

CASE MYRDAL BIGELOW & LOMBARDI
A LAW CORPORATION

1996 10 1996

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GOODYEAR TIRE & RUBBER COMPANY

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN RE:	)	96 A.C.M.-2
HAWAII STATE ASBESTOS CASES	)	CIVIL NO. 95-1471-04
	)	(Toxic Tort)
This Document Applies To:	)	
	)	ANSWERS TO PLAINTIFFS'
JOSEPH J. DiCARLO, SR. and	)	AMENDED MASTER SET OF
DARLENE F. DiCARLO,	)	INTERROGATORIES PROPOUNDED
	)	TO DEFENDANT THE GOODYEAR
Plaintiffs,	)	TIRE & RUBBER COMPANY
vs.	)	
	)	
OWENS-CORNING FIBERGLAS	)	
CORPORATION, et al.,	)	
	)	Trial Date: November 4, 1996
Defendants.	)	Judge: Hon. Gail C. Nakatani

**ANSWERS TO PLAINTIFFS' AMENDED MASTER SET OF INTERROGATORIES
PROPOUNDED TO DEFENDANT THE GOODYEAR TIRE & RUBBER COMPANY**

1. State the name, address, telephone number and position of the corporate officer answering these Interrogatories.

CM8LQ1944W80398.1VAD

S-GY-475

DUR 00691

SCF-ALLF-10540

**Ans. Joseph V. Morris, Attorney
1144 East Market Street
Akron, OH 44316**

2. State the full and complete legal name under which your company is now doing business and has done business at all times from the date when it began mining, processing, manufacturing and/or selling asbestos products and materials up until the present time. If your company is presently an unincorporated division of another corporation, please state the name of such corporation.

**Ans. The Goodyear Tire & Rubber Company
1144 East Market Street
Akron, OH 44316**

- 3(a). Please state in which state(s) of the United States or what foreign country your business is incorporated, and state your principal place of business.

**Ans. Incorporated in Ohio.
Principal place of business in Akron, OH**

- 3(b). Please state whether:

(a) Your company is or ever has been authorized to do business in Hawaii. If your company is no longer authorized to do business in Hawaii, please state the years when your company was authorized to do business in Hawaii.

(b) Your company does or has ever done business in Hawaii.

(c) Your products are or have ever been used in Hawaii.

Ans.

- (a) **Goodyear is authorized to do business in Hawaii.**
(b) **Goodyear does business in Hawaii.**
(c) **Products manufactured by Goodyear have been used in Hawaii.**

4. Has this defendant ever acquired through purchase, reorganization or merger another corporation, company, or business which manufactured, sold, processed distributed or contracted to apply insulation products

containing asbestos including asbestos cloth and/or drywall products and/or brake lining and/or clutch pads containing asbestos?

Ans. Yes

5. If the answer to Interrogatory No. 4 is "Yes", then state the following concerning such predecessor:

- (a) Full and correct name;
- (b) The principal place of business;
- (c) State of incorporation;
- (d) Date of acquisition by defendant;
- (e) Was this business authorized to transact business in the State of Hawaii?
- (f) Identify the custodian of all papers pertaining to the acquisition.

**Ans. (a) Motor Wheel Corporation
(b) Lansing, Michigan
(c) Michigan
(d) January 17, 1974
(e) Yes
(f) The Goodyear Tire & Rubber Company**

6. As to any product containing asbestos in any form including raw asbestos fibers, has this defendant, or any predecessor(s):

- (a) Ever designed such a product?
- (b) Manufactured such a product?
- (c) Processed such a product?
- (d) Sold such a product?
- (e) Distributed such a product?
- (f) Patented such a product?

(g) Relabeled such a product which was manufactured, sold, or distributed by another company?

(h) Ever mined asbestos material?

Ans. (a) Yes
(b) Yes
(c) Yes
(d) Yes
(e) Yes
(f) No
(g) Yes
(h) No

7(a). If your answer to No. 6(b), 6(d) and 6(e) is "Yes," then give the trade name of the product, the first year the defendant or predecessor firms sold or distributed such product, and the year the defendant last sold or distributed such product containing asbestos.

Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory completely, but it will supplement this response in the event such documents should be found. Nevertheless, Goodyear is able to answer as follows:

a. Asbestos gasket material: Approximately 80% chrysotile asbestos and 20% rubber; Manufactured from about 1914 to 1969, shipped and sold in sheets 1/64 to 1/4 inch thick and approximately 120" x 150". Goodyear is able to identify only the following asbestos suppliers:

Lake Asbestos of Quebec, Ltd.
P.O. Box 88
Black Lake, Quebec

Asbestos Corporation, Ltd.
1940 Sun Life Bldg.
1155 Metcalfe St.
Montreal Quebec H5B 2x6

Johns-Manville Canada, Inc.
295 The West Mall
Etobicoke, Ontario M96 427

Bell Asbestos Mines, Inc.
P.O. Box 99
Thetford Mines, Quebec G6G 5S4

b. Furnace Door Hose (sometimes referred to as asbestos covered water hose): Product consisted of ply of woven fabric of asbestos and cotton, not manufactured by Goodyear and specific asbestos type unknown. The fabric was imbedded as a part of the outer layer and at maximum accounted for approximately 10% of the product weight. Various specifications subject to minor changes and number of plies varied anywhere from one to four. The bulk of the product was rubber compounds; Sold from about 1959 until May 24, 1976; Record search for the asbestos fabric material specifications has not been successful to date, but upon information and belief is it was supplied by Raybestos-Manhattan, 205 Middle St., Bridgeport, Conn. 06603.

c. Steam Hose (including pile driver hose): Braided 9 cut 2 ply of yarn made of asbestos and rayon. The ply accounted for approximately 3.78% of the product by weight, 3.156 lbs. of a total weight of 83.448 lbs. in 100 feet of hose. The braided asbestos ply was encapsulated under a rubber compound outer layer. The bulk of the hose was rubber compound; Manufactured from about 1931 until August 24, 1970.

d. Asbestos Burn Shield (for conveyor belt): The burn shield was manufactured for Goodyear by others and it is unable to determine the asbestos content. The burn shield is estimated to have accounted for approximately 5% of the product's weight. Specifications for the product have neither been identified nor found; Manufacture discontinued before 1962; Upon information and belief, the supplier of the asbestos used in this product was Raybestos Manhattan, Inc.

e. Adhesive: A styrene butadiene rubber resin mastic containing 30% petroleum distillate and 1.3% asbestos; Manufacture began about 1970 and was discontinued in 1981; upon information and belief, the supplier of the asbestos used in this product was Johns-Manville.

f. Aircraft Brakes: Aircraft brake linings were made with asbestos type Chrysotile 7D. Percent of asbestos was 10% to 45% depending upon the lining. This was combined with phenol-formaldehyde resin and

sometimes copper and dust to produce a solid molded and thermo-setting phenolite compound which contained no free asbestos. Other brake components such as insulators were purchased from others and contained 50-76% asbestos in the same type of compound. There were a number of different formulae at any one time and over the years; Manufactured from about 1939 until December 31, 1984; Insulators were purchased from a great variety of producers over the years during which asbestos was in general use.

g. Industrial Brakes (for off-the-road hauler trucks, loaders, shuttle cars, foundry transfer cars, lifters, mining cars and industrial equipment, etc., i.e., non-over-the-road vehicles and equipment): See aircraft brakes; however a difference in industrial brakes is the asbestos content ranged from 10% to 30%; Manufactured from about 1948 until 1984; Asbestos components were purchased from a variety of brake producers over the years during which asbestos was in general use in brake production.

h. Electric Brakes (for mobile homes and trailers): See aircraft brakes; Manufactured from about 1964 until 1979.

i. Heaters (for mobile homes and recreational vehicles): The business has been sold with all its records and except for a former plant manager all personnel employed by that business during the period when asbestos was installed in heaters took employment with the buyer. Goodyear does not have either records or employees available which would allow us to fully respond to this interrogatory. However, our information is pre-cut asbestos gaskets were purchased and three to four gaskets were installed, according to design, usually into heat chamber connections such as the manifold; Manufactured from about 1964 until 1976

j. Engine Mounts (for vehicles): A thin metal piece with asbestos material stapled to it served as a heat shield and was attached along with the mounting bracket to rubber motor engine mounts produced by Goodyear. Ford Motor Company specified ASTM D1571 Grade AA asbestos cloth coated with silicone alkyd aluminum compound. Goodyear cannot further respond to this interrogatory because the part was procured; Manufactured from about 1974 until 1978 under contract to Ford Motor Company; Upon information and belief, the supplier of the heat shield was Ajax Machine & Welding, 323 S Park Dr., St. Marys, Ohio 45885

k. Automobile Brake Linings: Goodyear has sold these brake linings in the course of performing repairs on motor vehicles at its automotive

service centers since before 1930; Over 25% of the automotive brake linings supplied to Goodyear continued to contain asbestos and Goodyear continues to replace brake linings in its retail tire stores and retail outlets; Prior to 1983 purchased such brakes directly from suppliers, primarily Raybestos and Wagner. Since then, individual retail outlets place their orders directly with the closest member of AAAD who distribute and supply brake linings of virtually all domestic manufacturers of brakes. Currently the primary brands purchased are the following:

Wagner Brake
Cooper Industries
930 Roosevelt Parkway
Chesterfield, MO 63701

Raybestos Brand
11045 Gage Avenue
Franklin Park, IL 60131

EIS Brake Division
Standard Motor Parts
129 Worthington Ridge
Berlin, CT 06037

Trust Brand
AAAD
White Station Tower
Suite 2020
5050 Poplar Avenue
Memphis, TN 38157

Bendix Brand
Allied Automotive
105 Pawtucket Avenue
East Providence, RI 01916

L. Sheet Molding Compound (fiberglass body panels for John Deere and Ford tractors): Three 25 pound bags of asbestos were used over a period from 1969 to 1973 as a filler in a putty used to repair small surface defects if such were found in cured/finished John Deere and Ford tractor body panels. The amount of repair material applied was slight, varied from one repair to another, so it is not possible to further respond to this interrogatory; The type of asbestos is unknown and the percentage

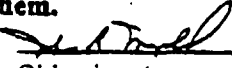
varied; The products for Ford were rear wheel fenders for tractors, and the panels for John Deere were a console for snowmobiles and for tractors a nose cap which fits in front of the hood and inner and outer roof panels.

7(b). As to every product of yours which you have identified in Interrogatory 7(a) above, state the specific type or types of asbestos. (i.e., crocidolite, chrysotile, amosite or any others) which your products contained. Also, give the percentage asbestos as to each product.

Ans. See answer to Interrogatory No. 7(a).

7(c). State the names and positions of all corporate officers or officials having responsibility for creating, directing or setting the policy of your firm with regard to whether or not your products should contain asbestos, and whether or not warnings as to the dangers of asbestos should be provided by you from 1930 to the present.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that these products were produced during a time when asbestos was in common use for the applications intended for them.


Objecting Attorney

7(d). What is the name, address, and the job title of each individual who participated in the designing and preparation of manufacturing specifications for each such product identified in Interrogatory No. 7(a)?

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

8. Have you at any time from 1959 through 1983 sold, delivered or supplied any "asbestos products" to any entity in Hawaii and/or Pearl Harbor?

Ans. Goodyear follows document retention policies which provide for the periodic and routine

destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

8(a). Have you at any time from 1930 through 1959 sold, delivered or supplied any asbestos products" to any entity in Hawaii and/or Pearl Harbor?

Ans. See answer to Interrogatory No. 8(a).

8(b). Do you have any knowledge of any of your asbestos products ever being used in Hawaii and/or Pearl Harbor between 1930 and 1983, and if so, set forth the facts upon which you base your answer including the years and place of use.

Ans. See answer to Interrogatory No. 8(a).

8(c). Do you contend that none of your asbestos-containing products were sold to or ever reached Hawaii and/or Pearl Harbor?

(a) If so, state all facts upon which you base these contentions.

(b) Identify any witnesses who have personal knowledge that your products were not sold to these concerns.

(c) Identify all documents which support your contention that your products were not sold to these concerns.

Ans. See answer to Interrogatory No. 8(a).

9. If Interrogatory 8 and/or 8 (a) and/or 8 (b) are answered in the affirmative, state for each such sale and delivery:

(a) The date of each sale or delivery and the name of the entity in Hawaii or at Pearl Harbor receiving the "asbestos product".

(b) The generic name of the "asbestos product".

(c) The brand name of the "asbestos product".

- (d) The Trademark name of the "asbestos product".
- (e) The chemical composition of such "asbestos product" including the content.
- (f) The quantity of each such sale or delivery.
- (g) The price paid by Pearl Harbor or the entity in Hawaii for the shipment.
- (h) The invoice and purchase order number of such shipment and any other information required to identify each such document.
- (i) The department and officer at the entity in Hawaii or at Pearl Harbor who:
 - i. placed the order;
 - ii. accepted delivery.
- (j) The department and officer company who:
 - i. accepted the order;
 - ii. packaged the order;
 - iii. shipped the order;
 - iv. has possession, at the present time, of the records concerning the shipment.

Ans. See answer to Interrogatory No. 8(a).

10. With regard to each order of asbestos products sold or delivered by you to Pearl Harbor and/or any entity in Hawaii, state whether:

- (a) You provided Pearl Harbor or said Hawaii entity with specifications concerning the asbestos products sold.
- (b) Pearl Harbor or said Hawaii entity provided product specifications to you concerning the asbestos products it ordered from you.

- (c) You provided Pearl Harbor or said Hawaii entity with any advertising or promotional material.
- (d) You provided any instructions concerning the proper use of the asbestos material.
- (e) You provided any warnings regarding the asbestos products you sold and/or delivered.
- (f) You provided any warranties concerning the asbestos products.

Ans. See answer to Interrogatory No. 8(a).

11. If any part of Interrogatory 10 is answered in the affirmative, identify each such document by:

- (a) Date.
- (b) Title and identification number.
- (c) Name of person who prepared it.
- (d) Name of person who authorized its use.
- (e) Present location and custodian of the document.

Ans. N/A

12. If you performed any acts which altered the asbestos products between the time they came into your possession and the time they were delivered to Pearl Harbor or to any entity in Hawaii, describe:

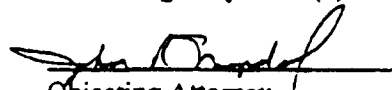
- (a) The form the asbestos products were in when they first came into your possession.
- (b) What alteration you made to the asbestos product.
- (c) The reason for the alteration made by you before you shipped the asbestos product to Pearl Harbor or to any entity in Hawaii.

Ans. See answer to Interrogatory No. 8(a).

13. Did you provide any warnings, instructions or information as to the dangers of asbestos inhalation when you sold, shipped and delivered each order of asbestos products to Pearl Harbor or to any entity in Hawaii. If so, for each shipment:

- (a) Describe in detail each such warning, instruction or information given.
- (b) State whether such warning, instruction or information was oral or written.
- (c) If oral, identify the substance of the warning, instruction or information given and the date and name of the person at Pearl Harbor or in Hawaii to whom given.
- (d) If written, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.
- (e) Please state why such warnings were given.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, see answer to Interrogatory No. 8(a).


Objecting Attorney

14. Identify all correspondence regarding sales of asbestos, warnings or instructions as to the use of your asbestos products and/or health hazards created by your asbestos products (other than the invoices and purchase orders referred to in Interrogatory 9) between you and Pearl Harbor and/or any entity in Hawaii for:

- a) 1959 through 1978,
- b) 1930 through 1959 by:
 - i) Document number;
 - ii) Subject matter;

- iii) Date:
- iv) Name and title of sender;
- v) Name and title of addressee;.

and state where such documents are presently located and the name of the custodian of such documents.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

15. Has any officer, employee or representative of your company visited Pearl Harbor or any U.S. military installation in Hawaii regarding the use of your asbestos products by the United States military or any other Hawaii entity? If so, state:

- a) The name, address and title of each employee who visited Pearl or any U.S. military installation in Hawaii.
- b) The date of the visit.
- c) The purpose of the visit.
- d) Who at Pearl Harbor or any U.S. military installation in Hawaii he saw or spoke to.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

16. Have you at any time from 1930 through 1978 bought from any other company any "asbestos products" including raw asbestos fiber for resale (or for inclusion as a component part in a product to be sold by you)?

Ans. Yes

- 16(a). Have you at any time from 1930 through 1978 sold to, delivered to or supplied any "asbestos products" including raw asbestos fiber to any other company for resale (or for inclusion as a component part in a product to be sold by such other company)?

Ans. Yes

17. If Interrogatory 16 and/or 16a are answered in the affirmative, state for each such sale and delivery:

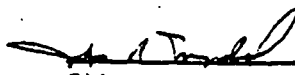
- a) The date such products were bought, sold and delivered.
- b) The generic name of the "asbestos product".
- c) The brand name of the "asbestos product".
- d) The Trademark name of the "asbestos product".
- e) The chemical composition of such "asbestos products".
- f) The quantity of each such purchase, sale and delivery.
- g) The price paid by the buyer for the shipment.
- h) The invoice and purchase order number of such shipment and any other information required to identify each such document.
- i) The department who placed the order.
- j) The department who accepted the order.

Ans. (a, b, c & e) See Answer to Interrogatory No. 7(a).

(d) Gasket sheets marked Goodyearite or Durabla; adhesive marked Plio-Nail or Plio-Bond; steam hose may have been marked Flexsteel; adhesives, steam hoses and conveyor belts may also have been marked with Goodyear's winged foot logo.

(f-j) Objection. These Interrogatories are overly burdensome and that they would require the search of records, if they exist, of over a 48 year period and would produce information that is not relevant to this lawsuit. Without

waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.


Objecting Attorney

18. With regard to each order of asbestos products bought from or sold or delivered by you to another company, state whether:

- a) You provided other company with specifications concerning the asbestos products sold.
- b) The other company provided product specifications to you concerning the asbestos products it ordered from you.
- c) You provided or were provided by other company with any advertising or promotional material.
- d) You provided or were provided any instructions concerning the proper use of the asbestos material.
- e) You provided or were provided any warnings regarding the asbestos products you sold and/or delivered.
- f) You provided any warranties concerning the asbestos products.
- g) You received any warranties concerning the asbestos products.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

19. If any part of Interrogatory 18 is answered in the affirmative, identify each such document by:

- a) Date.
- b) Title and identification number.
- c) Name of person who prepared it.
- d) Name of person who authorized its use.
- e) Present location and custodian of the document.

Ans. N/A

20. If you performed any acts which altered the asbestos products between the time they came into your possession and the time they were delivered to any other company, describe:

- a) The form the asbestos products were in when they first came into your possession.
- b) What alteration you made to the asbestos products and in what years the alterations were made.
- c) The reason for the alteration made by you before you shipped the asbestos product to any other company.

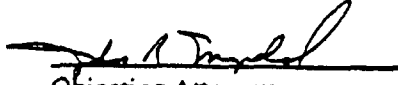
Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

21. Did you receive or give any warnings, instructions, or information as to the dangers of asbestos inhalation when you purchased, sold, shipped and/or delivered each order of asbestos products to or from any other company? If so, for each shipment, state:

- a) Describe in detail each such warning, instruction or information given or received.
- b) State whether such warning, instruction or information was oral or written.

- c) If oral, identify the substance of the warning, instruction or information given and the date and name of the person to whom given or from whom received by other company.
- d) If written, attach a copy of each warning, instruction and information, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.


Objecting Attorney

22. Please state when, if ever, defendant removed asbestos material in the manufacture of any of your asbestos products? If so, please state:

- a) What was the asbestos material removed?
- b) What substitute product was used in its place?

Ans. To the best of its information and belief, Goodyear has discontinued or sold product lines producing products containing asbestos, rather than replacing the asbestos in the product with a substitute.

23. With respect to each of your asbestos products identified in 7(a) and 9(b) and (c), state whether there has been any change, alteration, or modification regarding the type of asbestos used, the percentage of asbestos, and the ability of asbestos fibers in your product to become airborne (hereinafter collectively called "change") from when it was first developed to the present. If so, state:

- a) The nature of each such change.
- b) The reason for each such change.

- c) The details of how the changed product differed from the original product.
- d) The names of each person recommending and/or approving such change.
- e) The date each change was accepted by you and made commercially available.
- f) Whether there were any studies, evaluations or tests made in connection with such change, and if so, identify each such study by title, date, name of author and present location and custodian.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. Goodyear is not presently aware of any such changes having been made to these products beyond what has been described in answer to Interrogatory No. 7(a).

24. Have you stopped producing, distributing and/or selling any of the asbestos products listed in Answers 7(a) and 31? If so, state:

- a) The reason you stopped.
- b) When you stopped.
- c) Who authorized or directed the stopping.
- d) Whether any studies were conducted before you directed that production and sale be stopped and if so, identify each study by date, author, title and subject matter and attach a copy.

Ans. (b) See Answer to Interrogatory 7(a).
 (a, c, & d) Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will

supplement this response in the event such documents should be found.

25. Is it possible to distinguish the defendant's asbestos products from those manufactured by a competitor?

- a) If the answer is "yes", please describe how you contend your product can be distinguished and identify the products by trade and generic name.
- b) If there are products which cannot be, in your opinion, distinguished from products of a similar kind manufactured by a competitor, please state the name of such product, who manufactures it, as well as the trade name of the product manufactured by your competitor.

Ans. Yes. By either observing an identifying name on the product, or by not observing an identifying name on the product.

26. Did your company ever stamp the name of the company, its initials, or any identifying logo on any of your asbestos products identified in your answers to Interrogatories Nos. 7(a), 9 and 17?

Ans. Yes

27. With respect to each asbestos products identified in your answers to 7(a), 9, and 17 or which were directly or indirectly made available to Pearl Harbor and/or any Hawaii entity or any other shipyard, state:

- a) The intended use of the product.
- b) The form in which the product is sold, e.g., bags, drums, boxes, etc.
- c) Does the asbestos product have to be cut, sawed, shaped, mixed or otherwise worked before or during application. If so, describe what the user had to do to process the product before applying and using the product.

Ans. See answer to Interrogatory No. 7(a). The intended uses of the products are evident from the descriptions of them. Asbestos sheets would have been cut to form gaskets of a size appropriate for the particular application.

28. For each product referred to in Answers 7(a), 9 and 17, state:

- a) The date the product was first commercially sold.
- b) The date and place where the product was designed or developed.
- c) The identity and present whereabouts of the person or persons responsible for the design or development of the product.
- d) The identity and present location of all records describing and dealing with the design and development of the process.
- e) The identity and present location of all records dealing with the testing of the product.
- f) The professional qualifications of the person or persons responsible for the design or development of the process, including:
 - i. his education;
 - ii. his experience in various professional positions that he has held in the past with your company or any previous employer;
 - iii. whether he has had any special training in this specific area of asbestos use;
 - iv. whether he is licensed by any government agency or holds membership in a professional society or association;
 - v. whether he has published any papers or books or given lectures on subjects dealing with use of asbestos, and if so, the title of each paper and the date and place of publication;
 - vi. what trade or professional journals he subscribes to or reads on a regular basis;
 - vii. those fields in which he feels that he qualifies as an expert.

Ans. (a) See Answer to Interrogatory No. 7(a).
(b-f) Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. With respect to

asbestos gasket material, EW DeMarse, retired was the compounder from 1952 to 1962 and the Chief Engineer responsible for development control of asbestos gasket material from 1966 to 1969. Goodyear can identify the last two managers in charge of the Special Products Department within Goodyear which sold asbestos gasket material as C Davis and R Hoeh, both retired. With respect to adhesive, Goodyear can identify W R Schmitz, Manager Ashland Plant, no longer with the company; Don Kaliin, Marketing Adhesives, no longer with the company; Thomas J. McGee, formerly Sales Manager located at the Ashland Plant, now, Regional Account Executive of the Chemical Division of Goodyear in Cleveland, OH. W L Riley, formerly General Merchandise Material Control Manager, Ashland Plant, now Manager Materials Management for Goodyear in Calhoun, Georgia.

29. With respect to each asbestos product referred to in Answer 7(a), 9 and 17, state whether you gave any consideration to the possibility of inhalation of asbestos fibers by users of the product. If so:

- a) Describe, in detail, the factors considered.
- b) Give the date, location and names of participants at each meeting where the matter was discussed or considered.
- c) Identify each document recording such consideration by date, title, file designation, author and present location.

Ans. Goodyear is not presently aware of nor does it possess any documents reflecting any discussions of whether the asbestos that was contained in the products described in Answers to Interrogatories 7(a), 9, and 17 could be inhaled. However, Goodyear notes, for example, that the asbestos in its gaskets was encapsulated in a rubber binder.

30. At the time of the development of each of your asbestos products identified in Interrogatories 7(a), 9 and 17, did you attempt to determine whether the product complied with the then applicable safety standards, safety orders, regulations, laws, rules and design requirements of any city, county, state or

the Federal Government of the United States which related to asbestos exposure?

- a) If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis.
- b) If the answer is in the affirmative, identify those safety standards, safety orders, regulations, laws, rules, or other ordinances which you contend your asbestos product(s) conforms.

Ans. Unknown. Goodyear is not presently aware that there existed any safety standards or regulations relating to asbestos exposure when it developed its asbestos-containing gaskets in 1914.

30 (b). At the time of the development of each of your asbestos products, did you attempt to determine whether the product complied with any applicable safety standards, orders or rules, regulations or design requirements promulgated by any professional society or association which related to asbestos exposure?

- a) If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis.
- b) If the answer is in the affirmative, identify the safety standards, safety orders, rules and regulations which you claim you considered by naming the title, number, page and date of the regulation, and identifying the place where a copy can be obtained of said regulations.

Ans. (b) See answer to Interrogatory No. 30.

31. In what year did the defendant first begin selling or distributing insulation products containing asbestos?

Ans. Goodyear has never manufactured, distributed, or sold insulation products.

31 (b) In what year did the defendant last sell the insulation product which contained asbestos?

Ans. N/A

32. Is your company, as of the date of answering these interrogatories, still manufacturing, selling or distributing any insulation products containing asbestos? If so, give the brand names of such products, the binding material and date first manufactured.

Ans. N/A

33. With respect to each asbestos product referred to in Answer 7(a), 9 and 17, state whether any instructions, operating instructions or warnings were given to purchasers and/or users of the product pertaining to the inhalation of asbestos dust and/or health hazards of asbestos. If so, state separately for each product:

- a) The name, title and present-address of the author of each such warning and/or instructions.
- b) The verbatim content of each warning or instructions.
- c) The inclusive dates of use of such warning or instruction.
- d) Whether the instructions were communicated or delivered to the distributors and/or purchaser of the product, and if so, state the name, address and telephone number of the persons who communicated and who received the instructions and the date delivered to the purchaser.
- e) Describe how the warnings and/or instructions were communicated including whether the warnings and instructions were attached to the product when sold and/or delivered by you, and if so, the method of attachment, or were included in the sales literature, and/or were placed directly on the asbestos product itself (i.e., the block itself, cloth itself, pipe covering itself, brake lining itself, clutch pad itself, etc.).
- f) Whether you have a copy of the warning and/or instructions in your possession at the present time, and if so, where it is located.
- g) Whether any studies, evaluations or analyses were conducted by you prior to your use of each warning and/or instructions. If so, identify the study by date, author, title and file number and state its present location.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

34. If warnings were printed or otherwise regarding the hazards of asbestos were given to purchasers or consumers of any of your asbestos products, please state why such warnings were given.

Ans. N/A

35. Have you ever imposed or considered any restriction or limitation on the use of your asbestos products because of their asbestos content? If so, state separately for each product:

- a) The verbatim content of each limitation indicating which product it applied to.
- b) The date it was first imposed.
- c) The reason for imposing the restriction or limitation.
- d) If the reason for the restriction is stated in any document, identify each document by date, author, title and state where it is presently located.
- e) The person responsible for imposing the restriction or limitation.
- f) If the limitation or restriction was communicated to purchasers of the product, state how this was communicated and if in writing, identify the communication and attach a copy to your answer.
- g) If not imposed, state why not.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

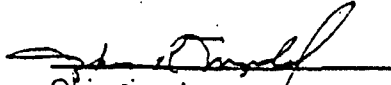

Objecting Attorney

36. Did defendant ever recommend to purchasers or users of its asbestos products that respirators, protective masks and/or protective clothing be worn with the product? If so, state:

- a) The date or dates when such recommendation was made to Pearl Harbor or any other shipyard.
- b) The date or dates when each such recommendation was made to each user.
- c) Who made the recommendation?
- d) Who received the recommendation?
- e) If oral, the manner and substance of the recommendation.
- f) If written, identify the document by title, date, file designation and author of each such recommendation and the location and present custodian of each such recommendation.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the

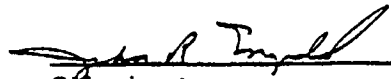
event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

37. Have you ever provided a warning directly to workers at Pearl Harbor or in Hawaii concerning the danger of exposure to asbestos inhalation as a result of use of your asbestos products? If so:

- a) State the date, manner and location of each such direct warning.
- b) Identify the name of your employee who provided the direct warning.
- c) If the warning was in writing, identify each document containing the warning and state the content of each warning.
- d) If the warning was oral, state the substance of the warning, where given and the names of the Pearl Harbor employees and/or other Hawaii employees to whom it was given.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

38. Prior to 1972, did your company, or any predecessor(s), ever at any time give insulation workers, brake and clutch mechanics, or insulation helpers who would be applying or removing your products instructions concerning safety precautions to use in applying such products? If so, describe such

instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No. Goodyear also incorporates its answer to Interrogatory No. 31.


Objecting Attorney

39. Had you done anything prior to 1972 to notify users of your products of the dangers of inhalation of asbestos dust and fibers? If so, explain in detail what you did and give the date.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

40. Has your company or its predecessor(s) ever directly advised any contractor to whom you sell your products containing asbestos of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienists? if so, state the date or dates that you

so advised such contractors. the manner in which you advised such contractor, and the name of each contractor.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

41. Have you ever conducted any inspection or made any dust count of areas at Pearl Harbor or at other facilities where workers used asbestos products manufactured by your company?

- (a) If you have not, explain why this was not done.
- (b) If you have, explain what action, if any, was taken by your company following the inspection or the taking of dust -counts at any location referred to above. Also, please give the dates and places, if any, that your company first started making such dust counts, and set forth in detail the dates and places this has been done since the results.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

42. State whether any of the defendant's asbestos products (including but not limited to brake lining and clutch pads, but not including automobiles or other vehicles) were the subject of any type of advertisement regardless of media, issued in behalf of your company. If so, state for each product:
- (a) The subject matter of the advertisement.
 - (b) The media in which the advertisement was placed.
 - (c) When the advertisement(s) was so placed.
 - (d) The geographic area(s) in which the advertisement was used.
 - (e) Whether any photographs or diagrams were included in the copy of the advertisement.
 - (f) Identify the advertisement by author, date, and present location and custodian, and attach copies of all advertisements.
 - (g) Was anyone, besides you, involved in the preparation of the copy for the advertisement, and if so, state such other person's name and address.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. Advertising copy for any of these products which Goodyear has been able to locate to date is attached hereto.

43. State whether any brochures, writings, or other materials, written or photographic, were made available to distributors, ultimate users or the general public concerning the design, manufacture, distribution, selling, and/or use of the defendant's asbestos products. If so, for each such brochure or material:
- (a) State the purpose of the brochure and material.
 - (b) When was the material approved on behalf of the company for general distribution.

- (c) Give the name, present address and telephone number of the person responsible for the preparation and acceptance of the material for general distribution on behalf of the company.
- (d) Identify the brochure or material by author, date and present location and custodian.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. Brochure material published by Goodyear for any of these products which has been located to date is attached hereto.

44. Have you conducted, participated, financed or had conducted for you any tests, studies, investigations or analyses (hereinafter referred to collectively as "studies") to determine the effects of your asbestos product on workers working with your asbestos product? If so, state for each study:

- (a) The subject matter, title and date of each study.
- (b) The date and name of the person authorizing the study.
- (c) The reason for the study.
- (d) The names of the person who conducted the study.
- (e) The date the study was completed.
- (f) Whether the results were published and disseminated, and if so, where and to whom.
- (g) The results of each study.
- (h) If statistical analyses were made, state the results and describe the date and assumptions upon which they were based.
- (i) If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

45. Has defendant conducted or had conducted for it any investigation, study, test, review or analysis (hereinafter referred to as "study") concerning asbestos-related diseases, asbestosis, pulmonary diseases and/or the safety aspects concerning use of defendant's product? If so, identify each study by:

- (a) The date each study was conducted.
- (b) The person authorizing the study.
- (c) The person in charge of the study.
- (d) The people participating in the study.
- (e) The title and the subject of the study.
- (f) The results of the study.
- (g) If statistical analyses were made, state the results and describe the date and assumptions upon which they were based.
- (h) If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

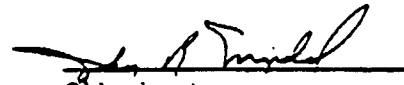
Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

46. Have you undertaken or financed any studies to determine which types of protective devices (including but not limited to masks and respirators) would

either eliminate or afford maximum protection against the inhalation of asbestos fibers by users of your products? If so, state:

- (a) Who made the study.
- (b) When the study was made.
- (c) What the result of the study was.
- (d) If the result was written, identify the document by title, date, file designation and author of each such study, and the location and present custodian thereof.
- (e) Was any action taken as a result of said studies, and if so, describe what action was taken.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

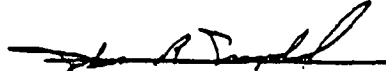

Objecting Attorney

47. Have you undertaken or financed any tests or studies to determine what type of ventilators or ventilating systems would eliminate or decrease the number of airborne asbestos fibers in confined spaces? If so, state:

- (a) Who made the study.
- (b) When the study was made.
- (c) What the result of the study was.

- (d) If the result was written, identify the document by title, date, file designation and author of each such study, and the location and present custodian thereof.
- (e) Was any action taken as a result of said studies, and if so, describe what action was taken.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

48. State whether you considered or made any design changes in your asbestos products or took any other action as a result of any of the studies listed in your answers to interrogatories 44, 45, 46 or 47. if so:
- (a) Describe the factors you considered.
 - (b) Describe the design changes or other action made or taken.
 - (c) Identify who authorized or directed the action.
 - (d) When was the action taken.
 - (e) Identify all documents discussing the study, the action considered and the action taken by date, title, subject, author and present custodian and location and produce the documents.

Ans. N/A

49. Have you contributed any funds to research concerning asbestos and its relation to lung, heart and larynx disease? If so, please state for each year the amount of money contributed, when and to whom, attaching any report or

reports from each individual or organization to whom your funds were contributed.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

50. Did you in any way assist or participate in the 1929 Metropolitan Insurance Company study of asbestos? If so:

- (a) State what role or action you took.
- (b) Identify all documents by name, date, title, file number and present location.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

51. State whether from 1930 to 1972 defendant has promulgated any rules, written or oral, for the handling of asbestos products by its own employees? If so, state:

- (a) When such rules were promulgated.
- (b) The substance of the rules, if oral, and the name, address and title of the person who disseminated them.
- (c) If in writing, either attach a copy of the rules or identify the written rules by date, title, identification, number, present location and the name and address of the custodian thereof.
- (d) Whether any such material was provided to Pearl Harbor or any entity in Hawaii or any other company and, if so, when and to whom.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

52. State whether you had knowledge prior to 1972 of any deaths or cases of lung disease or lung impairment among your employees which are or may be attributable to the inhalation of asbestos dust or fibers. If so, please give the number, name and address of such person, together with the dates of treatment and the names and addresses of the doctors who administered treatment to such persons and reports of occupational disease furnished Industrial Commission of the states and attach copies of the latter.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

53. Prior to 1972, did you have any statistical data showing the number of your employees who have been exposed to asbestos dust and fibers for more than ten years who have asbestos-related lung disease or lung impairment? If so, identify the date and provide the figures.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.


Objecting Attorney

54. Prior to 1972, have any Workmen's Compensation claims based on asbestosis or asbestos-induced diseases been filed against you? If so, state:

- (a) When and where the claims were filed.
- (b) The number of claims filed.
- (c) The outcome of the claims.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

55. When did you learn for the first time of a diagnosed case of asbestosis or any asbestos-induced carcinoma:

- (a) Within your own employees?
- (b) Involving users of asbestos insulation products?
- (c) Involving users of asbestos products manufactured, sold or distributed by you.
- (d) Involving families of workers using your products.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

56. When and where did you first begin monitoring asbestos dust levels in your own plant and manufacturing facilities?

Ans. Goodyear is presently searching for records which will enable it to respond to this Interrogatory.

57. Was the monitoring of asbestos dust levels required by any Government regulation or rule of any government, agency or insurance company? If so, state the substance of the rule, the source imposing it and the date it was first imposed.

Ans. Goodyear is presently searching for records which will enable it to respond to this Interrogatory.

58. What technique, if any, do you use to take asbestos dust samplings, explaining the technique, when it was commenced, what the purpose was and what action has been taken in response to the findings as to the dust samples.

Ans. Goodyear is presently searching for records which will enable it to respond to this Interrogatory.

59. Did your company or any predecessor(s) ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

Ans. No.

60. Did any division of your company or subsidiary company engaged in the contract business of applying insulation products or your workmen's compensation insurance carrier ever have any claims for lung diseases or death from lung diseases, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or any exposure to asbestos products prior to 1972? If the answer is "Yes," give the name of such employees and attach copies of such claims and copies of all documents relating to the disposition and handling of such claims.

Ans. N/A

60. (b). Give the name and address of the state industrial accident board handling each such claim, the disposition of such claims, the amounts paid in workmen's compensation benefits to each such employee, and the name of the compensation carrier.

Ans. N/A

61. Prior to 1972, had you ever been named as a defendant in any other action in which damages were sought for personal injuries, sickness or death, as a result of use of your asbestos product? If so, state:

- (a) What products were involved.
- (b) The name of the court, the docket number and each party to the lawsuit.
- (c) The date the action was filed.
- (d) The judgment that was rendered in the action.
- (e) The date set for trial of any action not yet concluded.
- (f) State the terms by which any settlement was arrived at and disposition of any such aforementioned legal action.

Ans. No

62. If any employee or officer of defendant has testified (1) at trial or by deposition in any asbestos-related workers' compensation proceeding or litigation prior to 1972, or (2) before any Congressional Committee or administrative agency concerning asbestos exposure, pulmonary or asbestos-related diseases or industrial hygiene relating to asbestos use, state:

- (a) The name, address and title of each person who testified.
- (b) The date, location and forum of such testimony.
- (c) Whether defendant has a copy of such testimony.
- (d) Whether defendant will voluntarily produce such testimony.

Ans. N/A

63. Prior to 1972, state whether any claims (other than workers' compensation claims or lawsuits) have been made against the defendant concerning any injury or disease caused by asbestos exposure and as to each claim, state the name and address of the claimant, the date of the claim, the forum, if any, in which such claim was made and the disposition of each claim.

Ans. No

64. When did you first learn that there were health hazards associated with the use and fabrication of asbestos; state the date, source, nature and extent of such information.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

65. Has defendant ever maintained a library dealing with industrial hygiene, medicine, safety and engineering? If so, state:

- (a) The date defendant established the library.
- (b) The location of the library.
- (c) The name or names of the librarian(s) since 1930.
- (d) All journals subscribed to by defendant concerning asbestos, industrial hygiene, medicine, safety and/or engineering.
- (e) All books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

Ans. (a) 1947
(b) Akron, OH
(c) None
(d) Journal of Occupational Medicine
(e) See Answer to Interrogatory 65(d)

66. Have you, at any time since 1940, maintained any office or department dealing with medical research? If so, state:

- (a) The name of such department.
- (b) The location of such department.
- (c) The name, address and title of each person who has been in charge of the department.

Ans. No

67. When was the first time you hired a "medical director"? Please state:

- (a) The reason for hiring such a medical director.
- (b) The location where the medical director was assigned.
- (c) The duties of the medical director.
- (d) The names and addresses of the persons hiring such medical director and of the medical director.

Ans. 1912

- (a) To oversee the health of the employees of Goodyear and any matter that might be involved in the field of occupational medicine.
- (b) Akron, OH
- (c) To consider and act on any matter that might effect the health of the employees of Goodyear.
- (d) The identity of any person responsible for hiring a medical director is unknown. The persons who have been employed as the Medical Director are:

D Miller, MD	1912 succeeded by:
H Conn, MD	succeeded by:
PA Davis, MD	1938-1941
LC Hatch, MD	1941-1964
CA Johnson, MD	1964-1989
J Wellman, MD	1989-1992
DJ Sherman, MD	1992 to present

68. When was the first time you hired an "industrial hygienist"? Please state:

- (a) The reason for hiring such a hygienist.
- (b) The location where the hygienist was assigned.
- (c) The duties of the hygienist.
- (d) The names and addresses of the persons hiring such hygienist and of the hygienist.

Ans. Prior to 1956.

- (a) Corporate concern about employee health and safety

- (b) Akron, OH
- (c) Recognizing, evaluating, and recommending controls for occupational health problems.
- (d) The identity of any person responsible for hiring an industrial hygienist is unknown. The person who is presently employed as Goodyear's Manager of Environmental Health & Safety Affairs is J. L. Holtshouser.

69. Have you, at any time, used the services of an industrial health organization?
If so state:

- (a) The name of the organization.
- (b) The dates such services were used.
- (c) The name of the persons in your company and in the health organization who negotiated the agreement or understanding.
- (d) Whether any reports or documents concerning asbestos hazards were prepared and, if so, identify the documents by name, dates title, file number and present location.

Ans. No

70. Do you maintain a library or file of pathological findings, slides, x-rays and related material concerning asbestos induced injuries, disability or impairment? If so, state:

- (a) The date such file was first organized.
- (b) All past and present custodians of the file.
- (c) Where the file is presently located.
- (d) Identify the material included in the file.

Ans. No

71. Since 1930, state the names and addresses of all professional, industrial and safety associations you have been a member of, indicating the date you originally joined and the date of termination.

**Ans. American Industrial Hygiene Association 1975-1976
475 Wolf Ledges Parkway
Akron, OH**

**American Society for Testing and Materials 1957-1983
1916 Race Street
Philadelphia, PA**

**National Safety Counsel 1954-to present
Box 11171
Chicago, IL**

72. Since 1930, state the names and addresses of any organizations to which you have belonged having anything to do with the setting of standards, regulations, information lobbying, research, engineering or use of asbestos products, materials or fibers.

Ans. See Answer to Interrogatory No. 71.

73. State when you first learned that any state in the United States had a Workmen's Compensation law covering the occupational disease of asbestosis.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

74. When did your company first learn that in 1931, the English Parliament passed legislation making asbestosis a compensable disease and requesting improved methods of exhaust ventilation and dust-suppression in asbestos textile factories, and also instituted periodical medical examinations for workers engaged in particularly dusty processes in the asbestos textile industry? State what action, if any, your company took in response to such knowledge in any effort to prevent, reduce or eliminate the effects of asbestos to those using your products.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will

supplement this response in the event such documents should be found.

75. State what efforts your company has made from 1930 to 1972 to keep informed of legislation and programs adopted to reduce or eliminate the disease of asbestosis in those using asbestos products. If you do not keep in touch with legislation and programs adopted to reduce or eliminate the disease of asbestosis in those using asbestos products, please state why you do not do so.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

76. State the year that this defendant or any predecessor(s) 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 and attach copies of the instrument communicating such advice.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

77. Was such threshold limit or maximum allowable concentrations inquired about in the above interrogatory total dust or just asbestos dust?

Ans. See Answer to Interrogatory No. 76.

78. Were you or any of your agents, servants or employees aware of any of the articles described in Exhibit "A" prior to the year 1950?

Ans. Goodyear cannot respond to this Interrogatory as Exhibit "A" is not attached to these Interrogatories.

79. If you answered the foregoing question "Yes," then set forth such article you had knowledge of and the date you acquired such knowledge.

Ans. N/A

80. State in detail what tests, if any, your company ever made with regard to the quantity, quality or threshold limit values of asbestos dust or particles to which insulators and/or brake and clutch mechanics were exposed while using your asbestos products.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is None. See Answer to Interrogatory No. 38.

81. Would any respirators or other breathing devices prevent inhalation of the asbestos dust and fibers in your product? If so, state:

- (a) When the respirator was sold.
- (b) Give the detailed description of such respirator or other breathing device.
- (c) The basis of your claim that such respirator or other breathing device will prevent the inhalation of such dust and fibers.
- (d) Identify any tests performed by date, title, author and number.

Ans. Goodyear objects to this Interrogatory on the grounds that it presumes the inclusion of asbestos in any product sold by Goodyear created a danger to a user of the product.


Objecting Attorney

82. Has your company, or your predecessor(s), ever devised a high temperature heat insulation, brake lining, or clutch pads which do not contain asbestos? If so, state the date that such product was first placed on the market.

Ans. No.

83. Prior to 1970, did your company or any predecessor(s), ever manufacture and/or sell a high temperature heat insulation, brake lining, and/or clutch pads which did not contain asbestos? If so, state the date that such product was first placed on the market.

Ans. No.

84. If your answers to Interrogatories No. 82 and/or 83 are in the affirmative.

- (a) State what prompted your company to devise such products not containing asbestos.

Ans. N/A

- (b) Give the trade names of your high temperature heat insulation products, brake linings, and/or clutch pads which do not contain asbestos, and state fully what such product contains in lieu of asbestos.

Ans. N/A

- (c) State whether each of such products was suitable for the purpose for which it was intended to be used?

Ans. N/A

85. State the decade that there first existed technology for manufacturing a substitute for asbestos in insulation materials for commercial use.

Ans. Unknown. Goodyear has never manufactured insulation materials.

86. To your company's knowledge, in what decade was fiberglass first commercially available for insulation over 350 degrees F.?

Ans. Unknown. Goodyear has never manufactured insulation materials.

87. In what decade was each of the following products commercially available to you for use and sale in thermal insulation products, brake lining and/or clutch pads:

- (a) Fiberglass;
- (b) Calcium silicate;
- (c) Mineral wool;
- (d) Rock wool;
- (e) Foamglass;
- (f) Ceramics;
- (g) Wood pulp;
- (h) Organic pulp;

Ans. With respect to those products listed in this Interrogatory which it has sold, Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.

88. List all insulation products sold by you in the 1940's, 1950's and 1960's which did not contain asbestos and give the physical and tensile strength and temperature decomposition data for each product.

Ans. Objection. Goodyear did not manufacture insulation products.


Objecting Attorney

89. Did your company or its predecessor ever recall any product(s) containing asbestos from the market because of its asbestos content or hazards created by asbestos? If so, state the product recalled, the reason for the recall, and the recall.

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which

would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

90. Do you contend that your asbestos product(s) were expected to reach, or were packaged to reach, the consumer or user, with substantial change in condition in which it was sold?

Ans. No

91. If your answer to Interrogatory No. 90 above is "Yes," with respect to any product, explain in what way the defendant claims its products were altered or substantially changed after sale or distribution and before reaching the insulation helper or mechanic.

Ans. N/A

92. Do you contend that asbestos insulation applicators and/or helpers were not foreseeable users of defendant's asbestos products, such as:

- (a) Pipe covering;
- (b) Blocks;
- (c) Asbestos cloth;
- (d) Mastics;
- (e) Spray-on insulation;
- (f) Rope or tape;
- (g) Asbestos sheeting or millboard;
- (h) Asbestos-containing cements.

Ans. Yes. Goodyear is not presently aware that such persons would have used any of its asbestos-containing products.

92. (b). Do you contend that brake and clutch mechanics were not foreseeable users of your asbestos containing brake lining and clutch pads?

Ans. No.

93. Based upon the material contents of your asbestos products, the method of manufacturing, and the method of application for the purpose of insulation, can your asbestos products be generally applied by an insulator without liberating asbestos fibers?

- (a) If there is a different answer concerning different products manufactured, sold, distributed, or used by your company then specify the different products by exact manufacturer's name and popular name.
- (b) If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and the year involved.

Ans. Objection. This Interrogatory is irrelevant. Goodyear does not manufacture insulation products.


Objecting Attorney

94. Was it a foreseeable use of your asbestos products that they may have to be removed, stripped or replaced at any time after installation?

Ans. Yes

95. List and identify by name of insurer, date of issue, term, policy number and amount of coverage of every policy of liability insurance insuring you against losses as a result of claims for bodily injury or death as a result of use of your asbestos products.

**Ans. Hartford - 7/1/40-1/1/49
Liberty Mutual - 1/1/49 - 1/1/53
Continental Casualty Company - 1/1/53 - 1/1/61
Aetna - 1/1/61 - 1/1/71
Travelers - 1/1/71 - 1/1/77
\$300,000.00 per occurrence, \$1,000,000.00 aggregate
Since 1/1/77 Goodyear is self-insured for primary limits.**

96. State separately for each year from 1930 to the present:

- (a) Total sales.
- (b) Asbestos product sales.

Ans. Objection. Goodyear objects to this Interrogatory on the basis that it is overly broad in time, i.e., over a 60 year period, is overly burdensome in that it involves the review of corporate records, that may or may not exist, to identify personnel of Goodyear who are currently unknown and probably are deceased, is not relevant to the subject matter of this lawsuit and will not lead to the discovery of admissible evidence. It also requests statements concerning proprietary information. Without waiving this objection, Goodyear answers that Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found.


Objecting Attorney

97. Did your company ever sell any vehicles to the U.S. military from 1925 to 1980?

Ans. Goodyear follows document retention policies which provide for the periodic and routine destruction of documents. Consequently, it has been unable to locate any documents which would enable it to answer this Interrogatory, but it will supplement this response in the event such documents should be found. To the best of Goodyear's present information and belief, the answer to this Interrogatory is No.

98. (a) State which years you began selling and ceased selling any such vehicles.
- (b) Identify the types of vehicles you sold to the U.S. military and the number of vehicles sold per year from 1925 to 1980.

(You may identify such vehicles by model number and/or by descriptive type, i.e. tanks, bulldozers, dump trucks, 3-ton trucks, etc.)

Ans. N/A

99. Were any of the vehicles mentioned in the above interrogatory shipped directly to the U.S. military in Hawaii? If so, state the number of vehicles shipped directly to Hawaii per year.

Ans. N/A

100. Did the vehicles identified in Interrogatory No. 98(b) contain asbestos:

- (a) In the brake linings? If so, state which vehicles.
- (b) In the clutch linings? If so, state which vehicles.
- (c) In the insulation material around the crew area? If so, state which vehicles.
- (d) In the insulation material around the manifold? If so, state which vehicles.
- (e) In any other part of the vehicle?
- (f) If your answer to the above subinterrogatory (e) is in the affirmative, state which parts of which vehicles contained asbestos materials.

Ans. N/A

101. When did said vehicles first start containing asbestos materials in the brake lining, clutch lining, insulation and/or any other part described above?

Ans. N/A

102. When did said vehicles stop containing asbestos materials in the brake lining, clutch lining, insulation and/or any other parts described above?

Ans. N/A

103. Did you purchase the asbestos materials used in said vehicles (including brake lining, clutch lining, insulation, and other vehicle parts containing asbestos) from another company, firm, or entity?

Ans. N/A

104. If your answer to the above interrogatory is in the affirmative, state the name of the asbestos containing parts you purchased and the company from whom

you purchased them and the years during which you purchased said parts from said company.

Ans. N/A

105. Have you, at any time from 1925 to 1980, manufactured, sold and/or distributed brake lining, clutch lining, insulation material for vehicles, or any other U.S. military vehicle component containing asbestos to any other company, firm or entity (including the U.S. military)? Were said brake linings, clutch linings, insulation materials and/or other components placed in vehicles sold to the U.S. military?

Ans. N/A

106. With reference to the above interrogatory, state the name of the products you sold and the years you sold the products, the company or entity to whom you sold the products, and the amount of each product sold per year.

Ans. N/A

107. With respect to Interrogatory No. 105 above, state the company or entity from which you purchased any asbestos or asbestos products which were used by you in brake linings, clutch linings, vehicle insulation and/or other U.S. military vehicles components, the years you purchased such asbestos or asbestos products from each such company, and the amount of asbestos or asbestos products you purchased each year from each company.

Ans. N/A

108. When did you start and when did you stop using asbestos materials in the brake linings, clutch linings, insulation material and/or other parts of vehicles used by the U.S. military?

Ans. N/A

109. Are you asserting any cross-claims for indemnity against any other co-defendant?

(a) If so, state which co-defendant you are asserting a cross-claim for indemnity against.

(b) State the factual basis for your cross-claim for indemnity.

(c) Identify any and all documents upon which you base your cross-claim for indemnity.

Ans. Objection. The court record in this lawsuit speaks for itself as to cross-claims.


Objecting Attorney

110. Are you aware that other co-defendants prior to 1972 had actual knowledge of the dangers or hazards of asbestos dust?

Ans. No

111. If your answer to the above interrogatory is anything other than an unequivocal "no", state all information you possess as to any other co-defendant's actual knowledge of the danger or hazards of asbestos dust.

(a) Identify all documents you possess that any other co-defendant had actual knowledge of the dangers or hazards of asbestos.

Ans. N/A

112. Have you settled any cross-claim for indemnity, or reached an agreement or tentative agreement concerning your cross-claims for indemnity with any other co-defendant? If so, state with whom you have settled or reached such an agreement.

Ans. Objection. This Interrogatory is irrelevant as to any matter involved in this lawsuit.


Objecting Attorney

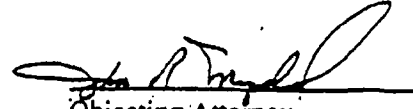
113. Have you agreed with any co-defendant not to settle with Plaintiffs in any asbestos cases in the above-captioned court? If so, state which co-defendants you have agreed with and the Civil Number of each case you have agreed not to settle.

Ans. Objection. This Interrogatory is irrelevant as to any matter involved in this lawsuit.


Objecting Attorney

114. Have you agreed with any co-defendant that in any trial in which a verdict is returned against you that you and a co-defendant will apportion the judgment between yourselves according to an Agreed-upon ration, or according to an agreed-upon amount? If so, state the names of the co-defendants with whom you have reached such an agreement, the Civil Numbers for which you have reached such an agreement, and the substance of such agreement(s).

Ans. Objection. This Interrogatory is irrelevant as to any matter involved in this lawsuit.


Objecting Attorney

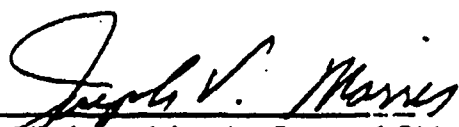
VERIFICATION

STATE OF OHIO §
 §
COUNTY OF SUMMIT §

I, JAMES BOYAZIS, solemnly affirm under penalties of perjury that I am Vice President & Secretary of The Goodyear Tire & Rubber Company and I verify the foregoing Answers to Interrogatories on its behalf; that the matters stated therein are not within my personal knowledge; that the facts stated therein have been assembled by authorized employees and counsel of The Goodyear Tire & Rubber Company, and I am informed that the facts stated therein are true.

Executed on 8/5/96, 1996 at Akron, Ohio.


James Boyazis


Notary Public in and for the State of Ohio

My Commission Expires:

JOSEPH V. MORRIS, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Section 1375.02 A.C.