

FILE NAME: Chrysler (CHR)

DATE: 1998 May 4

DOC#: CHR073

DOCUMENT DESCRIPTION: Legal - Chrysler Objections and Responses to Plaintiff's Requests for Production and Responses to Interrogatories

STRASBURGER & PRICE, L.L.P.

ATTORNEYS AND COUNSELORS
A PARTNERSHIP IN ILLINOIS PROFESSIONAL CORPORATION

SUITE 4300
901 MAIN STREET
DALLAS, TEXAS 75202
(214) 651-4300

TELECOPIER (214) 651-4330

AUSTIN

SUITE 1600
800 CONGRESS AVENUE
AUSTIN, TEXAS 78701-3906
(512) 469-3600

HOUSTON

SUITE 2800
1221 MCINNEY STREET
HOUSTON, TEXAS 77010
(713) 961-8600

MEXICO CITY

EDIFICIO HEWLETT-PACKARD
MONTE PELVOUA VO. III, PISO 8
Lomas de Chapultepec
11000 MEXICO D.F., MEXICO
52-55-226-202-7022

ROBERT M. REED, JR.
(214) 651-4552
rmr@strasburger.com

May 4, 1998

Mr. Charles Bacarisse
Harris County District Clerk
Civil Courts Bldg.
301 Fannin Street
Houston, Texas 77002

CERTIFIED-RRR #Z 849 022 362

RE: Cause No. 90-23333; *In Re Asbestos Cases*; in the District Court of Harris
County, Texas; Master Asbestos File

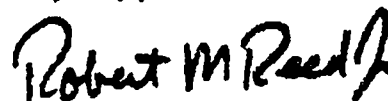
Dear Mr. Bacarisse:

Enclosed for filing in the above-referenced matter please find the original and one (1) copy each of: (1) Defendant Chrysler Corporation's Objections and Responses to Plaintiffs' Requests for Production to All Defendants; and (2) Defendant Chrysler Corporation's Objections and Responses to Plaintiffs' Interrogatories to All Defendants. Please return file-marked copies to the undersigned in the enclosed postage-paid envelope.

By copy of this letter, counsel for Plaintiffs are being served with copies of the aforementioned documents as indicated below. However, due to the voluminous nature of this litigation, only defense counsel requesting copies of the aforementioned documents will be provided with same. Anyone wishing to obtain a copy of said pleading should contact Stacy Gordon at (214) 651-2205

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to call me at the above direct-dial number.

Very truly yours,



Robert M. Reed, Jr.

RMR:aj
Enclosures

cc: Mr. Russell Cook (w/encl.)
Mr. Russell Budd (w/encl.)
All Counsel of Record (w/o encl.)

VIA FACSIMILE AND CERT-RRR#Z 849 022 363
CERT-RRR#Z 849 022 364

NO. 90-23335

IN RE: ASBESTOS CASES

* IN THE DISTRICT COURT OF
*
* HARRIS COUNTY, TEXAS
*
* MASTER ASBESTOS FILE

**DEFENDANT CHRYSLER CORPORATION'S OBJECTIONS AND RESPONSES
TO PLAINTIFFS' INTERROGATORIES TO ALL DEFENDANTS**

TO: Plaintiffs, by and through their Attorneys of Record: Russell Budd, Baron & Budd, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, Texas 75219; and Russell Cook, Cook, Butler & Doyle, L.L.P., Four Houston Center, 1221 Lamar, Suite 1300, Houston, Texas 77010.

COMES NOW Chrysler Corporation ("Chrysler"), one of the Defendants in the above-styled and numbered cause, and submits this its Objections and Responses to Plaintiffs' Interrogatories to All Defendants. Where objections are stated, Chrysler moves that its objections be sustained and that reasonable attorneys' fees be recovered in the event that a hearing is held in which said objections are sustained. In the event that any objections are overruled, Chrysler requests an extension of time within which to respond to each particular request.

I.

OBJECTIONS

These responses are based upon facts known or believed by Chrysler Corporation (hereinafter "Chrysler" or "Defendant") at the time of answering these interrogatories. Much of the information requested dates back many years and is difficult or impossible to reconstruct or retrieve. These discovery responses are made pursuant to a reasonable and due diligent investigation and search for the information requested. Chrysler reserves the right to amend these responses as and if new or

better information becomes available to it. Chrysler will comply with the Texas Rules of Civil Procedure with regard to its objections and supplementation.

II.

Chrysler objects to Plaintiffs' interrogatories as a whole to the extent that there is no definition given of "asbestos." Plaintiffs' counsel apparently seeks to utilize the generic term rather than specify the actual substance complained of with regard to Chrysler. Chrysler's vehicles at times utilized a specific type of asbestos, chrysotile, and to the extent that the interrogatories are directed to a generic use of the term "asbestos," Chrysler objects to that term as being intentionally non-specific/global, overly broad, vague, ambiguous and misleading. Such information using this generic term is otherwise irrelevant, overly broad, vague and ambiguous as well as being outside the scope of permissible discovery and seeks information privileged from discovery under Rule 166b(3)(a)(b)(c)(d) and (e) and the attorney work product and attorney-client privilege. To the extent the responses are made with regard to these interrogatories, Chrysler will respond with regard to the term "asbestos" referring to chrysotile.

III.

Those objections set forth herein are hereby applied to all responses set forth in each specific interrogatory as if fully set forth in each particular interrogatory.

IV.

Chrysler objects to the number of Interrogatories contained within the Master Interrogatories set forth herein. Pursuant to Rule 168 et seq. of the Texas Rules of Civil Procedure, Plaintiffs' Interrogatories require responses well in excess of both sets of interrogatories provided for under the Texas Rules of Civil Procedure.

Subject to those objections set forth and without waiving same, Chrysler responds as follows:

INTERROGATORIES

INTERROGATORY NO. 1: Identify the registered name of answering defendant, as well as all prior names or predecessor entities by which defendant has existed.

ANSWER: Defendant objects to this interrogatory because the phrase "all prior names or predecessor entities by which defendant has existed" is overly broad, vague, and ambiguous. Subject to said objection and without waiving same: Chrysler Corporation, 1000 Chrysler Drive, Auburn Hills, Michigan.

INTERROGATORY NO. 2: Identify all past and present divisions, subsidiaries or affiliated companies of the answering defendant, having any function which now or in the past engaged in any phase of mining, manufacturing, sale, supply, purchase, application, installation, relabeling, processing or distribution of asbestos or asbestos-containing products. With respect to each of such divisions, subsidiaries or companies, set forth with particularity the precise relationship with the answering defendant the dates thereof, and identify the nature and extent of such functions during the relevant periods of time in which such activities have or had occurred.

ANSWER: Defendant objects to this interrogatory for the reason it is overly broad, vague and ambiguous. Chrysler further objects to this interrogatory because it is overly broad, burdensome, and harassing and not reasonably limited in scope or time and seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection and without waiving same: Chrysler has never manufactured, sold, supplied, or distributed raw asbestos fiber. Chrysler has manufactured automobiles that may have included asbestos-containing products: brake linings, clutch facings, transmission bands, and heat resistant gaskets and seals.

INTERROGATORY NO. 3: List by brand name all of your asbestos-containing products. Your asbestos-containing products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed,

**DEFENDANT CHRYSLER CORPORATION'S OBJECTIONS AND RESPONSES
TO PLAINTIFFS' INTERROGATORIES TO ALL DEFENDANTS - Page 3**

197705.1 (SP/AXJ):AKJ:050498

applied or installed by you or for you by others. By you and yours, Plaintiffs refer to Defendant, to all your predecessors in interest, (whether by purchase, merger, consolidation or otherwise), to all of your subsidiaries, divisions, joint ventures or affiliates. As to each product, state the following:

- a. type of product (e.g., acoustical plaster, fireproofing, etc.);
- b. the date the product first went into production.
- c. the last date the product was produced;
- d. the last date the product was sold;
- e. all manufacturing locations;
- f. dates of manufacture at each location;
- g. the percentage of asbestos (state if percentage is by volume or weight), and the dates and all reasons for any modification thereof;
- h. the type of asbestos;
- i. the specific source of asbestos with dates;
- j. the color, physical characteristic, and appearance of the product;
- k. a full and precise description of the package in which the product was sold, including, but not limited to, type of package, size, color(s), and writings thereon;
- l. all other names under which the product was sold;
- m. the number and dates of each patent or patent application as to the product;
- n. if the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;

- o. if the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production;
- p. a precise description of your identifying logo or initials and the dates of inclusion on the product;
- q. state during what period of time such product has been associated with defendant;
- r. identify all sales literature, including brochures, advertisements, pamphlets or other material describing such product, its uses and methods of application or installation.
- s. identify any warning labels, inserts or other writings provided with such product and with every such printed warning, state what period of time it has or had accompanied the product, the exact wording of the warning, any amendments made to the wording where the warning was located on each product or packaging, and on what asbestos products the warning appear(ed);
- t. geographic distribution range of each such product.

ANSWER: Defendant objects to Interrogatory No. 3 for the reason that it seeks information which is outside the scope of permissible discovery under the Texas Rules of Civil Procedure 166b. Further objecting, this interrogatory is unclear, vague, ambiguous, overly broad and unduly burdensome and seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to the extent that this interrogatory violates the attorney-client and attorney work product privileges.

Subject to said objection and without waiving same:

(a) With respect to types of products, Chrysler manufactured automobiles that may have included asbestos-containing products; including brake linings, clutch facings, transmission bands, and heat resistant gaskets and seals.

(b-d) With respect to dates of production, Chrysler has sold motor vehicles identified as Chrysler, Plymouth, DeSoto and Dodge with original asbestos-containing automotive brake parts. Chrysler manufactured and sold motor vehicles under the brand names Chrysler (from 1925), Plymouth (from 1928), DeSoto (from 1928-1961), and Dodge (from 1928).

**DEFENDANT CHRYSLER CORPORATION'S OBJECTIONS AND RESPONSES
TO PLAINTIFFS' INTERROGATORIES TO ALL DEFENDANTS - Page 5**

397905 1:SP/AKF/AKL/050498

(e-f) With respect to manufacturing locations, brake lining was manufactured by Chrysler at the Trenton Chemical Plant. Chrysler states that it has never manufactured any other asbestos-containing automotive part, including but not limited to clutches.

(g-h) With respect to percentage and type of asbestos, brake linings manufactured by Chrysler at the Trenton Chemical Plant contained 50% chrysotile by weight. The other 50% of the brake lining contained a 50% matrix. Chrysler objects to providing further information regarding the composition of its brake products because such information is a confidential proprietary trade secret. Because of its document retention policy, Chrysler has no specific information regarding the composition of friction products purchased from outside suppliers.

(i) With respect to the source of asbestos, to the extent that this interrogatory refers to chrysotile asbestos fiber contained within Chrysler's brake linings, Chrysler has purchased chrysotile asbestos fiber from Asbestos Corporation, Limited, 830 Mooney Street, Bentford Mines, Quebec, Canada G6651; Carry Canadian, P.O. 190, East, Braughton Station PQ, Canada G0N1H0; Johns-Manville, P.O. Box 5108, Ken Caryl Ranch, Denver, Colorado 80217. A minor supplier was Lake Asbestos. To the extent that this interrogatory refers to entities that supplied friction products to Chrysler, Chrysler has purchased asbestos-containing brake products from the following manufacturers: Abex Corp., Bendix Corp., Friction Material Division, Raybestos, Raybestos-Manhattan, Johns-Manville, Nuturn, Delco, Gelfer, Valeo, Friction Development Products, Inland, and Jurid. Friction products bought from these manufacturers were incorporated into Chrysler vehicles and would have been sold under the brand names Mopar, Cycle-Weld, or Cycle-Bond. Since 1966 the suppliers of asbestos-containing automotive clutch parts for Chrysler motor vehicles were the following: Luk, Borg & Beck Division of Borg Warner, Long Co. Lipe-Rollway, and Spicer Division of Dana Corp.

(j) Defendant will supplement this response.

(k) Defendant will supplement this response.

(l) With respect to other names, Chrysler manufactured and sold motor vehicles under the brand names Chrysler (from 1925), Plymouth (from 1928), DeSoto (from 1928-1961), and Dodge (from 1928). Chrysler clutch products have been sold under the trade name Mopar. Chrysler brake parts have been sold under the trade names Mopar, Cycle-Weld and Cycle-Bond. See also Defendant's response to part (i) of this Interrogatory.

(m) None as to brake linings.

(n-o) With respect to production after the deletion of asbestos, and discontinuance, Defendant objects to this interrogatory to the extent that it refers to a subsequent remedial measure. Subject to this objection and without waiving same, Chrysler discontinued the manufacture of brake linings in 1988 for economic reasons.

(p) With respect to identifying logos, see previous response to part (k) of this Interrogatory regarding physical appearance of Chrysler brake linings.

(q) With respect to what period of time such products have been associated with Defendant, Chrysler manufactured and sold motor vehicles under the brand names Chrysler (from 1925), Plymouth (from 1928), DeSoto (from 1928 - 1961), and Dodge (from 1928).

(r-s) With respect to sales literature and warning labels, Defendant objects to these interrogatories to the extent they are overly broad, vague and ambiguous and unlimited in scope or in time and seek information outside the scope of permissible discovery under the Texas Rules of Civil Procedure, including information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work product privilege. Further objecting, these interrogatories are overly burdensome and harassing. These requests are a fishing expedition and are outside the scope of permissible discovery. Subject to said objections and without waiving same, Defendant will supplement this response.

With respect to geographic distribution range, Defendant is not able to limit the possible geographical distribution range of Chrysler automobiles.

INTERROGATORY NO. 4: Did you claim your asbestos product(s) to be safe, effective and/or easy to handle? If so, identify all documents, which have made such assertions, including, but not limited to, brochures or advertisements (radio, television or printed), and revisions thereof by publication(s) and date. Your asbestos products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed by you or for you by others.

ANSWER: Defendant objects to this interrogatory to the extent it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks information outside the scope of permissible discovery under the Texas Rules of Civil Procedure, including information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work product privilege. Further objecting, this interrogatory is overly burdensome and harassing. This request is a fishing expedition and is outside the scope of permissible discovery. Defendant further objects to this interrogatory because it improperly attempts to shift the burden of proof.

INTERROGATORY NO. 5: Did you specifically inform the purchaser or user of your products at the time your product was sold, installed, used, supplied or subsequently, that your products could

cause lung cancer, asbestos, and mesothelioma? If so, identify the document containing such information by date and location.

ANSWER: Defendant objects to this Interrogatory for the reason it assumes that there is asbestos in brake lining dust that causes the above-listed diseases, which is specifically denied. Defendant further objects to this Interrogatory because it is designed to illicit a response that may be used in a misleading manner at the time of trial rather than the discovery of factual information.

INTERROGATORY NO. 6: Identify any and all labeling or relabelling agreements between answering defendant and other entities, including other Defendants concerning asbestos containing products and materials.

ANSWER: Defendant objects to this interrogatory for the reason it is overly broad, vague and ambiguous. Subject to said objections and without waiving same: Chrysler has manufactured brake products and has purchased brake products from various manufacturers which may have been sold under the brand names Mopar, Cycle-Weld, and Cycle-Bond.

INTERROGATORY NO. 7: Have you ever mined asbestos? If so, as to each mine and type of asbestos produced there, state the following:

- a. the location;
- b. the dates of operation by you;
- c. the type (e.g., chrysotile, amosite, etc.) produced;
- d. the grade of each type of asbestos fiber produced, the percentage of each grade to the total fiber produced by year or other period, and the recommended use of the grade of fiber;
- e. the gross annual sales in dollars and in volume for each type and grade of asbestos fiber;

- f. a full and precise description of the package in which the asbestos fiber was sold, including, but not limited to, type of package, size, color(s), and writing thereon;
- g. all names under which the asbestos fiber was sold;
- h. the identity of all records reflecting the sale or transfer of said asbestos fiber;
- i. the identity of the present custodian of photographs of the burlap bags in which the asbestos fibers was stored and/or shipped;
- j. the address of each sales office and sales region for the sale of the asbestos fiber;
- k. the name of each authorized distributor of the asbestos fiber produced;
- l. the identity of each owner and operator of the mine prior to the date you first began operation of the mine, and the dates thereof, and
- m. the identity of each owner and operator of the mine subsequent to your ceasing operation of the mine.

ANSWER: Chrysler has never engaged in the mining and subsequent sale of raw asbestos.

INTERROGATORY NO. 8: Is answering defendant aware of the possible connection between exposure to asbestos or asbestos products and:

- a. Asbestosis?
- b. Lung cancer, all cell types?
- c. Mesothelioma?
- d. Colon cancer?
- e. Stomach cancer?
- f. Laryngeal cancer?
- g. Cancer of the Kidney?

**DEFENDANT CHRYSLER CORPORATION'S OBJECTIONS AND RESPONSES
TO PLAINTIFFS' INTERROGATORIES TO ALL DEFENDANTS - Page 2**

591905 1/SP/AKJ/AKJ.050498

- h. Cancer of the Esophagus?
- i. Other gastrointestinal cancers?
- j. Pneumoconiosis?

ANSWER: Defendant objects to this interrogatory to the extent it is overly broad, vague and ambiguous. Defendant further objects to the extent this interrogatory assumes that there is asbestos in brake lining dust which causes the above-listed diseases, which is specifically denied. Subject to said objections and without waiving same, Defendant will supplement this response.

INTERROGATORY NO. 9: If your answer to the above interrogatory, as to any or all of its sub-parts, is affirmative, identify:

- a. When and how defendant first learned of such connections?
- b. If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of person attending or documents obtained;
- c. If knowledge was obtained from medical or scientific studies, or any other published work, identify same;
- d. If otherwise obtained, identify manner of receipt of document or communication.

ANSWER: Defendant hereby adopts and incorporates by reference its response to Interrogatory No. 8.

INTERROGATORY NO. 10: With regard to any knowledge obtained subsequent to that identified in the above interrogatory, and up until the time that you ceased to sell and/or manufacture asbestos products, identify:

- a. All documents or other communications, oral or written, concerning the casual (sic) connection between exposure to asbestos or asbestos products and disease, and identify (sic) of persons so communicating;

**DEFENDANT CHRYSLER CORPORATION'S OBJECTIONS AND RESPONSES
TO PLAINTIFFS' INTERROGATORIES TO ALL DEFENDANTS - Page 10**

197905 1/3P/AXC/AJJC/50498

- b. Did answering defendant obtain from or transmit any such information to other defendants in this case? If so, identify:
1. manner of receipt or communication for each contact;
 2. all documents and persons involved.

ANSWER: Defendant objects to this interrogatory to the extent that it is overly broad, vague and ambiguous and seeks information outside the scope of permissible discovery under Texas Rules of Civil Procedure, including information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work product privileges. This interrogatory is also objectionable to the extent that it assumes that there is asbestos in brake lining dust which causes the above-listed diseases, which is specifically denied. Further objecting, this interrogatory is unduly burdensome, onerous and harassing. Subject to said objections and without waiving same, Chrysler has no knowledge, nor does it maintain any records pertaining to any such communications or transmissions. Chrysler notes the existence of articles dating back to the 1930s which stated that certain types of raw asbestos (such as that used in insulation products) inhaled in large quantities could cause or contribute to pulmonary disease. Also, please refer to Defendant's response to Interrogatory No. 8.

INTERROGATORY NO. 11: As to any knowledge possessed by answering defendant at any time referred to in answers to the preceding three interrogatories did you educate your employees, distributors, or purchasers about the hazards known to you and any safety precautions necessary to guard against cancer and other diseases arising from the use and handling of your asbestos containing products? If so, identify:

- a. When and in what manner customers, insulators, non-employee factory workers and the general public were so informed;
- b. Documents communicating or otherwise disseminating such information;
- c. Programs initiated or sponsored to establish or promote safety procedures, methods or usage of asbestos containing products;
- d. Published articles or reports by employees (present or prior), including those of medical directors, scientists, engineers or other professionals;

- e. Symposia or lectures sponsored for the benefit of asbestos workers and/or the general public.

ANSWER: Defendant objects to this interrogatory to the extent that it is overly broad, vague and ambiguous and seeks information exempt from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work product privileges. Chrysler further objects to this interrogatory because it seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 12: When, before 1972, and by what manner were you first aware of the health hazards relating to exposure to asbestos or asbestos products for insulators, plasterers, pipefitters, boilermakers, operators, sheet metal workers, helpers, drywall finishers, mechanics, carpenters, shipfitters, machinist and bystanders exposed to inhalers.

ANSWER: Defendant objects to this interrogatory for the reason it is overly broad, vague and ambiguous. Subject to said objections and without waiving same, see response to Interrogatory No. 10 which is hereby adopted and incorporated by reference.

INTERROGATORY NO. 13: Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning potential health hazards involved with the use of asbestos containing materials? If so, identify such studies or tests and state:

- a. When, where and at what intervals such studies were performed?
- b. Were such studies in writing or reported at a later date in writing;
- c. Were the results of such studies published or otherwise disseminated? If so, state to whom and when;
- d. Who performed such studies;
- e. What were the results of such studies?

ANSWER: (a-e) Defendant objects to this Interrogatory to the extent it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks information outside the scope of permissible discovery under the Tex. R. Civ. P., including Rule 166b(2)(d), and information privileged from discovery under Rule 166b3(a)(b)(c) and (d) and the attorney-client and attorney work product privilege. Further objecting, this Interrogatory is overly burdensome and harassing. Chrysler further objects to this interrogatory because it seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to same objections and without waiving same, based on available corporate records, Mr. L. Gendernalik, a member of the Industrial Hygiene Department of Chrysler Corporation, sampled air levels in 1972 and 1975. The 1972 sampling was done at Chrysler's brake shoe plant test garage. Two samples of mechanics working on brake drums were taken. The results were 0.25 fibres per cubic centimeter of air when the mechanics used a brush and 0.0 fibres per cubic centimeter when compressed air was used. In 1975, Mr. Gendernalik took air samples at Dodge Truck, Inc., in Chicago, Illinois. Counts were taken with the use of a cellulose ester filter. No formal report of this study exists, although data from same exists.

INTERROGATORY NO. 14: During the time period that you manufactured, sold, supplied, applied, distributed or installed asbestos containing products, what tests have been performed by any governmental agency, body, commission or health organization including, but not limited to, the U.S. Public Health Service, OSHA, or NIOSH, in your plants or on job sites owned or controlled by you concerning: specific hazards associated with the use and handling of asbestos and asbestos products; any restrictions in use of same; requirements for medical surveillance and examinations for your workers, dust monitoring or availability of safety equipment? If such findings were made, identify:

- a. The date or dates of such findings and by which organization or entity such findings were made;
- b. The form in which such findings were made and, if written, the exact wording of same or location in regulation, order, bulletin, report or other writing;
- c. What steps were taken to comply with such findings and the dates when such acts of compliance occurred;

- d. How users of or bystanders exposed to asbestos or asbestos containing products were informed of such findings and if such information was written identifying same.

ANSWER: Chrysler objects to this interrogatory because it is overly broad, burdensome, and harassing and not reasonably limited in scope or time and seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 15: During the time that you manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did you perform, direct to be performed, finance, sponsor or receive the results of any dust monitoring tests at job sites where asbestos-containing products were being applied and/or removed?

If so, state:

- a. The date and location of the first such test;
- b. When, where and at what intervals subsequent tests were performed;
- c. Who performed such tests;
- d. Where the results of such tests are maintained;
- e. What steps were taken by you to improve results of such tests, and dates when such improvements were made.

ANSWER: Defendant objects to this Interrogatory for the reason it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks information outside the scope of permissible discovery under the Tex. R. Civ. P., including Rule 166b(2)(d), and information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work privilege. Defendant further objects that this Interrogatory is overly burdensome and harassing. Chrysler objects to this interrogatory because it seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to same objections and without waiving same, see Defendant's response to Interrogatory 13 which is hereby adopted and incorporated by reference.

INTERROGATORY NO. 16: If your answer to the above interrogatory is in the negative, state your reasons for not performing dust monitoring tests.

ANSWER: Defendant objects to this Interrogatory for the reason it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks information outside the scope of permissible discovery under the Tex. R. Civ. P., including Rule 166b(2)(d), and information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work privilege. Defendant further objects that this Interrogatory is overly burdensome and harassing. Chrysler objects to this interrogatory because it seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to same objections and without waiving same, see Defendant's response to Interrogatory 13 which is hereby adopted and incorporated by reference.

INTERROGATORY NO. 17: During the time that Defendant sold, manufactured, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did the Defendant ever have any inspectors or anyone from your company or hired by your company whose job it was to go to areas where asbestos containing products were being used, removed or installed to make a dust level count? If so, state when this procedure started, the purpose of such procedure and the findings and what action, if any, was taken in response to the findings, and attach results.

ANSWER: Defendant objects to this Interrogatory for the reason it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks information outside the scope of permissible discovery under the Tex. R. Civ. P., including information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney work privilege. Defendant further objects that this Interrogatory is overly burdensome and harassing. Chrysler further objects to this interrogatory because it seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to same objections and without waiving same, see Defendant's response to Interrogatory 13, which is hereby adopted and incorporated by reference.

INTERROGATORY NO. 18: During the time that Defendant manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied, or installed asbestos containing products, identify any medical examination programs offered or sponsored by answering defendant or its insurance carrier(s) for employees of its insured handling or otherwise exposed to asbestos and asbestos products. With respect to each program, state:

- a. Manner of communication with employees about such program;
- b. Whether examination was mandatory or optional;
- c. What percentage of workers permitted to undergo such examination participated;
- d. What percentage of workers were found to have asbestos or mesothelioma;
- e. With respect to (d), what percentage of such workers were paid disability or workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

ANSWER: Chrysler objects to this interrogatory because it is overly broad, burdensome, and harassing and not reasonably limited in scope or time and seeks information which is not relevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 19: Does the Defendant have or has it ever had, a Medical department, and/or a research department and/or an Industrial Hygiene department. If so, give the date upon which such medical department and/or Industrial Hygiene department was established, and whether or not such department has operated continuously since being established.

- a. Name each director, chief of head or your Medical department and/or Industrial Hygiene department year by year with the first year you had a director of such department. Give the last known address of each.

b. State in detail the duties, responsibilities and purpose of such department(s).

ANSWER:

Defendant objects to this Interrogatory to the extent it is overly broad, vague and ambiguous and is unlimited in scope or in time and seeks irrelevant information outside the scope of permissible discovery under the Tex. R. Civ. P. including Rule 166b(2)(d) and information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d) and the attorney-client and attorney-work product privilege. Further objecting, the terms "medical department," "research department," and "industrial hygiene department" are overly broad, vague, ambiguous and not clearly defined. Subject to same objections and without waiving same:

(a-b) Yes. Chrysler has retained an industrial hygienist since the mid 1930s. Gerald A. Sattelmeyer was Chrysler's Manager of Industrial Hygiene from 1976-1991. Prior to that, Sattelmeyer was an industrial hygienist from 1968 to 1972 and was a divisional environmental engineer from 1972 to 1975. William Watt has also served as Chrysler's Manager Industrial Hygiene and Toxicology. Lewis P. Gendernalik is presently an industrial hygienist. Additionally, Chrysler first hired a medical director in the mid 1930s. Dr. MacIntosh was in charge at the medical department in the 1970s. Chrysler's Director of Occupational Health and Safety is J.E. Thomas.

INTERROGATORY NO. 20: Identify all asbestos related trade organizations, associations, or other entities including, but not limited to the Gypsum Association, Vermiculite Institute, Asbestos Textile Institute, Industrial Hygiene Foundation, Magnesia Insulation Manufacturers Association, National Insulation Manufacturers Association, Asbestos Information Association, National Insulation Contractors Association, Thermal Insulation Manufacturers Association, Quebec Asbestos Manufacturers Association, Quebec Asbestos Producers Association to which you have belonged or in which you have participated and as to each respective organization, identify the dates of membership or participation.

ANSWER: Defendant objects to this Interrogatory as being overly broad, burdensome, vague and not reasonably limited in scope or time. Further objecting, this Interrogatory is sought for purposes of harassment in seeks irrelevant information not reasonably calculated to lead to the discovery of admissible evidence, as well as information privileged from discovery under Rule 166b(3)(a)(b)(c) and (d), as well as the attorney-client privilege and attorney-work product privilege. Further objecting, this Interrogatory constitutes a fishing expedition outside the scope of permissible discovery under the Tex. R. Civ. P. Subject to same objections and without waiving same, Defendant will supplement this response.