

1 RESPONSE TO INTERROGATORY NO. 76:

2 Wagner objects to this Interrogatory on the grounds
3 that it assumes facts not established. Wagner states that it
4 first became aware of the possibility that inhalation of asbes-
5 tos fibers may be harmful to the health of brake mechanics in
6 1976. During 1976, Wagner received a letter informing it of
7 this possibility from the United States Government Department of
8 Health, Education and Welfare, from an article in the May 1976
9 issue of Brake & Front End Magazine entitled "Know and under-
10 stand the law -- OSHA will soon be around," and from materials
11 received from the National Institute for Automotive Service
12 Excellence, among others.

13 INTERROGATORY NO. 77:

14 Has defendant ever subscribed to or received the Unit-
15 ed States Public Health Bulletin service? If your answer is in
16 the affirmative, please state the dates defendant received the
Public Health Service Bulletin.

17 RESPONSE TO INTERROGATORY NO. 77:

18 No.

19 INTERROGATORY NO. 78:

20 Please state the date defendant first notified its
21 employees working in manufacturing plants and factories of the
need to wear and use respirators.

22 RESPONSE TO INTERROGATORY NO. 78:

23 Wagner employees who assemble brake shoes or disc pad
24 assemblies at its factory have not worn respirators because the
25 level of airborne asbestos fibers in the factory has been far
26 below the levels at which OSHA requires the use of warnings or
27 respirators.