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PLAINTIFF'S EXHIBIT

K-1932

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
COUNTY OF MACON

ROSE NEATHERY, Individually and	)	
as Special Administrator of the	)	
Estate of Ralph Neathery, deceased,	)	
Plaintiff,	)	
v.	)	No. 93 L 54
OWENS-CORNING FIBERGLAS CORPORATION,	)	
et al,	)	
Defendants.	)	

**DEPENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

PRELIMINARY STATEMENT

Some of the events which may be relevant to the matters inquired about by Plaintiffs' Interrogatories apparently occurred more than thirty-five years ago. In addition, effective April 30, 1958, Owens-Illinois, Inc. disposed of the business involved in this action by way of sale of that business to Owens-Corning Fiberglas Corporation. Since that time, Owens-Illinois, Inc. has not engaged in the asbestos-containing insulation products manufacturing business. It does not now and it has not since that sale manufactured, distributed or sold any of its Kaylo asbestos-containing insulation products. As a result of the foregoing factors, many of the individuals who might have had personal knowledge of the matters to which plaintiffs' interrogatories relate are deceased, or are otherwise unavailable to Owens-Illinois, Inc., and investigations to date indicate that at least some documents which relate to matters inquired about by these interrogatories were transferred to Owens-Corning Fiberglas Corporation with the transfer of the business in question in 1958. Owens-Illinois, Inc. is engaged in a continuing investigation in an attempt to locate, confirm the transfer of, or confirm the absence of, such documents and is also engaged in a continuing investigation into the matters inquired about in

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these interrogatories. Unless otherwise stated in an answer to a specific interrogatory, the answers set out hereinafter are limited to the period during which Owens-Illinois, Inc. manufactured asbestos-containing Kaylo insulation products and to the facilities related to that business. The following is a part of and is incorporated by reference in every answer provided hereinafter:

This answer is accurate as of the date made. However, Owens-Illinois, Inc.'s investigation is continuing, and Owens-Illinois, Inc. cannot exclude the possibility that it may be able to obtain more complete information or even information which indicates that the answer being supplied is incorrect. Owens-Illinois, Inc. objects to answering this interrogatory in regard to any period of time other than the period during which it engaged in the manufacture and sale of the Kaylo products alleged to be involved in this case which ended in mid-1958 or concerning any facility not related to that business, on the basis that any such answer would be irrelevant to the subject matter of the pending litigation, would not be reasonably calculated to lead to the discovery of admissible evidence, and would be burdensome and oppressive.

Commencing in 1963 and continuing through 1977, Kimble Glass Company, a unit of Owens-Illinois, Inc., offered for sale gaskets, inserts and spacers as accessory parts intended for use in conjunction with Kimble's conical end glass piping system. Some of these accessory parts contained asbestos as one of their ingredients. These accessory parts were not manufactured by Kimble, but were purchased from other suppliers. From approximately 1966 through 1977, the Kimble Division also offered for sale a field beading kit which included a small plate and a

covering over each of two small hoses. The plate and hose coverings may possibly have contained asbestos, but Owens-Illinois cannot yet confirm the ingredients of these materials based upon its business records presently reviewed. Kimble also sold Glass Lined Reactors manufactured by Schwelm for a period of time presently unknown which incorporated gaskets containing asbestos as one of their ingredients. At the end of 1977, Owens-Illinois transferred its interest in the glass pipe and Schwelm Reactor product lines and related assets to OI/Schott Process Systems, Inc. in exchange for 50% of the stock of the Corporation and, pursuant to a Sales Agreement dated May 24, 1990, sold its interest in OI/Schott Process Systems, Inc. to Schott Corporation. From 1982 through 1985, Kontes Glass Company, a subsidiary of Owens-Illinois during that time period, purchased certain asbestos-containing materials from other manufacturers and incorporated those materials into four of its products. Based upon the information available to Owens-Illinois to date concerning the nature of Plaintiff's claim, it is Owens-Illinois' understanding that the only Owens-Illinois asbestos-containing product to which the Plaintiff alleges exposure is Kaylo. Therefore, Owens-Illinois objects to responding to these interrogatories in regard to the above described asbestos-containing products sold by Kimble Glass Company and Kontes Glass Company on the basis that any such answer would be irrelevant to the subject matter of the pending litigation, would not be reasonably calculated to lead to the discovery of admissible evidence and would be burdensome and oppressive. In the event that Owens-Illinois is subsequently informed that the Plaintiff alleges exposure to asbestos-containing products sold by Kimble Glass Company or Kontes Glass Company, Owens-Illinois will supplement these answers to interrogatories within a reasonable time after receiving such notice to the extent that a supplementation is necessary in order to respond to the interrogatories in light of the alleged exposure to asbestos-

containing products sold by either Kimble Glass Company or Kontes Glass Company.

INTERROGATORIES

Q. 1. Have these interrogatories been answered fully and in good faith to the extent of the actual knowledge and information available to Defendant, OWENS-ILLINOIS, INC., its insurance carrier(s) and attorneys as required by *Battershell v. Bowman Dairy Co.*, 37 Ill. App. 2d 193, 201 (1st Dist. 1961)?

A. 1. This Defendant states that it has referred to the relevant business records of the Owens-Illinois Glass Company, which are still in the possession of Owens-Illinois, Inc., in connection with the preparation of answers to these interrogatories unless otherwise indicated.

Q. 2. Is the Defendant, OWENS-ILLINOIS, INC., a corporation? If so, state:

- (a) the exact corporate name;
- (b) the state of incorporation;
- (c) the name and address and position within Defendant of the person providing sworn answers to these interrogatories.

A. 2. Owens-Illinois Glass Company was incorporated in the State of Ohio in 1929. Owens-Illinois Glass Company changed its name to Owens-Illinois, Inc. on April 28, 1965. Due to corporate restructuring in 1987, this defendant is now a Delaware corporation. Howard G. Bruss, Assistant Secretary of Owens-Illinois, Inc., One SeaGate, Toledo, Ohio 43666.

Q. 3. Has anyone obtained from any person a statement (whether oral or written, signed or unsigned) concerning the occurrence involved in this cause of action? If so, state as to each statement:

(a) the name and last known address of the person making the statement;

(b) when, where and by whom the statement was taken;

(c) is there any tangible preservation of the statement, such as a document signed by the person making the statement, a tape-recording, a transcript or a memorandum purporting to reflect what was said?

(d) if your answer to (c) is affirmative, state the name and address of the person having possession of the tangible preservation of the statement.

A. 3. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 4. Has any private firm or company adjustor been directed to investigate the occurrence or ask questions of persons who may have knowledge of facts concerning the occurrence? If so, state the full name and address of each firm or adjustor.

A. 4. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 5. Do you have any information regarding Ralph Neathery's physical condition other than that information furnished you by the Plaintiff's counsel? If so, state the nature of that information, the name and address of its source, and if documentary in nature, who now has each.

A. 5. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 6. Were any photos taken of Ralph Neathery? If so, state the total number of photos, the date of each photo, and who has each.

A. 6. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 7. Were you named or covered under any policy of liability insurance, effective on the date of the occurrence, which may be construed to provide coverage for any claim stated in the Complaint? If so, as to each policy, state:

- (a) the name of the company;
- (b) the policy number;
- (c) the effective period;
- (d) the maximum liability limits for:
 - (1) injury to any one person;
 - (2) aggregate personal injury limits;
- (e) what amounts, if any, have previously been paid under the policy which in the opinion of the carrier reduces the coverage available;
- (f) whether the carrier denied coverage or tendered a defense under a reservation of rights;
- (g) whether the policy contains any first party medical pay or disability coverage, and, if so, describe the coverage.

A. 7. This defendant objects to this interrogatory on the ground that it seeks irrelevant and immaterial information which is not reasonably calculated to lead to the discovery of admissible evidence. Expressly reserving and without waiving its objections, and subject to them, this defendant states that the issues surrounding its insurance coverage for asbestos claims are complex. Because of disputes over possible insurance coverage, this defendant has engaged in litigation against certain insurance carriers which may provide coverage for asbestos claims. One such lawsuit resulted in a decision of the United States District Court of the District of Columbia in Owens-Illinois, Inc. v. Aetna Casualty and Surety Company, 597 F.Supp. 1515 (D.D.C. 1984).

The litigation between this defendant and Aetna Casualty and Surety Co. has been settled. The terms and conditions of the settlement agreement are confidential, and as a consequence, the parties are precluded from disclosing the terms or contents of the agreement. Litigation with other insurance carriers is ongoing.

Q. 8. Which, if any, of the carriers listed in your answer to the preceding interrogatory are providing a defense to this suit?

A. 8. Refer to objection and answer to Interrogatory No. 7.

Q. 9. Identify those expert witnesses (as defined in Supreme Court Rule 220(a)(1) from whom you may offer opinion testimony at trial, and for each such expert, state:

(a) his name, current address, telephone number, occupation, and employer;

(b) the subject matter on which the expert is expected to testify;

(c) his conclusions and opinions and the basis therefore;

(d) his qualifications, including all formal education subsequent to high school, a history of his employment and the citation to each of his published writings;

(e) the amount paid, or agreed to be paid to him, specifying his hourly rate of compensation;

(f) the name of the first plaintiff, first defendant, the court in which filed, and the cause number for every cause in which such expert has testified, whether at deposition or trial, and the date of his testimony.

A. 9. The identity of expert witnesses to be called at trial is not known at the present time. This defendant reserves the right to designate at a later date expert witnesses to be used at trial.

Q. 10. Identify with specificity any documents, objects, and tangible things, as defined in Supreme Court Rule 214, which are or were in the possession of any consulting expert as defined in Supreme Court Rule 220 which do not contain the consulting expert's opinion.

A. 10. This defendant objects to revealing the name of any expert whom it has consulted, except as to employment for testimony at trial on the grounds of: (a) the work product privilege; (b) attorney-client privilege; (c) the interrogatory seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence.

Q. 11. Has Defendant ever had one or more persons whose primary responsibility included looking after or monitoring the health of Defendant's employees, such as a medical director? If so, state the following as to each person who has held this position:

- (a) the name and address of the person;
- (b) the name of the position he or she held;
- (c) the dates during which he or she held the position;
- (d) the address of his or her office during the time he or she held the position;
- (e) state whether there was a written job description for that position at that time;
- (f) if there was a written job description, set forth the words of the description or attach a copy hereto.

A. 11. Charles Shook, M.D., deceased, employed from March 25, 1946 until June 30, 1960 was the Medical Director during the period in which this defendant manufactured, sold or distributed its Kaylo asbestos-containing products. He reported to the Vice President of Corporate Staff, Director of Corporate Personnel.

This defendant's chief medical officer is responsible for assuring and promoting preventive and corrective medical programs, services and practices to protect and preserve employee health and productivity throughout Owens-Illinois, Inc. The individual in this position develops, organizes, introduces and implements pre-employment and periodic examinations as well as new health programs in order to insure the continued well being of defendant's employees in a safe and healthy environment. The person in this position is also responsible for the quality of medical services at Owens-Illinois locations.

Q. 12. Has Defendant ever directed or contributed money toward a study of the effects of asbestos exposure upon the health of some or all of its employees? If so, state the following as to each such study:

- (a) the description or title of the study;
- (b) the dates during which it was made;
- (c) the location or locations of the plants at which the employees were employed;
- (d) the number of employees studied;
- (e) brief description of the study;
- (f) whether any of the results were reported into written form, and if so, who now has a copy of the report.

A. 12. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958 and does not have any records from which it can obtain information sufficient to answer this interrogatory.

During May, 1979, various papers and reports were produced by an employee of the Trudeau Institute, Mr. Allan Logie, regarding animal experiments conducted at laboratories at Saranac Lake involving dust collected during the Kaylo manufacturing process. These papers and reports may contain information relating to the substance of this interrogatory. This defendant has not been able to find these papers and reports in its business records or correspondence although it has searched for and continues to search for them.

This defendant's counsel obtained copies of some of the papers and reports produced by Mr. Logie. However, these copies constitute only a portion of a larger volume of papers and reports which this defendant has not copied. They are available through Winne, Banta, Rizzi, Hetherington & Basralian,

25 E. Salem Street, Hackensack, New Jersey. This defendant also has reason to believe that plaintiffs' counsel has copies of the documents produced by Mr. Logie. Other documents possibly relating to this interrogatory may have been produced by Owens-Corning Fiberglas Corporation in the asbestos litigation.

Those documents found at Saranac Lake and at Owens-Corning Fiberglas Corporation and elsewhere, indicate that during the period of time when Owens-Illinois was in the business of manufacturing asbestos-containing products, the state of government, industrial hygiene and medical community knowledge was that there was a recognized safe exposure level for asbestos dust and that persons installing insulation were not exposed to excessive or hazardous levels of asbestos dust. The foregoing documents also indicate that Kaylo plant employees were x-rayed periodically and displayed no asbestos-related chest disease; that this defendant made appropriate efforts to provide ventilation and to control the emissions of all dust emitted during the manufacturing process within recognized safe levels of exposure, including the use of respirators in some instances, dust collection equipment and other devices as necessary; and that therefore during the period in which this defendant was in the business of manufacturing Kaylo it had no reason to believe that the foreseeable use of Kaylo would create a hazard to users.

The documents produced by Owens-Corning Fiberglas Corporation indicate that the September, 1955 publication in the A.M.A. Archives of Industrial Health was a publication of inhalation experiments.

To the extent that this interrogatory seeks the production of documents, such documents, as outlined in this response, have not been found as part of this defendant's records and, to the extent that this defendant is in possession of copies of documents, it possesses copies only of documents collected in preparation for litigation. This defendant objects to producing the same. The documents are available from their proper source.

Q. 13. Have there been any studies of the effect of asbestos exposure upon the health of any of Defendant's employees? If so, state:

(a) the description or title of the study;

(b) the dates during which it was made;

(c) the location or locations of the plants at which the employees were employed;

(d) the number of employees studied;

(e) brief description of the study;

(f) whether any of the results were reported into written form, and if so, who now has a copy of the report.

A. 13. This defendant objects to this interrogatory as being vague, ambiguous, unintelligible, irrelevant, overly broad, burdensome and oppressive, not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case.

Q. 14. Is there a disease or disease process known as asbestosis?

A. 14. This defendant objects to this interrogatory on the basis that it constitutes an improper form of discovery in that plaintiff, in effect, is submitting a disguised request for admission. Further, this defendant objects to this interrogatory on the basis that it seeks an expert medical opinion which this defendant is not qualified to render.

Q. 15. Is asbestosis caused by exposure to asbestos?

A. 15. This defendant objects to this interrogatory on the grounds that the term "caused" is vague, ambiguous, overly broad, and seeks an expert medical opinion which this defendant is not qualified to render. Without waiving the above objection, during the period of time in which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products, it was this defendant's understanding that the inhalation of asbestos dust in excessive amounts over a prolonged period of time (years), under certain conditions, could lead to the potential hazard of contracting a disease known as asbestosis. However, in 1958 and before and for some years thereafter, the state of the medical and scientific knowledge was to the effect that there was a safe level of asbestos to which a person could be exposed without risk of injury and to the effect that persons such as plaintiffs were not exposed to excessive amounts of asbestos.

Q. 16. If your answer to the preceding interrogatory is in the affirmative, when did Defendant first learn that asbestosis was caused by exposure to asbestos?

A. 16. Refer to objection to Interrogatory No. 15. To the extent this interrogatory inquires as to asbestos-containing products manufactured or sold by other defendants, this defendant states that it does not have any records from which it can obtain information sufficient to answer this interrogatory, nor can it locate any present employees with knowledge thereof.

Insofar as this interrogatory inquires as to Kaylo asbestos-containing products manufactured by this defendant, this defendant states that it ceased the manufacture,

14. sale and distribution of its Kaylo asbestos-containing products effective April 30, 1958, and has not engaged in such business since.

During May 1979, various papers and reports were produced by an employee of the Trudeau Institute, Mr. Allan Logie, regarding animal experiments conducted at laboratories at Saranac Lake involving dust collected during the Kaylo manufacturing process. These papers and reports may contain information relating to the substance of this interrogatory. This defendant has not been able to find these papers and reports in its business records or correspondence although it has searched for and continues to search for them.

This defendant's counsel obtained copies of some of the papers and reports produced by Mr. Logie. However, these copies constitute only a portion of a larger volume of papers and reports which this defendant has not copied. This defendant also has reason to believe that plaintiffs' counsel has copies of the documents produced by Mr. Logie. They are available through Winne, Banta, Rizzi, Hetherington & Basralian, 25 E. Salem Street, Hackensack, New Jersey. Other documents possibly relating to this interrogatory may have been produced by Owens-Corning Fiberglas Corporation. Those documents indicate that experiments referred to in the documents produced by Mr. Logie were published in an AMA publication in September 1955. As with the documents produced by Mr. Logie, the documents produced by Owens-Corning Fiberglas Corporation have not been found as part of this defendant's records.

The foregoing documents indicate that during the time in which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products, its products contained a relatively small proportion of asbestos when compared to other asbestos-containing products in use during and prior to the same period of time. It appears that this defendant's employees at its asbestos product manufacturing plants were x-rayed periodically and displayed no asbestos-

related chest disease, although in the course of their employment they were exposed to the raw materials of this defendant's products as well as the dust of the finished product. Furthermore, these documents indicate that there were no worker's compensation claims filed by its employees for asbestos-related diseases.

It was this defendant's understanding of the state of medical and industrial hygiene knowledge that exposure to asbestos in excessive amounts over a prolonged period of time (years), in the conditions typically experienced in factories, workshops, and possibly mines and mills could lead to the potential hazard of contracting a disease known as asbestosis.

However, the state of medical and industrial hygiene knowledge was also to the effect that there was a safe level (threshold limit value) of asbestos to which a person could be exposed without risk of injury. This defendant was aware of the threshold limit value for asbestos as published by the American Conference of Governmental Industrial Hygienists (ACGIH) in the 1940's and 1950's through publications by the Industrial Hygiene Foundation, ACGIH and from the above referenced "Logie" and "OCF" documents.

In addition, it appears that an employee of this defendant subscribed to and received the Journal of Industrial Hygiene and Toxicology which contained in January 1946 an article published by the Navy entitled, "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels," by Fleischer, Viles, Gade and Drinker. This article stated that persons who worked as insulators in shipyards were not exposed and did not work in conditions similar to those experienced in factories, workshops, mines and mills, and were not exposed to levels of asbestos above the recognized safe limits. Therefore, the article concluded that such persons were not engaged in a hazardous occupation.

From the foregoing papers, reports and articles, this defendant had no reason to believe that exposure

to its Kaylo asbestos-containing products would result in a foreseeable risk of harm to users.

This defendant reserves the right to supplement this response as discovery and the case warrant. This defendant has reason to believe that plaintiffs' counsel is in possession of a substantial library of asbestos-related literature containing articles that defendant may wish to rely upon.

To the extent that this interrogatory seeks the production of documents, such documents, as outlined in this response, have not been found as part of this defendant's records and, to the extent that this defendant is in possession of copies of documents, it possesses copies only of documents collected in preparation for litigation. This defendant objects to producing the same. The documents are available from their proper source.

Q. 17. Is there a disease or disease process known as lung cancer?

A. 17. This defendant objects to this interrogatory on the basis that it constitutes an improper form of discovery in that plaintiff, in effect, is submitting a disguised request for admission. This defendant further objects to this interrogatory on the basis that it seeks an expert medical opinion which this defendant is not qualified to render.

Q. 18. Can lung cancer be caused by exposure to asbestos?

A. 18. This defendant objects to this interrogatory on the basis that the term "caused" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between cancer and asbestos

was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objections, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting cancer.

Q. 19. If your answer to the preceding interrogatory is in the affirmative, when did Defendant first learn that lung cancer can be caused by exposure to asbestos?

A. 19. Refer to objection and answer to Interrogatory No. 18.

Q. 20. Does exposure to asbestos increase the incidence of lung cancer?

A. 20. This defendant objects to this interrogatory on the basis that the phrase "increase the incidence" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between cancer and asbestos was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objection, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting cancer.

Q. 21. If your answer to the preceding interrogatory is in the affirmative, state when Defendant first learned that exposure to asbestos increased the incidence of lung cancer.

A. 21. Refer to objection and answer to Interrogatory No. 20.

Q. 22. Is there a disease or disease process known as mesothelioma?

A. 22. This defendant objects to this interrogatory on the basis that it constitutes an improper form of discovery in that plaintiff, in effect, is submitting a disguised request for admission. This defendant further objects to this interrogatory on the basis that it seeks an expert medical opinion which this defendant is not qualified to render.

Q. 23. Can mesothelioma be caused by exposure to asbestos?

A. 23. This defendant objects to this interrogatory on the basis that the term "caused" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between mesothelioma and asbestos was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objections, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting mesothelioma.

Q. 24. If your answer to the preceding interrogatory is in the affirmative, when did Defendant first learn that mesothelioma can be caused by exposure to asbestos?

A. 24. Refer to objection and answer to Interrogatory No. 23.

Q. 25. Does exposure to asbestos increase the incidence of mesothelioma?

A. 25. This defendant objects to this interrogatory on the basis that the term "increase the incidence" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between mesothelioma and asbestos was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objections, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting mesothelioma.

Q. 26. If your answer to the preceding interrogatory is in the affirmative, state when Defendant first learned that exposure to asbestos increased the incidence of mesothelioma.

A. 26. Refer to objection and answer to Interrogatory No. 25.

Q. 27. Is there a disease, disease process known as cancer of the gastrointestinal tract?

A. 27. This defendant objects to this interrogatory on the basis that it constitutes an improper form of discovery in that plaintiff, in effect, is submitting a disguised request for admission. This defendant further objects to this interrogatory on the basis that it seeks an expert medical opinion which this defendant is not qualified to render.

Q. 28. Can cancer of the gastrointestinal tract be caused by exposure to asbestos?

A. 28. This defendant objects to this interrogatory on the basis that the term "caused" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between cancer of the gastrointestinal tract and asbestos was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objections, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting cancer of the gastrointestinal tract.

Q. 29. If your answer to the preceding interrogatory is in the affirmative, when did Defendant first learn that cancer of the gastrointestinal tract can be caused by exposure to asbestos?

A. 29. Refer to objection and answer to Interrogatory No. 28.

Q. 30. Does exposure to asbestos increase the incidence of cancer of the gastrointestinal tract?

A. 30. This defendant objects to this interrogatory on the basis that the phrase "increase the incidence" is vague, ambiguous and unintelligible. Defendant further objects on the basis that its present knowledge is irrelevant to this action in that evidence of a causal connection between cancer of the gastrointestinal tract and asbestos was first accepted by medical science after the period of time defendant ceased the manufacture of asbestos-containing products. Without waiving its objections, defendant is informed and believes that at no time prior to 1958 was there reason to believe that the medical and scientific community accepted that there was a causal connection established between exposure to asbestos and a risk of contracting cancer of the gastrointestinal tract.

Q. 31. If your answer to the preceding interrogatory is in the affirmative, state when Defendant first learned that exposure to asbestos increased the incidence of cancer of the gastrointestinal tract.

A. 31. Refer to objection and answer to Interrogatory No. 30.

Q. 32. List the following information for each claim brought against Defendant by a present or former employee of Defendant or the spouse or child of a deceased such employee alleging a disease or condition of ill-being caused by asbestos:

(a) the name and address of the person alleged to be diseased or in a condition of ill-being;

(b) when the alleged disease or condition of ill-being began;

(c) the circumstances under which the employee is alleged to have come into contact with asbestos;

(d) whether the person is represented by an attorney, and if so, the name and address of his attorney;

(e) the agency where the claim was filed, the docket number of the claim and the date the claim was filed.

A. 32. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, during the period in which this defendant engaged in the manufacture of its asbestos-containing products, it received no workers' compensation claims for any asbestos-related disease.

Q. 33. List the following information for each claim, not identified in your answer to the preceding interrogatory, brought against Defendant by a present or former employee of Defendant or the spouse or child of a deceased employee alleging a disease or condition of ill-being caused by asbestos:

- a) the name and address of the person alleged to be diseased or in a condition of ill-being;
- b) when the alleged disease or condition of ill-being began;
- c) the circumstances under which the employee is alleged to have come into contact with asbestos;
- d) whether the person is represented by an attorney, and if so, the name and address of his attorney;
- e) the agency where the claim was filed, the docket number of the claim and the date the claim was filed.

A. 33. Refer to objection and answer to Interrogatory No. 32.

Q. 34. List the following information for each claim or report, not identified in your answer to any preceding interrogatory, alleging a disease or condition of ill-being caused by asbestos or an asbestos containing product sold by Defendant:

- a) the name and address of the person alleged to be diseased or in a condition of ill-being;
- b) when the alleged disease or condition of ill-being began;
- c) the circumstances under which the employee is alleged to have come into contact with asbestos sold by you;
- d) whether the person is represented by an attorney, and if so, the name and address of his attorney;
- e) whether the claim has resulted in a lawsuit against you, and if so, the court where the suit was filed, the docket number of the suit, and the date the suit was filed.

A. 34. Refer to this defendant's answers to these interrogatories.

Q. 35. List the following information regarding each document (as defined in Supreme Court Rule 201(b)(1) authored by an employee of Defendant in the course of his employment, dealing in whole or in part with the consequences of exposure to asbestos:

(a) name, title or other means of identification of the document;

(b) name, position at time document authored, and current address, position and employer of each author of the document;

(c) date prepared or published;

(d) the name and address of the entity responsible for its publication and/or distribution;

(e) if available in typewritten or printed form, the number of pages.

A. 35. This defendant objects to this interrogatory as being vague, ambiguous, unintelligible, irrelevant, overly broad, burdensome and oppressive, not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case.

Q. 36. When did Defendant first sell asbestos or products containing asbestos?

A. 36. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, Owens-Illinois Glass Company began limited pilot plant operations involving the production of "Kaylo" asbestos-containing products in 1943. It began the manufacture of commercial quantities of "Kaylo" asbestos-containing products in about 1948 and continued such manufacture until about April 30, 1958. This defendant does not now and has not in the past engaged in the mining, milling or selling asbestos.

Q. 37. Does Defendant still sell asbestos or products containing asbestos? If not, when did Defendant stop selling?

A. 37. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, no. This defendant ceased all involvement in the manufacture of Kaylo asbestos-containing insulation products in 1958.

Q. 38. List the following information about each different type (as opposed to different sizes of the same

type) of asbestos containing product manufactured or sold by
Defendant:

- (a) brand or trade name;
- (b) description;
- (c) uses Defendant recommended of it;
- (d) asbestos content;
- (e) dates of manufacture and/or sale.

A. 38. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection:

(a) Kaylo.

(b) This defendant ceased the manufacture, sale and distribution of Kaylo asbestos-containing products in 1958. It believes that Kaylo and Kaylo-20 were premolded, light density rigid products, and were manufactured in two forms, block and pipe covering. Kaylo was white or off-white in color, and Kaylo-20 was pinkish in color.

(c) The Kaylo asbestos-containing products manufactured by this defendant were intended to be used for industrial high temperature thermal insulation such as pipe covering and block insulation, and to increase fireproofing and fire protection and for insulation through use as a roof deck or fireproof material or door core material.

(d) This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. Its investigation as to the composition of each such product, including the type of asbestos contained therein (i.e., amosite or chrysotile) and the quantitative percentage of asbestos, is continuing, although this

interrogatory. However, it does not appear that any warning concerning asbestos was given in that it does not appear that this defendant had reason to believe that the use of its products would result in a foreseeable risk of harm. Further, this defendant does not now and has not in the past engaged in the mining, milling or selling asbestos.

Q. 40. If your answer to the preceding interrogatory is in the affirmative, state the following as to the first information Defendant received that exposure to asbestos caused disease:

- a) the form in which it was received, e.g., orally, in writing;
- b) if orally, the name and address of the person from whom received;
- c) if the information was received in written form, give the author, title of the document, and date of the document;
- d) the name and address of the employee or employees who received the information;
- e) briefly describe the information.

A. 40. Refer to answer to Interrogatory No. 39.

Q. 41. If your answer to the second preceding interrogatory was affirmative, list the name and address of each employee who was responsible to investigate whether:

- a) the warnings were reaching the persons who were breathing and/or ingesting the asbestos from the asbestos containing products;

b) the warnings were being read by the persons who were breathing and/or ingesting the asbestos from the asbestos containing products;

c) the warnings were being understood by the persons who were breathing and/or ingesting the asbestos from the asbestos containing products;

d) the warnings were being heeded by the persons who were breathing and/or ingesting the asbestos from the asbestos containing products.

A. 41. Refer to answer to Interrogatory No. 39.

Q. 42. Did Defendant ever have one or more employees who routinely performed the task of sawing asbestos containing products?

If so, state the following:

a) the name and address of each plant at which the process was conducted, and the inclusive period of years during which the process was conducted, at that plant;

b) the number of employees who performed the task for one year or more;

c) the name and address of each employee who performed the task for one year or more at one of Defendant's plants and who was known by Defendant to be free of asbestos disease 25 years or more after having first performed the task for at least one year.

A. 42. This defendant objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad, seeks information which is not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. Without waiving the above objection, this defendant has not found information in its

records sufficient to enable it to answer this interrogatory. Further, this defendant has never formed nor maintained a group or groups known as "contract units," such "contract units" being a division or group within or maintained by the corporation which, inter alia, engaged in the actual installation of insulation products containing asbestos at job sites.

Q. 43. List the following information regarding each worker or group of workers who, as of 1990, had used containing ovens for 25 years or more and were known by Defendant to be free of asbestos disease:

- a) current name and address;
- b) location(s) and inclusive dates of asbestos product usage;
- c) date(s) of the examination(s) which revealed the worker to be free of asbestos disease.

A. 43. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objections, this defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory.

Q. 44. List the following information regarding each instance where an employee of Defendant testified (at deposition or trial) in asbestos disease litigation:

- a) name of employee;

- b) date and place testimony was given;
- c) first named plaintiff and defendant, case number and court in which pending;
- d) name and address of reporter;
- e) whether you have a transcript of the testimony.

A. 44. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant is aware that the following present or former employees have testified at trial or by deposition in asbestos-related litigation:

Edward C. Ames: 10/8/79, 1/10/80, 2/12/81, 3/26/81 and 10/7/81.

Robert Grim: 9/6 & 7/84 (trial), 10/11/84 (trial), 7/1/87 (trial), 12/12/90 (trial), 1/31/91 (trial), 10/23/91 (trial), and 1/13/92 (trial).

Richard L. Grimmie: 7/10/79, 10/24/79 (trial), and 10/29/79 (trial).

David Innis: 9/27/83.

William Justice: 7/11/79 and 5/3/82.

John Pershing: 7/26/79.

John Rhoads: 7/11/79.

June Welser: 7/11/79.

Everett Shuman: 4/26/79, 6/12/79, 7/15/80, 8/19/80, and 3/4/81.

Willis G. Hazard: 2/11/81, 3/27/81, 12/14/81, and 1/27/82.

Howard G. Bruss, Esq.: 6/29/93.

David Van Hooser: 8/11/93 (trial)

Michael E. McConnell, Esq.: 2/24/89 and 10/25/90.

Richard R. Beck: 4/1/81.

Samuel F. Schillaci: 4/7/81, 7/31/81 (trial), 11/9/81 (trial), 11/17/81 (trial), 4/26-27/82, 6/4/84, 8/28/84, 9/6/84, 11/14/84, 2/5/85, 3/4/85 (trial), 4/30/85, 12/19/85 (trial), 10/8/86, 4/10/87 (trial), 6/25/87 (trial), 11/4/87 (trial), 1/20/88, 9/20/88 (trial), 10/15/88 (trial), 11/14/88 (trial), 11/22/88 (trial), 11/29/88 (trial), 12/8/88 (trial), 12/15/88 (trial), 3/14/89, 3/21/89, 3/28/89 (trial), 5/9/89 (trial), 6/15/89, 6/30/89 (trial), 7/7/89 (trial), 7/27/89, 8/18/89 (trial), 11/2/89 (trial), 11/6/89, 11/16/89 (trial), 11/17/89 (trial), 1/9/90 (trial), 1/31/90 (trial), 2/23/90 (trial), 3/14/90, 4/17-18/90, 4/24/90, 5/16/90 (trial), 5/24/90 (trial), 5/30/90 (trial), 6/8/90 (trial), 6/12/90 (trial), 6/20/90 (trial), 6/21/90 (trial), 6/29/90 (trial), 7/17/90 (trial), 7/19/90 (trial), 8/30/90 (trial), 10/11/90 (trial), 10/17/90, 11/20/90 (trial), 11/28/90 (trial), 12/11/90 (trial), 12/19/90 (trial), 1/24/91 (trial), 2/1/91 (trial), 2/22/91 (trial), 2/27/91, 3/8/91 (trial), 4/25/91 (trial), 4/26/91 (trial), 5/20/91 (trial), 6/13/91 (trial), 8/2/91 (trial), 8/8/91 (trial), 9/30/91 (trial), 10/8/91 (trial), 10/25/91 (trial), 10/30/91 (trial), 10/31/91 (trial), 11/4/91 (trial), 11/7/91 (trial), 11/13/91 (trial), 1/23/92 (trial), 1/28-29/92 (trial), 2/24/92 (trial), 12/15/92 (trial), 3/11/93 (trial), 3/12/93 (trial), 3/19/93 (trial), 5/21/93 (trial), 8/16/93 (trial), and 2/2/94 (trial).

George N. Bates, M.D.: 4/6/81.

Thomas A. Meehan, Esq.: 8/3/81 (trial), 11/9/81 (trial), 12/15/83, 1/16/84, 8/28/84, 6/4/84, and 11/13/84.

Effective April 30, 1958, this defendant sold its asbestos-containing product manufacturing division to Owens-Corning Fiberglas Corporation. At that time certain employees who worked in the division, some of whom are mentioned above,

transferred to Owens-Corning Fiberglas Corporation. These individuals have been deposed with regard to asbestos-related litigation involving Owens-Corning Fiberglas Corporation.

This defendant objects to the production of copies of the transcripts of these depositions on the basis that said transcripts are filed with various courts around the country, they are therefore matters of public record, and therefore plaintiffs have equal access to such documents. Defendant reserves the right to advance additional arguments against the production of such documents if and when plaintiffs file a request for production.

Q. 45. List the following information regarding each instance where an individual whom you had listed, retained or called as an expert witness testified (at deposition or trial) in asbestos disease litigation:

- (a) name of employee;
- (b) date and place testimony was given;
- (c) first named plaintiff and defendant, case number and court in which pending;
- (d) name and address of reporter;
- (e) whether you have a transcript of the testimony.

A. 45. This defendant objects to revealing the name of any expert whom it has consulted, except as to employment for testimony at trial on the grounds of: (a) the work product privilege; (b) attorney-client privilege; (c) the interrogatory seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence.

Q. 46. List the name and address of all international unions and local unions which have represented employees of Defendant while the employees were using asbestos containing products or were being exposed to asbestos, and indicate the address of the plant or group of employees represented and the date of such representation.

A. 46. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory.

Q. 47. Did any of the unions listed in your answer to the previous interrogatory ever instruct, advise or caution your employees on the safe handling of asbestos or precautions to be taken when working in airborne asbestos?

If so, please state for each instruction, advice or warning:

a) the name and address of the union and person instructing, advising or warning your employees;

b) the method and content of the instruction, advice or warning;

c) the dates of the instruction, advice or warning;

d) whether the union ever promulgated, recommended or bargained for any regulations, standards or guidelines concerning the safe handling of asbestos or precautions to be taken when working in airborne asbestos.

NOTE TO DEFENDANT: You may reproduce this page as many times as necessary so that you have a separate page upon which to answer for each instruction, advice or warning.

A. 47. Refer to answer to Interrogatory No. 46.

Q. 48. On what date did Defendant first become aware that asbestosis was a compensable occupational disease under a State Worker's Compensation Act?

A. 48. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, this defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory.

Q. 49. Please describe the date, place and circumstances under which Defendant first became aware that any adverse effects of exposure to asbestos and asbestos containing materials may be cumulative in nature and that continued exposure to such materials by one suffering from asbestosis or related illnesses might have a significant adverse effect upon the extent and severity of such illness. In addition, please state:

- a) the specific identity of each source of information providing or leading to such awareness; and
- b) any change in Defendant's behavior, work rules, etc., precipitated by such awareness.

A. 49. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which

this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, this defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory.

Q. 50. Did Defendant ever suggest or recommend that persons using or exposed to the dust from Defendant's asbestos containing products might or should use any device to reduce exposure to, or inhalation of, asbestos dust or fibers? If so, please state for each and every such suggestion or recommendation:

- a) date, time and place when each such suggestion or recommendation was made;
- b) identify each person present when such suggestion or recommendation was made to or received by Plaintiff;
- c) identify each person receiving same or similar suggestion or recommendation;
- e) whether such suggestions or recommendation was written or oral, and
 - 1) if written, please identify in detail each such writing;
 - 2) if oral, identify all persons involved and details as to the manner in which each such suggestion or recommendation was presented;
- f) type, make and model of each device referred to in each such suggestion or recommendation.

A. 50. This defendant objects to this interrogatory on the basis that the phrase "persons using or exposed" is vague, ambiguous, overly broad as not limited to end

users, seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, this defendant states that during the time it was involved in the Kaylo asbestos-containing products business, the state of scientific and medical art was to the effect that there was a safe level of asbestos to which a person could be exposed without risks of injury and to the effect that persons such as plaintiffs were not exposed to excessive amounts of asbestos. Therefore, this defendant had no reason to believe that the use of its product would result in a foreseeable risk of harm. This defendant has not engaged in sufficient Discovery to further answer this interrogatory. This defendant reserves the right to further respond to this interrogatory at any time in the future.

Q. 51. Identify all documents of which you have knowledge, including but not limited to medical articles, medical journals, case reports, textbooks, abstracts, or synopses, which you believe relate to your "state-of-the-art" defense.

A. 51. The documents which this defendant intends to rely upon at trial are not known at the present time. This defendant reserves the right to designate documents to be used at trial at a later date. As a partial listing, however, the following materials may be relied upon: "A Study of Asbestosis in the Asbestos Textile Industry," Dreessen, W.C. (1938); an article published in the Transactions of the Eleventh Annual Meeting, Industrial Hygiene Foundation, November 7, 1946 by J. J. Bloomfield; "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels," Fleischer, Drinker, et al.,

(1964); "Asbestos Exposure During Naval Vessel Overhaul," Marr, William T. (1964); "Prevalence of Chronic Respiratory Disease," Ferris, B. G., Jr. (1971); "Asbestosis and Bronchogenic Carcinoma," Isselbacher, K. J. (1953); Annals of the New York Academy of Sciences Volumes 132 and 330; and the Threshold Limit Values promulgated by the American Conference of Governmental Industrial Hygienists for the years 1946 through 1958.

Q. 52. List the name and present address of all persons who have been a director in Defendant from the date of its incorporation to the present and list the dates during which the person was a director.

A. 52. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

Q. 53. List the name and current address of each person who has held any of the following offices in Defendant from the date of its incorporation to the present and also list the office held and the inclusive date during which the office was held: President, Vice-President; Secretary; and Treasurer.

A. 53. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

Q. 54. Pursuant to Supreme Court Rule 213(e), identify and give the location of those persons, not previously disclosed, having knowledge of facts relevant to how or why the occurrence described in the Complaint took place.

A. 54. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 55. Pursuant to Supreme Court Rule 213(e), identify and give the location of those persons, not previously disclosed, having knowledge of facts relevant to the nature and extent of Ralph Neathery's injury.

A. 55. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 56. Pursuant to Supreme Court Rule 213(e), identify and give the location of those persons, not previously disclosed, having knowledge of facts relevant to the nature and extent of Plaintiff's injury.

A. 56. This defendant objects to this interrogatory as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This defendant further objects to this interrogatory on the grounds that it seeks information within the work-product privilege and on the ground that it is oppressive and burdensome in that it would have to review all of the files and all of the records of all of its attorneys all over the country to respond to this interrogatory.

Q. 57. Did Defendant ever sell asbestos or asbestos-containing products to be used at General Cable Corporation, Monticello, Illinois? If so, state:

- a) When Defendant first sold asbestos or asbestos-containing products to be used at General Cable Corporation, Monticello, Illinois;
- b) When Defendant last sold asbestos or asbestos-containing products to be used at General Cable Corporation, Monticello, Illinois.

A. 57. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-

containing products in 1958. Without waiving the above objection, this defendant has found no records indicating that it sold, distributed, or otherwise supplied Kaylo insulation products containing asbestos to General Cable Corporation, Monticello, Illinois. Further, this defendant does not now and has not in the past engaged in the mining, milling or selling asbestos.

Q. 58. Did Defendant ever ship asbestos or asbestos-containing products for use at General Cable Corporation, Monticello, Illinois? If so, state as to each shipment:

- a) The date of the shipment;
- b) The quantity shipped;
- c) Identify the contract under which the shipment was made;
- d) The name, position at that time, and current address, employer, and position of each person who had knowledge of such shipment.

A. 58. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. Without waiving the above objection, this defendant has found no records indicating that it sold, distributed, or otherwise supplied Kaylo insulation products containing asbestos to General Cable Corporation, Monticello, Illinois. Further, this defendant does not now and

has not in the past engaged in the mining, milling or selling asbestos.

Q. 59. Did defendant ever contract with General Cable Corporation, or any of its corporate affiliates or successors, for the sale of asbestos or asbestos-containing products? If so, state the following information as to each such contract:

- a) The date the contract was executed;
- b) The contract number or other method of identifying the specific contract;
- c) The type, quantity, and unit price of the asbestos or asbestos-containing products involved.

A. 59. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, this defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory. Refer to answer to Interrogatory No. 58

Q. 60. With what companies, if any, did Defendant contract with to obtain asbestos or asbestos-containing products for resale to General Cable Corporation, Monticello, Illinois? For each such company, state the following:

- (a) The name of the company providing the asbestos or asbestos-containing products;
- b) The dates the contracts were executed
- c) The type or types of asbestos or asbestos-containing products involved;
- d) The quantity of asbestos or asbestos-containing products involved;
- e) The contract number or other method of identifying the specific contract;
- f) The name, position at that time, and current address, employer, and position of each person who had knowledge of such contract.

A. 60. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, not applicable to this defendant. This defendant was not in the business of reselling other manufacturers' asbestos-containing products.

Q. 61. Did any employee or agent of Defendant ever visit General Cable Corporation at Monticello, Illinois? If so, state as to each visit:

- a) The date;
- b) The name, position, and employing agency at that time and current address, position and employer of each person who made the visit;
- c) The name and current address of each other person present at the time of the visit;

- d) Whether any documents were prepared which reflect the date of the visit, who was present, or the reason for the visit;
- e) If your answer to (d) is affirmative, identify the documents.

A. 61. This defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this defendant engaged in the manufacture, sale and distribution of its Kaylo asbestos-containing products. Without waiving the above objection, this defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this interrogatory.

Q. 62. List the following information regarding each instance known to Defendant where an individual has testified (at deposition or trial) that a product manufactured or sold by Defendant was present or used at General Cable Corporation (in lieu of providing the answers to the following, you may provide a transcript of the testimony and Plaintiff's lawyer will pay your charges for providing the same):

- a) name and address of witness;
- b) first named plaintiff, case number, and court in which case is pending;
- c) date of testimony;
- d) name and address of reporter;
- e) whether you have a transcript of the testimony.

A. 62. This defendant objects to this interrogatory in that it seeks information protected by the attorney-client and/or the attorney work-product privilege. This defendant further objects to this interrogatory on the grounds that the information inquired about is a matter of public record, if exists, and therefore, plaintiff's counsel has equal access to same.

defendant now believes that this defendant's commercially produced asbestos-containing products were hydrous calcium silicates containing between 13% and approximately 20% asbestos. Chrysotile asbestos was the primary type apparently used. Amosite was incorporated to a lesser extent.

(e) Owens-Illinois Glass Company began limited pilot plant operations involving the production of "Kaylo" asbestos-containing products in 1943. It began the manufacture of commercial quantities of "Kaylo" asbestos-containing products in about 1948, and began the manufacture of commercial quantities of "Kaylo-20" in or after mid-1955, and continued such manufacture until about April 30, 1958.

Q. 39. Has Defendant, at any time since it began selling asbestos or asbestos containing products, issued a warning concerning the consequences of exposure to asbestos, which warning was intended by Defendant to reach those persons who would breath or ingest asbestos or asbestos containing products during their distribution and/or use? If so, state as to each such warning:

- (a) the language of the warning;
- (b) date first issued or distributed;
- (c) date last issued or distributed;
- (d) the method of communication or distribution used;
- (e) the name, position at that time, and current address, position and employer of each person ordering or recommending the warning.

A. 39. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this

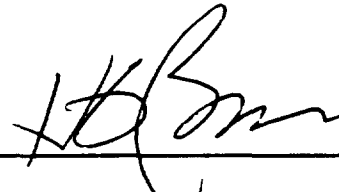
AFFIDAVIT

STATE OF OHIO)

)SS:

COUNTY OF LUCAS)

H. G. BRUSS, being duly sworn according to law, deposes and says that he is an Assistant Secretary of Owens-Illinois, Inc., a defendant herein; that as such he is authorized to make an Affidavit on its behalf; and that the facts set forth in the foregoing DEFENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO INTERROGATORIES, are true and correct to the best of his knowledge, information and belief.



H. G. BRUSS

SWORN TO and subscribed before me this 20th day of October, 1994

My Commission Expires: January 4th, 1996

SEAL



Notary Public

MARY JANET CRAWFORD
Notary Public, State of Ohio
My Commission Expires 1-4-96

EXHIBIT I

OCT 26 1992

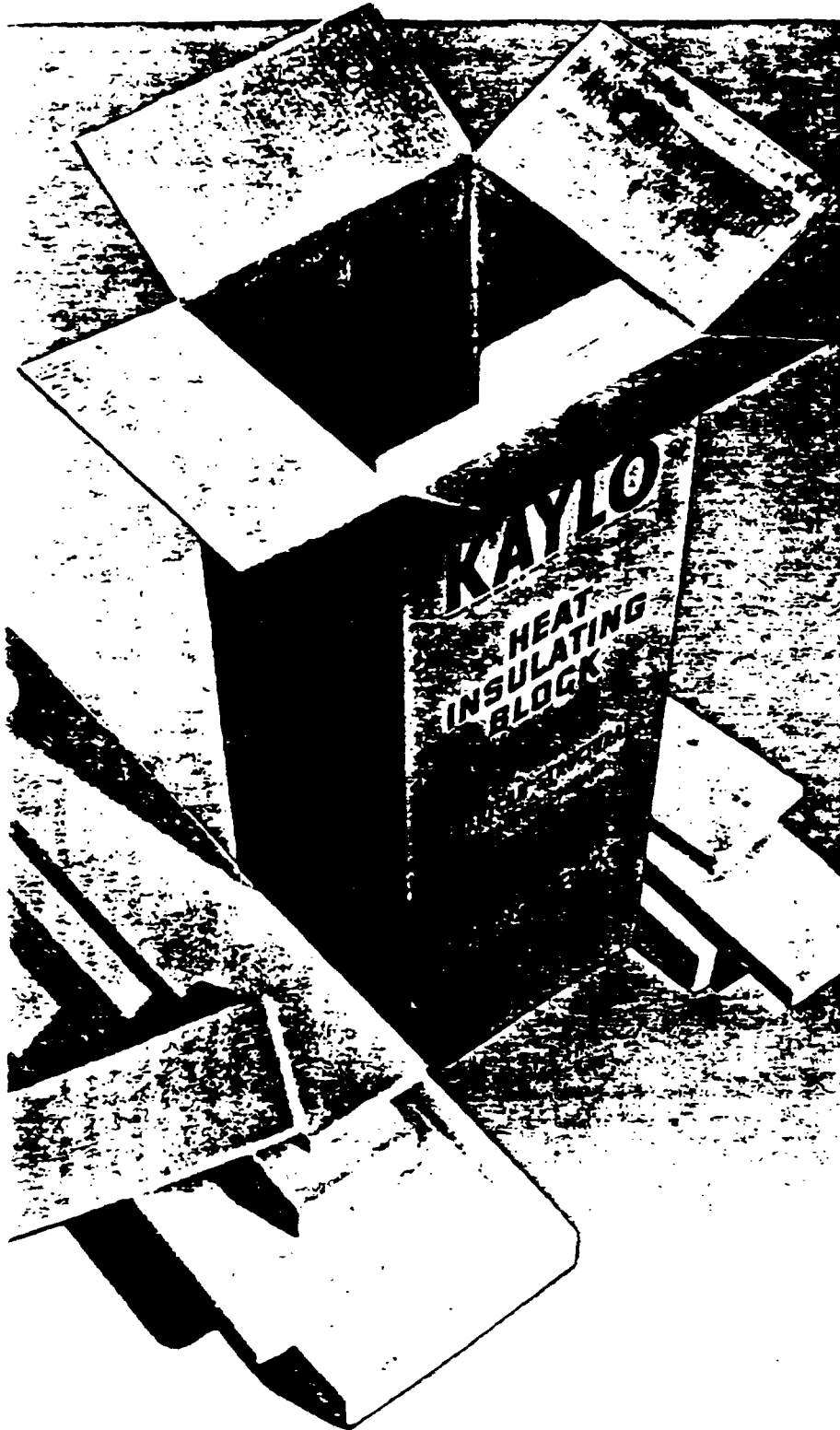
NEW

KAYLO

HEAT INSULATING BLOCK[®]
For Temperatures up to 1200° F.

**AMERICAN STRUCTURAL
PRODUCTS COMPANY
TOLEDO, OHIO
Sole Agent
OWENS-ILLINOIS GLASS COMPANY**

A NEW HEAT INSULATION WITH A REMARKABLE COMBINATION OF ADVANTAGES....



Kaylo Heat Insulating Block is a new type of lightweight mineral insulation that is *efficient* enough to be used at ordinary room temperatures and *resistant* enough to perform effectively up to 1200° F.

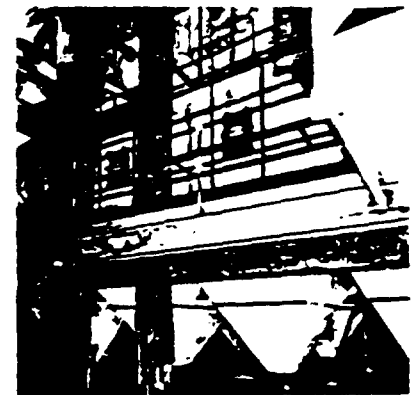
Few new products of any kind have been so thoroughly researched before being placed on the market. Kay Heat Insulating Block is the achievement of many years' work by Ower Illinois Glass Company engineers, physicists and chemists.

No other material, new or old, effectively combines the most desirable characteristics of the ideal heat insulation.

For instance ...

LOW DENSITY

Kaylo Heat Insulating Block weighs only 11 pounds per cubic foot. This light weight (less than one pound to the board foot) simplifies handling, shipping and application. It greatly reduces weight—an important advantage on ships, for an example.



Notice the clean, straight edges on these insulated precipitator hoppers. Applicators find it easy to do this kind of work with Kaylo Heat Insulating Block because they are so easy to cut and yet they have a relatively high flexural strength. The walls above the hoppers are also insulated with Kay Heat Insulating Block.

LOW THERMAL CONDUCTIVITY

The coefficient of conductivity, or K'' , of Kaylo Heat Insulating Block, is shown on the chart on page four, placing it among the most efficient insulations for medium high temperatures. Its insulation value comes principally from its fine, interlaced cellular structure. These cells are so tiny and so numerous that they present a material surface of approximately 140 acres per cubic foot of insulation.

Experience shows that the insulation value of Kaylo insulation improves when the material is put into service.

EFFECTIVE OVER WIDE TEMPERATURE RANGE

Kaylo Heat Insulating Block performs efficiently not only on temperatures in the low pressure steam and hot water range but on temperatures in the superheated steam range as well. This is shown by the flatness of the conductivity curve. One-material coverage with Kaylo insulation handles applications which often require two thicknesses of different materials.

HIGH COMPRESSIVE STRENGTH

compressive strength is unusually high for a mineral product of such light weight. Kaylo Heat Insu-

lating Block withstands compression values equivalent to those of a man's walking on it or even to those of a heel's being ground into it.

HIGH FLEXURAL STRENGTH

Its flexural strength is higher than the normal requirement for heat insulation of this type. This strength makes for easy handling and application, and contributes to long service with low maintenance.

NO ADDED BINDER

Kaylo insulation is an inorganic compound, containing no added binder. Its performance characteristics, therefore, are not affected by additives, which often reduce insulating value, modify effective temperature range or otherwise limit performance.

EASY TO APPLY WELL

Kaylo Heat Insulating Blocks are clean-cut and trim. They are easy to fit into place to make a good-looking installation. Their "feel" is pleasant and non-irritating. They can be cut, scored and sawed with ordinary woodworking tools. Finishes that go over the block, whether cement, cloth or other types, can be applied smoothly and with a minimum of effort. No special tools are needed.

LOW MOISTURE ABSORPTION

Moisture absorption is no problem with Kaylo insulation. Even when subjected to an atmosphere of 90% relative humidity and a temperature of 120° F., in standard tests, specimens absorb less than 1% moisture by volume.

RETAINS EFFECTIVENESS AFTER LONG SERVICE

Kaylo Heat Insulating Block remains strong, free from excessive powdering, and shows little loss in weight or shrinkage after long application to temperatures up to 1200° F. Even conventional tumbling tests, run after prolonged heating, produce relatively little crumbling or breakdown of the material.

STANDARD SIZES

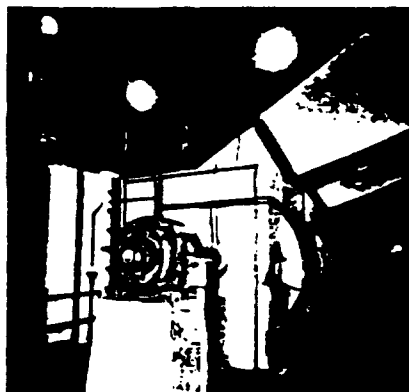
Lengths (inches)	Widths (inches)	Thicknesses (inches)
36	6	1
36	6	1½
36	6	2
36	6	2½
36	6	3
36	12	1
36	12	1½
36	12	2
36	12	2½
36	12	3

Other sizes are available on special order.

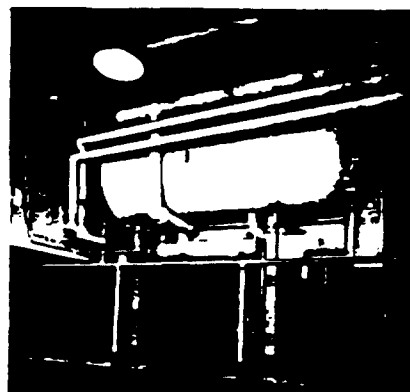
AND A REMARKABLE VERSATILITY



On large or small equipment, inside or out, Kaylo Heat Insulating Block performs efficiently and with a minimum of maintenance. Here it is being applied to the walls of a large power generator. Workmen are laying block over 6" x 6" wire mesh welded to the stiffeners. The block is then covered with finishing cement and asphalt mastic weatherproofing.



Kaylo Heat Insulating Block covers both flat and curved surfaces on the power house equipment pictured here. At the right are fresh air intakes; the center compartments house induced draft fans; and at the left are conduits leading to a precipitator. Kaylo insulation means continuous fuel savings to this power plant.



Hot water is always ready when needed in the office building where this hot water storage tank is installed, thanks to Kaylo Heat Insulating Block. This permanent insulation holds water temperature constant with a minimum of power consumption.

Other applications for Kaylo Heat Insulating block are listed on the back page.

LOW THERMAL CONDUCTIVITY

The coefficient of conductivity, or K'' , of Kaylo Heat Insulating Block, is shown on the chart on page four. It is among the most efficient insulations for medium high temperatures. Its insulation value comes principally from its fine, interlaced cellular structure. These cells are so tiny and so numerous that they present a material surface of approximately 140 acres per cubic foot of insulation.

Experience shows that the insulation value of Kaylo insulation improves when the material is put into service.

EFFECTIVE OVER WIDE TEMPERATURE RANGE

Kaylo Heat Insulating Block performs efficiently not only on temperatures in the low pressure steam and hot water range but on temperatures in the superheated steam range as well. This is shown by the flatness of the conductivity curve. One-material coverage with Kaylo insulation handles applications which often require two thicknesses of different materials.

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STANDARD SIZES

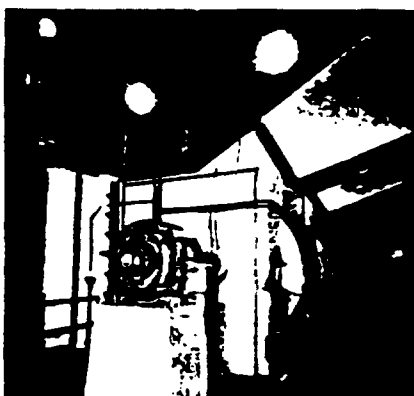
Lengths (inches)	Widths (inches)	Thicknesses (inches)
36	6	1
36	6	1½
36	6	2
36	6	2½
36	6	3
36	12	1
36	12	1½
36	12	2
36	12	2½
36	12	3

Other sizes are available on special order.

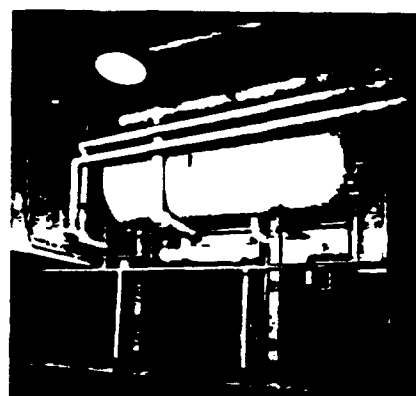
AND A REMARKABLE VERSATILITY



On large or small equipment, inside or out, Kaylo Heat Insulating Block performs efficiently and with a minimum of maintenance. Here it is being applied to the walls of a large power house. Workmen are laying block over 6" x 6" wire mesh welded to the stiffeners. The block are then covered with finishing cement and asphalt mastic weatherproofing.



Kaylo Heat Insulating Block covers both flat and curved surfaces on the power house equipment pictured here. At the right are fresh air intakes; the center compartments house induced draft fans; and at the left are conduits leading to a precipitator. Kaylo insulation means continuous fuel savings to this power plant.



Hot water is always ready when needed in the office building where this hot water storage tank is installed, thanks to Kaylo Heat Insulating Block. This permanent insulation holds water temperature constant with a minimum of power consumption.

Other applications for Kaylo Heat Insulating block are listed on the back page.

PRINCIPAL FEATURES OF KAYLO HEAT INSULATING BLOCK

HIGHLY EFFICIENT



EXTREMELY LIGHTWEIGHT



EASY TO APPLY



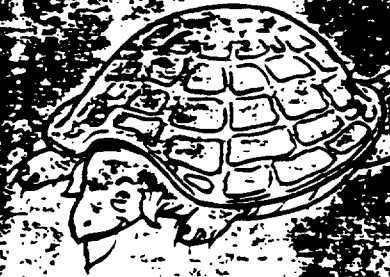
HIGH COMPRESSIVE STRENGTH



FIREPROOF



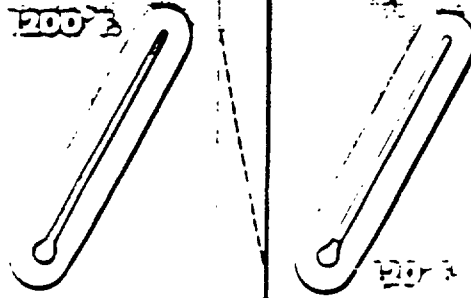
DURABLE



NO ADDED BINDER



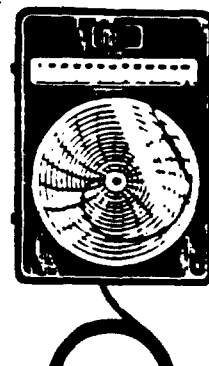
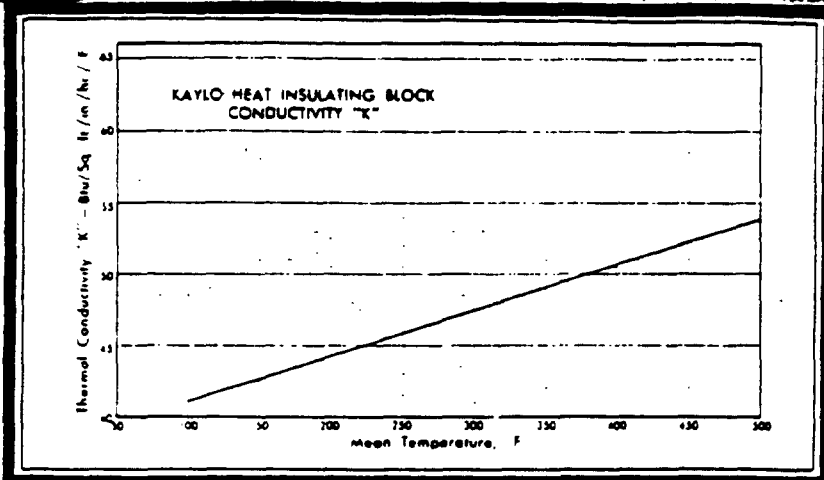
EFFECTIVE OVER WIDE
TEMPERATURE RANGE



KAYLO

HEAT INSULATING BLOCK

Heat Loss, Surface Temperatures
and Efficiencies...



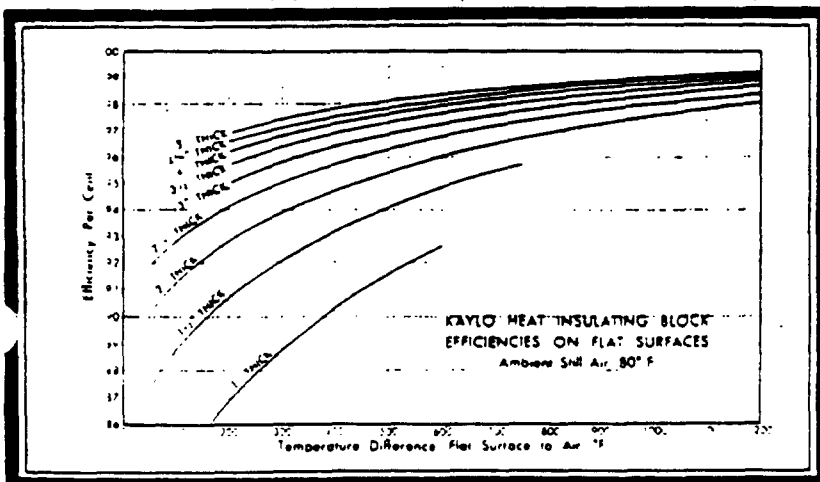
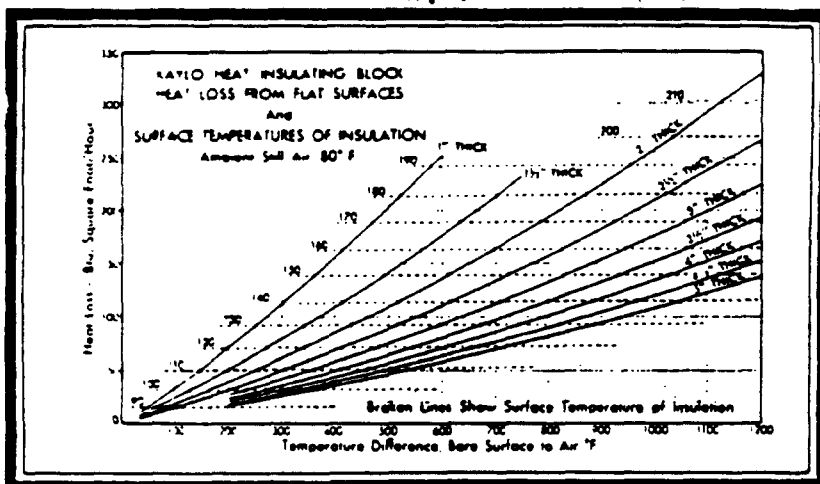
Inside or outside, for large installations or small, from 0 to 2000°F, use Kaylo Heat Insulating Block to insulate:

Breechings	Lehrs
Hot Air Ducts	Autoclaves
Tanks	Ovens
Towers	Furnaces
Dryers	Turbines
Evaporators	Chilling Pits
Heat Exchangers	Boilers
Condensers	Precipitators
Locomotives	

SOURCES OF TEST DATA

The data shown on these pages are supported by tests run at various laboratories, all well-known to the insulation industry. They are further supported by the performance of the product in service.

More detailed information on Kaylo Heat Insulating Block is available on request. American Structural Products Company, Toledo 1, Ohio. Subsidiary of Owens-Illinois Glass Company.



PHYSICAL CHARACTERISTICS AT A GLANCE

DENSITY Approximately 11 lb. per cu. ft.

FLEXURAL STRENGTH 50 lb. per sq. in.

COMPRESSIVE STRENGTH (3% deformation)

Before heating 150 lb. per sq. in.

After heating for 24 hours

at 750° F. 144 lb. per sq. in.

at 1000° F. 123 lb. per sq. in.

at 1200° F. 117 lb. per sq. in.

After boiling for 24 hours (while wet) 74 lb. per sq. in.

LOSS IN WEIGHT

After heating for 24 hours

at 750° F. 5.5%

at 1000° F. 7.9%

at 1200° F. 9.8%

After boiling for 24 hours 0.2%

RESISTANCE TO ABRASION

(Conventional Tumbling Test—Loss in weight after 10 minutes)

Before heating 2.2%

After heating for 24 hours

at 750° F. 3.7%

at 1000° F. 3.7%

at 1200° F. 6.9%

DIMENSIONAL STABILITY

Linear Shrinkage after heating for 24 hrs.

at 750° F. 0.8%

at 1000° F. 0.9%

at 1200° F. 1.5%

Elongation after saturation (max.) 0.4%

MOISTURE ABSORPTION (volume)

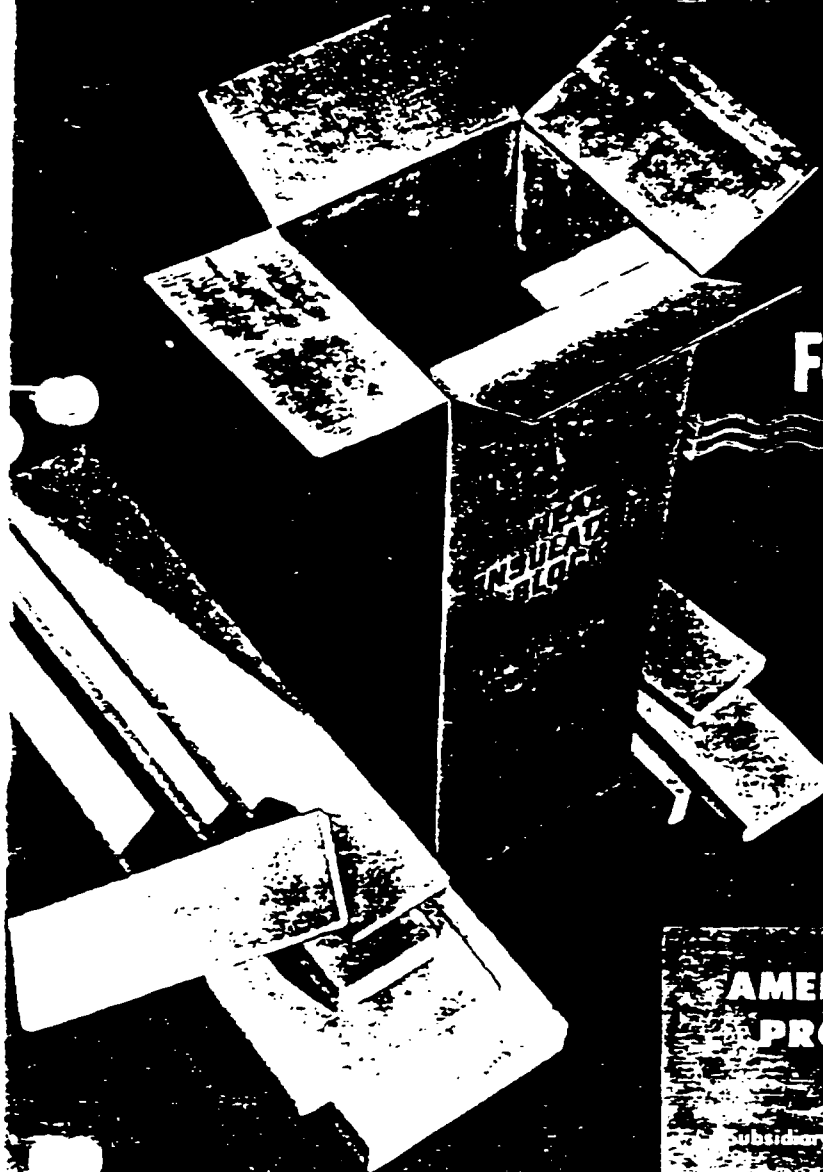
After 6 hours exposure in atmosphere of
120° F. and 90% Relative Humidity 0.9%

At 300° F. mean temperature 0.474

NEW

KAYLO®

HEAT INSULATING BLOCK



For Temperatures

Up To 1200° F.

**AMERICAN STRUCTURAL
PRODUCTS COMPANY**

Toledo, Ohio

Subsidiary of HOWENS-ILLINOIS GLASS COMPANY

A new heat insul

WITH A REMARKABLE COMBINATION OF

KAYLO HEAT INSULATING BLOCK is a new type of lightweight mineral insulation that is *efficient* enough to be used at ordinary room temperatures and *resistant* enough to perform effectively up to 1200° F.

Few new products of any kind have been so thoroughly researched before being placed on the market. Kaylo Heat Insulating Block is the achievement of many years' work by Owens-Illinois Glass Company engineers, physicists and chemists. It combines the most desirable characteristics of the ideal heat insulation.

LOW DENSITY. Kaylo Heat Insulating Block weighs only 11 pounds per cubic foot. This light weight (less than one pound to the board foot) simplifies handling, shipping and application.

LOW THERMAL CONDUCTIVITY. The coefficient of conductivity, or *k*, of Kaylo Heat Insulating Block places it among the most efficient insulations for medium high temperatures. Its insulation value comes principally from its fine, cellular structure. These cells are so tiny and so numerous that they present a material surface of approximately 140 acres per cubic foot of insulation.

Experience shows that the efficiency of Kaylo insulation improves after exposure to service temperatures.



Notice the clean, straight edges on these insulated precipitator hoppers. Applicators find it easy to work with Kaylo Heat Insulating Block because they are so easy to cut and yet have a high flexural strength.



EFFECTIVE OVER WIDE TEMPERATURE RANGE.

Kaylo Heat Insulating Block performs efficiently not only on temperatures in the low pressure steam and hot water range but on temperatures in the superheated steam range as well. One-material coverage with Kaylo insulation handles applications which often require two thicknesses of different materials.

HIGH COMPRESSIVE STRENGTH. Its compressive strength is unusually high for a mineral product of such light weight.

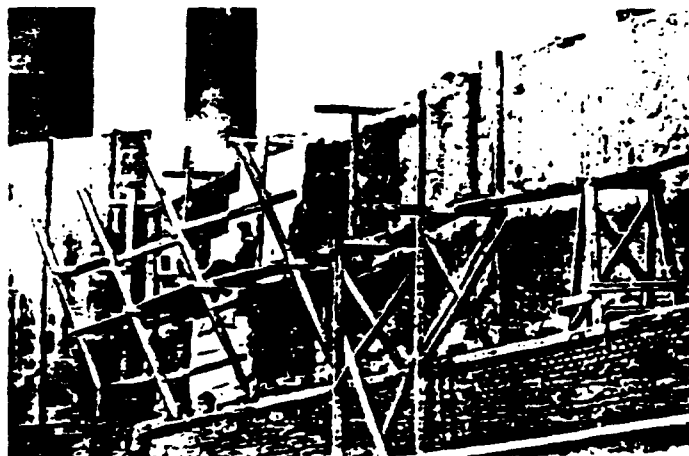
HIGH FLEXURAL STRENGTH. Its flexural strength is higher than the normal requirements for heat insulation of this type. This strength makes for easy handling and application, and contributes to long service with low maintenance.

NO ADDED BINDER. Kaylo insulation is an inorganic compound, containing no added binder. Its performance characteristics, therefore, are not affected by additives, which often reduce insulating value, modify effective temperature range or otherwise limit performance.

EASY TO APPLY. Kaylo Heat Insulating Blocks are clean-cut and trim. They are easy to fit into place to



On large or small equipment, inside or out, Kaylo Heat Insulating Block performs efficiently and with a minimum of maintenance. Here it is being applied to the walls of a large precipitator.



Insulation

ADVANTAGES...

Make a good-looking installation. These "foam" is pleasant and non-irritating. They can be cut, scored and sawed with ordinary woodworking tools. Finishes neat go over the block, whether cement, cloth or other types, can be applied smoothly and with a minimum of effort. No special tools are needed.

LOW MOISTURE ABSORPTION. Kaylo Heat Insulating Block absorbs little moisture from surrounding humid air.

EFFECTIVE AFTER LONG SERVICE. Kaylo Heat Insulating Block remains strong, free from excessive powdering, and shows little loss in weight or shrinkage after long application to temperatures up to 1200° F. Even conventional tumbling tests, run after prolonged heating, produce relatively little crumbling or breakdown of the material.

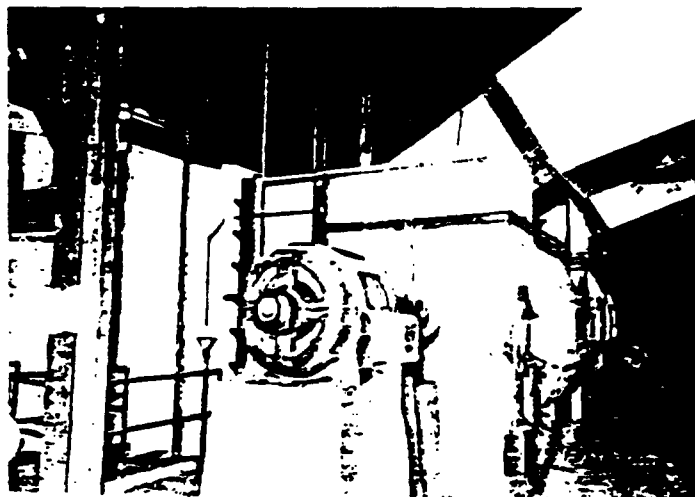
TYPICAL APPLICATIONS:

Indoor or outside, for large installations or small, up to 1200° F., use Kaylo Heat Insulating Block to insulate:

Breechings	Heat Exchangers	Turbines
Hot Air Ducts	Condensers	Chilling Pits
Tanks	Lehrs	Boilers
Towers	Autoclaves	Precipitators
Dryers	Ovens	Locomotives
Evaporators	Furnaces	



Kaylo Heat Insulating Block covers both flat and curved surfaces on the power house equipment pictured here. By minimizing heat loss, it saves fuel and keeps temperatures within the room at comfortable levels.



PHYSICAL CHARACTERISTICS

DENSITY	Approximately 11 lb. per cu. ft.
FLEXURAL STRENGTH	50 lb. per sq. in.
COMPRESSIVE STRENGTH (at 5% deformation)	
Before heating	150 lb. per sq. in.
After heating for 24 hours	
at 750° F.	144 lb. per sq. in.
at 1000° F.	123 lb. per sq. in.
at 1200° F.	117 lb. per sq. in.
After boiling for 24 hours (while wet)	74 lb. per sq. in.
LOSS IN WEIGHT	
After heating for 24 hours	5.5%
at 750° F.	7.9%
at 1000° F.	9.8%
at 1200° F.	0.2%
After boiling for 24 hours (after drying)	
RESISTANCE TO ABRASION	
(Conventional tumbling test-loss in weight after 10 minutes)	2.2%
Before heating	
After heating for 24 hours	3.7%
at 750° F.	5.7%
at 1000° F.	6.9%
at 1200° F.	
DIMENSIONAL STABILITY	
Linear shrinkage after heating for 24 hours	0.8%
at 750° F.	0.9%
at 1000° F.	1.5%
at 1200° F.	0.04%
Elongation after saturation (max.)	0.04%
MOISTURE ABSORPTION (volume)	
After 6 hours exposure in atmosphere of 120° F. and 90% Relative Humidity	0.9%
CONDUCTIVITY (K)	
At 100° F. mean temperature	0.41
At 500° F. mean temperature	0.54

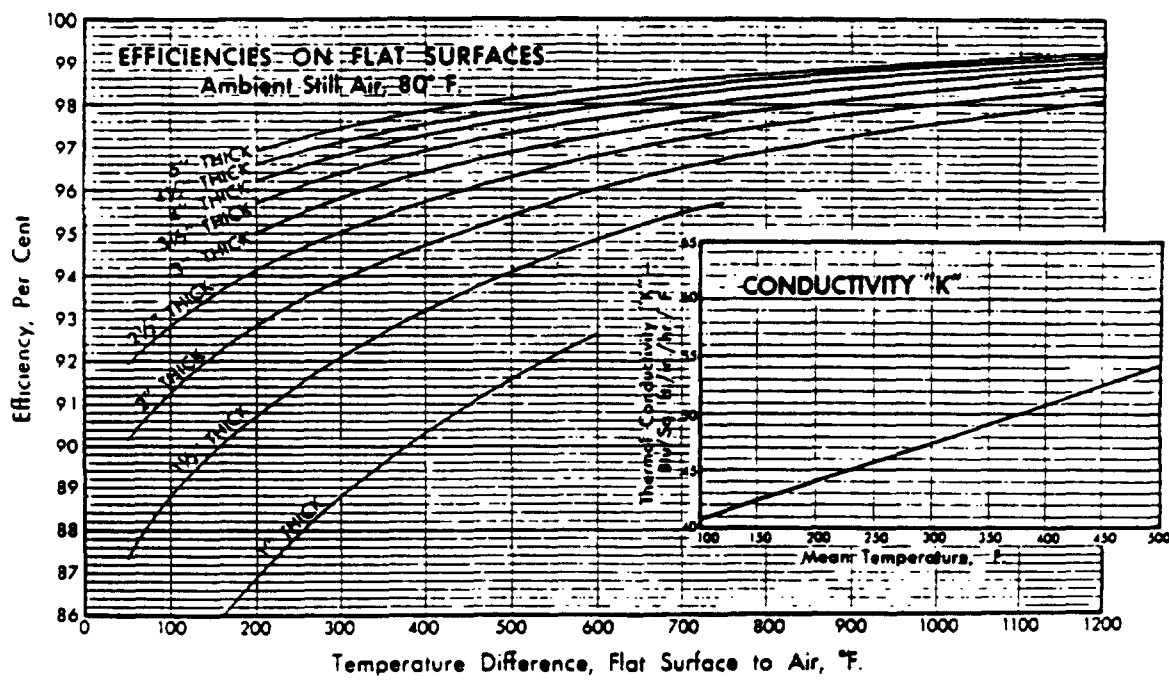
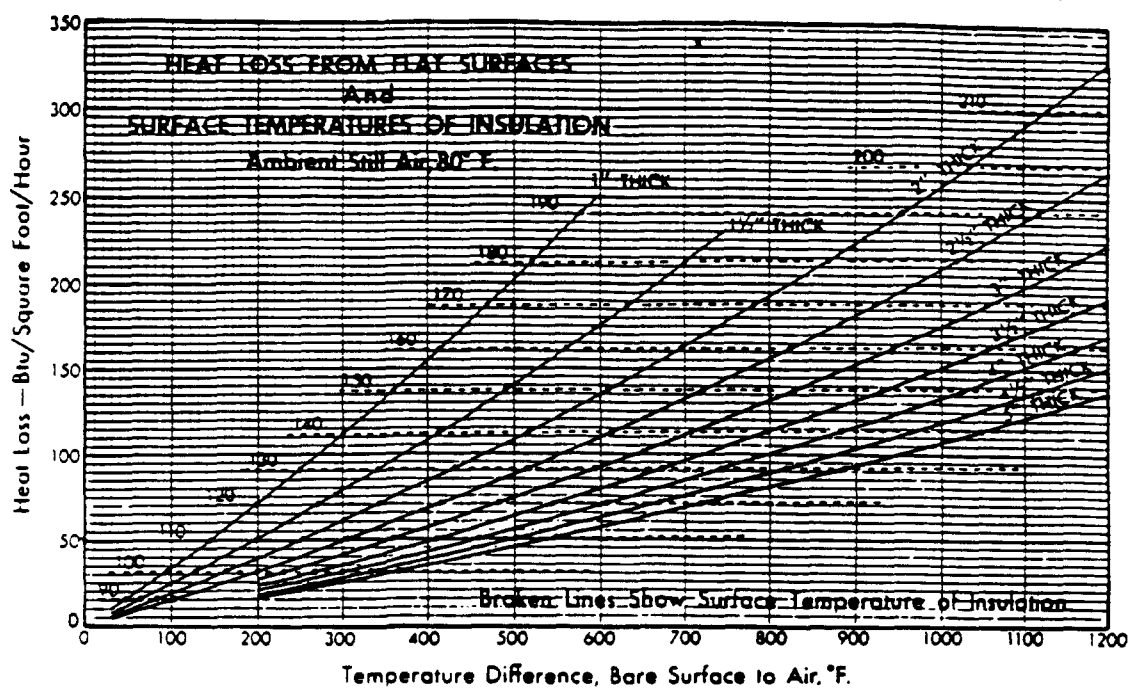
STANDARD SIZES

LENGTH (inches)	WIDTH (inches)	THICKNESS (inches)
36	6	1
36	6	1
36	6	2
36	6	2
36	6	3
36	6	3
36	12	1
36	12	1
36	12	2
36	12	2
36	12	3
36	12	3



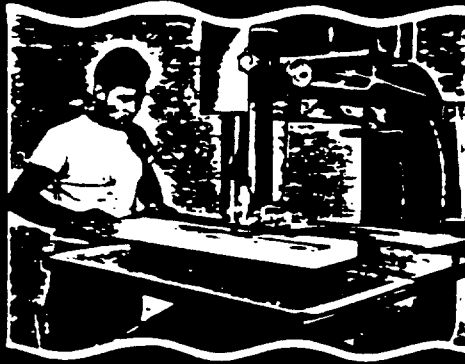
HEAT INSULATING BLOCK

Heat Loss, Surface Temperatures, and Efficiency



SOURCES OF TEST DATA: The data shown on these pages are supported by tests run at various laboratories, all well known to the insulation industry. They are further supported by the performance of the product in service.

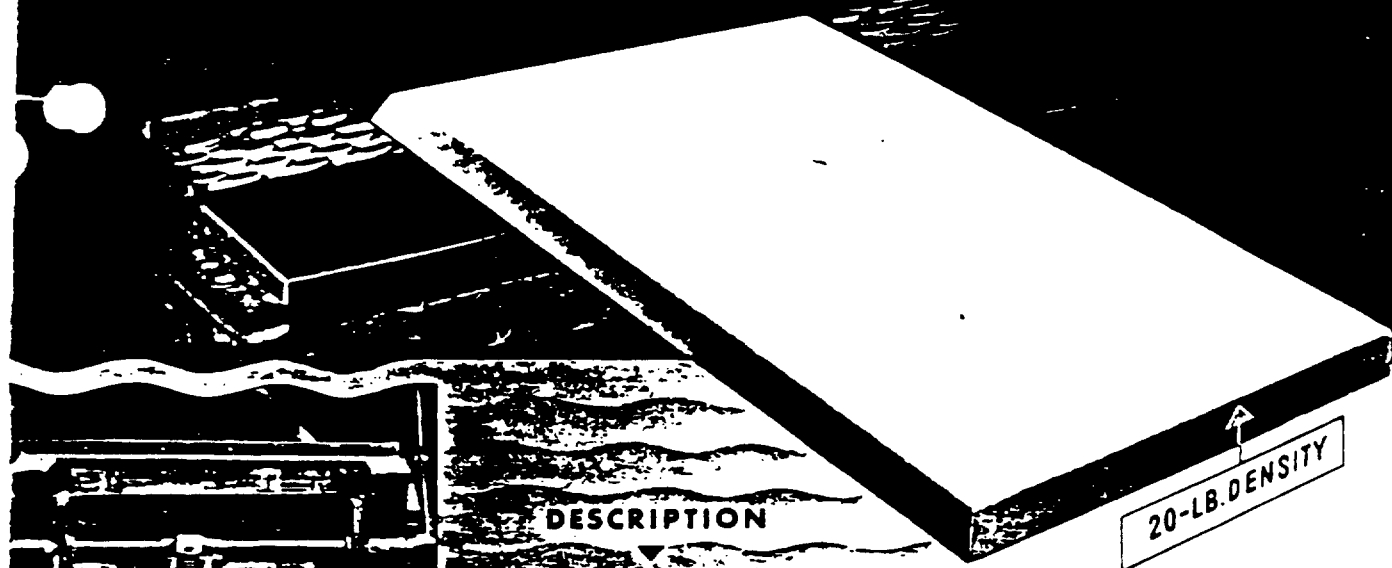
More detailed information on Kaylo Heat Insulating Block is available on request. American Structural Products Company,



KAYLO®

20-LB. DENSITY

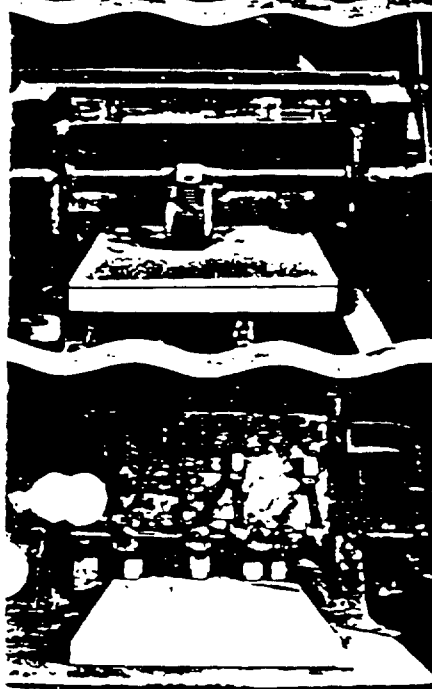
STRUCTURAL INSULATING BLOCK



DESCRIPTION

Kaylo Structural Insulating Block—is a near-white, rigid mineral insulating material weighing approximately 20 pounds per cubic foot. It is composed principally of calcium silicate. Except for density and for those characteristics that are changed by density it is similar to *Kaylo Heat Insulating Block*, a lightweight insulation used to insulate against heat loss from hot surfaces. Kaylo Structural Insulating Block (20-lb. density) is designed to develop maximum strength and fire resistance without sacrificing its advantages of light weight and low thermal conductivity. In fact the practical combination of these four properties—strength, weight, insulating value and fire resistance—makes it almost unique as a building material.

It weighs nominally 20 pounds to the cubic foot (actually on an oven dry basis from 19.5 to 22 lb.), has a compressive strength of approximately 500 lb. per sq. in., a "k" of 0.66 at 100 mean and outstanding resistance to the travel of heat and flame at building fire temperatures.



KAYLO[®] STRUCTU



USES

Kaylo Structural Insulating Block is not a finished building material in itself and is not made for exposure to the weather. Its principal uses are as a structural roof tile, or roof deck unit, in which a steel reinforcing mat is inserted at the time of forming, and as a core material. In this latter use it serves as the core of laminated structures where the faces or laminates are applied with adhesives, and also as the core of structural shells or envelopes where the Kaylo core material is simply inserted in the open spaces and held by its own contact or by such conventional methods as clips or other attachments.

In any of these applications it adds rigidity to the structure and vastly increases insulation value and fire resistance.

PHYSICAL PROPERTIES

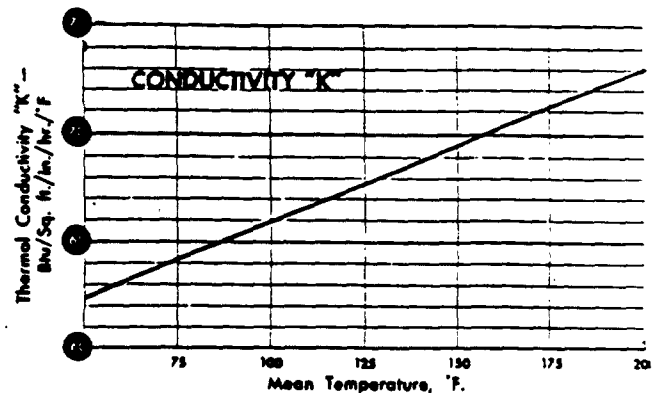
Light Weight—Nominal 20-lb. density Kaylo Block is about a third lighter than yellow pine. On an oven-dry basis it weighs from 19.5 to 22 pounds per cubic foot.

High Strength—Its compressive strength is approximately 500 lb. per sq. in. with a deformation of 5 per cent. Flexural strength is approximately 175 lb. per sq. in.

Fireproof—Kaylo 20-lb. density Structural Insulating Block has been tested at the Underwriters' Laboratories in Chicago and given the following rating, based on comparison with untreated Red Oak as 100.

Flame spread	0.0
Fuel contributed	negligible
Smoke produced	0.0

For use in fabrications that are to be Underwriters' Laboratories inspected, Kaylo Structural Insulating Block is furnished bearing the Underwriters' label for fire hazard classification for building material.



Good Insulation Value—At low mean temperatures Kaylo Structural Insulating Block is one of the most efficient structural mineral insulations. At high mean temperatures it still compares favorably with heat insulating materials of its own weight.

High Light Reflectivity—Where left exposed and untreated (as with the underside of a roof deck) Kaylo Structural Insulating Block has high light reflectivity. Its light reflection factor is from 70 to 80 per cent.

Non-Abrasive Surface—Its surface is non-abrasive. It has a somewhat "soapy" feel that makes it pleasant to handle. At the same time it has a firm surface that assures good contact with surfaces applied over it.

No Added Binder—It contains no added binder, but instead constitutes its own binder. Hence its characteristics are not modified as to temperature limit, solubility, insulation value, fire resistance or otherwise by "binder limitations."



L INSULATING BLOCK (20-LB. DENSITY)

Good Workability—Kaylo Structural Insulating Block is responsive to wood working tools. It can be sawed with a hand saw or power saw, can be routed, tongue-and-grooved, sanded, and, in fact, run through most wood-working equipment.

High Modulus of Elasticity—The modulus of elasticity of 20-lb. density block is approximately 160,000 lb. per sq. in.

Low Specific Heat—The specific heat of Kaylo Structural Insulating Block is approximately 0.22.

Cellular Structure—Kaylo Structural Insulating Block is about 80 per cent inter-communicating air cells. The cells are extremely small, less than a micron in diameter.

Low Moisture Absorption—Kaylo Structural Block is hygroscopic. It will absorb moisture from humid air and will reach equilibrium at lower moisture contents when exposed to lower humidities. However, because of its extremely small pore size and other characteristics, its behavior with respect to moisture differs from that of most porous materials. It has unusual capacity to distribute moisture within its mass, and to give it off to surrounding air of lower moisture content.

Its moisture absorption when surrounded by humid air is low. Test specimens dried for 24 hours at 215° F., cooled and then exposed on all surfaces to an atmosphere of 90 per cent relative humidity and a temperature of 120° F. for six hours, absorbed less than one per cent of moisture by volume.

Consistent with the common practice for good construction involving porous insulating materials of high internal surface area, Kaylo Structural Insulating Block should be sealed against moisture on the warm side when it is subjected to extremely low temperatures.

High Wet Strength—Kaylo Structural Insulating Block, like most other insulating materials, is not intended to serve immersed in water or exposed to extremely damp or humid conditions, yet its flexural strength when wet (immersed 10 hours) is reduced only about 15 per cent.

Dimensionally Stable—The dimensions of Kaylo Structural Insulating Block change little with changes in moisture content. Experience has shown from the manufacture of thousands of units of laminated structures that they have unusual dimensional stability and unusual freedom from warping.

Available with and without Reinforcing—In the form of roof tile Kaylo Structural Insulation is available with a steel reinforcing mat. In the form of core material for various types of structure it is available without reinforcing.

Accepts Nails and Screws—Both nails and screws can be used with Kaylo Structural Block. Tables showing holding power of both are available on request. Nails should be of the cement-coated type without barbs that abrade the sides of the opening they make as they are driven into the block. Galvanized or non-ferrous nails may be used where greater resistance to corrosion is required. Screws may be inserted either with or without drilling a pilot hole.

Sizes—Kaylo Structural Insulating Block is made in a standard size of 18 x 36 inches.

Since most uses involve manufacturing operations, thicknesses that are practical can best be worked out with the manufacturer of Kaylo Insulating Products after approximate quantities needed are known. These will usually be between one and two inches thick.

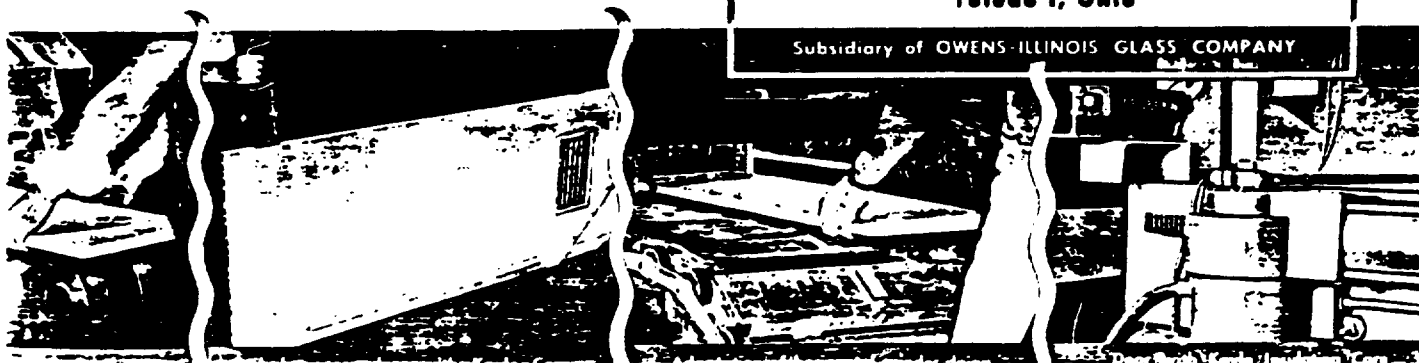
Certain thicknesses are suggested by certain building requirements. A thickness of from 1½ to 2 inches of Kaylo Structural Insulating Block is required to withstand a typical building fire for one hour—usually somewhat more for a partition than for a door because of the greater performance required of a partition.

20-Lb. and 11-Lb. Density Block Can Be Used in Combination. Where two thicknesses of insulation are used to build up an insulating structure it is possible to use the two densities in combination to develop the best insulation value strength and fire resistance.

AMERICAN STRUCTURAL PRODUCTS COMPANY

Toledo 1, Ohio

Subsidiary of OWENS-ILLINOIS GLASS COMPANY



LAMINATION

Lamination over a Kaylo Insulating Core—Almost any face material may be bonded to Kaylo Structural Insulating Block surfaces. Bonding agents can be selected to meet the requirements of the particular facing—also to satisfy

the service requirements of the finished product—and still offer some choice in curing procedures.

Some adhesives which may be used with various types of face materials are listed below. (This list is not intended to be complete. Its only purpose is to identify a partial list of adhesives. These have been found to provide a tensile strength of 35 lb. per sq. in. and a minimum shear strength of 100 lb. per sq. in. when cured in the manner indicated.)

ADHESIVES FOR JOINING

KAYLO

STRUCTURAL INSULATING BLOCK TO:

Wood Veneer	Aluminum	Stainless Steel
Durite No. 3026A A 3026AWH207 3026AWF	Durite No. 3026A A Pecora 718 E Weldwood A Insolute No. 1 A	Durite No. 3026 A No. A, NH267 N100 C J MEC 826 C D E Weldwood A Insolute No. 1 A
Penacalite G1131 A	Interlake 4162 C D Vulcalock A B Dupont 4653 C D E	Interlake 4162 C D Vulcalock A B Dupont 4653 C D E
Pecora 718 E	Dupont 4646 C D E G. E. 2142 C G. E. 7031 C	Dupont 4646 C D E G. E. 2142 C G. E. 7031 C
Catabond 720 A	Vinylseal MA 28-18 E Amberlite PR14 D Bestik 7026 D Redux D	Vinylseal MA 28-18 E Amberlite PR14 D Bestik 7026 D Sodium Silicate A Redux D
Vinylseal MA 28-18 E		
Amberlite PR14 D		
Bestik 7026 D		
Redux D		
Synco X-8348 + 130LW (DW) D		

ADHESIVES FOR JOINING LIKE MATERIALS:

Insulating Block to Insulating Block	Aluminum to Aluminum	Stainless Steel to Stainless Steel
Durite 3026A A Penacalite G1131 A Weldwood A Insolute 1 A G. E. 2142 C Plaskon 911 C D Selectron 5003 E Vinylseal MA 28-18 E Amberlite PR14 D Bestik 7026 D Bestik EXE 138 D Sodium Silicate A Redux D Synco X-8348 + 130LW (DW) D	Vulcalock A B Dupont 4653 C D E Dupont 4646 C D E G. E. 7031 C Bestik 7026 D Bestik EXE 138 D Redux D	Dupont 4653 C D E G. E. 7031 C Bestik 7026 D Bestik EXE 138 D Redux D

Symbols for method of cure:

For Maximum Strength

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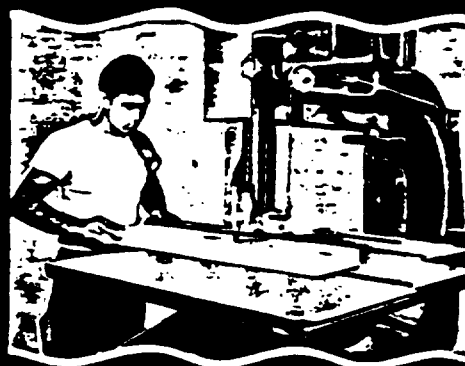
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AMERICAN STRUCTURAL PRODUCTS COMPANY

TOLEDO 1, OHIO

Subsidiary of OWENS-ILLINOIS GLASS COMPANY

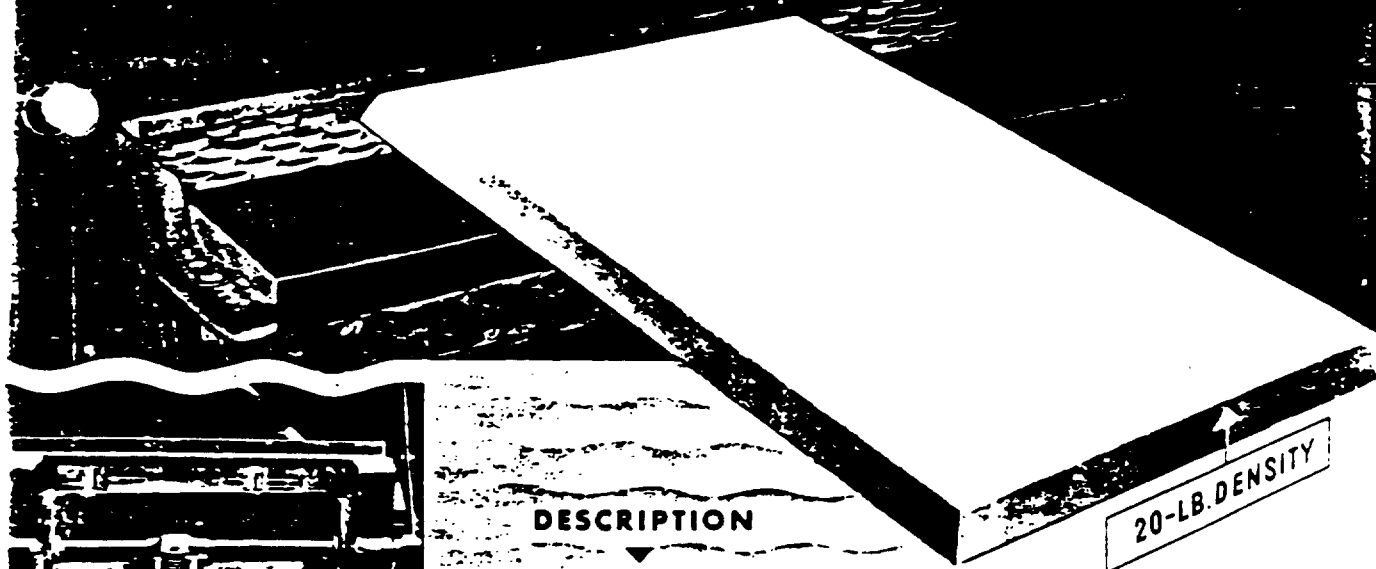
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KAYLO®

20-LB. DENSITY

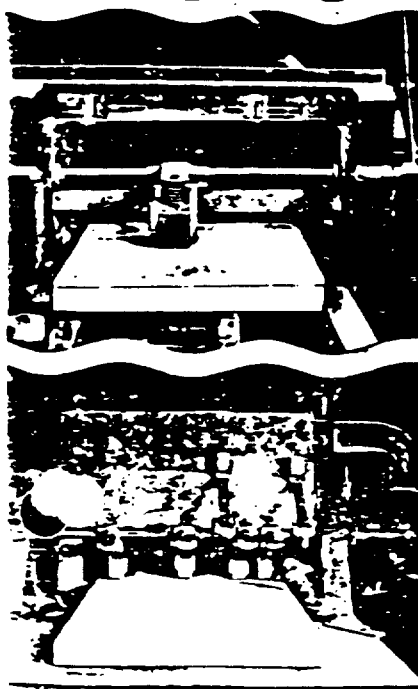
STRUCTURAL INSULATING BLOCK



DESCRIPTION

Kaylo Structural Insulating Block—is a near-white, rigid mineral insulating material weighing approximately 20 pounds per cubic foot. It is composed principally of calcium silicate. Except for density and for those characteristics that are changed by density it is similar to *Kaylo Heat Insulating Block*, a lightweight insulation used to insulate against heat loss from hot surfaces. Kaylo Structural Insulating Block (20-lb. density) is designed to develop maximum strength and fire resistance without sacrificing its advantages of light weight and low thermal conductivity. In fact the practical combination of these four properties—strength, weight, insulating value and fire resistance—makes it almost unique as a building material.

It weighs nominally 20 pounds to the cubic foot (actually on an oven dry basis from 19.5 to 22 lb.), has a compressive strength of approximately 500 lb. per sq. in., a "k" of 0.66 at 100 mean and outstanding resistance to the travel of heat and flame at building fire temperatures.



KAYLO[®]

20-LB.
DENSITY

USES

Kaylo Structural Insulating Block is not a finished building material in itself and is not made for exposure to the weather. Its principal uses are as a structural roof tile, or roof deck unit, in which a steel reinforcing mat is inserted at the time of forming, and as a core material. In this latter use it serves as the core of laminated structures where the faces or laminates are applied with adhesives, and also as the core of structural shells or envelopes where the Kaylo core material is simply inserted in the open spaces and held by its own contact or by such conventional methods as clips or other attachments.

In any of these applications it adds rigidity to the structure and vastly increases insulation value and fire resistance.

PHYSICAL PROPERTIES

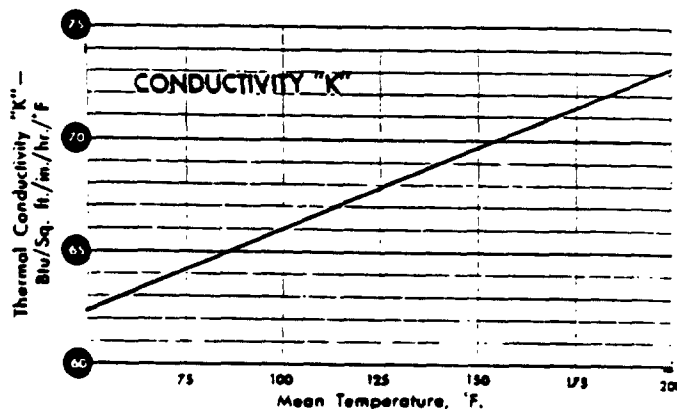
Light Weight—Nominal 20-lb. density Kaylo Block is about a third lighter than yellow pine. On an oven-dry basis it weighs from 19.5 to 22 pounds per cubic foot.

High Strength—Its compressive strength is approximately 500 lb. per sq. in. with a deformation of 5 per cent. Flexural strength is approximately 175 lb. per sq. in.

Fireproof—Kaylo 20-lb. density Structural Insulating Block has been tested at the Underwriters' Laboratories in Chicago and given the following rating, based on comparison with untreated Red Oak as 100.

Flame spread	0.0
Fuel contributed	negligible
Smoke produced	0.0

For use in fabrications that are to be Underwriters' Laboratories inspected, Kaylo Structural Insulating Block is furnished bearing the Underwriters' label for fire hazard classification for building material.

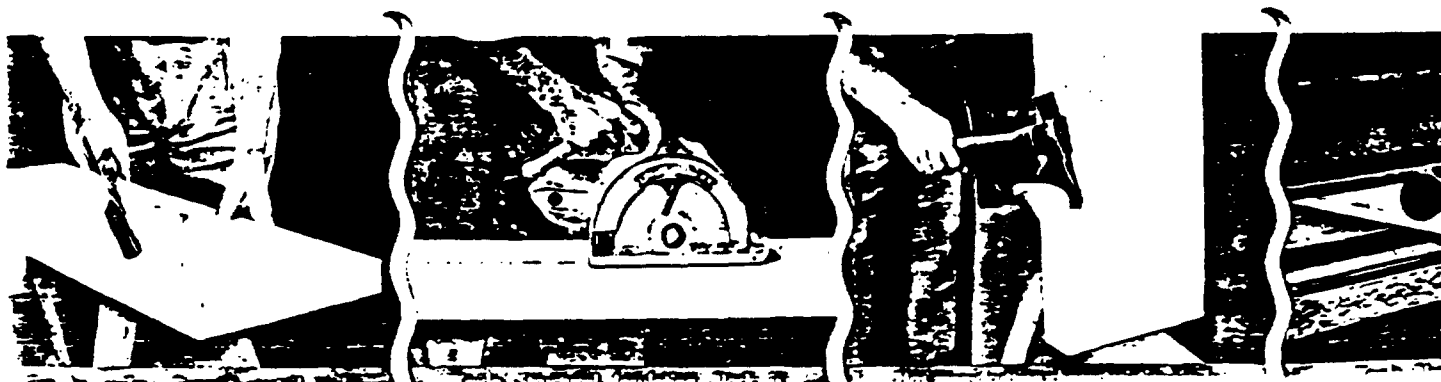


Good Insulation Value—At low mean temperatures Kaylo Structural Insulating Block is one of the most efficient structural mineral insulations. At high mean temperatures it still compares favorably with heat insulating materials of its own weight.

High Light Reflectivity—Where left exposed and untreated (as with the underside of a roof deck) Kaylo Structural Insulating Block has high light reflectivity. Its light reflection factor is from 70 to 80 per cent.

Non-Abrasive Surface—Its surface is non-abrasive. It has a somewhat "soapy" feel that makes it pleasant to handle. At the same time it has a firm surface that assures good contact with surfaces applied over it.

No Added Binder—It contains no added binder, but instead constitutes its own binder. Hence its characteristics are not modified as to temperature limit, solubility, insulation value, fire resistance or otherwise by "binder limitations."



STRUCTURAL INSULATING BLOCK

Good Workability—Kaylo Structural Insulating Block is responsive to wood working tools. It can be sawed with a hand saw or power saw, can be routed, tongue-and-grooved, sanded, and, in fact, run through most wood-working equipment.

High Modulus of Elasticity—The modulus of elasticity of 20-lb. density block is approximately 160,000 lb. per sq. in.

Low Specific Heat—The specific heat of Kaylo Structural Insulating Block is approximately 0.22.

Cellular Structure—Kaylo Structural Insulating Block is about 80 per cent inter-communicating air cells. The cells are extremely small, less than a micron in diameter.

Low Moisture Absorption—Kaylo Structural Block is hygroscopic. It will absorb moisture from humid air and will reach equilibrium at lower moisture contents when exposed to lower humidities. However, because of its extremely small pore size and other characteristics, its behavior with respect to moisture differs from that of most porous materials. It has unusual capacity to distribute moisture within its mass, and to give it off to surrounding air of lower moisture content.

Its moisture absorption when surrounded by humid air is low. Test specimens dried for 24 hours at 215° F., cooled and then exposed on all surfaces to an atmosphere of 90 per cent relative humidity and a temperature of 120° F. for six hours, absorbed less than one per cent of moisture by volume.

Consistent with the common practice for good construction involving porous insulating materials of high internal surface area, Kaylo Structural Insulating Block should be sealed against moisture on the warm side when it is subjected to extremely low temperatures.

High Wet Strength—Kaylo Structural Insulating Block, like most other insulating materials, is not intended to serve immersed in water or exposed to extremely damp or humid conditions, yet its flexural strength when wet (immersed 10 hours) is reduced only about 15 per cent.

Dimensionally Stable—The dimensions of Kaylo Structural Insulating Block change little with changes in moisture content. Experience has shown from the manufacture of thousands of units of laminated structures that they have unusual dimensional stability and unusual freedom from warping.

Available with and without Reinforcing—In the form of roof tile Kaylo Structural Insulation is available with a steel reinforcing mat. In the form of core material for various types of structure it is available without reinforcing.

Accepts Nails and Screws—Both nails and screws can be used with Kaylo Structural Block. Tables showing holding power of both are available on request. Nails should be of the cement-coated type without barbs that abrade the sides of the opening they make as they are driven into the block. Galvanized or non-ferrous nails may be used where greater resistance to corrosion is required. Screws may be inserted either with or without drilling a pilot hole.

Sizes—Kaylo Structural Insulating Block is made in a standard size of 18 x 36 inches.

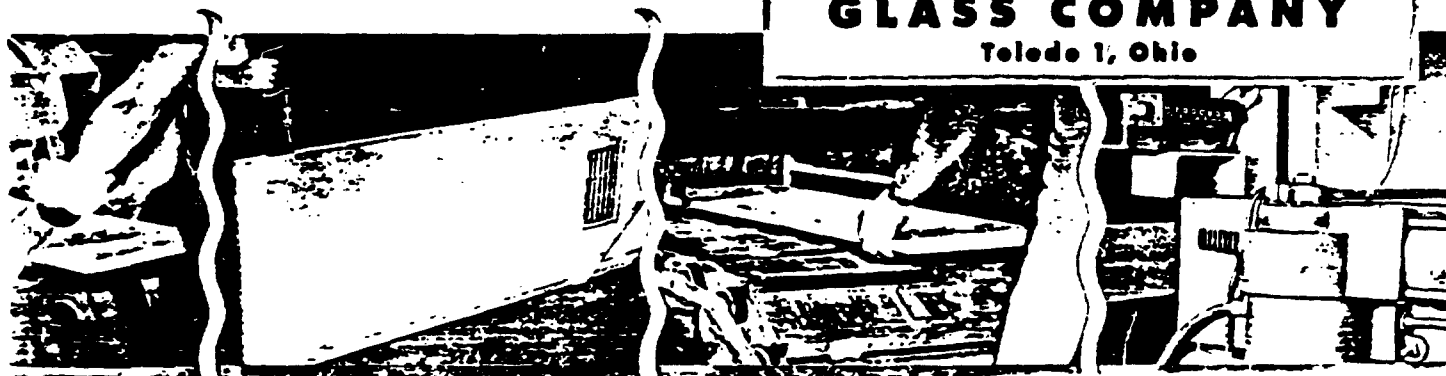
Since most uses involve manufacturing operations, thicknesses that are practical can best be worked out with the manufacturer of Kaylo Insulating Products after approximate quantities needed are known. These will usually be between one and two inches thick.

Certain thicknesses are suggested by certain building requirements. A thickness of from 1½ to 2 inches of Kaylo Structural Insulating Block is required to withstand a typical building fire for one hour—usually somewhat more for a partition than for a door because of the greater performance required of a partition.

20-Lb. and 11-Lb. Density Block Can Be Used in Combination. Where two thicknesses of insulation are used to build up an insulating structure it is possible to use the two densities in combination to develop the best insulation value strength and fire resistance.

**Kaylo Division
OWENS-ILLINOIS
GLASS COMPANY**

Toledo 1, Ohio



LAMINATION

Lamination over a Kaylo Insulating Core—Almost any face material may be bonded to Kaylo Structural Insulating Block surfaces. Bonding agents can be selected to meet the requirements of the particular facing—also to satisfy the service requirements of the finished product—and still offer some choice in curing procedures.

Some adhesives and primers which may be used with various types of face materials are listed below. (This list is not intended to be complete. Its only purpose is to identify a partial list of adhesives. An adhesive not listed does not imply that it is not suitable. These have been found to provide a tensile strength of 35 lb. per square inch and a minimum shear strength of 100 lb. per square inch when cured according to the manufacturer's recommendation. They are not listed in the order of their adhesive strength.)

ADHESIVES AND PRIMERS FOR JOINING



STRUCTURAL INSULATING BLOCK TO:

Wood Veneer or Paper or Plastics		Steel, Stainless Steel Galvaneal, or Aluminum		Kaylo Insulating Block or Cement-Asbestos Board	
Durite No. 3026A	A	Durite No. 3026A or No. A NH267	A	Durite 3026A	A
Penacalite G1131	A	N100	C	Penacalite G1131	A
Pecora 718	E	Pecora 718	E	Armstrong J 1162	D
Catabond 720	A	3MEC 826	C D E	Insulate 1	A
Vinylseal MA 28-18	E	Penacalite G1131	A	G.E. 2142	C
Amberlite PR 14	D	Insulate No. 1	A	Selectron 5003	E
Bestik 7026	D	Interlate 4162	C D	Vinylseal MA 28-18	E
Redux	D	Vulcelock	A B	Amberlite PR-14	D
Synco S-8348+130LW (DW)	D	DuPont 4653	C D E	Bestik 7026	D
Resorsabond R-12	A	DuPont 4646	C D E	Bestik EXE 138	D
Armstrong J-1162	D	Resorsabond R-12	A	Sodium Silicate	A
Tego	D	G.E. 2142	C	Redux	D
		G.E. 7031	C	Synco X-8348+130LW (DW)	D
		Bestik 7026	D	Resorsabond R-12	A
		Bestik EXE 138	D	Tego	D
		Bestik 1007	A		
		Vinylseal MA 28-18	E		
		Amberlite PR-14	D		
		Redux	D		
		Armstrong J-1162	D		

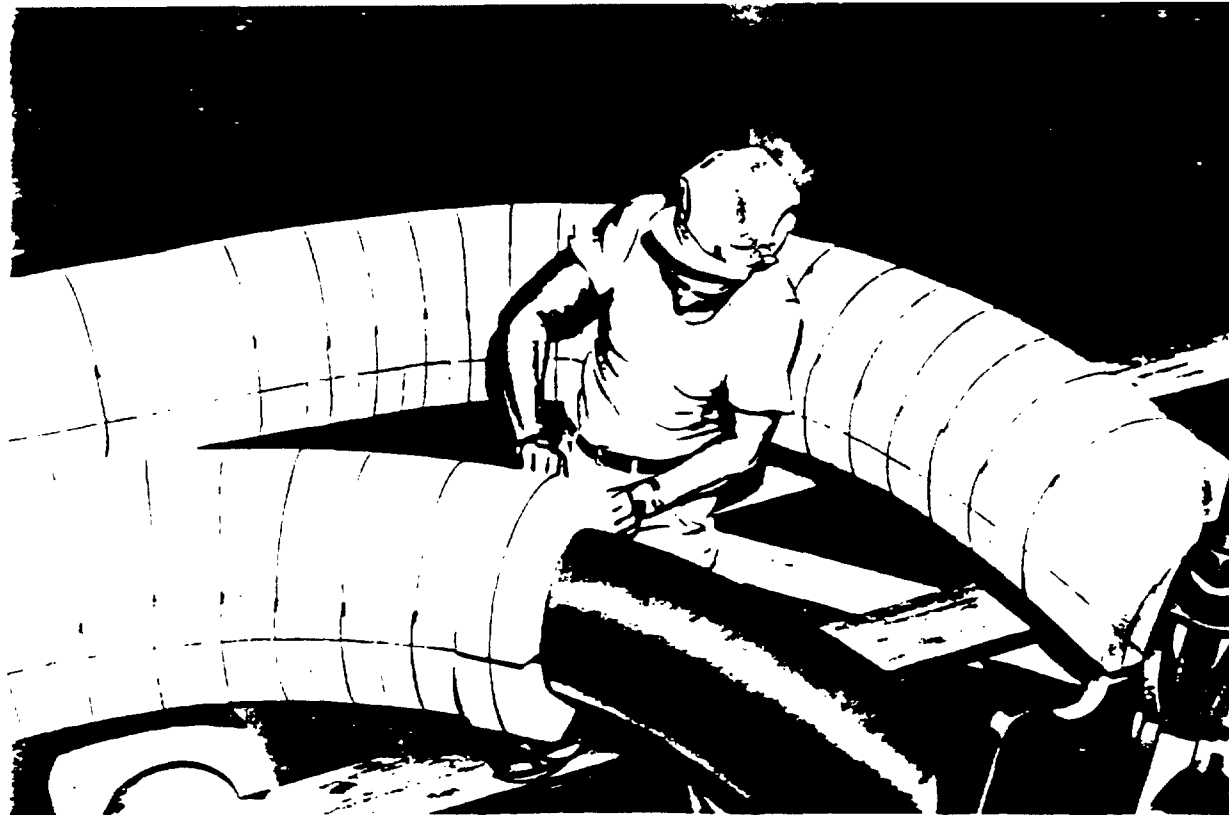
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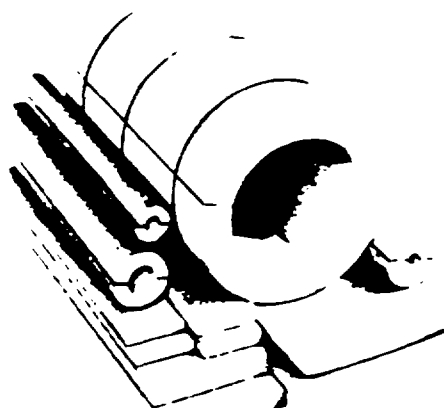
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OWENS-ILLINOIS
GLASS COMPANY
Toledo 1, Ohio



The Right Material... Expert Application



First, Kaylo Heat Insulation is *proved* a better material hydrous calcium silicate. Its light weight, strength, water-insolubility, low conductivity and wide temperature range give you extra advantages *at no extra cost*.

Second, Kaylo distributors have the technical knowledge and experience to provide you with a complete insulating service. Their trained applicators are skilled craftsmen who do neat and efficient installation.

To be *sure* of getting the most out of your insulating dollars for your next job, call the nearest Kaylo distributor. Chances are you can find him listed in the yellow pages of your phone book. If not contact us and we'll give you his name.

WRITE FOR FREE BOOK—"Kaylo Heat Insulation"
Address: Dept. N-370, Owens-Illinois Glass Company, Kaylo Division, Toledo 1, Ohio.



KAYLO

... first in calcium silicate

...pioneered by OWENS  ILLINOIS Glass Company

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Advertisement No. K 153, appearing in the following publications:

Chemical Engineering—Jan., 1953
Oil & Gas Journal—Jan. 12, 1953
Plant Engineering—Jan., 1953
Power—Jan., 1953
Petroleum Refiner—Feb., 1953
Chemical Processing—Feb., 1953
Combustion—Feb., 1953
Engineering & Power—Feb., 1953

FOR RADII FROM 4 INCHES...

to
Infinity...

Nesting Kaylo Heat Insulation Requires Fewer Pieces Per Job

The complete range of Kaylo Insulation includes pipe covering in Simplified Dimensional Standards for diameters from $\frac{1}{4}$ in. to 72 in., curved block from 72 in. to 60 ft. and flat block for surfaces of less curvature whose radii approach infinity. With its wide selection of interchangeable sizes and shapes, Kaylo Insulation reduces the number of items needed per job and permits substantial savings in warehousing maintenance stock.

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A Partnership Including Professional Corporations

7200 Sears Tower, Chicago, Illinois 60606-6473
Telephone (312) 876-1000 Facsimile (312) 258-5600

Sandra C. Antczak
(312) 258-4501

Chicago
Washington
New York
Peoria
Merrillville

October 24, 1994

Mr. Dean Engelbrecht
James Walker, Ltd.
207 W. Jefferson Street
Bloomington, Illinois 61702-3455

Re: Neathery, et al. v. Owens-Illinois, Inc., et al.

Dear Mr. Engelbrecht:

Enclosed please find Defendant, Owens-Illinois, Inc.'s Answers to Plaintiffs' Interrogatories and Defendant, Owens-Illinois, Inc.'s Responses to Plaintiffs' First Request for Discovery from Defendant, Owens-Illinois, Inc. By copy of this letter, I am serving said pleadings upon counsel of record on the attached service list.

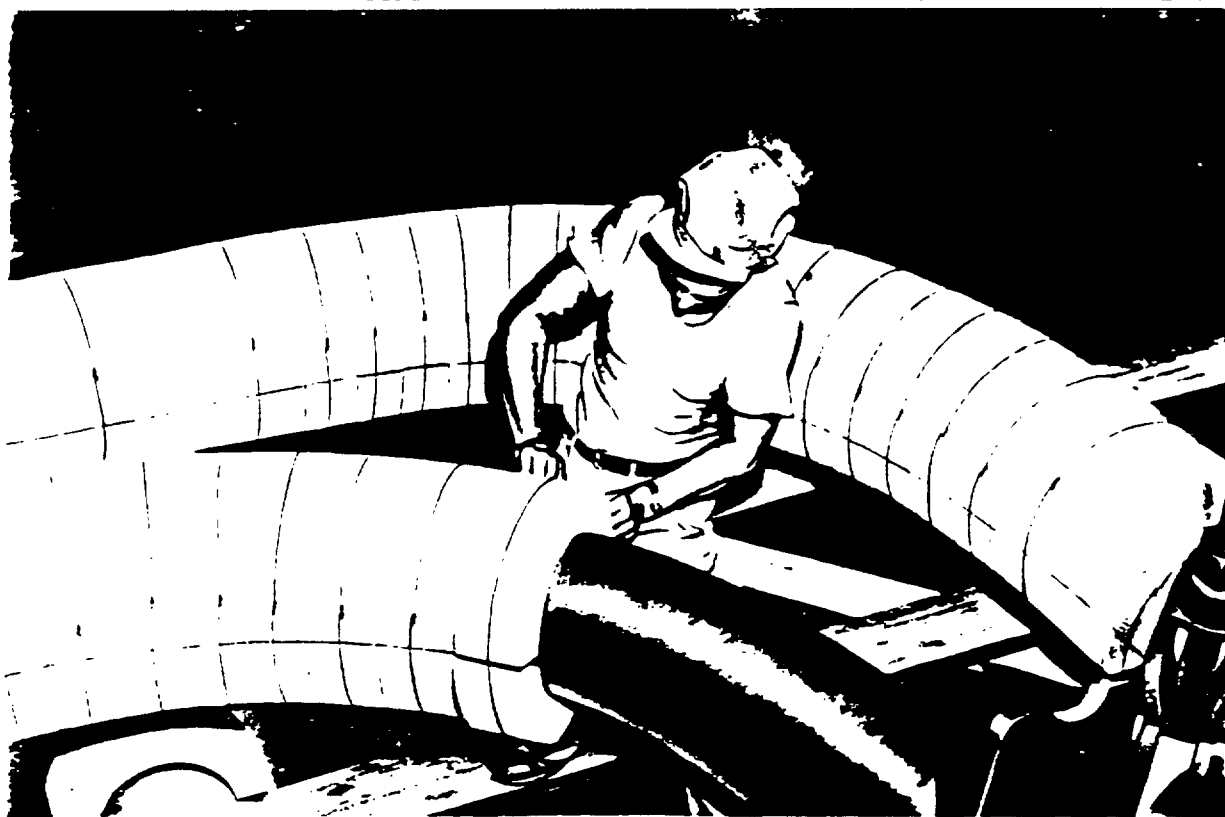
Sincerely,

Sandra C. Antczak /cdp
Sandra C. Antczak
Litigation Administrator

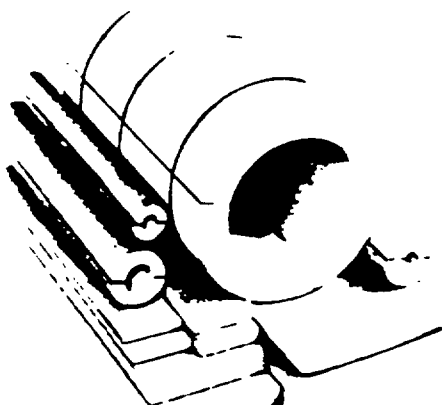
SCA/cdp
Enclosures

cc: All Counsel of Record
Jay Tambe

OCT 26 1994



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Chemical Processing—April, 1953
Petroleum Refiner—May, 1953



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