FILE NAME: Kaiser Gypsum (KG)

DATE: 1984

DOC#: KG039

DOCUMENT DESCRIPTION: Plaintiff's 1st Set of Interrogatories

(SPACE BELOW FOR FILING STAMP ONLY)

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

LOS ANGELES UNIFIED SCHOOL DISTRICT, Plaintiffs, vs. OWENS-CORNING FIBERGLAS CORPORATION, et al., Defendants.	CASE NO. C 440 327 PLAINTIFF'S FIRST SET OF INTERROGATORIES PROPOUNDED TO DEFENDANT (Subcontractors, installers and/or applicators)

TO DEFENDANT KAISER GYPSUM COMPANY, INC.,

AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD HEREIN:

Plaintiff requests that you provide answers to the following interrogatories pursuant to Section 2030 of the California Code of Civil Procedure within thirty (30) days of service thereof.

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GENERAL PROVISIONS

These interrogatories ask not only for your knowledge and the contents of your own books and records, but also knowledge of all other persons with whom inquiry may reasonably have been made from the contents of books and records available to you for examination. Your answers to these interrogatories should be based on all the aforementioned sources.

If, following your exercise of due diligence to answer any interrogatory, you are still unable to provide the information requested, please state in detail:

(a) your answer to the fullest extent possible;

(b) why you are unable to answer more fully;

(c) what efforts you have made to answer fully;

(d) the anticipated date of your completion of said investigation and discovery necessary to answer fully.

When an interrogatory asks you to identify a writing, you may, in lieu of answering that interrogatory, attach a copy of that writing with a statement in answer to the interrogatory that such copy is attached and such copy is a true copy of the original of the writing.

If you refuse to voluntarily attach a copy of that writing, then identify each such writing in detail so that it may

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be produced by you in response to Plaintiff's Notice to Produce, or other discovery device.

DEFINITIONS

"Acoustical insulation products," as used herein, means and refers to any product which is designed, manufactured, assembled, compounded, prepared, installed or applied for use in separating conducting bodies by means of nonconductors so as to prevent the transfer of sound.

"Sell" (or any tense of the verb), as used herein, means to give up something to another for money or other valuable consideration or to pass title of something to another for a price.

"Supply" (or any tense of the verb), as used herein, means give, donate, provide, furnish, offer or make available.

"Thermal insulation products," as used herein, means and refers to any product which is designed, assembled, manufactured, compounded, prepared, installed or applied for use in separating conducting bodies by means of nonconductors so as to prevent the transfer of heat or cold.

"Writing," as used herein, means and refers to that term as it has been used and interpreted pursuant to California Evidence Code, Section 250, including transcripts of oral

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communications, photographs, videotapes, audiotapes and recordings, and films.

"You," as used herein, means and refers to you, your agents, servants, employees, officers, directors, subsidiaries, divisions or representatives and anyone else acting on your behalf or at your request.

NOTE: IF YOU ARE UNSURE AS TO THE INTENT OR MEANING OF ANY OF THE AFOREGOING GENERAL PROVISIONS OR DEFINITIONS, YOU ARE HEREBY REQUESTED TO HAVE YOUR ATTORNEY CONTACT ATTORNEYS OF RECORD FOR PLAINTIFF, WHO HEREBY OFFERS TO PROVIDE ANY NEEDED ASSISTANCE FOR YOU TO UNDERSTAND THE INTENT OR MEANING OF THE FOREGOING.

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IF OBJECTIONS TO THESE INTERROGATORIES ARE NOT FILED WITHIN THIRTY (30) DAYS, AS PROVIDED IN CODE OF CIVIL PROCEDURE, SECTION 2030, SAID OBJECTIONS WILL BE WAIVED.

INTERROGATORIES

1. Have you ever installed or applied on or within any property owned, leased or maintained by the plaintiff any of the following products?

(a) Acoustical insulation;

(b) Thermal insulation;

(c) Wallboard;

(d) Floor tiles;

(e) Fire curtains;

(f) Fire doors;

(g) Ceiling tiles;

(h) Boiler lagging;

(i) Pipe coverings;

(j) Asbestos cloth;

(k) Spray-on wall or ceiling covering including, but not limited to texturized paint and stucco;

(l) Spackling compound;

(m) Wall or ceiling joint compound or sealer;

(n) Spray-on structural fire retardant;

(o) Cement;

(p) Wall or ceiling joint tape;

(q) Insulation tape.

2. If your answer to Interrogatory No. 1 is affirmative, state with regard to each product installed or applied by you:

(a) The address of each said property where each installation or application occurred and the respective dates for such;

(b) The location within each property where each said product was installed or applied;

(c) The brand name of each said product;

(d) The name of the manufacturer of each said product;

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(e) The name of the person or entity of whom you acquired each said product;

(f) The identity, sufficient for a Notice to Produce, of each writing which refers to said installation;

(g) The identity, sufficient for a Notice to Produce, of each writing in your possession which describes, promotes and/or advertises said products including, but not limited to price sheets, catalogs, etc;

(h) The name, address, telephone number and title of each individual who participated in each said installation and/or application.

(i) The name, address, telephone number and title of each individual who, on your behalf, negotiated, contracted and/or agreed to each said application.

3. If your answer to any subpart of Interrogatory No. 1 is affirmative, did any of said product(s) contain asbestos?

4. If your answer to Interrogatory No. 3 is yes with regard to any product, state with regard to the asbestos-containing product(s):

(a) The brand name of said product(s);

(b) The name of the manufacturer of said product(s);

(c) The name, address and telephone number of the person or entity from whom you acquired said product(s);

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(d) The address of each property of the plaintiff and the location within said property where you installed and/or applied said product(s) and the date(s) of said installation(s) or application(s);

(e) The name, address, telephone number and title of each individual who participated in each said installation or application referred to Interrogatory No. 4(d) herein above;

(f) Whether said product(s) contained any warnings, cautions or caveats which referred to hazards associated with exposure to asbestos.

5. If your answer to Interrogatory No. 3 is "No" with regard to any products, state with regard to each said product:

(a) Each fact upon which you base your response;

(b) The name, address, telephone number and title of each individual who has knowledge of facts upon which your response is based;

(c) The identity, sufficient for a Notice to Produce, of each writing which supports your response.

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6. Identify and describe the name, business address, home address, business telephone number and home telephone number of each person who has knowledge of the facts, documents and oral communications described in the preceding interrogatories.

DATED: December 26, 1984.

GREENE, O'REILLY, BROILLET, PAUL, SIMON, McMILLAN, WHEELER & ROSENBERG

AARON H. SIMON
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I declare that:

I am employed in the County of Los Angeles, State of California.

I am over the age of eighteen years and not a party to the within cause; my business address is 816 South Figueroa Street, Los Angeles, California 90017.

On December 27, 1984, I served the within document, entitled:

PLAINTIFF'S FIRST SET OF INTERROGATORIES PROPOUNDED TO DEFENDANT (Subcontractors, installers and/or applicators)

on the interested parties by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California, addressed as follow

KINCAID, GIANUNZIO, CAUDLE & HUBERT
200 Webster Street, Second Fl.
Oakland, CA 941604-0828
Attn: Patrick Hagan, Esq.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of December, 1984 at Los Angeles, California.

MARY T. BULL