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IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
PEORIA COUNTY

WILMER HALL, ✓

Plaintiff,

v.

No. 81 L 3550

RAYBESTOS-MANHATTAN, INC., ABEX
CORPORATION, THE BENDIX CORPORATION,
a Division of Borg Warner, DELCO, a
Division of General Motors Corporation,
GATKE CORPORATION, JOHNS-MANVILLE
SALES CORPORATION, JOHNS-MANVILLE
CORPORATION, THICKOL CORPORATION,
GREY-ROCK BRAKE LINING, and RUBBER,
INC., PEKIN MACHINE & PARTS,

Defendants.

A N S W E R S T O
I N T E R R O G A T O R I E S

The following Interrogatories are directed to Defendants,
ABEX CORPORATION, THE BENDIX CORPORATION, DELCO, a Division
of General Motors Corporation, JOHNS-MANVILLE SALES CORPORATION,
JOHNS-MANVILLE CORPORATION and THICKOL CORPORATION, and are
to be answered fully and in good faith to the extent of the
actual knowledge and information available to Defendants,
ABEX CORPORATION, THE BENDIX CORPORATION, DELCO, a Division
of General Motors Corporation, JOHNS-MANVILLE SALES CORPORATION,
JOHNS-MANVILLE CORPORATION and THICKOL CORPORATION, their
insurance carrier(s) and attorneys. This demand is being
made pursuant to Supreme Court Rule 213(c).

DEFINITIONS: Unless the context indicates otherwise,
the following words and phrases will be defined and used
herein as follows:

1. "You" and "your" as used herein means Defendant, all of its past and present attorneys, employees, agents, representatives and anyone else acting on the Defendant's behalf or otherwise subject to its control and direction.
2. "Document" as used herein refers to and includes any kind of written, typewritten or printed material, any kind of graphic material, or any kind of electronic or mechanically recorded material, however produced or reproduced, whether draft or final, whether signed or unsigned, including each original and each non-identical copy, whether different from the original by means of notes made on such copy or otherwise, and if the original is not in existence, the best copy or reproduction thereof.
3. "Communication" as used herein refers to any transmission or transfer of information of any kind orally, in writing, or in any other manner, at any time or place, and under any circumstances whatsoever.
4. An interrogatory request that you "identify each person" requires you to provide a statement in response to such interrogatory request which includes such persons' full name, residence and business addresses, residence and business telephone numbers, such person's employer and job title for such employer. If such persons other than a natural person, state its full name, the present or last known address of its principal office or principal place of doing business, the type of entity (for example, corporation, partnership, unincorporated association).
5. An interrogatory request that you "identify each document" requires you to provide a statement in response to such interrogatory request which includes the date of each document, the author, signer, preparer or sender thereof; the address of the author, signer, preparer or sender thereof; a general description thereof; the addressee or recipient thereof; the subject matter thereof; the present location of each document; the name and address of any person presently having custody or control thereof; and any other descriptive information necessary in order to sufficiently identify each document in a subpoena duces tecum or a request for production of document pursuant to the Supreme Court Rules. If any document was previously in your possession, custody or control, but is no longer in your possession, custody or control, or was known to you but is no longer in existence, identify each such document and state with specificity what disposition was made of such document and the reason for such disposition.

6. An interrogatory request that you "identify each communication" requires you to provide a statement in response to such interrogatory request which includes the time, date and place of the communication and the form and subject matter of the communication. Also, you must identify each person who was a party or witness to the communication or who has any knowledge of such communication and identify each document relating to such communication.

INTERROGATORY NO. 1: State the name, present business address, present residence and capacity or title of the individual signing these Interrogatories on behalf of the answering Defendant.

INTERROGATORY NO. 2: Has Defendant at any time

(a) engaged in the manufacture of insulation products containing asbestos fibers?

(b) engaged in the mining and/or milling of material containing asbestos fibers?

(c) engaged in the processing, marketing and sale of products containing asbestos fibers?

ANSWER:

(a) Defendant objects to this Interrogatory as irrelevant in that insulation products are not alleged to be involved in this lawsuit.

(b)

(c) Yes.

to each affirmative answer the following:

(a) The trade or brand name of each such product mined, manufactured and/or marketed.

(b) The dates each of such products were placed on the market.

(c) The dates each of such products were withdrawn from the market, and the reason or reasons therefor.

(d) A description of the physical (the chemical) composition of each such product including the type of asbestos contained in each such product (i.e., amosite, chrysotile or crocidolite) and the quantitative percentage of asbestos in each product.

(e) A description of the physical appearance of each such product.

(f) A detailed description of the intended uses of each such product.

(g) The name of the manufacturer of each such product.

(h) Describe in detail the type of packages in which the product was shipped, listing the dates each type of package was used, a physical description thereof and a description of any printed material or trademarks that appeared thereon.

ANSWER:

- (a) American Brake Materials; Abex; Brake Shoe; Esline; Brakeblok; Stopper; American Eagle; Crossing Guard; American Brakeblok; 121 Super Brakes
- (b) (See attached sheet)
- (c) (See attached sheet)
- (d) Chrysotile - 25 to 65% by weight.
- (e)
- (f) Brake linings and brake pads are integral parts of braking systems used to stop or reduce speed of vehicles.
- (g) Abex Corporation.
- (h) In axel set boxes (4 pieces per box); in bulk segment cartons - 25 to 100 pieces per carton, bulk packed in containers designed to fit pallet.

INTERROGATORY NO. 4: Does Defendant claim that any patent would cover any product listed above in Interrogatory No. 3? If so, for each such product, please state:

- (a) The number of each patent.
- (b) The date same was issued.
- (c) The number of each patent application that is pending.

ANSWER: No.

INTERROGATORY NO. 5: Have any of the products listed in Interrogatory No. 3 above been altered in chemical composition or asbestos type or content since first being marketed? If so, please state:

- (a) The trade name of each such product.
- (b) The date each such product was altered.
- (c) The nature of the alteration.
- (d) The reason for the alteration.

ANSWER: No.

INTERROGATORY NO. 6: Do any written memoranda, specifications, blueprints, recommendations or other written materials of any kind or character relating to the testing of said products exist? If so, please state:

- (a) List each such written material or document.
- (b) Who presently has possession of each such document and where it is located.

ANSWER: Defendant objects to this Interrogatory as overbroad and burdensome. Quality control tests are done to insure consistency of products. The number of documents are impractical to list. They are currently located at plant in Winchester.

INTERROGATORY NO. 7: Did Defendant make any changes in their product as a result of such tests? If so, please state:

- (a) The nature of the change made.
- (b) The name, address and job classification of each person in charge of making a change.
- (c) Identify each document relating to said change.

ANSWER: No.

INTERROGATORY NO. 8: Has Defendant, at any time, published and/or distributed any brochures, sales literature, pamphlets or other written materials (aside from any caution labels on containers) of any kind or character that contain any warnings, cautions, caveats or directions concerning the possibility of injury resulting from the use of the products listed in Interrogatory No. 3 above? If so, please state:

- (a) The wording of each such warning.
- (b) A description of each such printed material.
- (c) The method used to distribute the warning to persons who are likely to use the products.
- (d) The date each such warning was issued.

(c) The name, address and job classification of each person who presently has possession of the above described documents.

(f) If you will without a motion, please attach a copy of such warning.

(g) State whether any industrial psychologists or human factors engineers were consulted prior to utilizing such warnings, cautions, etc.

ANSWER:

(a) See brochure attached.

(b) See brochure attached.

(c) Appears on rear cover of catalog.

(d) Unknown.

(e) Located on catalog.

(f) Attached.

(g) No.

INTERROGATORY NO. 9: From 1945 until the present, did the asbestos products manufactured or distributed by you, contain any warning, caution, caveat or other statement on the product or its packaging? If so, please state:

(a) When did the warning first appear.

(b) What was the precise wording of the warning, when it first appeared, and the size of the wording.

(c) Was the warning altered, amended or changed in any manner. If so, how and when.

(d) Where was the warning located on the product or packaging.

(e) When did you become aware that warnings were placed on products distributed by other Defendants. State the reason warnings of the other Defendants were not placed on your products.

(f) State the manner in which your product is shipped and the type of container it is shipped in to retailers.

(g) State whether any industrial psychologists or human factors engineers were consulted prior to utilizing such warnings, cautions, etc.

ANSWER:

(a) 1972.

(b) CAUTION: CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY
CAUSE SERIOUS BODILY HARM

(c) No.

(d) Located on conspicuous area of axel set boxes, and adjoins "This Side Up" on cartons.

(e) Not aware of what other Defendants were doing.

(f) See Answer to 3(h) above.

(g) No.

INTERROGATORY NO. 10: Do you have any records or documents indicating that any of your products containing asbestos fibers were sold to any of the companies named as co-defendants in this suit? If so,

(a) Identify each document relating to such sale or summaries of sales.

(b) Please list the names of each co-defendant to whom your products have been sold.

(c) Please state the dates of each such sale and the amount and kind of materials sold.

(d) State whether your company manufactured asbestos containing insulation products for a co-defendant but placed said co-defendant's labels, logos or containers on said products and list each such co-defendant.

ANSWER:

(a) Purchase orders and shipping sheets for last 3 years.

(b) Bendix Corporation
Delco

(c) Brake linings were sold; Defendant objects to a request of the date and amount of each such sale as unduly burdensome.

(d) No.

INTERROGATORY NO. 11: Do you have any records or documents indicating that any of your products containing asbestos fibers were sold or distributed to any of the following companies for the years 1945 until the present.

PEKIN MACHINE AND PARTS CO., Pekin, Illinois. If so:

(a) Please identify each document.

(b) Please state which, if any, of the foregoing were at the time distributors for you.

ANSWER: No.

INTERROGATORY NO. 12: Did you receive any documents or communications from your workmen's compensation insurance carrier or products liability insurance carrier with regard to the hazards incident to use of asbestos containing insulation products? If so, please describe in detail each document and communication.

ANSWER: Defendant objects to this Interrogatory as irrelevant as insulation products are not alleged to be involved in this lawsuit.

INTERROGATORY NO. 13: Have any of the other Defendants named in the litigation ever furnished the Defendant answering these Interrogatories with information as to the state of the medical knowledge regarding the connection between asbestos exposure and the contracting of pulmonary diseases including cancer and asbestosis? If so,

(a) What information was the Defendant furnished with.

(b) When the Defendant was furnished the information.

(c) By whom was the Defendant furnished the information.

ANSWER: No.

INTERROGATORY NO. 14: Has the Defendant interchange) results of research, tests, medical studies or experiments regarding the state of the medical knowledge regarding the connection between asbestos exposure and the contracting of pulmonary diseases including lung cancer and asbestosis since 1945 to present? If so:

- (a) When these interchanges took place.
- (b) Who participated in these interchanges.
- (c) Summarize the content of these interchanges of studies.

ANSWER: Defendant objects to this Interrogatory as vague in that the term "interchange" is not defined. Dr. F. W. Knoch, Medical Director of Defendant attended a conference in November 1978, at Tulane University entitled "Update on Asbestos - 1978".

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INTERROGATORY NO. 15: Has the Defendant become aware as the result of other litigation or by any other means of any studies, research, experiments or tests conducted by another Defendant which, if known at the time said study, research, experiment or tests were made would have altered the manner or way the Defendant answering these Interrogatories acted in distributing these products? If so:

(a) When these studies, research, experiments or tests were made.

(b) By whom were these studies, research, experiments or tests made.

(c) Summarize the contents of these studies and how the Defendant would have acted differently.

ANSWER: Defendant objects to this Interrogatory in that it could not have altered its procedures because of knowledge of which it was not aware. This Interrogatory is vague.

INTERROGATORY NO. 16: Please state if the Defendant or anybody on behalf of the Defendant ever conducted or sponsored or contributed financially to any studies or research to determine if the inhalation of asbestos fibers may be harmful. If so, please state:

(a) Identify each person by whom the research was conducted.

(b) The dates that each such test was conducted.

(c) The complete results of each test or study.

(d) Supply copies of reports or identify each document of the research department pertaining to the use by the corporation of asbestos in their manufactured insulation products.

(INTERROGATORY NO. 17: Please state if the Defendant's medical officers or industrial hygienists ever made at any time any recommendations and/or suggestions to the Defendant pertaining to the risks or hazards to persons involved in the manufacturing or use of insulation products containing asbestos? (As contemplated by these Interrogatories, an industrial hygienist is one who performs engineering or health studies to identify and evaluate potential occupational health hazards and suggest methods of dealing with same.) If so, please state:

(a) Identify each document pertaining to such recommendations and/or suggestions.

(b) The substance of the recommendations and/or suggestions.

ANSWER: Defendant objects to this Interrogatory as irrelevant as "insulation products" are not involved in this lawsuit, and the term is not defined.

INTERROGATORY NO. 18: Please state the names of trade association periodicals to which the Defendant subscribed from 1930 to the present date. State whether or not the Defendant had any knowledge of any articles being printed in industry trade journals essays, memoranda and other similar sources pertaining to the hazardous potentials of asbestos and which of such articles were received by you.

ANSWER: Defendant objects to this Interrogatory as overbroad and burdensome. There are countless periodicals and articles and it would be unduly burdensome to search all of these.

INTERROGATORY NO. 19: Please state organizations, groups, inter-company or industrial organizations to which the Defendant belongs which conducted studies or researched the relationship, if any, between exposure to asbestos fibers or products and asbestosis and lung cancer from 1930 to present. For each group, please state:

- (a) The type, or nature of the duties.
- (b) When the studies were conducted.
- (c) The complete results of the studies.
- (d) The recommendations of the studies.

(e) The resulting implementation of the studies by Defendant.

(f) The date when first implemented.

ANSWER: Defendant is not aware of any such organizations. However, Defendant has belonged to numerous organizations over the years and it would be impossible to know everything that each of them did.

INTERROGATORY NO. 20: Please state the amounts spent or contributed by the Defendant annually from 1930 until the present time for,

(a) Research specifically directed to the relationship, if any, between an insulation worker's exposure to asbestos containing insulation products and asbestosis, lung cancer or any other pulmonary disease.

(b) To any independent medical research group or groups conducting research into the relationship, if any, between the exposure of insulation workers to asbestos and any pulmonary diseases.

(c) State the names and addresses of the organizations or groups conducting the studies referred to in answers to (a) and (b).

ANSWER: Defendant objects to this Interrogatory as irrelevant in that no insulation products are alleged to be involved here.

INTERROGATORY NO. 21: Please state whether the Defendant has a department, division or section devoted to scientific and/or medical research during the period from 1930 until the present time. If so, please state when it was first formed.

ANSWER: Defendant had no department, division or section devoted to research of asbestos exposure.

INTERROGATORY NO. 22: Please state the scientific or medical periodicals to which the Defendant, its medical department or industrial hygiene division subscribed during the period from 1930 to present specifying the date such subscriptions were begun.

ANSWER: Defendant objects to this Interrogatory as overbroad and burdensome. Defendant did subscribe to the Journal of Occupational Medicine since approximately 1941.

INTERROGATORY NO. 23: Was the Defendant ever a member of the Asbestos Textile Institute? If so:

(a) When did it first become a member and list the years inclusively of membership.

(b) Was any representative of the Defendant ever a member of the Air Hygiene Committee of the ATI or ever attended any meetings of such committee and list the years of such membership.

(c) State whether the Defendant received copies of transcribed minutes of the various committee meetings, general meetings and Board of Directors meetings of the ATI within one year of each such meeting.

ANSWER: On information and belief, no.

INTERROGATORY NO. 24: Has the Defendant ever been a member of the Industrial Hygiene Foundation or the Industrial Health Foundation? If so:

(a) State the years inclusively of such membership.

(b) State whether any representative of the Defendant was in attendance at the 20th annual meeting of the IHF in November, 1955, in Pittsburgh, Pennsylvania, and, if so, give the name and current address of such attendee.

(c) State whether the Defendant received a copy or copies of the Industrial Hygiene Digest published monthly by the IHF and state the date of initial receipt of such publication.

ANSWER: On information and belief this Defendant has never belonged to either organization, nor do they possess any records of anyone attending the 20th Annual Meeting in 1955. The former Medical Director of Defendant, Dr. Hamlin, held a prior position on an Industrial Hygien Foundation Medical Committee for three years starting in 1952.

INTERROGATORY NO. 25: State whether the Defendant ever requested officials at the IHF to:

(a) Perform a search of the medical literature to determine whether any scientists or doctors were reporting cases of insulation workers with asbestosis and/or lung cancer or discussing the potential hazards incident to use of asbestos containing insulation products.

(b) Perform any studies or research into potential health hazards incident to the use of asbestos containing insulation products.

(c) Review governmental publications of Great Britain toward the end of determining whether any research was being conducted by the British Government into any potential health hazards incident to the use of insulation products containing asbestos.

(d) Review governmental publications of Great Britain to determine whether the Chief Inspector of Factories or any other British Government agency had issued any regulations or published any findings relative to potential health hazards incident to the use of insulation products containing asbestos.

ANSWER: Defendant objects to this Interrogatory as irrelevant as no insulation products are alleged to be involved in this lawsuit.

INTERROGATORY NO. 26: Did the Defendant sponsor since 1930 for its employees or distributors any meetings, seminars, conferences or conventions where the subject of occupational health and exposure to asbestos was discussed? If so, please state:

(a) The date and place of such meeting, seminar, conference or convention where the subject of occupational health and exposure to asbestos was discussed.

(b) The name and address of the speaker or discussant.

(ANSWER: Defendant objects to this Interrogatory in that it refers to meetings of persons exposed to asbestos other than brake mechanics.

INTERROGATORY NO. 27: Did the Defendant ever warn any labor union representing insulation workers, or any union members individually, of any potential health hazard from use of insulation products containing asbestos? If so, state:

- (a) The Union.
- (b) How said Union was informed.
- (c) The date and place of said information or warning.
- (d) The content and nature of said warning.
- (e) The individual or individuals warned.

ANSWER: Defendant objects to this Interrogatory as irrelevant in that insulation products are not involved in this lawsuit.

INTERROGATORY NO. 28: Has any investigation or other reports been prepared, compiled, submitted or made by or on your behalf in this action? If so, describe each document dealing with each such investigation or report.

ANSWER: No.

INTERROGATORY NO. 29: Do you, your agents, employees or representatives know of any statement having been made by the Plaintiff or the other Defendants pertaining to any circumstances of the illness which is the subject of this lawsuit? If so:

(a) Please identify each person having knowledge of the statement.

(b) State the substance of the statement and whether it was written or oral.

(c) Identify each document regarding the statement.

ANSWER: Testimony of Plaintiff at arbitration of workmen's Compensation claim, and his deposition in this cause.

INTERROGATORY NO. 30: Please describe and identify all tests and experiments conducted by you to determine whether or not asbestos fibers contained within your asbestos containing products would become airborne upon any foreseeable application of said products. Please state the dates of all tests and experiments and the results and conclusions of each test and/or experiment.

ANSWER: None.

INTERROGATORY NO. 31: Please state whether or not you ever obtained any knowledge concerning the likelihood of asbestos inhalation being hazardous to health, and if so, state when the corporation first became aware of the hazardous potential of asbestos and its products. State how the Defendant first obtained this knowledge and became so aware of said hazards and from what source this information was obtained.

ANSWER: Defendant denies that its asbestos products are hazardous. Defendant is unable to say when it "first became aware of the hazardous potential of asbestos". Defendant's medical director obtained knowledge of the hazards of asbestos from a book "The Pneumoconiosis" by A. J. Lanza, M.D., published in 1963.

INTERROGATORY NO. 32: Please state whether or not any governmental agency has ever written letters to Defendant pertaining to the likelihood of injury to persons being exposed to asbestos and asbestos related materials of the Defendant. If so, identify each document relating to said letters.

ANSWER: To our knowledge, none.

INTERROGATORY NO. 33: State when your knowledge as to the association between inhalation of asbestos fibers and the contraction of cancer and/or asbestosis was first acquired, and state the source of that information.

ANSWER: See answer to Interrogatory No. 31.

INTERROGATORY NO. 34: State whether you ever conducted or sponsored any tests relative to the possibility of a relationship between asbestos exposure and cancer, and if so, state when such studies were performed, by whom they were performed and the results of such studies.

ANSWER: See answer to Interrogatory No. 16.

INTERROGATORY NO. 35: State your knowledge as to the cancer producing capabilities of amosite asbestos fibers, crocidolite asbestos fibers and chrysotile asbestos fibers.

ANSWER: Excessive exposure to these fibers over an extended period of time is associated with lung cancer.

INTERROGATORY NO. 36: Do you subscribe to the United States Public Health Bulletin Service? If your answer is in the affirmative, please state the date when you first so subscribed to the Public Health Service Bulletin.

ANSWER: No.

INTERROGATORY NO. 37: Please state the date when you first notified your employees working in your manufacturing plants and factories as to the need to wear and use respirators.

ANSWER: Defendant objects to this Interrogatory as overbroad and vague, as it is not limited to asbestos exposure, and is not limited to work with brake products.

INTERROGATORY NO. 38: Have you ever notified your distributors or any asbestos insulation mechanics applying your asbestos insulation products as to the need to wear respirators? If so, state:

(a) The date of first notice.

(b) Identify each person who has knowledge of said notice.

(c) Identify each document relating to said notice.

ANSWER: Defendant objects to this Interrogatory as irrelevant as it refers to insulation products, which is not defined and which are not alleged to be involved in this lawsuit.

INTERROGATORY NO. 39: State whether or not Defendant has ever published bulletins, warning its employees concerning the hazards of inhaling asbestos and coming into contact with the products of this Defendant containing asbestos. If so, please attach copies of bulletins issued by the Defendant to its employees on said subject stating the date and year that said bulletins were distributed to your employees and the name of the author of said bulletin in the employ of the Defendant.

ANSWER: Attached pamphlet given to new employees beginning in May 1978. Prior to that time an identical pamphlet was given, entitled "Working with Asbestos."

INTERROGATORY NO. 40: State whether any officers, agents, servants or employees of the Defendant has ever testified before any governmental body regarding the possible harmful effects of asbestos exposure. If so, state:

- (a) When and where such testimony was given.
- (b) Summary of said testimony.
- (c) Identify each document regarding such testimony.

ANSWER: Defendant objects to this Interrogatory as overbroad and burdensome.

INTERROGATORY NO. 41: Please state if the Defendant intends to assert a defense of assumed risk. If so, identify each person having knowledge of such facts and each document related thereto.

ANSWER: Defendant objects to this Interrogatory as it requests disclosure of litigation plans and theories. Further, all discovery in this case is not completed.

INTERROGATORY NO. 42: Please state if the Defendant intends to assert a defense of the Statute of Limitations. If so, state all facts on which the Defendant bases its contention that the Statute of Limitations had run on the Plaintiff's claim and identify each person having knowledge of such facts and each document related thereto.

ANSWER: Defendant objects to this Interrogatory as it requests disclosure of litigation plans and theories. Further, all discovery in this case is not completed.

INTERROGATORY NO. 43: Please state if the Defendant intends to assert the defense that there is no causal relationship between Plaintiff's injuries and the exposure to asbestos and asbestos materials. If so, state all facts on which the Defendant bases this contention and identify each person having knowledge of such facts and each document related thereto.

ANSWER: Defendant objects to this Interrogatory as it requests disclosure of litigation plans and theories. Further, all discovery in this case is not completed.

INTERROGATORY NO. 44: Please state any product within your knowledge which could be or is being used for the same purpose as asbestos containing insulation material, and state when it was determined that said materials could be used as a substitute for asbestos insulation products.

ANSWER: Defendant objects to this Interrogatory as irrelevant in that it refers to insulation materials which are not alleged to be involved in this lawsuit.

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INTERROGATORY NO. 45: Prior to answering these Interrogatories, have you made due and diligent search of all books, records and papers of the Defendant and due and diligent inquiry of all agents and employees of the Defendant with a view to eliciting all information available in this action? If so, state and identify what records of books and papers were searched and state and identify what agents and employees who were questioned.

ANSWER: Defendant has made a search of reasonably available records and inquired of persons most likely to have the information requested. It would be unduly burdensome to identify each book and paper searched and each employer involved in this process. Without waiving the above objection, the following employees were involved: Dr. F. W. Knoch; C. B. Mallory; T. F. Merkel.

INTERROGATORY NO. 46: Were you named or covered under any policy of liability insurance which may be construed to provide coverage for any claim stated in the Complaint? If so, as to each policy, state:

- (a) the name of the company;
- (b) the policy number;
- (c) the effective period;
- (d) the maximum liability limits for:
 - (1) injury to any one person;
 - (2) aggregate personal injury limits;

(e) what amounts, if any, have previously been paid under the limit portions of the policy which in the opinion of the carrier reduces the coverage available;

(f) whether the carrier denied coverage or tendered a defense under a reservation of rights;

(g) whether the policy contains any first party medical pay or disability coverage, and, if so, describe the coverage.

INTERROGATORY NO. 47: Which, if any, of the carriers listed in your answer to the preceding Interrogatory are providing a defense to this suit?

INTERROGATORY NO. 48: Pursuant to Supreme Court Rule 213 (e), identify and give the location of those persons, not previously disclosed, having knowledge of facts relevant to how and why the occurrence described in the Complaint took place.

ANSWER: Defendant objects to this Interrogatory as not a proper Supplemental Interrogatory under Rule 213(e).

INTERROGATORY NO. 49: Pursuant to Supreme Court Rule 213 (e), identify and give the location of those persons, not previously disclosed, having knowledge of the facts relevant to the nature and extent of Plaintiff's injury.

ANSWER: Defendant objects to this Interrogatory as not a proper Supplemental Interrogatory under Rule 213(e).

ABEX CORPORATION

By: _____
Its Attorneys

VERIFICATION

A.H. CASEY, JR., being first duly sworn, on oath states that he is the ~~an~~ Attorney of Abex Corporation, and in that capacity has read the foregoing Answers to Interrogatories and the same are true to the best of his knowledge and belief.

SWAIN, JOHNSON & GARD
1900 Savings Center Tower
411 Hamilton Boulevard
Peoria, Illinois 61602
(309) 673-0741

Subscribed and sworn to before
me this 14th day of September
1982.

Mary A. Burke
NOTARY PUBLIC

MARY A. BURKE
NOTARY PUBLIC, State of New York
No. 60-5530201
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires March 30, 1984

SPNY 003558