTION Y: Pursuant to CR 34, attach or
10 produce according to the above instructions a copy of all documents
11 identified in subpart (d) of your answer to the preceding
12 interrogatory.

13 RESPONSE: See 4.21 above.

14
15
16
17 4.23 Was defendant involved in any aspect or stage of
18 preparation of the Senate bill, S. 2847, introduced by Senator
19 Hart, Democrat-Colorado, to the Senate of the United States?

20 ANSWER: No.

1 4.24 If your answer to the preceding interrogatory is in
2 the affirmative, identify and describe in detail:

- 3 (a) The manner in which defendant was involved;
4 (b) The person(s) so involved;
5 (c) The time spent in contribution to the creation of
6 the Hart bill.

7 ANSWER: See 4.23 above.

8
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12
13 4.25 With respect to liability insurance, identify each
14 and every insurance policy actually, potentially or arguably
15 effective for each year after the founding of defendant.

16 ANSWER: From 1975 through the most recent period relevant to this action,
17 S. K. Wellman's primary insurance coverage was with Fireman's Fund Insurance
18 Company with annual policy limits of \$300,000.00 (1975) and \$500,000.00 (1976
19 forward). Excess coverage has been, at various times, with Fireman's Fund
20 Insurance Company and other carriers.
21
22
23
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4.26 For each insurance policy identified in your answer

to the above interrogatory, state:

- (a) The name of the insurance company;
- (b) The policy number of each;
- (c) The name and address of the agent who sold the insurance policy;
- (d) The dollar limits of coverage and scope of coverage for liability of each such insurance policy and the deductibles of each such insurance policy;
- (e) Effective date and expiration date of each such insurance policy;
- (f) The name insured;
- (g) The name, address and title of the employee of the insurance company and/or agent who has supervisory responsibility for plaintiff's claims in this litigation;
- (h) Dollar limits of coverage for any medical payment personal injury protecting benefits which are the same as available to the plaintiff and under what condition;
- (i) The name of the attorney defending this litigation who represents each such carrier, identifying each;
- (j) Subsequent to the issuance of each policy or policies identified in the preceding interrogatory, was the original policy amended, changed or otherwise modified;
- (k) If so, for each modification, for each such policy, identify:
 1. The substance of the modification;
 2. The date it became effective.

1
2 ANSWER: Except as set forth in response to No. 4.25, irrelevant objection--
3 burdensome.
4
5
6
7
8
9

10 4.27 Has a claim or suit involving policy limits, reserved
11 rights or disputed coverage been initiated against any of the
12 insurance companies identified in your answer to the preceding
13 interrogatory?
14

15 ANSWER: No.
16
17
18

19 4.28 If your answer to the preceding interrogatory is in
20 the affirmative, state:

21 (a) The insurance company(ies) against whom the
22 claim or lawsuit has been initiated;

23 (b) The date upon which it was initiated;
24
25

1 (c) The contentions therein;

2 (d) The claim number, cause number, court, parties
3 to the litigation, attorneys representing the
4 parties in the litigation, and any other
5 identifying information, including but not
6 limited to the disposition of such litigation,
7 claim or contention.

8 ANSWER: See 4.27 above.

9
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12
13 REQUEST FOR PRODUCTION Z: Pursuant to CR 34, attach or

14 produce according to the above instructions a copy of all documents
15 which pertain in any way to your answers to the preceding insurance
16 interrogatories.

17 RESPONSE: See 4.27 above.

18
19
20
21 4.29 Identify any other disputed matters with respect to
22 any other insurance policies, including but not limited to:

23 (a) The name of the insurance company;

24 (b) The policy number;

25
26 PLAINTIFF'S FIRST INTERROGS, ETC. - 99

- 1 (c) The contentions of the respective parties;
2 (d) The identity of the attorneys with relation to
3 each contention;
4 (e) The dates of each such contention, when
5 initiated, and if relevant, when resolved;
6 (f) The substance of the resolution.

7 ANSWER: Irrelevant objection--vague, overly broad and burdensome.
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Questions 4.30 to 4.37 have been omitted.

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2 ANSWER: N/A
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6 4.38 Do you have or have you had liability coverage other
7 than that previously identified, such as umbrella or excess
8 liability policies or secondary policies or self-insurance reserve
9 pools?
10

11 ANSWER: See answer to interrogatory No. 4.25 above.
12
13
14
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18 4.39 If your answer to the preceding interrogatory is in
19 the affirmative, state for each:

- 20 (a) The name of the insurance company;
21 (b) The policy number and other identification;
22 (c) The name, address, telephone number, job title,
23 or capacity of the agent who sold the insurance;
24 (d) The dollar limits of coverage and scope of
25 coverage for liability;
26

1 (e) Effective date and expiration;

2 (f) Dollar limits of coverage and scope of coverage
3 for any medical or personal injury protection or
4 benefits, and whether same is available to
plaintiffs and under what conditions;

5 (g) The name, address, and title of the employee who
6 has supervisory responsibility for the
disposition of plaintiff's claims.

7 ANSWER: See answer to 4.25 above.

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13
14 REQUEST FOR PRODUCTION AA: Pursuant to CR 34, attach or
15 produce, according to the above instructions, a copy of all
16 documents which pertain in any way to your answer to the foregoing
17 interrogatory.

18 RESPONSE: N/A
19
20
21

22 4.40 Identify all trade publications that have been
23 subscribed to by your employers or agents, including all such
24 publications for which you have paid employee subscription.
25

1 ANSWER: Presently, Mencini believes the list of publications would
2 include those shown on Exhibits 4.40 and 4.41 attached.

3
4
5
6
7 4.41 Identify all manufacturers' and/or chemists'
8 association publications your company has subscribed to or received
9 from 1920 to the present.

10 ANSWER: Prior to 1971 none, and for any publications after 1981, J. E.
11 Mencini is attempting to collect this information and we will supplement
12 this information as soon as it is received. For information available
to date, please refer to Exhibits 4.40 and 4.41 attached.

13
14
15
16 4.42 Identify all medical journals or other such
17 publications that your company has subscribed to or received from
18 1920 to the present. ANSWER:

19
20 See answer to 4.41 above.

21

22

23

24

25

26

4.40 The following listing indicates typical publications which have been received by the company. This is not and does not purport to be, an exhaustive list.

Finance:	Wall Street Journal Dun's Review Forbes
Manufacturing:	Iron Age Industry Week Production Robotics
Research and Development:	Metal's Review Automotive Engineering Chilton's Automotive News Chemical Week Plastics
Quality Assurance:	Quality
Engineering:	Machine Design Design News
Sales:	Commercial Car Journal Brake and Front End Heavy Equipment Maintenance Warehouse Distributing Materials Handling
General:	Business Week National Defense

4.41 Publications from the following organizations are known to have been received at the S. K. Wellman Corp. at various times during the period in question. This is not, and does not purport to be, a complete listing:

American Chemical Society
Plastics Society
Society of Automotive Engineers
American Society of Quality Control
American Society for Metals
National Defense Preparedness Association
American Management Association
Friction Material Standards Institute
American Powder Metal Institute
American Society for Testing Materials

1
2 ANSWER: J. E. Mancini is currently attempting to collect this information
3 and we will supplement this information as soon as it is received.
4
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6
7

8 4.41 Identify all manufacturers' and/or chemists'
9 association publications your company has subscribed to or received
10 from 1920 to the present.

11 ANSWER: . Prior to 1971 none, and for any publications after 1981, J. E.
12 Mancini is attempting to collect this information and we will supplement this
13 information as soon as it is received.
14
15
16

17 4.42 Identify all medical journals or other such
18 publications that your company has subscribed to or received from
19 1920 to the present. ANSWER:

20 See answer to 4.41 above
21
22
23
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1
2 4.43 Identify all organizations connected with the
3 asbestos products industry which your company has belonged to,
4 participated in and/or financially supported from 1920 to the
5 present.

6 ANSWER: None. S. K. Wellman is a member of the Friction Materials Standards
7 Institute and has been since approximately 1971 to the present.
8
9
10
11

12 4.44 Did your company or any of your employees, agents,
13 personnel, directors, or officers ever belong to, participate in,
14 or financially support the Asbestos Textile Institute?

15 ANSWER: No.
16
17
18
19
20

21 4.45 If the answer to the preceding interrogatory is in
22 the affirmative, state:

23 (a) The date(s) of such membership, participation,
24 or financial support;
25
26

- 1 (b) The nature of your company's relationship with
2 the Asbestos Textile Institute;
- 3 (c) The name(s), address(es), and nature of duties
4 of the person(s) in your company with any
5 responsibilities regarding the Asbestos Textile
6 Institute;
- 7 (d) In what committee(s) of the Asbestos Textile
8 Institute your company or persons in your
9 company participate;
- 10 (e) Whether any documents pertaining to such
11 membership, participation, or financial support
12 exist, and, if so, identify the custodian of
13 such documents.

14 ANSWER: See 4.44 above.

15

16

17

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21 4.46 State whether any safety precautions are or were
22 needed by workers handling any asbestos product.

23

24

25

ANSWER:

Because of the form of question we are at a loss as to how to answer, therefore unknown.

4.47 If safety precautions are or were needed, as to each asbestos product, state the following:

- (a) What safety precautions are or were needed;
- (b) Why these precautions are or were needed;
- (c) What safety precautions are or were recommended to workers or others by you;
- (d) State the date(s) such recommendations were made;
- (e) State the manner in which such recommendations were made, whether oral or written;
- (f) Identify the person(s) in your company making such recommendations;
- (g) If in writing, identify the custodian or possessor of such recommendations.

ANSWER:

See answer to 4.46 above.

1
2
3 4.48 Identify all persons in your company who are
4 delegated to attend asbestos or asbestos product safety hearings or
5 meetings, or be familiar with asbestos or asbestos product safety.

6 ANSWER: J. E. Mencini and C. K. Yeager.
7
8
9
10
11

12 4.49 Has any buyer or user of any asbestos product
13 manufactured or distributed by you ever been given instructions by
14 anyone to discontinue using such asbestos product?
15

16 ANSWER: Unknown.
17
18
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22
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24
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1 4.50 If the answer to the preceding interrogatory is in
2 the affirmative:

- 3 (a) Identify the date of such instructions;
4 (b) Identify the buyer or user;
5 (c) State the reason(s) for such instructions being
6 given;
7 (d) Identify the person(s) giving such instructions
8 to the buyer or user;
9 (e) If written, identify the custodian of such
instructions.

10 ANSWER: See 4.49 above.
11
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16 4.51 Have you ever engaged in any joint venture or
17 cooperative arrangement with any company, corporation, or other
18 business entity concerning the manufacture or distribution of
19 asbestos or any asbestos product, including, but not limited to,
20 any technical assistance arrangement, any research regarding
21 asbestos or asbestos products or any marketing arrangement?
22
23
24
25

1
2 ANSWER: No.

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8 4.52 If your answer to the preceding interrogatory is in
9 the affirmative, state:

- 10 (a) The date(s) of any such joint venture or
11 cooperative arrangement;
12 (b) With what business entity you engaged in any
13 such joint venture or cooperative arrangement;
14 (c) Describe in detail the nature of any such joint
15 venture or cooperative arrangement;
16 (d) Whether any documents exist regarding any such
17 joint venture or cooperative arrangement, and,
18 if so, state:
1. The date(s) of any such documents;
 2. The custodian or possessor of any such documents.

19 ANSWER: See 4.51 above.
20
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1 4.53 When did you first learn in any manner or from any
2 source that asbestos or asbestos products are hazardous or
3 dangerous to the health of persons?
4

5 ANSWER: See response to interrogatory Nos. 4.16 and 4.17.
6
7
8
9

10 4.54 From whom did you learn the information referred to
11 in the answer to the preceding interrogatory?
12

13 ANSWER: See response to interrogatory No. 4.17.
14
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19 4.55 State what documents reflect the information given in
20 answer to the two preceding interrogatories, their date, and the
21 present custodian of said records.
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2 ANSWER: See response to interrogatory 4.18.
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8 SECTION 5.0

9 5.01 Do you contend that any other party defendants in
10 this litigation caused or contributed to the damage or damages
11 sustained by plaintiff or plaintiff's decedent?ANSWER:

12 From discovery and proof to date, it is clear that S. K. Wellman did not
13 contribute to plaintiff's damage or damages, if any. S. K. Wellman's further
14 contentions in this regard are set forth in the S. K. Wellman's Answer on file herein
15
16

17 5.02 If your answer to the preceding interrogatory is in
18 the affirmative:

- 19 (a) Identify each such party;
20 (b) State the manner and means of such contribution;
21 (c) Indicate the quantification thereof in
22 percentage terms;
23 (d) Identify each document which supports such a
24 contention, including the custodian thereof;
25 (e) Identify each person(s) who has/have knowledge
26 concerning such contribution by name, address,
phone number, and relationship to defendant.

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ANSWER: Investigation continuing. Based on current status of medical discovery, it does not appear that plaintiff has any injury. Those medical records are in the possession of plaintiff as well as defendants.

REQUEST FOR PRODUCTION NO. AA: Pursuant to CR 34, attach

or produce, according to the above instructions, a copy of all documents identified in your answer to the foregoing interrogatory.

RESPONSE: See response to No. 5.01 and 5.02 above.

5.03 Do you contend that any person, business, or entity not a party to this litigation contributed to the damage or damages to plaintiff?

ANSWER: See answer to interrogatories 5.01 and 5.02 above.

1
2 5.04 If your answer to the preceding interrogatory is in
3 the affirmative:

- 4 (a) Identify each such party;
5 (b) State the manner and means of such contribution;
6 (c) Indicate the quantification thereof in
percentage terms;
7 (d) Identify each document which supports such a
8 contention, including the custodian thereof;
9 (e) Identify each person(s) who has/have knowledge
10 concerning such contribution by name, address,
phone number, and relationship to defendant.

11 ANSWER: See 5.01 and 5.02 above.
12
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18 REQUEST FOR PRODUCTION NO. CC: Pursuant to CR 34, attach
19 or produce, according to the above instructions, a copy of all
20 documents identified in the preceding interrogatory.

21 RESPONSE: See 5.01 and 5.02 above.
22
23

24 5.05 Do you contend that the plaintiff contributed to his
25 own harm?
26

1
2 ANSWER: Yes, if any.
3
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5
6
7

8 5.06 If your answer to the preceding interrogatory is in
9 the affirmative:

- 10 (a) Specifically indicate the nature of the conduct;
11 (b) Identify each document which in any way bears
upon this issue;
12 (c) Identify any eye-witness or other person who has
13 information of any kind concerning such
contention.

14 ANSWER: See 5.01 and 5.02 above.
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1 5.07 Do you contend that plaintiff voluntarily and/or
2 knowingly assumed the risk of an asbestos-related injury?

3 ANSWER: Yes, if any asbestos related injury does, in fact, exist.
4

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9 5.08 If your answer to the preceding interrogatory is in
10 the affirmative:
11

- 12 (a) Specifically indicate the nature of the conduct;
13 (b) Identify each document which in any way bears
14 upon this issue;
15 (c) Identify any eye-witness or other person who has
16 information of any kind concerning such
contention.

17 ANSWER: Investigation continuing.
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1 5.09 Do you contend that the plaintiff's asbestos-related
2 injuries were caused or contributed to, in whole or in part, by
3 improper and/or negligent actions of any of the respective
4 plaintiff's fellow servants?

5 ANSWER: Yes, if any such injury exists.
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12 5.10 If your answer to the preceding interrogatory is in
13 the affirmative:

- 14 (a) Specifically indicate the nature of the conduct;
15 (b) Identify each document which in any way bears
16 upon this issue;
17 (c) Specifically identify any eye-witness or other
18 person who has information of any kind
concerning such contention.

19 ANSWER: Investigation continuing.
20
21
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1 5.11 Do you contend that the plaintiff failed to use
2 reasonable precautions for his own safety or otherwise failed to
3 mitigate or minimize his damages?
4

5 ANSWER: Yes, if in fact plaintiff has any damage or injury.
6
7
8

9 5.12 If your answer to the preceding interrogatory is in
10 the affirmative:
11

12 (a) Specifically indicate the nature of the conduct;
13

14 (b) Identify each document which in any way bears
15 upon this issue;

16 (c) Specifically identify any eye-witness or other
17 person who has information of any kind
18 concerning such contention.
19

20 ANSWER: Investigation is continuing.
21
22
23
24
25

26 5.13 Do you contend that the plaintiff misused your
product?
27
28

1
2 ANSWER: No. S. K. Wellman contends and we believe that the evidence establishes
3 that plaintiff never used any asbestos-containing product of S. K. Wellman.

4
5 5.14 If your answer to the preceding interrogatory is in
6 the affirmative:

- 7 (a) Specifically indicate the nature of the conduct;
8 (b) Identify each document which in any way bears
9 upon this issue;
10 (c) Specifically identify any eye-witness or other
person who has information of any kind
concerning such contention.

11 ANSWER: See 5.13 above.
12
13
14
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16
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18

19 5.15 Do you contend that the plaintiff or any other person
20 materially altered your asbestos-containing products prior to their
21 use by the plaintiff?

22 ANSWER: Unknown as to "any other person", and as to plaintiff see 5.13 above.
23
24
25
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1
2 5.16 If your answer to the preceding interrogatory is in
3 the affirmative:

- 4 (a) Specifically indicate the nature of the conduct;
5 (b) Identify each document which in any way bears
6 upon this issue;
7 (c) Specifically identify any eye-witness or other
8 person who has information of any kind
9 concerning such contention.

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19 ANSWER: See 5.15 above.
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16 5.17 Do you contend that the damages sustained by the
17 plaintiff was caused by third parties not named as parties in this
18 action?

19 See response to
20 ANSWER: 5.01 and 5.03 above.
21
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1 5.18 If your answer to the preceding interrogatory is in
2 the affirmative:

- 3 (a) Specifically indicate the nature of the conduct;
4 (b) Identify each document which in any way bears
5 upon this issue;
6 (c) Specifically identify any eye-witness or other
7 person who has information of any kind
concerning such contention.

8 ANSWER: See response to 5.01 and 5.03 above.
9
10
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14 5.19 Do you contend that plaintiff or any named defendant
15 voluntarily and/or knowingly assumed the risk of an
16 asbestos-related injury?

17 ANSWER: As to plaintiff, see response to 5.07 above and unknown as to any
18 named defendant.
19

20 5.20 If your answer to the preceding interrogatory is in
21 the affirmative:

- 22 (a) Identify who you contend voluntarily and/or
23 knowingly assumed the risk of an
asbestos-related injury;
24 (b) Indicate the exact reason(s) why you believe
25 he/they assumed such risk.

1
2 ANSWER: See response to 5.19 above.
3
4
5
6
7

8 5.21 Do you contend that this court lacks jurisdiction
9 over you on the grounds that there is an insufficiency of process
10 or an insufficiency of service of process?

11 ANSWER: No.
12
13
14

15 5.22 If your answer to the preceding interrogatory is in
16 the affirmative, indicate the exact reason(s) why you believe that
17 process has been insufficient and/or why the service of process was
18 insufficient.

19 ANSWER: See response to 5.21 above.
20
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1
2 5.23 Do you contend that the plaintiff failed to commence
3 the action herein within the time required by the applicable
4 statute of limitations?

5 ANSWER: Yes.

6
7
8
9 5.24 If your answer to the preceding interrogatory is in
10 the affirmative, state in detail each and every fact you rely on in
11 raising that defense, and state exactly which statute of
12 limitations you are relying upon for that defense and the date of
13 commencement of the statute of limitations.

14 ANSWER: See Motion for Judgment of Dismissal, Supplemental Memorandum of
15 Authorities and affidavits filed by S. K. Wellman in this litigation, copies of
16 which have been previously provided to this counsel.
17
18
19
20

21 5.25 Do you contend that the plaintiff's claim against you
22 is barred by any doctrine of laches and/or waiver and/or estoppel?
23
24
25
26

1
2 ANSWER: Yes. See documents referred to in interrogatory 5.24 above.

3
4
5 5.26 If your answer to the preceding interrogatory is in
6 the affirmative, for each such plaintiff specify the facts,
7 circumstances, documents, or other evidence upon which you rely for
8 that defense.

9 ANSWER: See response to No. 5.24.
10
11
12
13

14 5.27 Do you contend that the claim of plaintiff has been
15 barred by state and/or federal industrial insurance and/or worker's
16 compensation laws?

17 ANSWER: No.
18
19
20

21 5.28 If your answer to the preceding interrogatory is in
22 the affirmative, specify the applicable state and/or federal
23 industrial insurance law and/or worker's compensation law upon
24 which you rely, and specify the facts, circumstances, documents, or
25 other evidence upon which you rely for this defense.

26 PLAINTIFF'S FIRST INTERROGS., ETC. - 123

1
2 ANSWER: See 5.27 above.
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10 5.29 Do you contend that your sales and distribution of
11 products containing asbestos was consistent with the
12 state-of-the-art, industry practice or custom, general scientific
13 and/or medical knowledge and standards existing at any particular
14 time pertinent to this lawsuit?

15 ANSWER: Yes. Objection as vague and overly broad.
16
17
18
19

20 5.30 If your answer to the preceding interrogatory is in
21 the affirmative, state:

- 22 (a) The facts and circumstances upon which you rely;
23 (b) Identify each document which in any way bears
24 upon this issue;
25

1 (c) Specifically identify any eye-witness who has
2 information of any kind concerning such a
contention.

3 ANSWER: Witnesses and exhibits intended to be used at trial will be produced
4 when developed consistent with pretrial orders of the court. These are not currently
5 available.
6
7
8
9

10 5.31 Do you contend that the claim of the plaintiff is
11 barred by improper venue and/or lack of jurisdiction?

12 ANSWER: No.
13
14
15

16 5.32 If your answer to the preceding interrogatory is in
17 the affirmative, indicate the reason(s) why you assert there is
18 improper venue and/or lack of jurisdiction.

19 ANSWER: See 5.31 above.
20
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22
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1
2
3 5.33 List any person with knowledge of facts material to
4 this case, including any persons you presently consider may be
5 called as witnesses at trial, including their names, addresses,
6 occupations, and telephone numbers.

7 ANSWER: Exhibits and witnesses intended to be used at trial will be produced
8 when developed consistent with pretrial orders of the court. These are not
9 currently available.
10
11

12 5.34 List the names, addresses, occupations, professional
13 qualifications, and telephone numbers of all expert witnesses whom
14 you will call at trial of this case, and as to each further state:

15 (a) The subject matter upon which each such witness
is expected to testify;

16 (b) The substance of the facts and opinions to which
17 the expert is expected to testify;

18 (c) A summary of the grounds for each such opinion.
19
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2 ANSWER: See response to 5.33 above.
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12
13 5.35 Identify each document reviewed and/or generated by
14 each expert identified in your answer to the preceding
15 interrogatory in connection with this specific litigation, and
16 identify the documents which each expert has reviewed with respect
17 to this case.

18 ANSWER: See response to 5.33 above.
19
20
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1 5.36 Identify each document reviewed and/or generated by
2 each expert identified in your answer to Interrogatory No. 5.34
3 above in connection with any asbestos claim or lawsuit.
4

5 ANSWER: See response to interrogatory 5.33 above.
6
7
8
9

10 REQUEST FOR PRODUCTION NO. DD: Pursuant to CR 34, attach
11 or produce, according to the above instructions, all documents
12 identified in your response to the preceding interrogatory.

13 RESPONSE: See response to interrogatory 5.33 above.
14
15

16 5.37 With respect to each such expert identified above:

- 17 (a) Indicate the total number of claims or lawsuits
18 for which said expert has been retained;
19
20 (b) Identify the person(s) responsible for the
21 decision to retain;
22
23 (c) Identify the trial court, worker's compensation
24 cause number, or other information which
25 identifies where any sworn testimony (including
26 affidavits, depositions, or other testimony) was
given;
(d) State in detail the nature of such testimony.

1 ANSWER: As experts are identified consistent with existing court order, this
2 information will be provided as to each expert.
3
4
5

6 5.38 Have you, your attorneys or agents, any written,
7 otherwise recorded, or oral statements from any witnesses or
8 persons who have or claim to have any knowledge of facts relevant
to or arising out of this lawsuit? If so, for each such statement:

9 (a) Identify each person, with name and address,
making the statement;

10 (b) Identify each statement;

11 (c) Identify each person, with name and address, at
whose request such statement was made;

12 (d) Identify each person, with name and address, who
13 prepared such statement;

14 (e) Identify each person, with name and address, now
15 in possession of each statement.

16 ANSWER: None, except for depositions. Defendant S. K. Wellman has copies of
17 depositions and other discovery documentation, all of which are equally available
18 to plaintiff's counsel. Any other documentation written or oral contemplated by
19 this interrogatory will be provided consistent with existing pretrial court orders.
20
21
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1 5.39 Have you conducted or caused to be conducted any
2 surveillance or investigation of any of the facts pertaining to
3 this lawsuit?
4

5 ANSWER: S. K. Wellman is investigating facts. S. K. Wellman has not been
6 involved in any surveillance of plaintiff. If the question is asking something
7 other than that, S. K. Wellman will object to it as vague and ambiguous.

8 5.40 If your answer to the foregoing interrogatory is in
9 the affirmative, state:

- 10 (a) Who was investigated or surveilled;
11 (b) Who conducted such surveillance;
12 (c) The form of the reporting of such investigation
13 or surveillance;
14 (d) Identify all tapes, reports, photos, statements,
15 and the like so generated;
16 (e) Identify the name and address of the custodian
17 of the tapes, reports, photos, statements, etc.,
18 referred to in your answer to subpart (d) hereof.

19 ANSWER: See response to No. 5.39.
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3 REQUEST FOR PRODUCTION NO. EE: Pursuant to CR 34, attach
4 or produce, according to the above instructions, all tapes,
5 reports, photos, statements, or other documents and the like
6 identified or related to Interrogatories No.'s 5.01 through the
7 preceding interrogatory herein.

8 RESPONSE: See response to interrogatory 5.33.
9

10
11 REQUEST FOR PRODUCTION NO. FF: You are hereby requested,
12 pursuant to CR 34, to produce for inspection and copying any and
13 all sales records pertaining to the sale, delivery, or use of your
14 asbestos-containing products at the facilities identified in answer
15 to Interrogatories No. 1.20 and 1.24 herein.

16 RESPONSE: There are no such sales or documents as to interrogatory 1.24. As
17 to No. 1.20 see answer to interrogatory 1.20 above.
18

19 5.41 State whether or not you have ever made any
20 asbestos-containing canisters or filters for use in respirators or
21 masks. If you have made such filters, state:

22 (a) The brand name and type of filter;

23 (b) The years of production;
24
25

1 (c) The location of any documents or materials
2 pertaining to the production, distribution, or
3 advertising information concerning said filters,
respirators and/or masks.

4 ANSWER: No.

1 REQUEST FOR PRODUCTION NO. GG: Pursuant to CR 34, produce

2 such study or report for inspection and copying in the office of
3 the plaintiff's counsel pursuant to the instructions in these
4 interrogatories.

5 RESPONSE: See answer to interrogatory 5.41 above.
6

7
8 INTERROGATORIES SUBMITTED this 13th day
9 of January, 1984.
10

11 DODD, CONEY & BISHOP, P.S.

12
13 By Mary Ellen Keegan
Mary Ellen Keegan
Attorneys for Plaintiff

14 ANSWERS SUBMITTED this ____ day of _____, 1984.

15 By _____
16 Attorneys for Defendant(s)
17
18
19
20
21
22
23
24
25

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

J. E. Mencini, after being sworn, on oath deposes and says:

I am the Vice President-Administration for the defendant The S. K. Wellman Corp. in the above-entitled action; that I have read the foregoing Answers to Interrogatories, Requests for Admission, and Requests for Production, know the contents thereof, and believe the same to be true.

J. E. Mencini

SUBSCRIBED AND SWORN to before me this 5 day
of April, 1984.

VERONICA TOTH
NOTARY PUBLIC in and for the
State of Ohio, residing at
Cleveland Hts., Ohio

VERONICA TOTH, Notary Public
State of Ohio Cuyahoga County
My Commission Expires June 25, 1984

1 STATE OF _____)
2) ss.
3 COUNTY OF _____)

4 after being sworn, on oath deposes and says:

5 I am the _____ for the
6 defendant _____
7 in the above-entitled action; that I have read the foregoing
8 Answers to Interrogatories, Requests for Admission, and Requests
9 for Production, know the contents thereof, and believe the same to
10 be true.

11 _____
12
13
14 SUBSCRIBED and SWORN to before me this ____ day
15 of _____, 1984.

16 NOTARY PUBLIC in and for the State
17 of Washington, residing
18 at _____
19
20
21
22
23
24
25

26 0215P

ROADWAY EXPRESS, INC.

DEDICATED TO BETTER SERVICE

CAUTION

Contains Asbestos Fibers
Avoid Creating Dust

Breathing Asbestos Dust May Cause
Serious Bodily Harm

- Do NOT breathe dust
- Do NOT use air hose for cleaning
- Do NOT machine without dust collection equipment
- DO use vacuum or wet cleaning methods
- DO dispose of dust in sealed container
- DO wear mask if unable to avoid dust

For further information contact:
The S. K. Wellman Corp.
Bedford, Ohio 44146

CAUTION - ASBESTOS DUST HAZARD

CONTAINS ASBESTOS FIBERS - AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM

IMPORTANT

- | | |
|--|---|
| <u>NOT</u> breathe dust | <u>DO</u> use vacuum or wet cleaning methods |
| <u>NOT</u> use air hose for cleaning | <u>DO</u> dispose of dust in sealed container |
| <u>NOT</u> machine without dust collection equipment | <u>DO</u> wear mask if unable to avoid dust |

For further information contact: S. K. Wellman Corp., Bedford, OH



05101037

ROADWAY EXPRESS, INC.

DEDICATED TO BETTER SERVICE

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CONTAINS ASBESTOS FIBERS - AVOID CREATING DUST
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IMPORTANT

- | | |
|---|---|
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| Do <u>NOT</u> use air hose for cleaning | Do <u>dispose</u> of dust in sealed container |
| Do <u>NOT</u> machine without dust collection equipment | Do <u>wear</u> mask if unable to avoid dust |

For further information contact: S. K. Wellman Corp., Bedford, OH

R

051010361

STOP BRAKE TROUBLES

WITH

Velvetouch Metalik

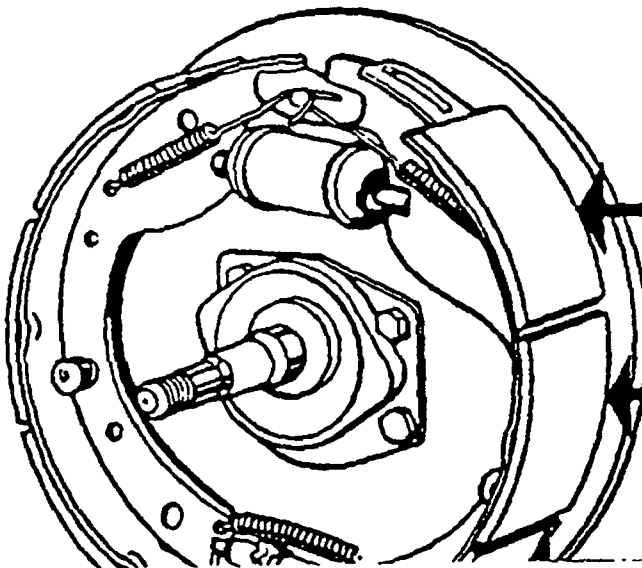
the new powdered metal brake lining

Brakes Better

Stops Quicker

Lasts Longer

Needs Fewer Adjustments



POWDERED METAL SEGMENTS

Velvetouch Metalik lining is composed entirely of powdered metal segments—NOT ASBESTOS. It runs cooler ...holds faster and surer, re-

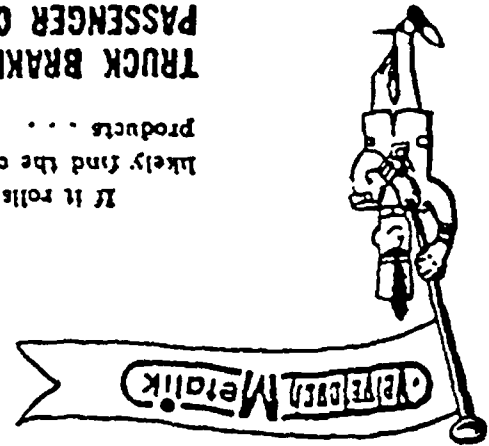
Authorized **VEVELOUGH Metalik** Distributor

TRUCK BRAKE BLOCKS
PASSENGER CAR LININGS
CLUTCH PLATES
CLUTCH FACINGS
STEERING GEAR DISCS
MINING MACHINERY PARTS
AUTO. TRANSMISSION DISCS
INDUSTRIAL CLUTCHES
AIRCRAFT BRAKES

If it rolls, floats, flies or involves mechanical motion you will more than likely find the clutch and brake parts in our complete line of all-metal friction products . . .

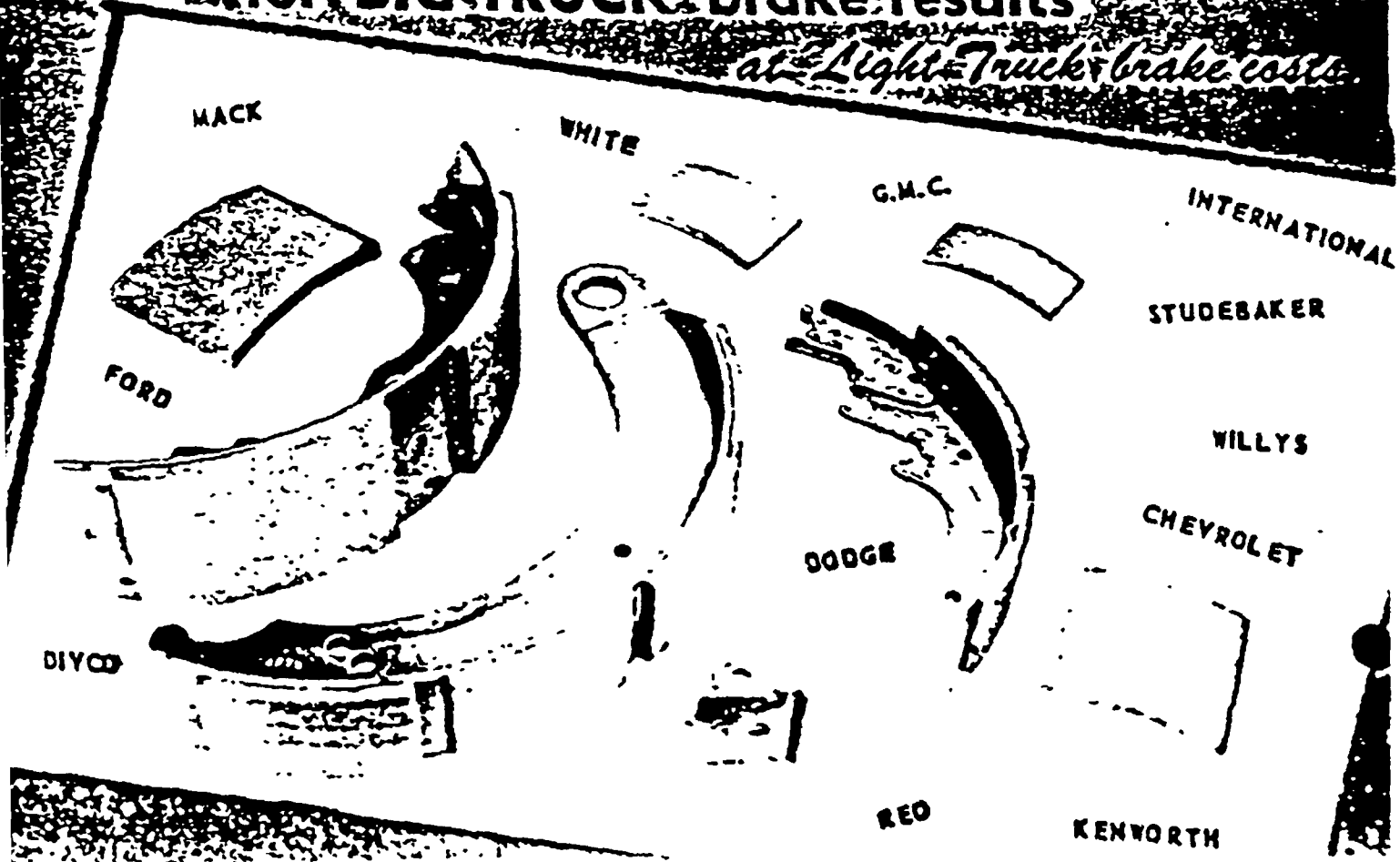
joins the parade of **VEVELOUGH** all-metal friction products

the ONLY All-Metal Lining



for BIG TRUCK brake results

at Light Truck brake costs



Introducing the New

051010363

No
fade

**BOND
ON**

Velvetouch Metalik

Powdered Metal Brake Lining
for Medium and Light Trucks

Velvetouch Metalik

Powdered Metal Brake Lining

pays for itself

The ever-growing list of Velvetouch All-Metal friction products now includes Velvetouch Metalik bond-on lining for medium and light trucks.

Over seven years of extra heavy use of Velvetouch Feramic . . . the one and only all-metal brake blocks . . . nationwide clamor for Velvetouch Metalik lining on passenger cars . . . these have helped to produce this bond-on lining for the medium and light truck field.

If you've never used all-metal brake blocks, you owe it to your drivers, your operating budget and yourself to try Velvetouch Metalik today.

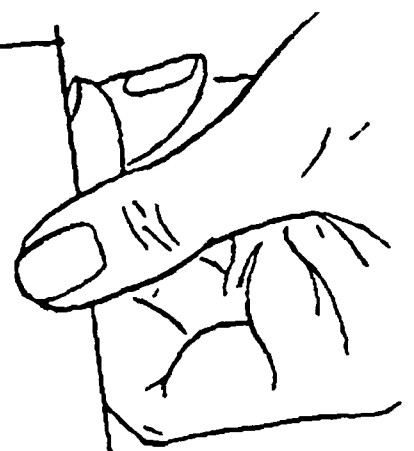
Check these advantages of Velvetouch Metalik to find what you've been looking for in brakes:

- ★ NO HEAT FADE
- ★ NO WATER FADE
- ★ NO DOWN HILL FADE
- ★ NO SPEED FADE
- ★ LONGER LIFE
- ★ SMOOTH . . . QUIET
- ★ LOWER COST PER MILE

We're pleased to announce
our appointment
as authorized dealer for

Velvetouch Metalik

Powdered Metal Brake Lining



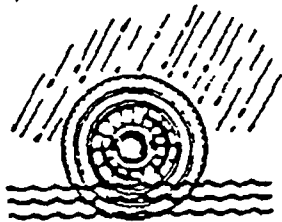
only

Velvetouch Metalik

gives you modern
braking power



No Heat Fade



No Water Fade



No High Speed Fade



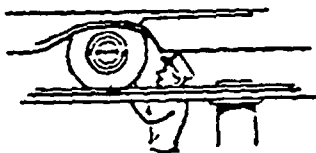
No Squeaks
or Squeals



Faster, Surer Braking



Longer Brake Life



Fewer Adjustments

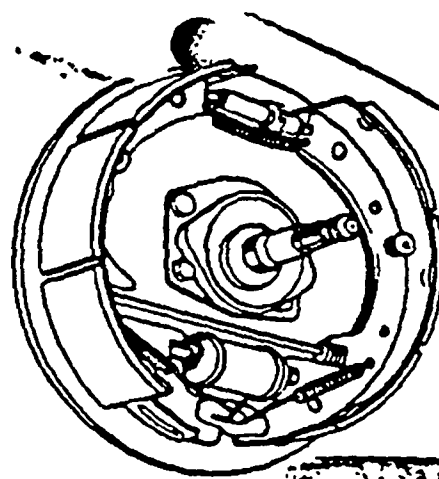
*powdered metal
makes the difference!*

L-4074

Let's go to it

Stop in today . . . put modern, super safe brakes

51010365



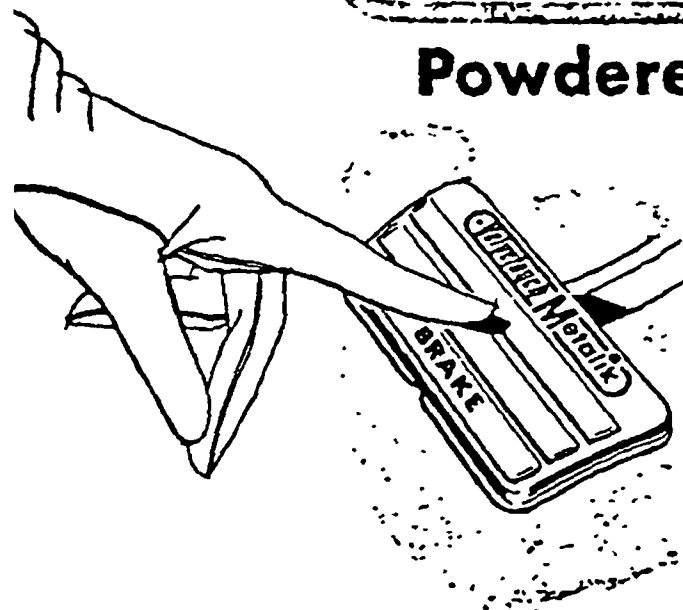
the world's
finest
brake lining

Valve-Tech Metalik

Let us
tell you
about

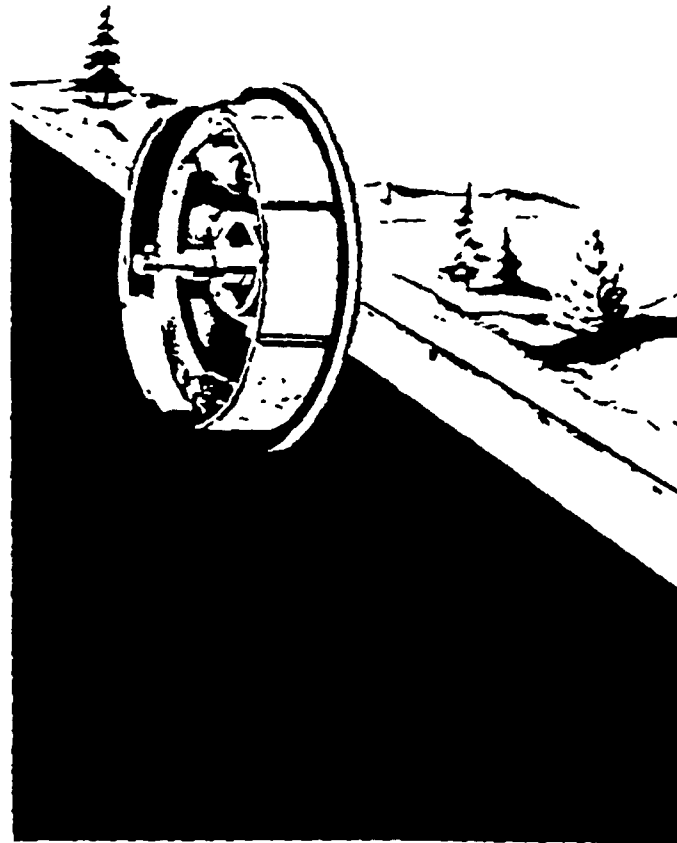
Valve-Tech Metalik

Powdered Metal Brake Lining



is the greatest
brake lining
safety development
of the last 20 years...

GOOD BRAKES
are
NO ACCIDENT!



Velvetouch Metalik brakes better...stops quicker...lasts longer!

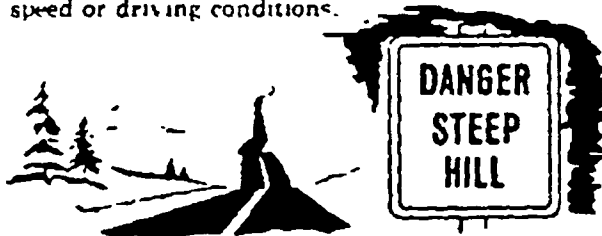
Powdered Metal Makes The Difference!



Whether yours is a multi-hundred h.p. speedster, an economy passenger car . . . or small or medium truck, you'll be safer with Velvetouch Metalik brake linings.

Velvetouch Metalik is a new lining made wholly of powdered metal, precision bonded to reconditioned brake shoes.

One of the outstanding automotive developments of the last decade, this new All-Metal lining provides maximum braking safety, regardless of speed or driving conditions.



No heat fade . . . No high speed fade! Fast driving, constant downhill braking, frequent traffic stops . . . all generate heat which causes ordinary linings to lose part or all of their holding ability.

Unlike asbestos, which insulates and holds heat in drums, powdered metal rapidly conducts heat away from the surface braking area . . . keeps brakes working properly without fade.

Velvetouch Metalik

...first choice for safety!



No water fade! Powdered metal does not absorb moisture. Even when completely under water, BRAKES WORK.



Stop easier! Smooth powdered metal surface, unaffected by heat and water, free of glazed or hard spots, assures constantly uniform braking.



Stop quicker! High initial coefficient of friction in powdered metal makes brakes work immediately...faster...and safer.



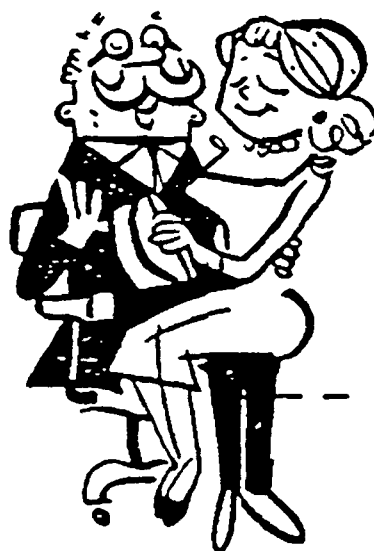
Last longer! Because they run cooler, Velvetouch Metalik linings have longer working life than other brakes. They require no "coddling" . . . need fewer adjustments.

...on a per-mile basis
the world's best brake investment!

051010368

MIND

YOUR OWN BUSINESS!



THERE'S MORE

INSTALLATION INSTRUCTIONS

FOR

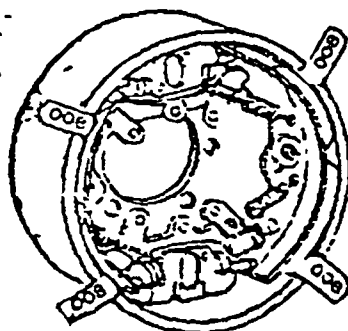
Velvetouch Metalik

Powdered Metal Brake Lining

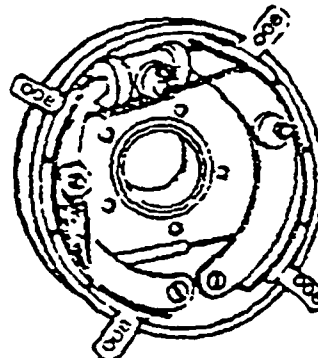
The higher the quality that is built into brake lining, the higher degree of attention must be given to the brake components. This lining requires ALL components to be in first class condition ONLY in this way will you get the maximum performance that has been built into Velvetouch Metalik Powdered Metal Linings. Lined shoes will be identified as primary, secondary, forward or reverse.

These brake shoes have been carefully reconditioned and lined with Velvetouch Metalik linings. The linings have been accurately pre-ground by an authorized boder.

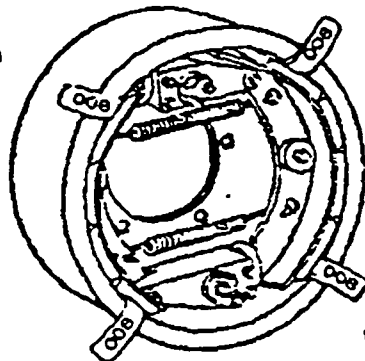
Bendix
Dual
Primary



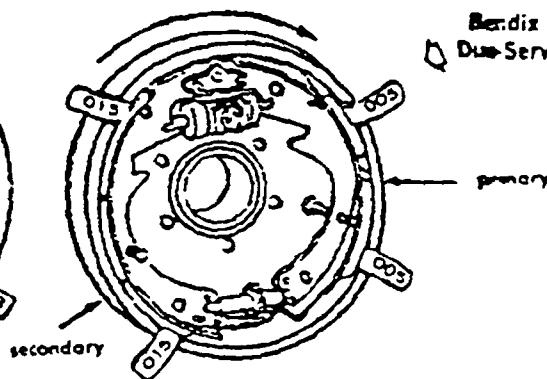
Lockheed
Hydraulic



Lockheed F



Bendix
Dual-Servo



It is NOT recommended that these linings be re-ground. If regrinding is done, however, it is necessary that clearances shown in the diagrams be observed.

BREAK IN PROCEDURE

Velvetouch Metalik brake lining requires seating to the drum for maximum proper braking performance. This procedure should be followed to assure seating.

1. Make several slow stops to check out the brake system overall.
2. Observing road safety, make a minimum of ten (10) consecutive hard stops from 40 to 50 MPH. Avoid sliding the wheels.
3. Allow the brakes to cool and then readjust if necessary (normally not required).
4. Lining has not seated if the above procedure does not give good braking action.

CAUTION Do not drag or overheat.

NOTE: Brakes will continue to improve as seating becomes complete through usage.

051010370

HYDRAULIC FLUID CONTAMINATION

Contaminated hydraulic fluid is a major cause of swollen cups, scored cylinders and leakage. (Use only S.A.E. approved heavy duty high temperature fluid) Equal hydraulic pressure means equal brake effort. Flush system with alcohol if these conditions exist

HYDRAULIC LINES

Visually inspect lines, fittings and hoses for "dampness" This may indicate high pressure leakage Weak hoses cause "spongy" pedal.

MASTER CYLINDER

Hard or sinking pedal points to swollen cups, internal leakage or plugged vents

WHEEL CYLINDERS

Scoring, cup swelling and sludging as a result of fluid contamination can cause "lag time" between cylinders, leading to grab or pull at one or more wheels

POWER UNITS

Pedal loss hard pedal or lack of assist are trouble signs Consult manual on your unit Check valves should be above carburetor intake on most units to avoid gasoline feed back. Examine all hoses for vacuum leaks

BACK PLATES

Inspect for bent plates and anchor pins, worn shoe pads, frozen adjusters or anchor blocks

BRAKE DRUMS

True up surfaces to within specified limits Excessive oversize weakens drums Brake drums should be of equal size across axles Do not install Velvetouch Metalik on passenger car drums that are more than .060" oversize or truck drums more than .090" oversize.

PEDAL LINKAGE

Check linkage with master cylinder disconnected for binding, wear or interference

BRAKE SHOES

Velvetouch Metalik lining on these shoes have been accurately pre-ground by an authorized bonder. It is not necessary or desirable to reground Specified heel and toe clearance must be observed for maximum efficiency. Observe identification and location of primary and secondary, or forward and reverse shoes, as indicated in the diagrams.

BRAKE SPRINGS

Tension is destroyed by heat or flexing To balance shoe return action, replace shoe return springs and hold-down springs

WHEEL BEARINGS

Remove, clean and inspect Re-lubricate with proper grease Adjust to specifications

REAR AXLES

Bent rear axles or worn axle bearings are frequent causes of high lining wear and erratic braking Repair or replace defective parts

GREASE SEALS

Worn or damaged seals can cause dangerous brakes Velvetouch Metalik lining is not ruined as with asbestos. Heavy concentrations of oil or grease leads to erratic braking New seals are simply good insurance

FRONT END ALIGNMENT (CHASSIS & SUSPENSION)

Weak or broken springs, shocks and torsion bars unbalance the braking effort Suspension and front end alignment should be checked for a balanced, safe stop.

051010971

Velvetouch®

is used and respected by these equipment manufacturers:



Westinghouse Air Brake Co.

Reo

Continental Motors Corporation

ELLIS-CHALMERS

ROCKWELL-STANDARD

WHITE

MACK

INTERNATIONAL HARVESTER

WARRANTY

"The manufacturer of this Velvetouch Metalik brake lining warrants its products against defects in material and workmanship. It cannot, however, be held responsible for misapplication or faulty installation. Hence, the manufacturer's liability is limited to the replacement value of the defective brake lining and shoe assembly. Any alleged defective material is to be returned, prepaid, to the manufacturer's nearest branch office for ultimate examination by the manufacturer's Inspection, Research and Development Departments."

051010872

INSTALLATION INSTRUCTIONS

FOR

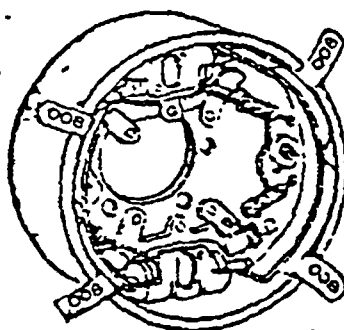
Velvetouch Metalik

Powdered Metal Brake Lining

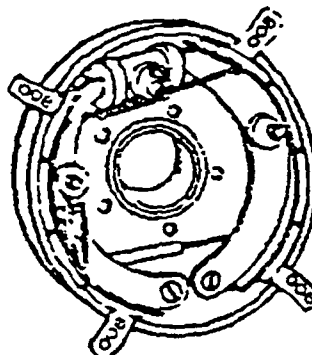
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These brake shoes have been carefully reconditioned and lined with Velvetouch Metalik linings. The linings have been accurately pre-ground by an authorized bander.

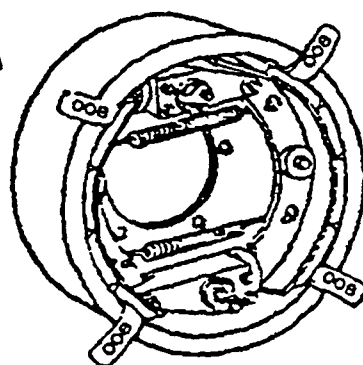
Bendix
Dual
Primary



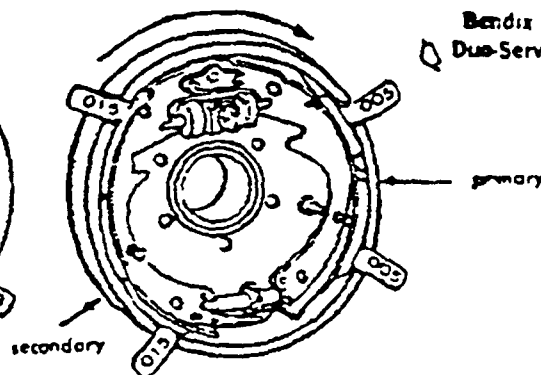
Lockheed
Hydraulic



Lockheed F



Bendix
Dual-Servo



It is NOT recommended that these linings be re-ground. If regrounding is done, however, it is necessary that clearances shown in the diagrams be observed.

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4. Lining has not seated if the above procedure does not give good braking action.

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HYDRAULIC FLUID CONTAMINATION

Contaminated hydraulic fluid is a major cause of swollen cups, scored cylinders and leakage (Use only S.A.E. approved heavy duty high temperature fluid) Equal hydraulic pressure means equal brake effort Flush system with alcohol if these conditions exist.

HYDRAULIC LINES

Visually inspect lines, fittings and hoses for "dampness" This may indicate high pressure leakage Weak hoses cause "spongy" pedal.

MASTER CYLINDER

Hard or sinking pedal points to swollen cups, internal leakage or plugged vents.

WHEEL CYLINDERS

Scoring, cup swelling and sludging as a result of fluid contamination can cause "lag time" between cylinders, leading to grab or pull at one or more wheels

POWER UNITS

Pedal loss, hard pedal or lack of assist are trouble signs Consult manual on your unit Check valves should be above carburetor intake on most units to avoid gasoline feed back. Examine all hoses for vacuum leaks.

BACK PLATES

Inspect for bent plates and anchor pins, worn shoe pads, frozen adjusters or anchor blocks.

BRAKE DRUMS

True up surfaces to within specified limits Excessive oversize weakens drums Brake drums should be of equal size across axles Do not install Velvetouch Metalik on passenger car drums that are more than .060" oversize or truck drums more than .090" oversize.

PEDAL LINKAGE

Check linkage with master cylinder disconnected for binding, wear or interference

BRAKE SHOES

Velvetouch Metalik lining on these shoes have been accurately pre-ground by an authorized bonder. It is not necessary or desirable to regrind. Specified heel and toe clearance must be observed for maximum efficiency Observe identification and location of primary and secondary, or forward and reverse shoes, as indicated in the diagrams.

BRAKE SPRINGS

Tension is destroyed by heat or flexing. To balance shoe return action, replace shoe return springs and hold-down springs.

WHEEL BEARINGS

Remove, clean and inspect. Re-lubricate with proper grease Adjust to specifications

REAR AXLES

Bent rear axles or worn axle bearings are frequent causes of high lining wear and erratic braking Repair or replace defective parts

GREASE SEALS

Worn or damaged seals can cause dangerous brakes Velvetouch Metalik lining is not ruined as with asbestos Heavy concentrations of oil or grease leads to erratic braking New seals are simply good insurance.

FRONT END ALIGNMENT (CHASSIS & SUSPENSION)

Weak or broken springs, shocks and torsion bars unbalance the braking effort Suspension and front end alignment should be checked for a balanced, safe stop

051010274

Velvetouch

is used and respected by these equipment manufacturers:



Westinghouse Air Brake Co.

Reo

Continental Motors Corporation

ALLIS-CHALMERS

ROCKWELL-STANDARD

WHITE

MACK

INTERNATIONAL HARVESTER

WARRANTY

"The manufacturer of this Velvetouch Metalik brake lining warrants its products against defects in material and workmanship. It cannot, however, be held responsible for misapplication or faulty installation. Hence, the manufacturer's liability is limited to the replacement value of the defective brake lining and shoe assembly. Any alleged defective material is to be returned, prepaid, to the manufacturer's nearest branch office for ultimate examination by the manufacturer's Inspection, Research and Development Departments."

CAUTION

ASBESTOS DUST HAZARD

DO NOT BREATHE DUST
DO NOT HOSE OFF WITH COMPRESSED AIR
DO NOT MACHINE UNLESS DUST COLLECTION EQUIPMENT
IS CONTROLLING DUST

Respirators must be worn to avoid exposure to dust.
Dispose of dust in a sealed container marked with
appropriate warning for Asbestos.

THE S.K. WELLMAN CORP.
ENGINEERED FRICTION MATERIALS

A-713

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A-713

CAUTION - ASBESTOS DUST HAZARD
CONTAINS ASBESTOS FIBERS - AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM

IMPORTANT

Do NOT breathe dust	DO use vacuum or wet cleaning methods
Do NOT use air hose for cleaning	DO dispose of dust in sealed container
Do NOT machine without dust collection equipment	DO wear mask if unable to avoid dust

For further information contact: S. K. Wellman Corp., Bedford, OH



Before they were offered to the public, Velveto-
touch Metalik linings were road tested for over
43,000,000 miles. They are manufactured by The
S. K. Wellman Company, since 1924 the world's
largest producer of all-metal clutch plates, facings
and brake linings . . . used on leading motor trucks,
tractors, trains, aircraft . . . all types of construc-
tion, commercial and industrial equipment.

The S. K. Wellman Company
200 Egbert Road • Bedford, Ohio

Authorized **VELVETOUCH Metalik** Dealer

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