

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANTHONY MARIO GRECO, et al.,	:	CASE NOS. 323629-323678
	:	(HANNA, J.)
Plaintiffs,	:	
	:	
vs.	:	IN RE: ALL BARON & BUDD
	:	ASBESTOS CASES
A-BEST PRODUCTS COMPANY,	:	
et al.,	:	
	:	
Defendants.	:	

**RESPONSE OF PITTSBURGH CORNING CORPORATION TO
PLAINTIFFS' MASTER SET OF INTERROGATORIES**

PREFATORY STATEMENT

This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. Unless otherwise stated in response to specific interrogatories, the responses herein shall be limited to such product and time period. This Defendant objects to providing responses for any other period of time on the grounds that such additional information sought is irrelevant, immaterial, not calculated to lead to the discovery of admissible evidence and, furthermore, could be burdensome, expensive and harassing to comply with.

At various times, this Defendant also relabeled and sold certain types of mastic products as accessory products. Although all the formulations of these relabeled mastic accessory products are not now known, a few did include small amounts of asbestos fibers used as a binder, which fibers were encapsulated in a bituminous and/or resinous binder. These accessory products were not manufactured by this Defendant, were not used on high temperature insulation products such as UNIBESTOS and were not insulating materials. Those few mastic products which contained asbestos fibers as a binder have not been considered to be a source of asbestos fiber emissions. Consequently, such material was specifically exempted from certain regulations in the federal Environmental Protection Agency's National Emissions Standard for Asbestos, see 40 C.F.R. § 61.22 et seq., (now 40 C.F.R. § 61.148) and were exempt from the asbestos controls of the Consumer Products Safety Commission 16 C.F.R. § 1304.3(c). Similarly, the asbestos regulations of the Occupational Safety and Health Act, which require caution labels on asbestos products, did not apply to any material where asbestos fibers were modified by a binding agent, coating or binder. See 29 C.F.R. § 1910.1001(g)(2)(i) (now 29 C.F.R. § 1910.1001(j)(4)(i)).

The term asbestos is generically applied to several different minerals, may be found in various fiber types and may be found in a wide variety of product forms, including ceiling tiles, floor tiles, gaskets, gloves, mastics, protective aprons, protective matting, etc. This Defendant objects generally to these interrogatories as vague, overly broad, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence so far as they relate or refer to unidentified asbestos-containing products or materials and will limit its responses as stated above.

This Defendant states that there never existed a predecessor corporation with respect to this Defendant. While this Defendant purchased on June 30, 1962 selected assets from Union Asbestos & Rubber Co., it did not purchase that company; that company continued to operate as a separate company for years and to sell other products including asbestos-containing products, it was not a predecessor corporation of this Defendant and on information and belief it or its successor continues to operate as an independent company to this date. Further, Defendant states that its responses to any interrogatory or request herein relate only to this Defendant and are not to be construed to imply the existence of a predecessor corporation.

CORPORATE NAME

1. For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include job title, length of time employed by Defendant and a year by year list of all other positions, titles, or jobs held when working for Defendant.

RESPONSE: This Defendant states that Responses to Interrogatories in cases involving alleged injury due to exposure to asbestos-containing thermal insulation products historically were prepared by Robert E. Buckley, former Vice President and Assistant to the President of Pittsburgh Corning Corporation. Mr. Buckley was believed to be the single most knowledgeable person employed by the corporation regarding its involvement in the manufacture and sale of UNIBESTOS. Mr. Buckley is deceased. Accordingly, these responses have been prepared at the direction of Richard C. McPherson, an officer of Pittsburgh Corning Corporation.

The address for Richard C. McPherson is as follows:

800 Presque Isle Drive
Pittsburgh, PA 15239

Employed by Pittsburgh Corning Corporation since 1973.

1.1 Please identify all documents used, related to, or referred to in connection with the preparation of or answers to these Interrogatories and state the number of the Interrogatory and its subpart to each such document.

RESPONSE: This Defendant believes that it has made a reasonable inquiry to assemble information within its control by which it has prepared these responses. This Defendant's responses to these interrogatories are based on information learned, assembled and reviewed over a number of years, in the course of business and in the course of litigating numerous claims throughout the country. It is not possible to designate the particular source for information used to respond to each specific interrogatory.

2. Please state whether or not Defendant is a corporation. If so, please state:

(a) Your correct corporate name;

RESPONSE: Pittsburgh Corning Corporation.

(b) The state of your incorporation;

RESPONSE: This Defendant is a Pennsylvania corporation.

(c) The address of your principal place of business;

RESPONSE: Principal place of business is:

800 Presque Isle Drive
Pittsburgh, Pennsylvania 15239

(d) Your registered agent for service in the state of Ohio.

RESPONSE: Pittsburgh Corning Corporation does not have a
registered agent for service in the state of Ohio.

(e) For each Defendant claiming that this Court lacks
personal jurisdiction, list year by year the total amount of
income received by the Defendant from entities in Ohio, any and
all years that Defendant, as defined, has been licensed to do
business in Ohio, and any real property owned at any time by
Defendant or its present or past subsidiaries.

RESPONSE: Not applicable to this Defendant.

3. State Defendant's complete corporate or business
history, including dates of incorporation, mergers,
consolidations, reincorporations, and the like. Also provide
historical information regarding all predecessors, prior names,
asset purchases, acquisitions or spin-offs. In addition:

(a) if defendant or any of its predecessors or
subsidiaries at any time purchased, assumed, or in any other

manner acquired ANY of the assets and/or liabilities of any corporation or entity at any prior time engaged in any aspect of the placing of asbestos containing products into the stream of commerce or the insuring of asbestos related risks, then please state the following as to each acquisition:

(b) the name or description of each corporation, entity or assets acquired by Defendant, that entity's state of incorporation and principal place of business, its date of in/corporation, and the name of Defendant at the time of acquisition;

(c) the manner by which each such corporation, entity or interest therein, was acquired (e.g., merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);

(d) the date of each such acquisition;

(e) the state in which each such acquisition was effected;

(f) the state law governing each such acquisition if specified by contract;

(g) whether Defendant became legally responsible for the past torts of each such corporation or entity;

(h) identify each document reflecting or related to the history and/or transaction(s) set forth in answer to this Interrogatory.

RESPONSE: Objection. This interrogatory is overbroad and irrelevant in part insofar as it seeks information not specific to manufacture and/or sale of asbestos-containing products. Without waiving this objection, see this Defendant's response to Interrogatory No. 4 where information specific to manufacture and/or sale of asbestos-containing products is provided.

4. Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

(a) the name or description of each corporation, entity or assets acquired by Defendant, its state of incorporation and principal place of business, its date of incorporation, and the name of Defendant at the time of acquisition;

(b) the manner by which each such corporation, entity or interest therein, was acquired (e.g. merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);

(c) the date of each such acquisition;

(d) the state in which each such acquisition was effected;

(e) the state law governing each such acquisition if specified by contract;

(f) whether Defendant became legally responsible for the past torts of each such corporation or entity;

(g) whether the acquisition concerned asbestos-containing products.

RESPONSE: This Defendant manufactured and sold UNIBESTOS for the first time on July 1, 1962 on which date it purchased selected assets and facilities from Union Asbestos and Rubber Company (UNARCO) which it then utilized in the manufacture of UNIBESTOS. See attached copy of the purchase agreement. This Defendant does not have specific knowledge as to when UNIBESTOS was first sold, however, this Defendant believes the product was first commercially sold by UNARCO as early as 1954. Other published studies and governmental reports

suggest that UNARCO first manufactured UNIBESTOS for sale in 1937 or 1938 pursuant to the requirements and testing of the United States Navy. Pittsburgh Corning's production ceased on or about February 1, 1972. See Prefatory Statement regarding accessory products.

4.1 For each corporation, other than the answering defendant ("the entity"), that has at any time in the past been involved in the placing of asbestos containing products into the stream of commerce for which officers of the answering defendant's corporation have also served as officers, directors or served in any managerial position while employed by the answering defendant, state:

(a) the name of the entity involved in the placing of asbestos products into the stream of commerce;

(b) the manner in which the entity was involved in the placing of asbestos containing products into the stream of commerce (i.e., mining, milling, manufacturing, distributing, installing, rebranding, etc.);

(c) the specific products placed into the stream of commerce by the entity year by year and by brand or trade name;

(d) the name, positions and a brief description of the responsibilities of the person or persons serving the answering defendant and the entity simultaneously including the positions held with the entity and with the answering defendant.

RESPONSE: Not applicable to this Defendant.

EVER SELL ASBESTOS

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

(a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);

RESPONSE: Pittsburgh Corning Corporation.

(b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:

1. The trade or brand name.

RESPONSE: Trade name: UNIBESTOS. As to accessory products see this Defendant's response to Interrogatory 5(b)(3).
See also Prefatory Statement.

2. Its identification number (model, serial number, etc.).

RESPONSE: Trademark: UNIBESTOS.

Registration No. 757,144.

September 24, 1963.

Insulation - Class 12.

As to accessory products see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

3. The time period it was manufactured, mined, marketed, distributed or sold.

RESPONSE: This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. This Defendant sold accessory products beginning in 1945. Accessory products included Pittcote, Pittseal and CS White Paint, some types of which at various times contained small amounts of asbestos fibers as a binder. Any formulation of these products which contained small amounts of asbestos were last sold in the mid-1980s. See Prefatory Statement.

4. Its physical description including color, general composition, and form.

RESPONSE: Rigid, 3-foot long, half cylinders of thermal insulation for piping. A specimen of this Defendant's asbestos thermal insulation product, UNIBESTOS, will be made available at this Defendant's corporate counsel's office in Pittsburgh, Pennsylvania per mutually convenient, scheduled appointment for plaintiff's non-destructive visual examination. As to accessory products see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

5. A detailed description of its intended use and purpose.

RESPONSE: UNIBESTOS was produced for use as thermal pipe covering insulation. On occasion, per customer request, the UNIBESTOS was cut into blocks. As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

6. A detailed description of the type package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.

RESPONSE: During the period this Defendant manufactured an asbestos thermal insulation product, the product was shipped in paperboard cartons measuring three (3) feet in length. The other dimensions varied according to the diameters of the contents. Printed material on the carton included, among other information, the following: corporate identification; product name; size of contents; generic description; corporate logo; warning label, beginning in 1968, which read: "This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirator approved by U.S. Bureau of Mines." As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

7. The percent of asbestos which it contained.

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

RESPONSE: Because authentic, reliable production records of the precise percentages of components in UNIBESTOS cannot be found in this Defendant's files, and because the

quantity of each component varied from one wall thickness and inner diameter to another, the information requested in this interrogatory concerning quantities of components can only be based on the following approximations:

Average Percentages per Unit Volume

Amosite fiber	6%
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Sodium Silicate and Diatomaceous Earth	17%
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Average Percentages by Weight

Amosite fiber	65%
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Sodium Silicate and Diatomaceous Earth	35%
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As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

(c) The time period during which each of these products were on the market;

RESPONSE: This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

(d) The material components/ingredients of each such product, giving specific or approximate percentage both by weight and by volume of each material component/ingredient (this interrogatory is not limited to the asbestos component of the product but seeks information as to the nature, weight and volume of non-asbestos ingredients, as well) of each such product;

RESPONSE: This Defendant's asbestos thermal insulation product, UNIBESTOS, contained:

- a. Amosite Asbestos
- b. Diatomaceous Earth
- c. Sodium Silicate

As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

(e) How each of these asbestos-containing product can be distinguished from those of competitors;

RESPONSE: UNIBESTOS could be distinguished from other asbestos thermal insulation products by examining and comparing the color, substance and shape of the products. As to accessory products, see Prefatory Statement.

(f) A description of the physical appearance of such product;

RESPONSE: Rigid, 3-foot long, half cylinders of thermal insulation for piping. A specimen of this Defendant's asbestos thermal insulation product, UNIBESTOS, will be made available at this Defendant's corporate counsel's office in Pittsburgh, Pennsylvania per mutually convenient, scheduled appointment for plaintiff's non-destructive visual examination. As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

(g) A detailed description of the intended uses.

RESPONSE: UNIBESTOS was produced for use as thermal pipe covering insulation. On occasion, per customer request, the UNIBESTOS was cut into blocks. As to accessory products, see this Defendant's response to Interrogatory 5(b)(3). See also Prefatory Statement.

6. Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

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

RESPONSE: To the best of Pittsburgh Corning's knowledge, UNIBESTOS was not a patented product. However, Pittsburgh Corning did acquire a patent that related to the process by which pipecovering could be manufactured as part of its purchase agreement with Union Asbestos and Rubber Company, dated July 1, 1962. That patent #2,620,515 was issued September 9, 1952 and was for a "Method of and Apparatus for Forming Pipe Insulation". That patent was not found in any search of Pittsburgh Corning Corporation's corporate files but was obtained recently from the Carnegie Library. See attached copy. See Prefatory Statement regarding accessory products.

7. Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

- (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.

RESPONSE: Defendant did not alter the composition of UNIBESTOS except as to weight, when requested to do so by customers from time to time. Additionally, although not called for by this interrogatory, beginning about 1969, this Defendant attempted to develop a new high temperature insulation product that did not contain asbestos. This product was not UNIBESTOS and did not progress beyond an experimental stage, did not prove viable, and was never marketed. With respect to accessory products, the chemical composition was altered by the manufacturer from time to time, including elimination, sometimes at Defendant's request of asbestos fibers.

8. Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business?

If so, please state the following:

- (a) The name and address of each such company.
- (b) The names and address of Defendant's distributors in Ohio and Illinois since 1940.
- (c) The date of each sale.

(d) The name of the person at each location with whom you primarily dealt.

(e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.

(f) The amount of each asbestos product sold to each location during this period.

(g) Please identify all documents relating to this distributor for the particular location.

RESPONSE: Objection. This interrogatory is overbroad and, in part, seeks irrelevant information. Without waiving this objection, this Defendant routinely sold its asbestos thermal insulation product, UNIBESTOS, to distributors who applied the product or who sold the product to other applicators or to user-customers. This Defendant was not a distributor. The enclosed sheet(s) contain lists based on available records of distributors located in the states of Ohio and Illinois who from time to time purchased Defendant's asbestos thermal insulation product during 1962-1972. See also this Defendant's response to Interrogatory No. 13. See Prefatory Statement regarding accessory products.

8.01 Has this defendant ever purchased asbestos containing products from any other defendant?

RESPONSE: See Prefatory Statement regarding accessory products. Although not called for by this interrogatory as phrased, on July 1, 1962, this Defendant purchased selected assets and facilities of Union Asbestos and Rubber Company, which assets included a small amount of UNIBESTOS manufactured by the original producer. In addition, Defendant purchased a small amount of UNIBESTOS, specifically manufactured for this Defendant in accord with its specifications, from Holmes Foundry in Ontario, Canada in 1963 and/or 1964 and early 1972.

8.02 If the answer to the preceding Interrogatory is yes, please state the following:

- (a) name each defendant from whom this defendant purchased any asbestos containing product;
- (b) list each product purchased from each co-defendant;
- (c) list the dates of each purchase of asbestos-containing products from each co-defendant.

RESPONSE: See this Defendant's response to Interrogatory
No. 8.01.

8.03 Has this defendant ever sold asbestos containing
products to any other defendant?

RESPONSE: During the period July 1, 1962 to on or about
February 1, 1972, this Defendant sold its asbestos
thermal insulation product from time to time to
certain other Defendants in the asbestos litigation
who needed specific quantities of Defendant's product
to fulfill particular application contracts. To this
Defendant's best knowledge, such sales consisted of
the following:

	<u>Buyer/Date</u>	<u>Destination</u>
(1)	Combustion Engineering 2/71 - 6/71 3/71 5/71	Washington Wyoming North Carolina
(2)	Owens-Corning Fiberglas Corp. 1969-1971	Indiana Illinois Pennsylvania Michigan California
(3)	Keene Corporation 1969-1971	New York Virginia West Virginia Pennsylvania Missouri

- (4) Union Asbestos and Rubber Co.
1962-1963
- (5) Johns-Manville Sales Corp. No Record
1965

8.04 If the answer to the preceding Interrogatory is yes, please state the following:

- (a) name each defendant to whom this defendant sold any asbestos containing product;
- (b) list each product sold to each co-defendant;
- (c) list the dates of each sale of asbestos-containing products to each co-defendant.

RESPONSE: See this Defendant's response to Interrogatory No. 8.03.

8.05 Has Defendant engaged in the manufacture and/or sale and/or distribution and/or marketing and/or supply and/or purchase and/or use of non-asbestos-containing products for use in connection with temperatures above 125° Fahrenheit since 1930. If so, please state:

- (a) the date such activity began;
- (b) the years during which such activity took place;
- (c) the date when such activity was terminated;

- (d) if such activity was terminated, the reason(s) why;
- (e) the geographical area into which you claim the product(s) were sold, purchased, or used;
- (f) identify the organizational unit of defendant so engaged;
- (g) the site(s) at which each such product was manufactured;
- (h) the material components of each such product, giving specific or approximate percentage both by weight and by volume of each material component of each such product;
- (i) the temperature ranges for which each product(s) was intended to be used;
- (j) the product's generic name;
- (k) the product's trade or brand name;
- (l) the container in which the product was shipped (i.e., paper bags, cardboard boxes) including the size and amount of the container;
- (m) a description of any logos, writing impressions or identifying markings which appeared on the product, as well as a description of the package used, the dates that type of package was used, and any logos, product names, trademarks, etc. which appeared on the package;

(n) whether the words "non-asbestos" or "asbestos free" were used on the package;

(o) a detailed description of the intended method of preparation and application of the product;

(p) a description of the physical appearance of the product, including size, shape, color and texture.

RESPONSE: Objection. This interrogatory is irrelevant to any issue herein.

8.06 Did Defendant ever market or distribute any asbestos-containing product manufactured in whole or in part by someone else? If so, please state the following for each such product:

(a) the name and address of the manufacturer;

(b) the product's trade and brand name;

(c) the organizational unit of Defendant who did so;

(d) date(s) beginning, ending and during which the marketing or distributing took place;

(e) whether the product was distributed through the same channels as those used for products manufactured by Defendant; and if not, please explain the exact channels of distribution;

(f) identify all documents relating the marketing or distribution.

RESPONSE: On July 1, 1962, this Defendant purchased selected assets and facilities of Union Asbestos and Rubber Company, which assets included a small amount of UNIBESTOS manufactured by the original producer. In addition, Defendant purchased a small amount of UNIBESTOS, specifically manufactured for this Defendant in accord with its specifications, from Holmes Foundry in Ontario, Canada in 1963 and/or 1964 and early 1972. See Prefatory Statement regarding accessory products.

8.1 Does Defendant have reason to believe that the asbestos-containing products listed in response to Interrogatory No. 5 were used at any of the sites listed on Exhibit A, attached hereto? If your answer is "yes", please state:

(a) the basis of your answer.

(b) Please state which of Defendant's asbestos-containing products listed in Interrogatory No. 5 were used at each jobsite listed on Exhibit A.

RESPONSE: This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. This Defendant's records

of sales of its asbestos thermal insulation product consist of the following for the years indicated:

- (a) 1962 - 1972 - Customer ledger cards showing, for each transaction, an invoice date, product code, invoice number and dollar amount of transaction.
- (b) 1969 through 1972 - Copies of invoices showing information described in (a), material purchased and shipping address.

This Defendant has reviewed these records and has found invoices recording sales and/or shipments of this Defendant's thermal insulation product, UNIBESTOS, as follows: one (1) invoice to U.S. Steel, Clairton, OH; two (2) invoices to U.S. Steel, Ohio Works, Youngstown, OH; three (3) invoices to U.S. Steel, Homestead, PA and three (3) invoices to Youngstown Sheet and Tube, Youngstown, OH. See attached copies. This Defendant has located no other records of sales or shipments of its thermal insulation product, UNIBESTOS, to the jobsite(s) listed on Exhibit A. See Prefatory Statement regarding accessory products.

8.2 For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold, those products listed in response to Interrogatory No. 5, please state the following as to each jobsite listed on Exhibit A:

- (a) The name and address of each such company;
- (b) The date of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Please identify all documents relating to the sales to each such company.

RESPONSE: Objection. This interrogatory is misleading and confusing. Without waiving this objection, see this Defendant's response to Interrogatory No. 8.1 and copies of invoices attached thereto. This Defendant did not routinely acquire or maintain a record of disposition or destination of its asbestos thermal insulation product after a sale to a purchaser was

completed, except to the extent such information was a critical part of the purchase order information.

8.3 If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to any of the jobsites listed on Exhibit A, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of those companies, please state the following:

- (a) Name and address of each such company;
- (b) The dates of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt;
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, and/or sold to each such company from 1950 to 1974.

RESPONSE: Objection. This interrogatory is overbroad. Without waiving this objection, see this Defendant's response to Interrogatory No. 8.1 and copies of invoices attached thereto. In addition, the enclosed sheet(s)

contains a list based on available records of distributors located in the state of Ohio who from time to time purchased Defendant's asbestos thermal insulation product during 1962-1972.

8.4 Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to any of the sites listed on Exhibit A, attached hereto? If so, please state the following as to each jobsite listed on Exhibit A:

(a) The names and last known addresses of those people with such knowledge.

(b) The location of such records.

RESPONSE: See this Defendant's response to Interrogatory No. 8.1 and copies of invoices attached thereto.

9. Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on the sites listed on Exhibit A, attached hereto, from 1945 to 1975? If your response is yes, as to each site listed on Exhibit A, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant;
- (b) The period of time they acted as your representative;
- (c) Their general responsibility as to each facility;
- (d) Whether that person is still alive; and
- (e) Any documents relating, referring or pertaining thereto.

RESPONSE: See this Defendant's response to Interrogatory No. 8.1 and copies of invoices attached thereto.

9.1 Identify all managers and sales personnel responsible for your sales or installation of any asbestos-containing products in Ohio from 1930 to the present and state their position, last known address and the local or regional office through which they were employed.

<u>RESPONSE:</u>	Robert E. Buckley	
	Vice President Sales	1962-1968
	John H. Price, Jr.	
	Vice President Sales	1968-1971
	Richard Gaenzle	
	General Sales Manager	1971-1972

See also this Defendant's response to Interrogatory No. 8.1 and copies of invoices attached thereto.

10. Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing products? If so, please state:

(a) The name of each subdivision;

(b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and

(c) Whether said division or subsidiary conducted such business at any of the sites listed on Exhibit A, from 1940 to 1975?

If so, please state:

(1) The dates of such contracts;

(2) The specific asbestos-containing products that were used in each contract.

RESPONSE: No. This Defendant did not operate contract units.

11. Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

RESPONSE: No. This Defendant did not operate contract units.

12. Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

RESPONSE: This Defendant manufactured its asbestos thermal insulation product, UNIBESTOS, at Tyler, Texas from July 1, 1962 to on or about February 1, 1972; and Port Allegany, Pennsylvania from April 1, 1964 to on or about February 1, 1972. See Prefatory Statement regarding accessory products.

13. Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials? If so, please state:

- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by each such agreement;

(d) The volume (in dollars amounts) of each such transaction;

(e) The purchaser of such products;

(f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

RESPONSE: This Defendant did not make relabelling agreements with any supplier with respect to Defendant's asbestos thermal insulation product. However, under the terms of the purchase agreement between this Defendant and Union Asbestos and Rubber Company (UNARCO) covering the purchase of the UNIBESTOS product from UNARCO, on July 1, 1962, this Defendant supplied UNARCO with product to fill UNARCO's requirements for then existing commitments through December 1962. This Defendant did not participate in relabelling agreements concerning asbestos thermal insulation products. However, on July 1, 1962, this Defendant purchased selected assets and facilities of Union Asbestos and Rubber Company, which assets included a small amount of UNIBESTOS manufactured by the original producer. In addition, Defendant purchased a small amount of UNIBESTOS, specifically manufactured for

this Defendant in accord with its specifications, from Holmes Foundry in Ontario, Canada in 1963 and/or 1964 and early 1972. See Prefatory Statement regarding accessory products.

13.1 Have you ever owned or operated a business or portion thereof which engaged in construction, erection or tear out of furnaces, pipes, boilers, turbines, lehrs, ovens, kilns, etc? If so please state:

- (a) the same of said business;
- (b) the date of commencing business and cessation of business, if applicable;
- (c) type of construction or tear out performed;
- (d) state whether said business installed or supplied asbestos-containing products on the furnaces, pipes, boilers, turbines, lehrs, etc., i.e., gaskets, pipecovering, block, cement, rope, cloth, clothes, etc., containing asbestos, asbestos pipe, board, etc.;
- (e) state the trade name and/or manufacturer of any asbestos-containing product which you installed or supplied to any site on Exhibit A.

(f) provide the dates for the applicable construction, installation or tear-out project.

RESPONSE: No.

13.2 Do you have within your custody, possession, or control any packages that presently or formerly packaged asbestos-containing products or were produced for the purpose of packaging asbestos-containing products contemporaneous with your manufacture sale or distribution of such asbestos-containing products? If so, provide the following:

- (a) a description of each such package;
- (b) the present location and custodian of each such package;
- (c) the date or approximate date on which each such package was produced.

RESPONSE: A UNIBESTOS carton is in the possession of this Defendant's corporate counsel in Pittsburgh, Pennsylvania. During the period this Defendant manufactured an asbestos thermal insulation product, the product was shipped in paperboard cartons measuring three (3) feet in length. The other dimensions varied according to the diameters of the

contents. Printed material on the carton included, among other information, the following: corporate identification; product name; size of contents; generic description; corporate logo; warning label, beginning in 1968, which read: "This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirator approved by U.S. Bureau of Mines." See attached copy of a UNIBESTOS carton photograph. See Prefatory Statement with regard to accessory products.

14. What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

RESPONSE: Unknown, as UNIBESTOS was developed by UNARCO and the information sought is not contained in the files of this Defendant. See this Defendant's response to Interrogatory Nos. 4 and 5.

15. As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

RESPONSE: This Defendant manufactured UNIBESTOS in ready-to-use 3-foot long rigid half-cylinders, to be fastened to the outside surface of a pipe with two bands of wire or metal. The end of an occasional piece might need to be trimmed to achieve a tight fit. This Defendant did not believe that the application of UNIBESTOS in the intended manner caused the liberation of any significant amounts of asbestos fibers. At a much later date, and shortly before it ceased manufacturing UNIBESTOS, it learned that asbestos fibers in amounts that were more significant could be liberated during certain cutting practices; however, this Defendant had been printing a warning on the products shipping cartons and it had participated in a campaign to distribute literature to its customers regarding safe handling and use of asbestos-containing insulation

materials. See Prefatory Statement regarding accessory products.

16. Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

RESPONSE: See this Defendant's response to Interrogatory No. 15.

17. Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

- (a) List each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

RESPONSE: Unknown, as UNIBESTOS was developed by UNARCO and the information sought is not contained in the files of this Defendant. See this Defendant's response to

Interrogatory No. 4. Additionally, to the best of Pittsburgh Corning's knowledge, UNIBESTOS was not a patented product. However, Pittsburgh Corning did acquire a patent that related to the process by which pipecovering could be manufactured as part of its purchase agreement with Union Asbestos and Rubber Company, dated July 1, 1962. That patent #2,620,515 was issued September 9, 1952 and was for a "Method of and Apparatus for Forming Pipe Insulation". That patent was not found in any search of Pittsburgh Corning Corporation's corporate files but was obtained recently from the Carnegie Library. See attached copy. See Prefatory Statement regarding accessory products.

18. Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

(a) The name of the products tested and the date of each test.

(b) The name, address, and job classification of each individual who conducted such tests;

(c) The results of such tests.

RESPONSE: Objection. This interrogatory is compound, vague and argumentative. Without waiving this objection, Union Asbestos & Rubber Co. first released the UNIBESTOS product to the public. This Defendant does not know whether any such tests or studies were performed prior to that release. However, based on certain documents of the late 1930's it appears that tests were conducted by the federal government; it is not known whether any of those or related tests concerned health issues. Prior to its commencement of manufacture of UNIBESTOS this Defendant conducted no such testing. See Prefatory Statement regarding accessory products.

18.1 Prior to releasing any products for sale and usage (whether asbestos-containing or not), were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

(a) The name of the products tested and the date of each test.

(b) The name, address, and job classification of each individual who conducted such tests;

(c) The results of such tests.

RESPONSE: Objection. This interrogatory is irrelevant insofar as it seeks information regarding products which do not contain asbestos. Without waiving this objection, Union Asbestos & Rubber Co. first released the UNIBESTOS product to the public. This Defendant does not know whether any such tests or studies were performed prior to that release. However, based on certain documents of the late 1930's it appears that tests were conducted by the federal government; it is not known whether any of those or related tests concerned health issues. Prior to its commencement of manufacture of UNIBESTOS this Defendant conducted no such testing. See Prefatory Statement regarding accessory products.

19. Does Defendant have or control any documents, including but not limited to, written memoranda, specifications,

recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove?

(a) Identify each such written material or document;

(b) Identify each person who presently has possession of each such document;

(c) State where each such document is located.

RESPONSE: During 1970, this Defendant caused a study to be conducted at The University of California, Berkeley. The purpose of the study was to develop a method for measuring the airborne dust concentrations of four different asbestos-containing pipe insulation materials. The study was conducted by J. Leroy Balzer, W. Clark Cooper, M.D. and Irving R. Tabershaw, M.D. The conclusions reached were:

1. A method by which certain construction materials can be tested for their potential for airborne dust generation had been developed in the course of study.
2. The material containing the highest percentage of asbestos produced the highest concentration of airborne asbestos fibers under the conditions of the test.
3. Measurement of the total dust concentration was a poor indicator of the airborne asbestos fiber concentration.

4. Pulverizing of any of the tested products within confined spaces may result in airborne asbestos fiber concentrations greater than the threshold limit value proposed in 1970.

The report on this study was provided to the United States Department of the Navy. On information and belief, the report formed the basis for a paper subsequently published by the authors. It was not the intent of the study to produce recommendations but simply to develop a method of measuring the dust potential of the different products. See attached copy of the Berkeley study. A second study by that group was performed in 1971 to compare the dust producing potential of this Defendant's commercial pipe insulation with the asbestos-free product that was under development. Although not required by this interrogatory, this Defendant does have copies of certain tests performed by the Navy Department in the 1930's. See attached copies of Navy Department tests. See also this Defendant's response to Interrogatory No. 21 and copies of documents attached thereto. See Prefatory Statement regarding accessory products.

20. Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 hereinabove? If so, please state:

- (a) The trade name of the product changed or modified;
- (b) The nature of the change made and the date of such changes or modifications;
- (c) The name, address, and job classification of each person in charge of making a change.

RESPONSE: See this Defendant's response to Interrogatory No. 18.

21. After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

- (a) The names of the products tested and the dates of said tests;
- (b) The name, address, and job classification of each person and/or agency conducting said tests;
- (c) The results of said tests;
- (d) Whether, as a result of any tests conducted, any products were removed from the market;

(e) The names of all products removed from the market as a result of said tests.

RESPONSE: During the period 1966 through 1970, this Defendant participated in a study conducted by the Industrial Hygiene Foundation of America, Inc., chiefly to learn about the biochemical effects of amosite asbestos fibers on laboratory animals. A preliminary report indicated that amosite asbestos fibers were introduced into rats, and that asbestosis was noted in some of the animals that were autopsied according to schedule for study purposes. The remaining animals were pastured for the purpose of observing whether lung cancer or mesothelioma tumors developed. According to Defendant's recollection, the pastured animals died unexpectedly in a laboratory epidemic about January 1972, before conclusions could be drawn concerning cancers or tumors. See attached copies of IHF studies. See also this Defendant's response to Interrogatory No. 19 and copies of documents attached thereto. See Prefatory Statement regarding accessory products.

22. Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If so, please state:

- (a) The dates and nature of such studies;
- (b) The names and addresses of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Identify and list those persons to whom such reports were given and the date of such dissemination;
- (e) State any publication or other written dissemination of the results of such studies;
- (f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and
- (g) Attach a copy of reports based upon such studies.

RESPONSE: This Defendant did not conduct studies as specifically described in this interrogatory. However, see this Defendant's response to Interrogatory No. 19. See Prefatory Statement regarding accessory products.

23. Before placing in the market the asbestos-containing products that Defendant, mined, manufactured, sold, marketed, installed or distributed on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

- (a) The date of said studies;
- (b) What studies were done; and
- (c) The titles of each study.

RESPONSE: Objection. Repetitive. Without waiving this objection, see this Defendant's response to Interrogatory No. 18. See Prefatory Statement regarding accessory products.

24. Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products, and/or other workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and
- (d) The persons to whom the results said tests were given and the date of such dissemination.

RESPONSE: This Defendant states that it had no control of job sites or job site workers and the numerous job site variables known only to, and capable of being affected only by insulation contractors, their employees or the employees' union. Therefore, this Defendant did not undertake or finance tests or studies at job sites. See also this Defendant's response to Interrogatory No. 19. See Prefatory Statement regarding accessory products.

25. Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

(a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;

(b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;

(c) What information was disseminated within Defendant's company, or its subsidiary or predecessor regarding such adverse consequences or effects;

(d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.

(e) The name, address and job classification of the custodian of such information.

RESPONSE: Objection. This interrogatory is overly general and nonspecific as to the type of asbestos used by this Defendant in its thermal insulation product. Without waiving this objection, the term asbestos is generically applied to several different minerals, may be found in various fiber types and may be found in a wide variety of product forms. This Defendant is unable to state when the corporation first became aware of any reported association between asbestos

exposure and any particular health hazard. Many of the individuals who were involved with Pittsburgh Corning Corporation in the early 1960's when the company first became involved with a thermal insulation product containing asbestos are now deceased. However, generally, at or about the time it entered the business, Pittsburgh Corning did acquire some information concerning asbestos as reflected in enclosures to two letters its Vice President, Karl Baumler, received in May, 1962. See attached copies of Ruddick to Baumler letters dated May 16, 1962 and May 25, 1962, with attachments. At that time, Pittsburgh Corning's awareness generally related mainly to manufacturing environments where it was understood that exposure to dust levels at or below the TLV level would not result in disease. Those articles did not impart any information that suggested that end users of such products were placed at risk of disease.

The information received in 1962 stated that asbestosis was a lung disease which may be suffered by some persons exposed to extreme and excessive amounts

of asbestos fibers over long periods of time. Such information related primarily to heavily exposed asbestos textile manufacturing plant workers, whom it was believed had been exposed grossly in excess of the established TLVs. That information reflected the accepted scientific belief that workers could be exposed to concentrations of asbestos at or below the ACGIH-approved threshold limit value of 5 MPPCF on a time-weighted average throughout their working life, without adverse effect and that asbestosis was not a disease expected to occur with any frequency in the United States due to better work practices. Pittsburgh Corning had no belief or understanding at that time that end users of its thermal insulation product were at any risk.

Pittsburgh Corning is now aware that as reports started to appear regarding a connection between a certain type of asbestos and mesothelioma, crocidolite asbestos was the implicated fiber type. Workers exposed only to amosite asbestos (the fiber type used in UNIBESTOS) were not found to have suffered the disease. None of the materials received by Pittsburgh

Corning in 1962 mentioned mesothelioma. Beginning perhaps as early as 1965, Pittsburgh Corning may have learned of a suspected connection between asbestos generally and mesothelioma. (Pittsburgh Corning is now aware of a late 1964 memorandum which suggests that a Pittsburgh Corning employee saw a newspaper article mentioning mesothelioma. That document was not contained in Pittsburgh Corning's files and Pittsburgh Corning is unable to authenticate the document.) The literature at that time revealed that amosite asbestos was not implicated in connection with mesothelioma or lung cancer. Thereafter, in 1966, Pittsburgh Corning's supplier of amosite asbestos, and the same company that a Pittsburgh Corning employee had visited while in England in 1965, confirmed that based on its review of the research that there was "not one case of mesothelioma associated with exposure to amosite asbestos." In fact, in an article published in September, 1972, (after Pittsburgh Corning had ceased manufacturing UNIBESTOS) Drs. Selikoff, Hammond and Churg reported that "there

has been no evidence to indicate whether or not the amosite variety (of fiber) is also carcinogenic."

One article Pittsburgh Corning received in May, 1962, entitled: Some Clinical Observations of Asbestosis in Mine and Mill Workers, mentions lung cancer and asbestosis and says: "Moreover, a general statistical survey of all employees in the industry does not seem to indicate any statistical evidence of a causal relationship." Another article received by Pittsburgh Corning in 1962, Pulmonary Disability in Asbestos Workers, states: "There are several reasons for different opinions expressed concerning the relationship of asbestosis and bronchogenic carcinoma. Differences in asbestos fibers are noted." Pittsburgh Corning believes these articles contain the first references to asbestosis and lung cancer that it received and that they show no causal relationship.

At no time prior to 1972 did the scientific literature contain any epidemiologic studies that implicated amosite (the type used in its thermal insulation product) as being causally related to an increased risk of lung cancer among humans. In a

publication, Carcinogenicity of Amosite Asbestos, Archives of Environmental Health, Sept. 1972, the authors state: "Few data exist concerning the comparative neoplastic potential of the several kinds of asbestos in man. Some information is available for chrysotile, crocidolite and anthophyllite. However, there has been no evidence to indicate whether or not the amosite variety is also carcinogenic."

Pittsburgh Corning has no understanding of "any other diseases" being produced by asbestos exposure. Pittsburgh Corning is aware that there is considerable debate today as to whether or not any type malignancy other than lung cancer, in conjunction with asbestosis and cigarette smoking, and mesothelioma are causally related to asbestos exposure and does not believe that medical science has generally concluded that there is any causal connection.

26. Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer,

renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

RESPONSE: See this Defendant's response to Interrogatory No. 25.

27. Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

RESPONSE: This Defendant never hired a medical director.

However, from about 1965 this Defendant arranged with Dr. Lee B. Grant, One Gateway Center, Pittsburgh, Pennsylvania, to consult with this Defendant from time to time. Such consultations, for the most part, were related to Defendant's manufacturing facilities. This Defendant did not hire an industrial hygienist. This Defendant, from time to time, during 1962-1972 retained the Industrial Health Foundation, Pittsburgh, Pennsylvania and also Doctor Morton Corn, University of Pittsburgh, Pittsburgh, Pennsylvania, to make air-

quality surveys at Defendant's asbestos thermal insulation product factories. In addition, an industrial hygiene study at the Tyler plant was conducted by J.T. Destefano in November, 1966.

28. As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

RESPONSE: See this Defendant's response to Interrogatory No. 27.

29. Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to whom such recommendations and/or suggestions were made and the substance of each recommendation.

RESPONSE: In or around January, 1969, this Defendant's medical consultant stated that the suspected connection, in certain circumstances, between certain types of asbestos and certain adverse health consequences

suggested the possibility that the asbestos in UNIBESTOS could perhaps eventually lead to adverse health consequences. This Defendant's medical consultant further suggested: The use of a warning label with the product; that the NIMA pamphlet be circulated; and that efforts be made to find a substitute for asbestos in UNIBESTOS. All of said "suggestions" had already been accomplished or initiated by Defendant.

30. Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

RESPONSE: This Defendant states that its employees may have subscribed to or read various industry publications. However, this Defendant has no knowledge of them and is not able to state the specific publications.

30.1 Please state whether Defendant, its medical officer or industrial hygienist or medical consultant or physicians were

ever involved in testing or received literature or correspondence from the Mellon Institute.

RESPONSE: No.

30.2 Has any engineer, industrial hygienist or physician in your employ been a member in any professional group, trade group or any of the following groups:

Asbestos Textile Institute

National Insulation Manufacturers Association

Thermal Insulation Manufacturers Association

Quebec Asbestos Mining Association

Asbestos Information Association

Industrial Health Foundation

Industrial Hygiene Foundation

Iron and Steel Institute

National Safety Council

Refractories Institute

Air Hygiene Foundation of America, Inc.

Sprayed Mineral Fiber Association

If the answer is yes, state the following:

(a) The name of the group or groups in which the individual(s) were members;

(b) The name and position individual(s) within the Defendant, as defined, who were members;

(c) The years the individual(s) were members of the groups;

(d) Whether the Defendant paid the individual(s) dues or membership fees or reimbursed the individual(s) for dues or membership fees in the group.

RESPONSE: See this Defendant's response to Interrogatory No. 37.

31. State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products.

RESPONSE: This Defendant states that it had no control of job sites or job site workers and the numerous job site variables known only to, and capable of being affected only by insulation contractors, their employees or the employees' union. Therefore, this Defendant did not undertake or finance tests or studies at job sites. However, see this Defendant's response to Interrogatory No. 19.

32. For each test described in Interrogatory No. 31, please give the name of the person conducting the test, the date of the test, and attach true copies of any documents, including but not limited to, reports, findings or memoranda concerning such tests or studies.

RESPONSE: See this Defendant's response to Interrogatory No. 31.

33. Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

RESPONSE: This Defendant recognized applicable Threshold Limit Values as promulgated by the American Conference of Governmental Industrial Hygienists; as related to manufacturing environments it was generally understood this exposure to dust levels at or below the TLV level would not result in asbestosis. To the best of this Defendant's knowledge Defendant became aware of Threshold Limit Values then in effect as established by The American Conference of Government Industrial

Hygienists pertaining to the concentration of airborne asbestos fibers in manufacturing environments in 1962 about the time Defendant purchased the UNIBESTOS product and selected related assets and facilities from Union Asbestos and Rubber Company (UNARCO). See copy of TLV attached. Information concerning Threshold Limit Values is public information and is as available to plaintiff as it is to this Defendant.

33.1 State whether this defendant at any time caused to be conducted on any job site, any air sampling, dust counts, tests or other activities to determine air quality or worker safety. If your answer is in the affirmative, please indicate:

- (a) the date of any such air samples, tests, or activities;
- (b) by whom such activities were performed;
- (c) where such activities were performed;
- (d) the results of any such activities.

RESPONSE: This Defendant states that it had no control of job sites or job site workers and the numerous job site variables known only to, and capable of being affected only by insulation contractors, their employees or the

employees' union. Therefore, this Defendant did not undertake or finance tests or studies at job sites.

34. Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

RESPONSE: Objection. This interrogatory is overbroad. Without waiving this objection, Pittsburgh Corning Corporation maintained a limited Research and Development library that to the best of its knowledge and belief included several publications relating to asbestos.

(a) The date each such library was established;

RESPONSE: Pittsburgh Corning Corporation has been unable to ascertain when its Research and Development library was established.

(b) The location of each library;

RESPONSE: Although Pittsburgh Corning Corporation has been unable to ascertain when its Research and Development library was established, it has determined that for some period of time prior to approximately 1961, a Research and Development library existed at the Port Allegany facility, after which it was moved for some

period of time to its corporate headquarters in Pittsburgh, Pennsylvania.

(c) The name(s) of the librarian(s) since 1930;

RESPONSE: Pittsburgh Corning Corporation has determined that the following persons functioned as librarians during 1962-1972:

6/8/62 to 7/31/64 Lena P. Easter

8/1/64 to 4/30/65 Lois A. Kaufman

5/1/65 to 4/14/67 Judy Lynn Jarecki
(Babola)

6/15/67 to 7/17/70 Joanne Maria Sutej

7/17/70 to 2/1/72 Patricia Jean Aducci

(d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;

RESPONSE: Unknown.

(e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

RESPONSE: Pittsburgh Corning Corporation has located and provides the following information regarding books and articles referring to asbestos and/or asbestos-related

diseases, believed to be at one time included in its Research and Development library:

1. DuBois, Arthur B., Airborne Asbestos, Washington, D.C., National Academy of Engineering, 1971.
2. Rosato, D., Asbestos: Its Industrial Applications, New York, Reinhold Pub. Corp. [1959].
3. Berger, Hans, *pseud.*, Asbestos Fundamentals: Origin, Properties, Mining, Processing, Utilization, Translated from the German by Ralph E. Oesper, New York, Chemical Pub. Co., 1963.
4. Berger, Hans, *pseud.*, Asbestos with Plastics and Rubber, Translated from the German by Ralph E. Oesper, New York, Chemical Publishing Company, 1966.
5. Bowles, Oliver, Asbestos - A Materials Survey, Washington, D.C., Bureau of Mines, U.S. Department of Interior, 1959.
6. Peters, George A. and Barbara J., Sourcebook on Asbestos Diseases, Vol. 2, 1986.

7. Smith, Milton B., Evaluation of High Temperature Resins in Asbestos Fiber Reinforced Laminates, San Diego, Calif., Whittaker Corporation, 1968.
8. Brodeur, Paul, Asbestos and Enzymes, New York, Ballantine Books, 1972.
9. Environmental Pollution: Guide to Research, Science Information Exchange, Smithsonian, 1971.
10. Lund, Industrial Pollution Control Handbook, 1971.
11. Biological Effects of Asbestos, 1972 Lyon Conference Proceedings, 1973.
12. Amendments to Chapter 4, Article 432, "Regulations Establishing Threshold Limits in Places of Employment," revised August 30, 1966.
13. Chapter 4, Article 432, "Regulations Establishing Threshold Limits in Places of Employment," Adopted October 27, 1961, Revised August 17, 1965.
14. Chapter 4, Article 433, "Regulation for Radiation Protection," Revised August 21, 1961.

15. Chapter 4, Article 434, "Regulations for Control of Dangerous Materials," Adopted October 27, 1961.
16. "Dust," Harrisburg, Pennsylvania, Commonwealth of Pennsylvania, Department of Health, Division of Occupational Health, 1965.
17. "Hygiene Information Guides on Hazardous Chemicals," Harrisburg, Pennsylvania, Commonwealth of Pennsylvania, Department of Health, Division of Occupational Health, 1965.
18. Kelley, K.K. and E.G. King, "Entropies of the Elements and Inorganic Compounds," Washington, D.C., U.S. Dept. of Interior, Bureau of Mines, 1961.

35. Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

RESPONSE: No.

36. When was Defendant first aware of reports of studies of the Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

RESPONSE: Objection. This interrogatory is overly broad, vague, ambiguous, irrelevant, immaterial, and not calculated to lead to the discovery of admissible evidence. Any such information is further protected by either the attorney-client privilege and/or work product doctrine. Defendant states further that, as a corporation, it can become "aware" of such scientific articles only through its employees and those persons retained by it to provide it with advice as to such scientific information and studies and Pittsburgh Corning is not "aware" whether, when or the extent to which any of its officers, employees or agents had "received" the specific report. Additionally, over thirty-four years have passed since this Defendant commenced the manufacture of its asbestos-containing thermal insulation product UNIBESTOS, and twenty-five

years since manufacturing ceased. The officers, employees or agents who may have received specific articles are deceased or no longer available.

36.1 Did you ever contract with Saranac Laboratories to study the hazards of any dust producing product manufactured by you (whether asbestos containing or not)? If so, identify by date and author all documents concerning or any way related to such study.

RESPONSE: No.

36.2 Did you ever contract with Saranac Laboratories to analyze dust or products? If so, identify by date and author all documents concerning or any way related to such analysis.

RESPONSE: No.

37. Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any

publications issued or written by such association or organization.

RESPONSE: This Defendant did not belong to any organization comprised solely of companies engaged in the asbestos mining, manufacturing or marketing business. This Defendant was, at various times, a member of National Insulation Manufacturers Association (NIMA) some, but not all, of whose members were in the asbestos product business. This Defendant became a member of National Insulation Manufacturers Association (NIMA) in the late 1950's or early 1960's. Defendant now understands that the records of NIMA show that Defendant resigned about November 1965. This Defendant apparently rejoined at some later date, possibly in 1968. The Thermal Insulation Manufacturers Association (TIMA) is a successor association to National Insulation Manufacturers Association (NIMA). By reason of being a supplier, this Defendant has been, since the 1950's, and is regarded as an associate member of the National Insulation Contractors Association, and was and is

permitted to attend certain social functions at NICA conventions.

38. With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

RESPONSE: See attached copy of NIMA minutes.

39. Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

- (a) The title of each such article;
- (b) The periodical in which each such article was published;
- (c) The date each such article was published;
- (d) A detailed explanation of the reason for withholding any such article for printing;

(e) Produce documentation which refers, alludes or mentions articles which were withheld for publication.

RESPONSE: This Defendant states that its employees may have subscribed to or read various industry publications. However, this Defendant has no knowledge of them and is not able to state the specific publications.

40. Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

RESPONSE: Objection. This interrogatory is overbroad, nonspecific, vague and ambiguous. Moreover, this interrogatory is overbroad in that it seeks attorney work product materials gathered in the defense of litigation initiated after this Defendant ceased the manufacture of UNIBESTOS. Without waiving this objection, on January 9, 1969, Dr. L.B. Grant gave a talk at Defendant's office. At that time his address was One Gateway Center, Pittsburgh, Pennsylvania. On

September 25, 1969, Dr. Morton Corn gave a seminar at this Defendant's office. Dr. Corn's address at that time was University of Pittsburgh, Pittsburgh, Pennsylvania 15260.

41. As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;

(g) Please attach a copy of the warning and date said warning was issued;

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

(i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

RESPONSE: Beginning in November 1968, this Defendant caused a 5-inch by 3-inch notice to be printed in red on all cartons containing UNIBESTOS. The notice read as follows: "This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirator approved by U.S. Bureau of Mines." A copy of the warning label is attached. Further, in or about 1968, this Defendant participated in the distribution by mail and by hand of the National Insulation Manufacturers Association (NIMA) booklet to distributors describing precautions to be observed when handling, applying, removing or

ripping out asbestos thermal insulation products. A copy of the NIMA booklet is attached. As to accessory products, not applicable. See Prefatory Statement.

42. Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared 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.

RESPONSE: Defendant distributed a promotional brochure to distributors and customers describing UNIBESTOS and the uses for which it was intended. See attached copies of UNIBESTOS sales brochures and product data sheets. As far as this Defendant can reconstruct at this time advertisements for UNIBESTOS were placed in the following periodicals from time to time during the 1962 - 1971 period:

- Consulting Engineer
- Actual Specifying Engineer
- Chemical and Engineering News
- Plant Engineering
- Factory
- Marine Engineering Log
- Power
- Chemical Engineering
- Hydrocarbon Processing and Petroleum Refiner

There are no copies of advertisements in the files of this Defendant, and as such this Defendant cannot be more specific than what is presented in this response. See Prefatory Statement regarding accessory products.

43. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user or those working in facilities or at job sites where the product was used, installed or removed, including, but not limited to, those sites listed on the job site list attached as Exhibit A. If so, please state the following:

(a) The name, address and job classification of each person who prepared same;

(b) The name, address and job classification of each person who presently has possession of same;

(c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE: See this Defendant's response to Interrogatory Nos. 41 and 42 and copies of documents attached thereto.

44. Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

(a) Identify the written material by content and date;

(b) To whom was it delivered.

RESPONSE: Objection. This interrogatory is vague, misleading and confusing as to the information being sought. See Interrogatory No. 9. Without waiving this objection, if plaintiffs will clarify this interrogatory, this Defendant will attempt to further respond.

45. Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;
- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

RESPONSE: This Defendant is not presently engaged in the manufacture of an asbestos thermal insulation product and is therefore not qualified to render an opinion on the question set forth in this interrogatory. Moreover, beginning about 1969, this Defendant attempted to develop a new high temperature insulation product that did not contain asbestos. This product was not UNIBESTOS and did not progress beyond an

experimental stage, did not prove viable, and was never marketed.

46. Did Defendant give any warnings to any individuals at the sites listed on Exhibit A, including any individuals who owned, operated, or managed the facilities at the sites listed on Exhibit A, regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

(a) Name of person most knowledgeable about this communication.

(b) Name of person at the sites listed on Exhibit 1, attached hereto most knowledgeable about this communication.

(c) Dates of each communication.

(d) Contents of each communication.

RESPONSE: The specific information requested is not contained in the records of this Defendant. However, beginning in November 1968, this Defendant caused a 5-inch by 3-inch notice to be printed in red on all cartons containing UNIBESTOS. The notice read as follows:
"This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not

possible, wear respirator approved by U.S. Bureau of Mines." A copy of the warning label is attached. Further, in or about 1968, this Defendant participated in the distribution by mail and by hand of the National Insulation Manufacturers Association (NIMA) booklet to distributors describing precautions to be observed when handling, applying, removing or ripping out asbestos thermal insulation products. A copy of the NIMA booklet is attached.

KNOWLEDGE OF PREVIOUS INJURIES

47. Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;
 - (b) The disease alleged in each such claim;
 - (c) A brief summary of the disposition of each such claim;
- and

(d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

RESPONSE: Plaintiff was never employed by this Defendant and Defendant, therefore, objects to this interrogatory because it is irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence. Without waiving this objection, this Defendant states no Workmen's Compensation claims such as described in this interrogatory were filed against it until March 1972, after this Defendant had ceased the manufacture of its asbestos thermal insulation product UNIBESTOS. Plaintiff is directed to the Workmen's Compensation Commission of the Commonwealth of Pennsylvania and the State of Texas where such records, if any, are a matter of public record.

47.1 Please identify all documents concerning or in any way related to any decisions made by you to cease manufacturing asbestos-containing products.

RESPONSE: Objection. This interrogatory is overbroad. Without waiving this objection, this Defendant ceased the

manufacture of its asbestos thermal insulation product on or about February 1, 1972, due to the recognition that it was not economically or practically possible to install equipment which would conform to proposed federal standards regarding the manufacturing process, an increasing awareness of the suspicion that inhalation of asbestos fibers could conceivably create possible health hazards in circumstances not previously believed to be of concern, a lack of supply of the necessary raw material and a lack of profitability.

47.2 Has any person or company from which you purchased asbestos containing products ever issued a recall of their products or taken any action to take those products off the market after said products were in your possession? If so, provide:

- (a) the date of said recall;
- (b) the name of the company which issued the recall;
- (c) a copy of the recall.

RESPONSE: The information requested is not contained in the records of this Defendant.

47.3 State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or pneumoconiosis to those at any time engaged in the manufacture or production of asbestos-containing products.

RESPONSE: Plaintiff was never employed by this Defendant and Defendant, therefore, objects to this interrogatory because it is irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence. Without waiving this objection, when this Defendant purchased the product business on July 1, 1962, it continued the practice of issuing respirators to employees who worked in certain dusty manufacturing areas. In addition, this Defendant's employees at facilities manufacturing UNIBESTOS participated in periodic medical examinations during 1962-1971; this Defendant's records do not contain detailed information as to individual names, dates of examination, examining doctors, or results of examinations conducted through this period.

47.4 State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or

pneumoconiosis to those at any time engaged in the use, as distinguished from the manufacture, or exposed to the use of asbestos-containing or industrial insulation products or who were otherwise exposed to asbestos-containing or industrial insulation products.

- (a) describe such action;
- (b) state when such action was taken;
- (c) state what written material exists related to such action;
- (d) state the names, job titles and last known address of the individuals who undertook such actions.

RESPONSE: This Defendant states that it had no control of job sites or job site workers and the numerous job site variables known only to, and capable of being affected only by insulation contractors, their employees or the employees' union. However, beginning in November 1968, this Defendant caused a 5-inch by 3-inch notice to be printed in red on all cartons containing UNIBESTOS. The notice read as follows: "This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear

respirator approved by U.S. Bureau of Mines." A copy of the warning label is attached. Further, in or about 1968, this Defendant participated in the distribution by mail and by hand of the National Insulation Manufacturers Association (NIMA) booklet to distributors describing precautions to be observed when handling, applying, removing or ripping out asbestos thermal insulation products. A copy of the NIMA booklet is attached.

48. Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured, sold, installed, and/or distributed by Defendant?

If so, please state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;
- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney representing the individuals making such claims;
- (f) The style and court number of each such claim;
- (g) The resolution of each claim.

RESPONSE: This Defendant believes that a case known as Claude Tomplait vs. Combustion Engineering, et al., was brought against this Defendant and others prior to 1970. It is this Defendant's belief that that case alleged exposure to asbestos, among other things. The action was brought in the United States District of Texas (in Beaumont) and carried a Civil Action No. of 5402. The remaining information requested is not available from this Defendant's records and is equally available in public records to all parties.

48.1 Describe the method by which you have maintained records concerning the manufacturer, sale, supply, distribution, use, advertising, delivery, and/or installation or tear-out of each asbestos-containing products. For each description provide the following:

- (a) each present and former company or corporate department, division, or subdivision responsible for maintaining such records;
- (b) the manner in which the records are kept (e.g., boxes, computer tape, microfilm, etc.);

(c) the inclusive dates of any such manufacturer, sale, supply, distribution, use advertising, delivery, and/or installation or tear-out which such record keeping system covers;

(d) the present location at which all such records are maintained;

(e) the identity of each person employed by you at any time from 1930 to the present who is or was responsible for the collection and maintenance of such records.

RESPONSE: Objection. This interrogatory is overbroad, compound, unbounded by time restraints and outside the scope of discovery insofar as it seeks information developed in the defense of litigation. Without waiving this objection, records as described are maintained at Defendant's counsel's office in Pittsburgh, Pennsylvania.

48.2 State whether any records concerning the manufacture, sale, supply, distribution, advertising, delivery, use or installation or tear-out of asbestos-containing products have been destroyed or discarded and if so, indicate:

(a) the date and location of such destruction or discard;

(b) the custodian and location of such records prior to their destruction or discard and the identity of each employee, representative, official or agent who ordered, authorized or supervised such destruction or discard.

RESPONSE: See this Defendant's response to Interrogatory No. 48.1.

48.3 For all documents, other than invoices, work orders and/or purchase orders, which relate to matters relevant to the all the preceding interrogatories:

- (a) Is there any kind of index for the documents?
- (b) How many pages is the index of documents?
- (c) How many documents are referred to in the index?
- (d) Is the Index maintained in electronic format (i.e. database, word processing or other computerized format)?
- (e) What manner of electronic format is used?

RESPONSE: Objection. This interrogatory is overbroad, compound, unbounded by time restraints and outside the scope of discovery insofar as it seeks information developed in the defense of litigation (such information is protected by the attorney-client privilege and/or attorney work product doctrine).

48.4 For all invoices, work orders and/or purchase orders, which relate to matters relevant to the all the preceding interrogatories:

- (a) Is there any kind of index for the documents?
- (b) How many pages is the index of documents?
- (c) How many documents are referred to in the index?
- (d) Is the index maintained in electronic format (i.e. database, word processing or other computerized format)?
- (e) What manner of electronic format is used?

RESPONSE: Objection. This interrogatory is overbroad, compound, unbounded by time restraints and outside the scope of discovery insofar as it seeks information developed in the defense of litigation (such information is protected by the attorney-client privilege and/or attorney work product doctrine).

PLAINTIFF/DECEDENT

49. Has Defendant obtained statement from any witnesses including the Plaintiffs? If so, please:

- (a) list each witness who has given a statement and the name, address, and job title of each person having custody of any such statement.

RESPONSE: To date, Defendant has not obtained any witness statements.

50. Do you contend that the Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set out in detail in what respect the product was improperly used.

RESPONSE: Defendant does not currently have sufficient information to respond to this interrogatory. Discovery is ongoing and this Defendant reserves the right to supplement this response as discovery continues.

51. As to the sites listed on Exhibit A, and as to each Plaintiff/Decedent, please state whether Defendant contends that there was any substance other than asbestos which contributed or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

- (a) The facts upon which you rely;
- (b) The identity of the sources upon which you rely which substantiate these facts.

RESPONSE: Defendant does not currently have sufficient information to respond to this interrogatory. Discovery is ongoing and this Defendant reserves the right to supplement this response as discovery continues.

RESPIRATORS

52. Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

- (a) When the respirator was sold;
- (b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;
- (c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;
- (d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;

(e) List all documents which mention, allude or refer to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

RESPONSE: This Defendant was not expert on the subject of respirators and relied on recommendations of the U.S. Bureau of Mines concerning the efficiency of respirators.

53. Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity, last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;
- (d) The expert's qualifications to render the opinions set forth above;
- (e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;
- (f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and

(g) Describe in detail the education and work history of, and identify any books, treaties, article, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to sub-paragraph (a) above. Alternatively, in lieu, of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

RESPONSE: This has not been determined. Defendant will supplement this response in accordance with the Court's rules or any applicable case management order.

54. Please state the name and last know address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

RESPONSE: See this Defendant's response to Interrogatory No. 53.

55. Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

RESPONSE: Yes.

55.1 For each and every affirmative defense asserted in the answering defendant's Answer to Plaintiffs' Complaint, the Cross-Claims or Counter-Claims of any party against this answering defendant state:

- (a) the facts upon which the answering defendant relies for each and every affirmative defense;
- (b) each and every document which will be offered to prove each and every affirmative defense; and
- (c) each and every witness who will testify in support of each and every affirmative defense.
- (d) the substance and subject matter of the anticipated testimony of each witness identified in the preceding response.

RESPONSE: Objection. This interrogatory is overly broad, unduly burdensome and ambiguous in that this is a "master set" and a request of this nature is improper. Without waiving the foregoing objections, Pittsburgh Corning Corporation states that it will respond to specific inquiries regarding specific plaintiffs in accordance with the Court's pre-trial and discovery order.

56. Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

(a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

RESPONSE: Defendant believes that it has policies of insurance which potentially cover the allegations contained in plaintiff's complaint. Such policies consist of excess and/or umbrella insurance, some of which has been exhausted and some of which has not. The specific type of coverage afforded and the limitations of coverage with respect to such policies can be determined only from the policies themselves, of which there are many. The availability of coverage under any specific policy is or may be dependent upon the policy terms, policy conditions, any policy exclusions, the type of insurance involved, the state law involved, the allegations of any particular complaint to which the insurance may potentially apply, the identity of the particular insurer involved, the date of any settlements or judgements (with all appeals exhausted), the period of time from

exposure to diagnosis, any exhaustion or expenditure by other carriers at any given point in time and the financial solvency of any particular carrier at any point in time. Defendant is aware that different insurance companies have taken and may take different positions with respect to the types of coverage afforded for asbestos-related claims and the limitations on such coverage. Defendant is also aware that different courts have also ruled on some, but not all, of these issues. Accordingly, Defendant is unable to respond to this question. Notwithstanding the above, Defendant is willing to make the various policies of which it is aware available for inspection upon reasonable notice and at a mutually convenient time and place, subject to an appropriate protective order.

56.1 Have you ever been involved in any litigation concerning potential insurance coverage for asbestos products liability matters? If so, please state:

(a) the case caption, court and date of filing of each case in which you have been involved;

- (b) whether you were plaintiff or defendant;
- (c) a brief statement of the issues;
- (d) identify by date, author and recipient(s), (including recipients of carbon copies) all documents listed as exhibits by either party in this litigation;
- (e) identify by deponent and date all individuals who were deposed in these cases;
- (f) identify by date, author and recipient(s) all documents that have been placed on a protective order in such litigation;
- (g) identify all expert witnesses retained for use at trial in any of the above litigation by name, address and telephone number.

RESPONSE: Objection. This interrogatory is overbroad, irrelevant to this personal injury action and burdensome. Without waiving this objection, this Defendant provides the following information in response to this interrogatory addressing the insurance related litigation regarding asbestos personal injury claims:

1. Commercial Union Insurance Company v. Pittsburgh Corning Corporation, C.A. No. 81-2129 (E.D. Pa.).

2. Continental Casualty Company v. PPG Industries, Inc. and Pittsburgh Corning Corporation, Case No. 86-C-6076 (N.D., E.D. Ill.).
3. Pittsburgh Corning Corporation v. Travelers Indemnity Company, C.A. No. 84-3985 (E.D. Pa.).
4. Pittsburgh Corning Corporation v. Pennsylvania Insurance Guaranty Association, GD No. 91-07864 (Court of Commonpleas of Allegheny County, Pennsylvania).

57. Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

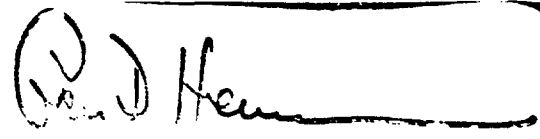
RESPONSE: Objection. This interrogatory is vague as to the meaning of "relevant facts." Notwithstanding this objection and without waiving the same, this Defendant states that it currently has insufficient information to be able to fully answer this interrogatory.

58. State the last date that this Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

RESPONSE: This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. This Defendant sold

accessory products beginning in 1945. Accessory products included Pittcote, Pittseal and CS White Paint, some types of which at various times contained small amounts of asbestos fibers as a binder. Any formulation of these products which contained small amounts of asbestos were last sold in the mid-1980s. See Prefatory Statement.

BY

A handwritten signature in dark ink, appearing to read "Paul H. Hemenway", is written over a horizontal line.

Attorneys for Defendant
Pittsburgh Corning Corporation

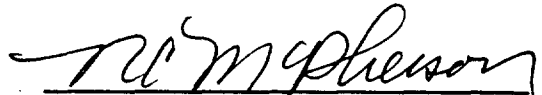
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

}SS:

COUNTY OF ALLEGHENY

BEFORE ME, the undersigned authority in and for said Commonwealth and County, personally appeared Richard C. McPherson, who being duly sworn deposes and says that he is Senior Vice President of Human Resources with Pittsburgh Coming Corporation, that he is authorized to make this affidavit on its behalf and that the facts contained in the foregoing responses to Interrogatories are based on previous responses to similar Interrogatories compiled by Robert E. Buckley who was a former Vice President and Assistant to the President of Pittsburgh Coming Corporation and who has sworn that said responses were true and correct to the best of his knowledge or information and belief.


R. C. McPherson

SWORN TO AND SUBSCRIBED BEFORE ME

this 22nd day of July 1997


Notary Public

Notarial Seal
Julie A. Stephens, Notary Public
Plum Boro, Allegheny County
My Commission Expires March 16, 2000
Member, Pennsylvania Association of Notaries