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**RESPONSE OF GAF CORPORATION TO
PLAINTIFFS' MASTER SET OF INTERROGATORIES**

with the Maryland Rules, as follows:

GENERAL OBJECTIONS

- answer any request; (d) identify an unknown custodian or the

current custodian of documents not in GAF's possession; (e) identify the file designation and other identifying designation, the present location, or the source of documents identified unless specifically requested in the request; (f) add to or to change the meaning of any request in the conjunctive or disjunctive; (g) respond to any aspect of a request not described with reasonable particularity by the express language of the request; or (h) provide medical or other expert opinion beyond the scope of GAF's business.

4. GAF objects to these Interrogatories to the extent that they seek to require it to reveal trade secrets or other confidential product or commercial information. Therefore, GAF will submit certain responses only on the condition that the plaintiffs agree in writing and undertake to maintain the confidential nature of certain trade secrets and other confidential product or commercial information.

5. GAF objects to these Interrogatories to the extent that they seek to require it to respond to questions or to identify or produce documents relating to times, events and other things beyond the subject matter of the Complaint, or outside of the period from 1928 to 1981, during which The Ruberoid Co., until its acquisition by GAF on May 26, 1967, and thereafter GAF may have manufactured asbestos-containing industrial thermal insulation products, or relating to any products other than asbestos-containing industrial thermal insulation products.

6. GAF objects to these Interrogatories to the extent that they seek to require it to provide information specifically with respect to mining and manufacturing operations, or any safety precautions or tests undertaken therein whether in compliance with OSHA or otherwise, inasmuch as the occupational level exposures of asbestos mining and manufacturing workers are different from the occupational level exposures of insulators and construction bystanders working with finished asbestos-containing products.

7. GAF objects to these Interrogatories to the extent that they seek to require it to provide information or to identify any documents or other tangible things prepared or obtained in anticipation of litigation or for trial where the plaintiffs have not shown that they (1) have substantial need for the materials in the preparation of the case and (2) are unable to obtain the substantial equivalent of the materials by other means without undue hardship.

8. GAF objects to these Interrogatories to the extent that they seek to require it to disclose privileged attorney-client communications or information otherwise protected from discovery on the grounds of privilege.

9. GAF objects to the definitions and instructions preceding the Interrogatories on the grounds that they are beyond the scope of applicable Maryland Rules.

10. GAF objects generally and individually to the Interrogatories on the grounds and to the extent that they assume facts not in evidence or otherwise erroneous (i.e., that GAF had "distributors") and on the further grounds that they are vague, overly broad, oppressive, unduly burdensome, excessive in number, not relevant to the subject matter of the litigation, and not calculated to lead to the discovery of admissible evidence and thus declines to pursue a detailed search of its documents in Linden, New Jersey, or elsewhere.

11. GAF hereby adopts the motions and objections of the other defendants, and reserves the right to adopt future motions and objections relating to plaintiffs' Interrogatories.

12. GAF objects to these Interrogatories to the extent that they seek to require it to gather and summarize information contained in voluminous papers that are already a matter of public record.

13. GAF objects to these Interrogatories to the extent that they seek to require it to provide information which is equally available to the plaintiffs as to GAF.

14. GAF objects to these Interrogatories to the extent that they seek it to respond other than in accordance with the Maryland Rules and thus GAF declines to identify computer tapes and programs, computer printouts and any electronic, mechanical or electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, recordings and computer memories), or fields, files, menus, databases, or other computer

classifications or material, inasmuch as such documents constitute documents or other things prepared or obtained in anticipation of litigation or for trial, work product, confidential attorney-client communications, and otherwise privileged documents.

Subject to the foregoing objections and limitations which are applicable to each of the numbered paragraphs of the Interrogatories, and subject to any documents being in existence and recoverable through a reasonably diligent search (taking into account normal changes in personnel and document locations over the decades of asbestos litigation), and without representing that any particular document or documents are or are not thus existing and recoverable, GAF further responds to the individual Interrogatories without waiver and with preservation of:

The right to object to the use of any responses, or the subject matter thereof, on any ground in any proceedings in any action (including any trials);

The right to object on any ground at any time to a demand or request for a further response to this discovery request or to any other interrogatories, document requests, or other discovery proceedings involving or relating to the subject matter of the discovery requests herein responded to; and,

The right at any time to revise, correct, add to, supplement or clarify any of the responses to the individual Interrogatories as follows:

INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address and official capacity of each person who has supplied information used in answering these interrogatories and indicate for which interrogatory each such person is responsible.

RESPONSE TO INTERROGATORY NO. 1:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that various GAF officers and outside counsel have participated in the preparation of responses to interrogatories and other discovery requests and provided information utilized in the preparation of certain of the responses to these interrogatories.

In the course of responding to discovery over several years, various persons have provided information and referred to documents which persons and documents this defendant is presently unable to identify individually or in relation to specific items of information.

The following former and current GAF employees or representatives are known to have supplied information utilized in responding to discovery:

William Schwingen - Vice President, Technical Services, GAF Building Materials Corporation - employed at 1361 Alps Road, Wayne, New Jersey 07470.

Phillip Bettoli - (retired) - former Technical Director, Research Department, GAF Corporation - formerly employed at South Bound Brook, New Jersey 08880.

Wayne Page - former Vice President of Manufacturing of Consumer Products Group, GAF Corporate Headquarters - formerly employed at New York, New York.

In addition, counsel for GAF Corporation, various local counsel for GAF, and their paralegal professionals have assisted in the preparation of these responses.

INTERROGATORY NO. 2:

Identify each document that was examined, reviewed and/or used in answering each interrogatory, specify the interrogatory and identify the present custodian of each document.

RESPONSE TO INTERROGATORY NO. 2:

In addition to the objections set forth in the preliminary paragraphs of this response, this defendant objects to this interrogatory on the grounds that it is vague, unduly burdensome, and impossible to answer as presently propounded. Thousands of pages of documents have been produced, by this and other defendants in the course of this litigation. Should there remain outstanding relevant, non-privileged documents to be obtained from this defendant, this defendant will respond to the following subject matter-specific interrogatories.

INTERROGATORY NO. 3:

State whether you are a corporation. If so, state: your corporate name; state of incorporation; date of incorporation; address of principal place of business; address(es) of any other place of business, including sales offices; whether, if you are a "foreign corporation" as defined under the law of the State of Maryland, you are now or have ever been registered or qualified to do business in the State of Maryland; and the corporate name, state of incorporation and date of incorporation of any subsidiary, predecessor or affiliate corporation.

RESPONSE TO INTERROGATORY NO. 3:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, including absence of relevance. This defendant further objects to the terms "predecessor" and "affiliate," as they are not defined in the interrogatories and are susceptible to a variety of interpretations, legal conclusions and consequences.

Subject to the foregoing objections, GAF states that it was incorporated in Delaware in 1929 as American I.G. Corporation. Its name was changed in 1939 to General Aniline & Film Corporation. From its inception until May of 1967, General Aniline & Film Corporation was not engaged in any aspect of the asbestos industrial thermal insulation business and, in fact, manufactured no products whatsoever containing asbestos.

On May 26, 1967, GAF acquired The Ruberoid Co. The Ruberoid Co. was originally incorporated in New York in 1886 as the Standard Paint Company. This company was succeeded by a company of the same name, which was incorporated in West Virginia in 1889; that company was succeeded by the Standard Paint Company, incorporated in New Jersey on June 16, 1905. The name of the company was changed to The Ruberoid Co. on March 10, 1921. The Ruberoid Co. began the manufacture of industrial thermal insulation products containing asbestos in 1928 when it acquired the H.F. Watson Co. The Ruberoid Co. made various other acquisitions not pertinent to this action, including a Vermont mine.

In 1942, 98 percent of the stock of General Aniline & Film Corporation was seized, pursuant to a wartime legislative enactment, by the U.S. Treasury Department which assumed control over the company management and operations. In 1965, the U.S. Government relinquished control over General Aniline & Film Corporation and its stock was sold at public auction. The acquisition of The Ruberoid Co. took place on May 26, 1967. In 1968, the name of the entity was changed to GAF Corporation. By 1981, GAF Corporation was not manufacturing any asbestos-containing industrial thermal insulation products.

Currently, GAF is primarily a chemicals and building materials manufacturer. It maintains its principal place of business at 1361 Alps Road, Wayne, New Jersey 07470-3689.

On July 1, 1986, the majority of the assets of the Chemicals Division and the Building Materials Division and certain other investment assets were transferred to wholly owned subsidiaries of GAF Corporation, incorporated for that purpose in Delaware as GAF Chemicals Corporation and GAF Building Materials Corporation. The qualification of GAF Corporation in Maryland was withdrawn effective September 17, 1987.

INTERROGATORY NO. 4:

Identify all prior names by which you have existed.

RESPONSE TO INTERROGATORY NO. 4:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that GAF Corporation was originally incorporated as American I.G. Corporation; it changed to General Aniline & Film Corporation and then to GAF Corporation.

INTERROGATORY NO. 5:

If you have divisions which have ever mined, manufactured, produced, fabricated, imported, converted, compounded, processed, sold, merchandised, supplied, distributed and/or otherwise placed in the stream of commerce asbestos products, identify each such division and state the names, addresses and job titles of each person who supervised each division, specifying the applicable time periods.

RESPONSE TO INTERROGATORY NO. 5:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, with respect to the Calsilite® facility, in the initial development and operation of the Calsilite® facility, all operating personnel reported directly to Dr. Herbert Abraham, President of Ruberoid. Dr. Abraham was located at Ruberoid headquarters in New York, New York. In the initial years of operation of the Calsilite® facility, the organization was headed by Mr. John Robinson, Mr. Carl Eckert and Mr. J.M. High. In the 1950's, the Calsilite® facility became part of Ruberoid's Industrial Products Division. The head of the Industrial Products Division in the mid-1950's was Thomas J. Walters, who was succeeded by Richard W. Henry, now deceased. Mr. Henry was succeeded by Wilbur Neel. The plant was closed and the equipment sold in 1971.

The Erie-Sixteenth Street facility was also operated as part of Ruberoid's Industrial Products Division. Management of this facility from time-to-time reported to Ruberoid's Erie-Lake facility, which was a roofing manufacturing plant. GAF is currently without information regarding the plant manager or other operating personnel for this facility.

Insulation cements were manufactured in Hyde Park (Morrisville, Lowell), Vermont, from approximately 1937 to 1975 when the plant was sold.

INTERROGATORY NO. 6:

Have you controlled, purchased or in any way acquired any interest in any corporation or business entity which has mined, manufactured, produced, fabricated, imported, converted, compounded, processed, sold, merchandised, supplied, distributed and/or otherwise placed in the stream of commerce asbestos products?

RESPONSE TO INTERROGATORY NO. 6:

Subject to the objections set forth in the preliminary paragraphs of this response, yes.

INTERROGATORY NO. 7:

If your Answer to Interrogatory No. 6 is in the affirmative, identify and attach copies of all documents related thereto and state:

(A) The name(s), including prior name(s), and the business address(es) of any and all such corporation(s) or business entity(ies);

(B) The date(s) on which you first controlled, purchased or acquired said interest;

(C) The manner in which you acquired said interest, i.e., cash purchase, merger, consolidation, exchange or sale of assets, etcetera;

(D) The percentage of assets, ownership and/or control acquired by you;

(E) Whether the corporation(s) or business entity(ies) acquired by you continued to exist following the acquisition and, if not, the date on which its existence ceased;

(F) The nature of and/or amount of consideration paid by you for said interest;

(G) The terms and conditions of any contracts or agreements by and between you and such corporation(s) or business entity(ies), including, but not limited to, the terms and conditions relating to the transfer of liabilities for obligations of such corporation(s) or business entity(ies);

(H) Whether you continued the manufacture, sale and/or distribution of such corporation's or business entity's asbestos products and, if so, whether you used the same product name(s) in so doing; and

(I) Whether there was an identity of name, officers, directors, personnel, property, suppliers, distribution outlets and/or clients between you and such corporation(s) or business entity(ies);

RESPONSE TO INTERROGATORY NO. 7:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that GAF Corporation was incorporated in Delaware in 1929 as American I.G. Corporation. Its name was changed in 1939 to General Aniline & Film Corporation. From its inception until May of 1967, General

Aniline & Film Corporation was not engaged in any aspect of the asbestos industrial thermal insulation business and, in fact, manufactured no products whatsoever containing asbestos.

On May 26, 1967, GAF acquired The Ruberoid Co. The Ruberoid Co. was originally incorporated in New York in 1886 as the Standard Paint Company. This company was succeeded by a company of the same name, which was incorporated in West Virginia in 1889; that company was succeeded by the Standard Paint Company, incorporated in New Jersey on June 16, 1905. The name of the company was changed to The Ruberoid Co. on March 10, 1921. The Ruberoid Co. began the manufacture of industrial thermal insulation products containing asbestos in 1928 when it acquired the H.F. Watson Co. The Ruberoid Co. made various other acquisitions not pertinent to this action, including a Vermont mine.

In 1942, 98 percent of the stock of General Aniline & Film Corporation was seized, pursuant to a wartime legislative enactment, by the U.S. Treasury Department which assumed control over the company management and operations. In 1965, the U.S. Government relinquished control over General Aniline & Film Corporation and its stock was sold at public auction. The acquisition of The Ruberoid Co. took place on May 26, 1967. In 1968, the name of the entity was changed to GAF Corporation.

The acquisition of The Ruberoid Co. took place on May 26, 1967. The terms and conditions of the acquisition are contained in the Articles of Merger. Products continued to be sold under the Ruberoid name for a short period of time. In 1968, the name of the

entity was changed to GAF Corporation. By 1981, GAF Corporation was not manufacturing any asbestos-containing industrial thermal insulation products.

Currently, GAF is primarily a chemicals and building materials manufacturer. It maintains its principal place of business at 1361 Alps Road, Wayne, New Jersey 07470-3689.

On July 1, 1986, the majority of the assets of the Chemicals Division and the Building Materials Division and certain other investment assets were transferred to wholly owned subsidiaries of GAF Corporation, incorporated for that purpose in Delaware as GAF Chemicals Corporation and GAF Building Materials Corporation. The qualification of GAF Corporation in Maryland was withdrawn effective September 17, 1987.

INTERROGATORY NO. 8:

If you have directly or indirectly mined, manufactured, produced, fabricated, imported, converted, compounded, processed, sold, merchandised, supplied, distributed, installed and/or otherwise placed in the stream of commerce asbestos or asbestos-containing products, state as to each such product, indicating separately those products dealt with by you, your predecessor(s) in interest, your subsidiary(ies), and your affiliate(s), if any, the following:

- (A) Brand name, trade-name, and/or trade-mark;
- (B) The generic name or identity;
- (C) Description, including size, shape, color and composition, i.e. solid, powder or other form;

(D) Chemical and physical composition, including, but not limited to, the percentage of asbestos by weight and volume;

(E) Type of asbestos, i.e. chrysotile, amosite, crocidolite, actinolite, anthophyllite, or tremolite, indicating specifically the percentage of each such asbestos fiber by weight and volume;

(F) Intended marketable use;

(G) Dates during which each asbestos product was mined, manufactured, produced, fabricated, imported, converted, compounded, processed, sold, merchandised, supplied, distributed, installed and/or otherwise placed in the stream of commerce;

(H) The identity of each person and/or business entity in the State of Maryland to whom or to which you sold or distributed each such product;

(I) The identity of each contractor, subcontractor, installer or other business entity in the State of Maryland and which ultimately installed, applied or used each such product; and

(J) The custodian, identity and location of each document which refers to or contains information relevant to such sale, distribution or installation.

RESPONSE TO INTERROGATORY NO. 8:

Subject to the preliminary objections, this defendant responds as follows:

I. CALSILITE®

With the support and at the behest of the United States Government which needed to increase wartime production of shipboard insulation materials, in 1944 Ruberoid constructed a Calsilite®

plant in Gloucester City, New Jersey, to manufacture Calsilite® pipe covering and block insulation. The plant was completed in approximately November, 1944. Some limited production of Calsilite® occurred prior to the plant's completion. GAF believes that all Calsilite® production during World War II was for the United States Navy. In June, 1947 the Calsilite® facility was shut down temporarily and all outstanding orders were cancelled. The facility was reopened on July 10, 1947 and operated on a pilot plant basis until March 7, 1949. During this research project period, production was limited and of an experimental nature. Calsilite® was again manufactured on a commercial basis by Ruberoid beginning on March 7, 1949, and then by General Aniline & Film Corporation in 1967, and then by GAF Corporation from 1968 to October, 1971, when the plant was closed.

Calsilite® was a lightweight, hard, calcium silicate insulation designed to withstand temperatures up to 1250° F. Calsilite® pipe covering was manufactured in three-foot lengths and in varying thicknesses. It was available in half-sectional pieces and, at various times, in three-segmental and regular segmental shapes, for assembly around a pipe in single or double layers. Pipe covering normally was provided with standard weight cotton or canvas jackets applied with silicate of soda. No "T's," elbows or joints were produced. Flat Calsilite® blocks were manufactured, at various times, in 18 or 36-inch lengths, in widths from 3 to 36 inches, and in thicknesses up to 4 inches. Six-inch wide curved segmental blocks, capable of contouring more easily for insulation

of large pipes and circular vessels, also were available. Throughout the time it was manufactured, Calsilite® pipe covering and block was packaged in corrugated boxes.

Calsilite® was manufactured by a "pan-molding" method until 1964 when Ruberoid began using a "filter-press" method or process. Pan-molded Calsilite® was grayish white and relatively smooth, with some small holes. Calsilite® filter press was grayish white with screen marks on the outer surfaces.

Calsilite®-Hi, developed in or around 1960, could withstand temperatures up to 1800° F. In the mid-to-late 1960s, Ruberoid developed Calsilite® SS, an "inhibited" product designed specifically to prevent stress corrosion and cracking of stainless steel piping.

In addition to formula changes made in connection with product development, the Calsilite® formula was adjusted often in order to compensate for changes in the quality and availability of raw materials. GAF does not have a complete set of all the formulas used in Calsilite® production nor does it have complete information about the production dates of known formulas.

This defendant began production of asbestos-free Calsilite® after having developed the product as a result of a project initiated sometime after the acquisition of The Ruberoid Co. on May 26, 1967, with sales beginning in 1970 or 1971. This product was identified as "Calsilite® II" or "Calsilite® A-F." However, without adding asbestos, GAF was unable to manufacture a calcium silicate insulation which met all specifications of the United States

Government applicable to Calsilite®. These limitations made it impossible for this defendant to manufacture and sell an asbestos-free Calsilite® that met applicable Government requirements. GAF asked the Government (U.S. Navy) to modify its specifications so that GAF's new product could be sold to the Navy and other customers who required that materials meet such specifications. The failure by the United States Government to act promptly to approve non-asbestos Calsilite® for procurement was the leading factor resulting in the closure of the entire Calsilite® facility.

II. ASBESTOS PAPER AND MILLBOARD PRODUCTS

Asbestos paper, millboard and laminated products were manufactured at Erie, Pennsylvania, by Ruberoid from 1928 to 1967, and then by General Aniline & Film Corporation in 1967, and then by GAF Corporation from 1968 to 1981, when the Erie facility was sold. These products generally were shipped in cardboard cartons of varying sizes, except for Imperial insulation and sponge felt which, because of their weight and bulk, were packaged into sections in wooden crates.

Asbestos Paper

Asbestos paper was designed to be used alone or in the manufacture of other products. It was manufactured in various thicknesses, according to customer specifications. Asbestos paper had a temperature limit of 250 degrees F. Its primary constituent was chrysotile asbestos, generally a mixture of grades 5 to 7. Other constituents included sulphite pulp, diatomaceous earth and starch, although in the early years of manufacture this product may

have consisted only of chrysotile and starch (which was sometimes in the form of tapioca).

Rollboard

Rollboard was an asbestos paper product, consisting of plies of asbestos paper bonded together without glue to create thicknesses varying from 1/16 to 1/8 of an inch. Rollboard had a temperature limit of 250 degrees F.

Millboard

Millboard was a stiffer product than asbestos paper or rollboard and was manufactured in sheets of varying thicknesses according to customer specifications. Millboard consisted generally of chrysotile asbestos (usually grades 5D, 5R and 6D), sulphite pulp and often other constituents, bonded with Portland cement and/or starch. In later years, at least as early as 1974, latex was added as a binder.

Corrugated Asbestos Paper

Corrugated asbestos paper was designed to be used alone or in the manufacture of other products. It was made in three types: 1/4 inch thickness per ply (4 plies/inch); 1/8 inch thickness per ply (6 plies/inch) and 1/16 inch thickness per ply (8 plies/inch). It was manufactured by adhering 36" to 37 1/2" wide flat sheets of asbestos paper (usually six pound paper) with silicate of soda to sheets of the same paper which had been corrugated using characteristic "Roman Arch" shaped corrugations, 26-28 to the foot. Its constituents were those of the asbestos paper from which it was

constructed. Corrugated asbestos paper was sold in 250 and 500 square foot rolls.

Air Cell

Air cell was a corrugated asbestos paper product manufactured from 1928 to approximately 1958. It was constructed of layers to the thickness specified by the customer of 36 or 37-1/2 inch wide flat asbestos paper which was adhered to corrugated asbestos paper with silicate of soda. The corrugations of this product had a characteristic "Roman Arch" shape. As of 1938, the corrugated paper component had 28 corrugations per linear foot. Each ply was 1/4 inch thick and air cell came in three standard thicknesses -- 2-ply, 3-ply, and 4-ply. Air cell pipe covering, sheets and blocks were sold. Often a canvas, cloth or pyroxiline jacket was applied to the outer surface of air cell pipe covering with an adhesive, usually a starch or cereal paste. 2-1/2 inch wide brass lacquered bands were provided for each canvas-jacketed section of air cell pipe covering to hold it to the pipe. With the pyroxiline jacket, three 1-inch wide black japan bands were supplied with each section. Air cell had a temperature limit of 250 degrees - 350 degrees F. Prior to 1935, air cell may have been sold only under the name "Celasbestos", which was available in 5, 6, 7 and 8 ply versions as well as 1-4 ply versions.

Watcocell

Watcocell was a corrugated asbestos paper product manufactured as Watcocel from 1928 to 1934, as Supercell from 1935 to 1942 and as Watcocell from 1942 to 1960. In 8-ply per inch Watcocell, the

corrugations were 1/16" thick; in 6-ply, the corrugations measure about 1/8" thickness. Watcocell was sold in rolls, sheets and blocks. Watcocell's temperature limit was 250 degrees F.

Imperial Insulation

Imperial insulation was manufactured from at least 1936 to approximately 1960 and was discontinued due to a lack of commercial demand. It had a temperature limit of 500 degrees - 700 degrees F. Imperial paper consisted of two plies of flat asbestos paper which were passed through an indenting roll resulting in a waffle-like appearance with closely spaced square indentations. Imperial pipecovering was wound on a mandrel to achieve the desired thickness and canvas-covered. In early years of production, layers of Imperial may have been stapled together or stitched with strands of wire rather than wound on a mandrel. Imperial sheets and blocks were made of layers of Imperial paper glued to the desired thickness with a fireproof glue, such as silicate of soda. This product was sold with a canvas, asphalted felt or pyroxyline jacket.

Aristo Insulation

The years of manufacture of Aristo Insulation are unknown, except that it was listed for sale in and around 1940. It was a corrugated asbestos paper product with carefully measured indentations and 23-25 laminations per inch of thickness. Its temperature limit was 700 degrees - 750 degrees F. The asbestos paper used in this product was treated with a surface treatment, possibly Bennett size. This product was sold in a standard

thickness of one inch, but often was used in thicknesses up to and exceeding three inches. Standard canvas and waterproof jackets were available for this product.

Sponge Felt

Sponge felt was manufactured from 1936 to approximately 1960 and was discontinued due to a lack of commercial demand. It consisted of asbestos sponge paper made by imbedding small pieces of sponge into asbestos paper. Its temperature limit was 750 degrees F. It was sold in 36-inch wide rolls, sheets and blocks which were produced in the same manner as Imperial products.

Woolfelt

Woolfelt, a wool or rag felt insulation manufactured from 1928 to approximately 1959, did not contain asbestos, but was sometimes sold with an asbestos paper liner or backing paper. Tar-lined woolfelt was sold with a tar paper liner which did not contain asbestos. Twin-purpose woolfelt was sold with a liner of asphalt coated asbestos paper.

Anti-Sweat Pipe Covering

Manufactured until approximately 1958, anti-sweat pipe covering was intended exclusively for residential use on cold water pipes. At least as early as 1936 this product was composed of an inner layer of asphalt-saturated asbestos paper followed by a 1/2 inch layer of woolfelt, 2 layers of asphalt-saturated asbestos paper, another 1/2 inch layer of woolfelt and two final layers of asphalt-saturated asbestos paper. The outermost layer had a flap extending at least 3 inches beyond the longitudinal joint. GAF

does not know whether a jacket was ever provided with this product. This product was sold in 36 inch wide rolls and had a temperature limit of 50 degrees F.

Frost-Proof Pipe Covering

Practically nothing is known of this product which was apparently constructed of a layer of felt made from cattle, goat or other animal hair with layers of asphalt-saturated asbestos paper and a layer of woolfelt. Its years of manufacture, appearance and temperature limit are unknown to GAF.

Range Boiler Jacket

This product consisted of a series of plies of corrugated asbestos paper built up to the required thickness on mandrels that were the same size as the range boilers the product was designed to fit. The corrugated paper used was a coarse variety with four plies per inch of thickness. These jackets were furnished in two sections -- upper half and lower half. Five extra-wide bands were provided to attach the jacket to the range boiler. The outside surface was painted or covered with canvas. GAF does not know the years of manufacture of this product.

T/NA-100

T/NA-100 was manufactured from 1962 until 1971. This asbestos paper product was a thin, fully bound two-ply laminated product consisting of an interior layer of asbestos paper bonded with Neoprene to a layer of polyvinylfluoride (Tedlar) plastic film on the exterior of the product. T/NA-100 was also sold with a back surface vapor barrier of Dow "Saran" film. The paper inner layer

was manufactured in Erie, Pennsylvania, the Neoprene outer layers were supplied by DuPont, and the product was assembled by High Vacuum Company, Passaic, New Jersey. Manufacture of this product was discontinued because it was not profitable.

At various times, Ruberoid product brochures and advertising listed for sale asbestos-containing products not known to have been manufactured by Ruberoid, including 85% magnesia and diatomaceous earth products, but which may have been manufactured for Ruberoid. This defendant has independent information that this defendant did not manufacture this product during the early 1940's or thereafter. This defendant is aware of no sales documents with respect to these products, the year of any sale of any such products or of any specific sale. However, this defendant is aware through litigation of individual Ruberoid labels upon sections of pipe covering indicating that the material was 85% magnesia pipe covering manufactured for Ruberoid by Plant Rubber and Asbestos Company, and perhaps others. It is believed that this material dates from the late 1930's.

III. INSULATING CEMENTS

1. 115 Insulation Cement

115 Insulation Cement was a chrysotile asbestos product which, in some instances, was produced at Ruberoid/GAF's Vermont facility and in other instances was purchased from various other asbestos suppliers and resold. Some of the product purchased from other suppliers may have been milled again at Ruberoid/GAF's Vermont facility prior to resale. Asbestos insulation cements produced at

GAF's Vermont facility could generally be distinguished from asbestos insulation cements produced by other manufacturers inasmuch as the Vermont product was a slip chrysotile asbestos rather than a cross vein asbestos and was generally of a lower grade and contained a greater percentage of impurities, such as dirt and rock particles. It is believed that this product was sold from at least as early as 1937 to 1975. Manufacture of this product was discontinued because it was not profitable and the facility was sold. It is believed that the "115" designation was employed from approximately 1950 to 1975 and the designation "Grade B" was also employed in years prior to 1950.

The basic ingredients of this cement product were:

chrysotile determined to pass the 0-0-1-15 Quebec test
impurities (dirt, rock, earth)

The particular formulas utilized by entities which purchased this product for construction are not known by GAF, but this product was normally mixed with Portland cement, water and/or other substances.

2. 214 Insulation Cement

214 Insulation Cement was also a chrysotile asbestos product which, in some instances, was produced at GAF's Vermont facility and in other instances was purchased from various other asbestos suppliers and resold. Some of the product purchased from other suppliers may have been milled again at Ruberoid/GAF's Vermont facility prior to resale. Ruberoid/GAF's Vermont product was a lower grade cement which contained a greater percentage of impurities, such as dirt and rock particles, making it lightly mottled and giving it an overall darker appearance. It is believed that this product was sold from at least as early as 1937 to 1975. Manufacture of this product was discontinued because it was not profitable and the facility was sold. It is believed that the "214" designation was employed from approximately 1950 to 1975 and the designation "Grade BB" was also employed in years prior to 1950.

The basic ingredients of this cement product were:

chrysotile determined to pass the 0-0-2-14 Quebec test
impurities (dirt, rock, earth)

The particular formulas utilized by entities which purchased this product for construction are not known by GAF, but this product was normally mixed with Portland cement, water and/or other substances.

Both "115" and "214" insulation cements could be packed "loosely" in burlap through the 1940's and thereafter "pressure packed" or "semi-pressure packed" in either kraft paper, plastic lined or woven plastic bags.

3. Calsilite® Insulation Cement

Calsilite® Insulation Cement was a combination of chrysotile asbestos fiber, ground Calsilite® pipe covering or block, and Portland and other cements.

It is believed that this product was made with Vermont-produced asbestos and thus contained certain impurities, such as rock, dirt and earth particles. This product was never widely or frequently sold and did not gain commercial acceptance. To the extent such sales took place, they ceased completely in or around 1960. Generally, the product was packaged in kraft paper bags with a plastic lining.

4. Other Insulation Cements

In unknown years prior to 1955 which varied by product, Ruberoid listed for sale the following other insulation cements. Except as stated below, little is known about these products, including the specific years they were offered, the constituents and, except as indicated, whether or not they were manufactured or produced by Ruberoid.

a. Grade AA Insulating Cement - Grade AA was manufactured by Ruberoid using a high grade of pure asbestos fiber together with suitable binding materials that had low conductivity. It was designed to yield a hard, durable surface. Its temperature limit was 1200 degrees F.

b. Grade A Insulating Cement - This was a factory-prepared cement consisting of fibers which were not as long as those used in the better grade AA, together with suitable binding materials. Its temperature limit was 1000 degrees F.

c. Grade H F - Hard Finish - This was a hard finish cement designed to be used as a final protective coating over other coats of cement. It had a smooth, glossy, hard finish. Grade HF was recommended to be applied in a 1/4" thick layer. It had a temperature limit of 1500 degrees F and was a prepared cement manufactured by Ruberoid.

d. Grade HF - Hard Finish #48 High Gloss - This was another hard finish cement manufactured apparently in 1945 and possibly other years.

e. Grade H. T. - High Temperature Cement - This cement was designed to withstand temperatures of 1600 to 1800 degrees. This material was not designed to be used for finishing purposes.

f. Grade 203 Insulating Cement - Grade 203 had a screen test of approximately 0-0-8-8 which was intended to result in a light, fluffy cement. It was practically free of grit and dirt. Its temperature limit was 1200 degrees F.

g. Grade 016 Insulating Cement - This 100% chrysotile cement had a screen test of approximately 0-0-1-16 which made it the lowest grade cement sold by Ruberoid/GAF.

h. Satin Finish Cement

i. Grade A-11 Insulating Cement - This product consisted of vermiculite, chrysotile, and binding substances. It was recommended for temperatures up to 1500 degrees F, or 1800 degrees F if the applicator did not intend to reclaim the material. Grade A-11 was designed to be an insulation material, not a finishing cement.

j. Coverkote - Coverkote was designed to be a weatherproof coating for insulated surfaces, rather than an insulating cement. It was a combination of emulsified asphalt and 25-28% chrysotile. It was a black plastic material particularly designed for protection of insulation on large tanks and vessels and for insulated equipment such as smoke breechings and ducts. The temperature limit for Coverkote was 400 degrees F.

k. Rock Wool Cement - Little is known about this product which was apparently available from Ruberoid in the late 1940's and early 1950's. It consisted of a mixture of rock wool and chrysotile asbestos and had a temperature limit of 1500 degrees F.

Insulation cements of different fiber sizes, commonly known as sizes 313 and 412, were sold by The Ruberoid Co. from 1937 until 1967 and by General Aniline & Film Corporation and then GAF Corporation from 1967 to 1975.

As a manufacturer and seller only, the method or manner of using its asbestos-containing industrial thermal insulation products was determined by the purchaser, contractor or other user in the field, and was not within the discretion of this defendant.

INTERROGATORY NO. 9:

State whether you presently mine, manufacture, produce, fabricate, import, convert, compound, process, sell, merchandise, supply, distribute, install and/or otherwise place in the stream of commerce any asbestos product(s) listed in your Answer to the preceding interrogatory. If so, identify each product by brand name, trade name and/or trademark.

RESPONSE TO INTERROGATORY NO. 9:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that it terminated the selling, supply and distribution of all remaining asbestos-containing industrial thermal insulation products by 1981.

INTERROGATORY NO. 10:

Identify each individual who participated in the design and preparation of manufacturing specifications for each asbestos product identified in your Answer to Interrogatory No. 8.

RESPONSE TO INTERROGATORY NO. 10:

Subject to the preliminary objections, this defendant responds that, during the period from 1967 through 1981, the following persons at GAF have held the position of Vice-President, Research Department:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Leon Katz	- 1967	American Can
Frederick Grosser	1967 - 1969	Retired from GAF
Robert Meyers	1969 - 1972	St. Regis or Regal Paper
Simon Kantor	1972 - 1981	Retired from GAF

The directors of the Research Department at The Ruberoid Co. were as follows:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Edward Duke	? - 1947	Retired; GAF Corporation
Clarence Eckert	1947 - 1958	Deceased
Phillip S. Bettoli	1958 - 1967	Retired; GAF Corporation

See also response to Interrogatory No. 5.

INTERROGATORY NO. 11:

State whether any written memoranda, specifications, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the asbestos products identified in your Answer to Interrogatory No. 8. If so, identify:

- (A) Each such written material or document; and
- (B) The custodian, identity and location of each such written material or document.

RESPONSE TO INTERROGATORY NO. 11:

Subject to the objections set forth in the preliminary paragraphs of this response and further subject to reasonable interpretation of the phrases "other written materials of any kind or character" and "relating to the design and preparation of the asbestos products," this defendant responds, yes. No such list of documents exists, and no list of particular categories of such documents exists in discoverable form. Certain documents within the scope of this interrogatory are in the custody of the Legal Department of GAF and in the custody of its local counsel.

From the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the

Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this

action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers.

INTERROGATORY NO. 12:

Identify, by location and product, each mine, mill, plant or other facility of yours in which the asbestos products identified in your Answer to Interrogatory No. 8 have been manufactured and/or assembled and the dates said facilities have been in operation.

RESPONSE TO INTERROGATORY NO. 12:

Subject to the objections set forth in the preliminary paragraphs of this response, see response to Interrogatory No. 8.

INTERROGATORY NO. 13:

If you have discontinued mining, manufacturing, producing, fabricating, importing, converting, compounding, processing, selling, merchandising, supplying, distributing and/or otherwise placing in the stream of commerce any asbestos products listed in your Answer to Interrogatory No. 8, identify the products discontinued, give the date of discontinuance and specify the reason(s) for such discontinuance.

RESPONSE TO INTERROGATORY NO. 13:

Subject to the objections set forth in the preliminary paragraphs of this response, see response to Interrogatory No. 8.

INTERROGATORY NO. 14:

If you have done so, when did you first determine that any other material could be used in place of asbestos for high-temperature insulation or any other use to or for which asbestos has been applied. If you have, in fact, substituted other material(s) for asbestos in your product(s), then state:

- (A) The identity of such substituted material(s);
- (B) When the product(s) with such substituted material(s) was first developed and marketed; and
- (C) The trade-name(s) and brand name(s) of the product(s) marketed with such substituted material(s).

RESPONSE TO INTERROGATORY NO. 14:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that it began production of asbestos-free Calsilite® when it developed asbestos-free Calsilite® in 1970, with sales beginning in 1970 or 1971. This product was identified as "Calsilite® II" or "Calsilite® A-F." However, without adding asbestos, GAF was unable to manufacture a calcium silicate insulation which met all specifications of the United States Government applicable to Calsilite®. These limitations made it impossible for this defendant to manufacture and sell an asbestos-free Calsilite® that met applicable Government requirements. GAF asked the Government (U.S. Navy) to modify its specifications so that GAF's new product could be sold to the Navy and other customers who required that materials meet such specifications. The failure by the United States Government to act promptly to approve non-asbestos Calsilite® for procurement as a practical matter limited the ability of this defendant to sell its non-asbestos product, and was a factor leading to the closure of the entire Calsilite® facility on October 14, 1971.

INTERROGATORY NO. 15:

With respect to each of the asbestos-containing products identified in your Answer to Interrogatory No. 8, state whether there has been any change, alteration or modification (hereinafter collectively called "change") from the time when it was first

developed or you began to manufacture or sell it, to the present.

If so, state:

(a) The identity, by brand name and trade name, of each such product;

(b) The nature of each such change;

(c) The reasons for each such change;

(d) The details of how the changed product differed from the original product, including, but not limited to, any changes in the asbestos content or chemical composition of each such product;

(e) The names of each person recommending and/or approving such change;

(f) The date each change was accepted by you and made commercially available;

(g) Whether there were any studies, evaluations or tests made in connection with such change, and if so, identify each such study by title, date, name of author and present location and custodian.

RESPONSE TO INTERROGATORY NO. 15:

This defendant objects to this interrogatory on the grounds that the phrase, "any changes to or alterations of your asbestos products," is too vague and ambiguous to permit reasonable interpretation. Subject to the foregoing objections and the objections set forth in the preliminary paragraphs of this response, GAF responds, yes.

Changes in product formulae from time to time resulted in minor changes in asbestos content over the years, but such changes were insignificant. The formula for Calsilite® pipe covering and

block was adjusted, apart from competitive considerations, to compensate for changes in the quality and availability of raw materials over the years. Additionally, GAF began development of its own non-asbestos substitute for Calsilite®. The product was known as Calsilite® II. However, the Government refused to purchase GAF's asbestos-free product because the applicable Government specifications continued as a practical matter to require asbestos in products qualified thereunder. Printed materials concerning the products reflected their changes in composition.

INTERROGATORY NO. 16:

Do you contend that any of the asbestos products listed in your Answer to Interrogatory No. 8 require change or modification before they may be used? If so, specify what change or modification is required for each such product.

RESPONSE TO INTERROGATORY NO. 16:

The defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that the meaning of the terms "change or modification" is so vague in the context of this litigation as to be meaningless. Subject to these objections, this defendant states that, as a manufacturer and seller only, the method or manner of using the asbestos-containing thermal insulation products listed in response to Interrogatory No. 8 was determined by the purchaser, contractor or other user in the field, and was not within the discretion of this defendant.

INTERROGATORY NO. 17:

Identify all patents issued, or any applications made therefor, for any asbestos product listed in your Answer to Interrogatory No. 8. Specify the number of each patent, the date(s) of application, issuance and renewal, if applicable, to whom each patent was issued and the product(s) for which each patent was issued.

RESPONSE TO INTERROGATORY NO. 17:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that U.S. Patent No. 3,300,927, patented January 31, 1967, covers a bonded roofing product known as T/NA-200 and arguably also covers T/NA-100, in that T/NA-100, also primarily a roofing membrane, differed only in the thickness of the polyvinylfluoride surface film, with Neoprene binder. The holder of this patent is Phillip S. Bettoli.

An original patent on the Calsilite® heat insulation process was held by Herbert Abraham, formerly president of Ruberoid, and Herbert E. Lloyd. Lloyd assigned his patent to Ruberoid (Patent No. 2,400,844) in 1946. Abraham assigned his patent to Ruberoid in 1952 (Patent No. 2,602,754). GAF filed a patent application for its asbestos-free Calsilite® through Duane A. Davis, inventor, on October 8, 1971. The patent application, Proposal No. 187,921, and rights to the process for which the patent was sought, were sold in 1972.

INTERROGATORY NO. 18:

Identify all trade-marks registered for any products listed in your Answer to Interrogatory No. 8. Specify the number and date of registration, the term thereof, the date(s) of renewal, if applicable, by whom each trade-mark was registered and the product(s) for which each trade-mark was registered.

RESPONSE TO INTERROGATORY NO. 18:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that trademarks have been registered for various asbestos-containing industrial thermal insulation products manufactured by this defendant, including Calsilite®, Calsilite-Hi®, and T/NA-100. In addition, it is believed that Ruberoid also registered with the United States Patent Office for Imperial, Watcocell, and Super Cell in October, 1935, and a workman with hammer in September, 1939.

INTERROGATORY NO. 19:

State whether you have distributed, sold or installed any asbestos or asbestos-containing products which was/were mined, manufactured, produced, fabricated, imported, converted, compounded, processed, sold, merchandised, supplied and/or otherwise placed in the stream of commerce by persons and/or business entities other than you or your predecessor(s) in interest or subsidiary(ies), if any. If so, state:

(A) The identity of each such person and/or business entity whose asbestos products you sold, distributed or installed on a product-by-product basis;

(B) The terms of all assignments, agreements, licenses and other arrangements which relate to same, including whether the relationship was exclusive. Identify and attach copies of all such documents;

(C) As to each product, the brand name, trade-name and/or trademark adopted and used by the source from which you obtained said product for distribution or sale;

(D) As to each product, the brand name, trade-name and/or trademark adopted and used by you for purposes of distribution or sale of said product;

(E) The generic name or identity of each such product;

(F) The dates during which you distributed, sold or installed each such asbestos product;

(G) As to each such product, a description, including size, shape, color, composition, i.e. solid, powder or other form;

(H) As to each such product, the type of asbestos and the percentage of asbestos, by weight and volume;

(I) As to each such product, its intended marketable use;

(J) The identity of each person and/or business entity in the State of Maryland to whom or to which you sold, distributed or shipped each such product;

(K) The identity of each contractor, subcontractor, installer or other business in the State of Maryland which ultimately installed, applied or used each such product; and

(L) The custodian, identity and location of each document which refers to or contains information relevant to such sale or distribution.

RESPONSE TO INTERROGATORY NO. 19:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that this interrogatory is too vague for reasonable interpretation. Subject to these objections, this defendant states that, at various times, Ruberoid product brochures and advertising listed for sale asbestos-containing products not known to have been manufactured by Ruberoid, including 85% magnesia and diatomaceous earth products, but which may have been manufactured for Ruberoid. This defendant has independent information that this defendant did not manufacture this product during the early 1940's or thereafter. This defendant is aware of no sales documents with respect to these products, the year of any sale of any such products or of any specific sale. However, this defendant is aware through litigation of individual Ruberoid labels upon sections of pipe covering indicating that the material was 85% magnesia pipe covering manufactured for Ruberoid by Plant Rubber and Asbestos Company, and perhaps others. It is believed that this material dates from the late 1930's.

This defendant believes that The Ruberoid Co. and GAF had an agreement under which Baldwin-Ehret-Hill produced 313 and 412 insulating cements nationally for GAF from time to time from 1960 to 1971. Ruberoid purchased raw asbestos from Johns-Manville, the

United States Government and others for resale. This defendant has no knowledge that any person or business entity in the State of Maryland bought or otherwise obtained such products and no list of documents which might refer to such sales exists in discoverable form.

INTERROGATORY NO. 20:

Identify the distributors or approved applicators of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 at any time during the period from 1930 to the present and identify and attach copies of all documents relating to said distributors and applicators. For each such entity, indicate:

(A) The terms of all assignments, agreements, licenses and other arrangements by and between you and said distributor or applicator;

(B) Whether the distribution or application relationship was exclusive;

(C) The year or years in which the distribution or application relationship was in effect;

(D) The identity of the asbestos products listed in your Answers to Interrogatory Nos. 8 and 19 which the distributor or applicator was authorized to and did distribute or apply; and

(E) The quantity of the asbestos products listed in your Answers to Interrogatory Nos. 8 and 19 distributed by the distributor or sold to the applicator on a year-by-year and product-by-product basis.

RESPONSE TO INTERROGATORY NO. 20:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that it is overly broad, unduly burdensome and not drafted in a fashion precise enough, nor reasonably calculated, to lead to the discovery of admissible evidence. The only possible relevant shipments of this defendant's asbestos-containing industrial thermal insulation products could be those made to job sites on which and during years in which plaintiff actually worked. This defendant further responds that it entered into no distributor agreements, although there were credit agreements which may have used "distributor" terminology. Accordingly, GAF sold products to various companies which may have at times resold those products to other entities. In Maryland, GAF believes it entered into such arrangements with Leroy Contracting Company, Baltimore, Maryland, and Roberts Insulation & Supply Company, 301 West Church Street, Hagerstown, Maryland, but the time and other aspects of such agreements are unknown.

INTERROGATORY NO. 21:

State whether you have ever sold, distributed or otherwise furnished any of the asbestos products listed in your Answer to Interrogatory No. 8 to any other person and/or business entity for resale or redistribution at any time from 1930 to the present. If so, state:

(A) The identity of each such person and/or business entity;

(B) The brand name, trade-name and/or trademark adopted and used by you for each such product;

(C) The brand name, trade-name and/or trademark adopted and used by each such person and/or business entity for each such product;

(D) The generic name or identity of each such product;

(E) The year(s) in which each such product was sold, distributed or otherwise furnished to each such person and/or business entity, and for each year, the quantity of each product sold, distributed or otherwise furnished;

(F) The intended marketable use for each such product;

(G) Whether each such product was intended to be used, resold, or distributed by such other person and/or business entity in the same or substantially the same condition as it was when shipped or delivered by you; and

(H) The custodian, identity and location of all documents pertaining to agreements for the resale, distribution, or furnishing of your asbestos products to each other person and/or business entity; and

(I) Whether the resale, rebranding or redistribution agreement was exclusive.

RESPONSE TO INTERROGATORY NO. 21:

Subject to the objections set forth in the preliminary paragraphs of this response, and subject to the further objection that the phrase "for resale or redistribution" is too vague for reasonable interpretation, this defendant believes that The

Ruberoid Co. and GAF had two agreements relating to cross-agreements with other companies from time to time, which agreements may have involved the furnishing of industrial thermal insulation products "for resale or redistribution" and which agreements may possibly have been, but are believed not to have been, applicable to sales of GAF products in Maryland: a relabeling agreement with the Grant Wilson Company, apparently in the 1930's generally applicable to the sales of certain products, primarily in the midwestern area of the United States; and, an agreement with Armstrong Contracting and Supply Company, Lancaster, Pennsylvania, in 1963 under which Ruberoid agreed to sell certain products to the Company and attach that Company's labels, as and when directed. This defendant also is aware of testimony and documentation indicating that raw asbestos was sold to Eagle-Picher Industries, Inc., and that some Calsilite® may have been rebranded as an Eagle-Picher product for sale in the Midwest. Other such arrangements may have been undertaken from time to time, for brief periods of time, but apparently none in Maryland.

INTERROGATORY NO. 22:

State the following with respect to the packages and containers in which you sold, distributed or otherwise furnished each of the asbestos products described in your Answers to Interrogatory Nos. 8 and 19 on a year-by-year and product-by-product basis:

(A) A description of the package or container in which each product was sold, distributed or otherwise furnished, including composition, size, shape and color;

(B) A description of the markings or printed material that appeared on each package or container, indicating the size, color and location;

(C) A description of any logo or other design appearing on the package or container, indicating the size, color and location;

(D) A verbatim description of all caution or warning notices appearing on the package or container, setting forth the exact dates, location, size and color in which each such notice appeared on each such product;

(E) A verbatim description of any instructions appearing on the package or container and include its location, size and color; and

(F) The identity of each person with knowledge of decisions made regarding the use and date of such caution, notice, warning or other statement or explanation.

RESPONSE TO INTERROGATORY NO. 22:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that all of its products were packaged in corrugated cardboard cartons, except cements, which came in 50 and 100 lb. burlap and kraft paper bags.

GAF complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 23:

If any changes were made to the packages and containers in which you sold, distributed or otherwise furnished each of the asbestos products described in your Answers to Interrogatory Nos. 8 and 19, indicate as to each such package or container:

(A) The nature of each such change, e.g., changes in composition, size, shape and color, and/or changes regarding the placement, modification or removal of any color, logo, design, name, word, number, instruction, warning or other marking on the container;

(B) The date on which you decided to make the change;

(C) The date the container was in fact changed;

(D) The reason for the change;

(E) The identity of each present or former employee, officer, representative or agent of yours at any time from 1930 to the present with knowledge or information regarding your decision to change any aspect of the package or container; and

(F) The custodian, location and identity of each document in your custody, control or possession which contains information relevant to your decision to change any aspect of the package or container.

RESPONSE TO INTERROGATORY NO. 23:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that GAF complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 24:

Do you have custody, possession, or control of any packages that presently or formerly packaged asbestos-containing products? If so,

- (A) Identify each such package;
- (B) Identify the custodian of each such package;
- (C) Identify the date on which each such package was sold and/or distributed by you and the date when each such package was retrieved from your facilities and/or from the stream of commerce;

(D) State whether or not each such package was retrieved from the stream of commerce or was retrieved from your warehouses or storage facilities;

(E) If it was retrieved from the stream of commerce, identify the person or company from whom it was retrieved;

(F) If it was retrieved from in-house sources, i.e., warehouses, storage facilities, or sales representatives, identify where and from whom it was received.

RESPONSE TO INTERROGATORY NO. 24:

Subject to the preliminary objections, this defendant responds that Michael Baker has in his custody one Calsilite® carton and several fiber bags. The carton dates from, approximately, the 75th day of 1966 and the bags were used before and after the 1967 acquisition of The Ruberoid Co. by GAF. It is believed that the bags and carton were retrieved in-house.

INTERROGATORY NO. 25:

For each brochure, pamphlet, specification, instruction, manual, bulletin, advertisement or other written material describing or relating to each of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19:

(A) Describe its contents and the date thereof;

(B) State when and to whom it was distributed;

(C) State the manner in which it was placed in the product container or whether it was separate from the product container;

(D) State whether any written, printed or graphic matter was present to warn of any potential harmful ingredient it might contain. If so, state:

(i) Whether a signal word, e.g., "danger", "warning" or "caution" was present;

{i) Whether the signal word was printed in boldface, capital letters or different colored inks;

ii) The wording of the statements describing any hazard;

{v) The wording, size, color and location of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(E) Identify each individual who participated in the writing of the brochure or other written materials and describe in detail the extent of his participation;

(F) Identify and produce each document which reflects, refers or relates to the information contained in the brochures, or other written materials and/or the decision to include such information;

(G) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

RESPONSE TO INTERROGATORY NO. 25:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that The Ruberoid Co. (and later GAF) presented product and technical information in trade and other magazines, and maintained entries in Sweet's Catalog Files. Advertisements for this defendant's

asbestos-containing industrial thermal insulation products also appeared in the magazine Asbestos.

INTERROGATORY NO. 26:

Identify each present or former employee, officer, agent or representative of yours who directed, handled, solicited, supervised, promoted or otherwise participated in the sale, supply, distribution, delivery, installation or removal in Maryland at any time from 1930 to the present, of any asbestos products identified in your Answers to Interrogatory Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 26:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant says that it has maintained sales offices or plants at: 500 South Ponca Street, Baltimore, Maryland 21224; 34 Charles Street, Hagerstown, Maryland 21470; 4030 Benson Avenue, Baltimore, Maryland 21227; 7310 Ritchie Highway, Glen Burnie, Maryland 21061; and, 9730C George Palmer Highway, Lanham, Maryland 29801. In or around 1960, the sales representative for Maryland was Harold Pfleiger and Thomas H. Wallace was District Sales Manager in Baltimore during approximately 1971-1981.

INTERROGATORY NO. 27:

For each person identified in your Answer to Interrogatory No. 26 who participated in the advertising in Maryland of any asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 at any time from 1930 to the present, state:

(A) His or her duties, responsibilities and inclusive years of employment;

(B) The identity of each product advertised, marketed or promoted; and

(C) The method by which each product was advertised, marketed or promoted, and if by print, the name of the publication, the inclusive dates during which the advertisement or promotion appeared therein and the publisher.

RESPONSE TO INTERROGATORY NO. 27:

Subject to the preliminary objections, this defendant responds, not applicable.

INTERROGATORY NO. 28:

Describe your corporate structure and policy concerning the subject of employee safety in the design, development, manufacture, testing and use of asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 from 1930 to the present. In your Answer to this Interrogatory, identify each present or former corporate department, division, subdivision or other group responsible for the above-described activities and dates related thereto and, with respect to each, identify the name, title, duties, responsibilities, dates of employment and current or last known business and residential address of the highest supervisory employee with knowledge of any of those activities during any time from 1930 to the present.

RESPONSE TO INTERROGATORY NO. 28:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 29:

Describe your corporate structure concerning the subject of research and development of asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 from 1930 to the present. In your Answer to this Interrogatory, identify each present or former corporate department, division, subdivision or other group responsible for any of these activities and dates related thereto and, with respect to each, identify the name, title, duties, responsibilities, dates of employment and current or last known business and residential address of the highest supervisory employee during any time from 1930 to the present.

RESPONSE TO INTERROGATORY NO. 29:

Subject to the preliminary objections, this defendant responds that, during the period from 1967 through 1981, the following persons at GAF have held the position of Vice-President, Research Department:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Leon Katz	- 1967	American Can
Frederick Grosser	1967 - 1969	Retired from GAF
Robert Meyers	1969 - 1972	St. Regis or Regal Paper
Simon Kantor	1972 - 1981	Retired from GAF

The directors of the Research Department at The Ruberoid Co. were as follows:

<u>NAME</u>	<u>DATE OF SERVICE</u>	<u>LAST KNOWN EMPLOYER</u>
Edward Duke	? - 1947	Retired; GAF Corporation
Clarence Eckert	1947 - 1958	Deceased
Phillip S. Bettoli	1958 - 1967	Retired; GAF Corporation

GAF has no corporate records which show the date when it initially established a Research Department.

INTERROGATORY NO. 30:

Describe your corporate structure concerning medical directors, industrial hygienists, physicians, biological scientists or consultants in these fields from 1930 to the present. In your Answer to this Interrogatory, identify the name, title, duties, responsibilities, period of employment, to whom the individual reported, the current or last known business and residential address of each medical director, industrial hygienist, physician, biological scientist or consultant of yours, the location, identifying titles or codes, and custodians of all reports or memoranda written by each, the professional specialization of each, the reason for hiring each such person and the name and address of the person in your company responsible for hiring each such person.

RESPONSE TO INTERROGATORY NO. 30:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant states that it never employed "medical directors, industrial hygienists, physicians, biological scientists or consultants in these fields" during the relevant time periods.

From time-to-time during the period beginning in approximately 1930, this defendant called upon local physicians from surrounding cities or towns near its plant locations to perform routine physical examinations and to administer routine medical treatment when and if necessary.

INTERROGATORY NO. 31:

Identify any medical examination program offered or sponsored by you or your insurance carrier, from 1930 to the present, for employees handling or otherwise exposed to asbestos and/or asbestos products. With respect to each such program, indicating applicable time periods, state:

(A) The manner of communicating with employees about such program;

(B) Whether examination was optional or mandatory and, if the latter, how frequently such examination was required;

(C) What percentage of employees permitted to undergo such examination actually participated;

(D) What percentage of employees who underwent such medical examination were found to have pneumoconiosis, asbestosis, mesothelioma, lung cancer or other cancers; and

(E) With respect to the employees referred to in your Answer to Part (D) of this Interrogatory, what percentage of these employees were paid disability, and/or worker's compensation benefits and for what percentage of employees were medical expenses paid for purposes of treatment of such condition.

RESPONSE TO INTERROGATORY NO. 31:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, this defendant responds, not applicable. GAF did not have facilities or equipment for medical testing or research and did not itself conduct tests or studies of a medical nature on its employees or on its products.

From time-to-time during the period beginning in approximately 1930, this defendant called upon local physicians from surrounding

cities or towns near its plants to perform routine physical examinations and to administer routine medical treatment when and if necessary.

INTERROGATORY NO. 32:

State whether you or anyone on your behalf ever conducted, engaged in or participated in any tests, studies and/or research concerning the human health consequences of persons coming in contact with and/or inhaling asbestos fibers or asbestos dust during the manufacture and/or use of asbestos products. If so, identify:

- (A) What tests, studies and/or research were done;
- (B) When said tests, studies and/or research were done;
- (C) The individuals who ordered and supervised the tests, studies and/or research;
- (D) The individuals or groups engaged in or participating in the tests, studies and/or research;
- (E) The substance of any recommendations and/or suggestions given as a result of the tests, studies or research. State when, by whom and to whom said recommendations were made, including the addresses of these individuals;
- (F) All written documents including, but not limited to, reports, memoranda, specifications and correspondence which refer, relate or pertain to said tests, studies and/or research; and
- (G) The present custodian of the written documents identified in your Answer to Part (F) of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 32:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness;

abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

INTERROGATORY NO. 33:

State whether any of the medical directors, industrial hygienists, physicians, biological scientists or consultants in these fields identified in your Answer to Interrogatory No. 30 ever made any recommendations and/or suggestions to you pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products. If so, identify:

(A) The date when said recommendations and/or suggestions were made;

(B) The individual to whom said recommendations and/or suggestions were made;

(C) The individual who made said recommendations and/or suggestions;

(D) The substance of the recommendations and/or suggestions;

(E) What actions, if any, were taken by you as a result of said recommendations and/or suggestions; and

(F) If no action was taken by you as a result of said recommendations and/or suggestions, state the reason(s) why and the person(s) responsible for making that decision.

RESPONSE TO INTERROGATORY NO. 33:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 34:

State whether you have ever conducted or directed any investigations or studies to determine the amount of airborne dust containing asbestos fibers in your facilities where asbestos products were mined, milled, manufactured, produced, fabricated,

converted, processed, stored, used, handled, installed or removed.

If so, identify:

- (A) The date of each such dust count or sampling;
- (B) The individual or group conducting each such dust count or sampling;
- (C) The result or conclusion of each such dust count or sampling;
- (D) All documents which refer, relate or pertain to each such dust count or sampling;
- (E) The technique used for each such dust count or sampling;
- (F) The purpose for administering each such dust count or sampling;
- (G) What action, if any, has been taken in response to the findings of each dust count or sampling;
- (H) The living person who has the most knowledge of the matters herein; and
- (I) The identity of all documents identified in your Answer to this Interrogatory and custodian thereof.

RESPONSE TO INTERROGATORY NO. 34:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 35:

State whether any written memoranda, specification, blueprints or other written materials of any kind or character exist relating to any testing of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19. If so, identify:

(A) Each such written material or document by date and description; and

(B) The custodian, identity and location of each such written material or document.

RESPONSE TO INTERROGATORY NO. 35:

Subject to the objections set forth in the preliminary paragraphs of this response and further subject to reasonable interpretation of the phrase "other written materials of any kind or character," this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments

adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the

construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness; abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other

facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

INTERROGATORY NO. 36:

State whether, after you released to the public any of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19, you ever conducted or directed any tests thereon to determine potential health hazards involved in the use of the materials contained therein. If so, indicate the date of each test, the individual or group conducting each such test, the result or conclusion of each such test, all documents which refer, relate or pertain to each such test, and the present custodian of all documents identified in this Answer.

RESPONSE TO INTERROGATORY NO. 36:

This defendant objects to this interrogatory for reasons set forth in the preliminary paragraphs of this response. Subject to these objections, see response to Interrogatory No. 35.

In accordance with industry practice and later at the direction of OSHA, tests were to be made in the work place by the management officials and other employees who were employed by contractors and other sophisticated purchasers of such products.

INTERROGATORY NO. 37:

State whether, prior to 1982, you ever had any labor inspectors or persons from or financed by your company go to job sites or other areas where your asbestos products were being used or installed to make a dust level count. If so, indicate when and where such a practice or procedure occurred, the purpose of the practice or procedure, the results of such dust counts and what action, if any, was taken by you in response to the findings made as a result of said practice or procedure. If not, explain why such dust counts were not done.

RESPONSE TO INTERROGATORY NO. 37:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds: no; jobsites were under the exclusive control of their owners, or employers or contractors at those jobsites. This defendant believes that those owners, employers or contractors present at jobsites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those jobsites, in the manner required by OSHA and other laws, and this defendant did not have any such legal duty at any time.

INTERROGATORY NO. 38:

State whether you ever conducted or directed any studies designed to learn how to prevent, minimize or eliminate the inhalation and ingestion of asbestos dust and fibers by those who

use your asbestos products or are exposed to asbestos dust or fibers therefrom. If so, indicate the date of each study, the individual or group conducting each such study, the result or conclusion of each such study, all documents which refer, relate or pertain to each such study, and the present custodian of all documents identified in this Answer.

RESPONSE TO INTERROGATORY NO. 38:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds: no; jobsites were under the exclusive control of their owners, or employers or contractors at those jobsites. This defendant believes that those owners, employers or contractors present at jobsites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those jobsites, in the manner required by OSHA and other laws, and this defendant did not have any such legal duty at any time.

INTERROGATORY NO. 39:

Identify all trade organizations, associations or other entities to which you belong or belonged. Said organizations, etcetera, include, but are not limited to, the following:

- (a) Asbestos Textile Institute (ATI)
- (b) Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF)
- (c) Mineral Wool Institute

- (d) Industrial Mineral Insulation Manufacturers Institute
- (e) Magnesia Silica Insulation Manufacturers Association
- (f) National Insulation Manufacturers Association (NIMA)
- (g) Thermal Insulation Manufacturers Association (TIMA)
- (h) Asbestos Information Association of North America (AIA)
- (i) Quebec Asbestos Mining Association (QAMA) and Quebec Asbestos Producers Association
- (j) National Safety Council
- (k) Asbestos Cement Products Association
- (l) Refractories Institute
- (m) Sprayed Mineral Fiber Manufacturers Association
- (n) Gypsum Association
- (o) International Association of Wall and Ceiling Contractors
- (p) Southwestern Insulation Contractors Association (SWICA)
- (q) Air Hygiene Foundation
- (r) National Insulation Contractors Association (NICA)
- (s) Northwest Magnesia Association
- (t) Institute of Occupational Environmental Health
- (u) Friction Materials Standards Institute
- (v) Friction Materials Safety Institute
- (w) International Association of Wall and Ceiling Contractors
- (x) Contracting Plasterers' and Lathers' International Association
- (y) Asbestosis Research Council of England
- (z) Asbestos International Association
- (aa) Thermal Insulation Contractors Association of England

(bb) American Conference of Governmental Industrial Hygienists
(ACGIH)

(cc) American Association of Testing Materials (ASTM)

(dd) International Association of Wall and Ceiling Insulators
(AWCI)

(ee) American National Standards Institute (ANSI)

(ff) American Petroleum Institute (API)

(gg) Gasket Fabricators Association (GFA)

(hh) Mechanical Packing Association (MPA)

(ii) Mineral Fiber Products Bureau (MFPB)

(jj) Gypsum Drywall Contractors International (GDCI)

(kk) American Industrial Hygiene Association.

(ll) National Mineral Wool Association

(mm) Acoustical Materials Association (AMA)

(nn) Acoustical Materials and Insulation Association (AMIA)

(oo) American Board Products Association (ABPA)

(pp) North American Industrial Hygiene Association (NAIHA)

(qq) National Lime Association (NLI)

(rr) Contracting Plaster and Lathers International (CPBI)

(ss) American Standards Association (ASI)

(tt) American Society of Safety Engineers (ASSE)

(uu) American Industrial Hygienists (AIHA)

(vv) Employing Plasterers Association (EPA)

(ww) Methal Lath Association (MLA)

(xx) Pulp and Paper Institute (PPI)

(yy) Hardboard Association (HA)

(zz) Resilient Floor Covering Institute
or any other such trade association to which you had or have either
corporate or individual association or to which you belong or
belonged.

RESPONSE TO INTERROGATORY NO. 39:

This defendant objects to this interrogatory on the grounds
set forth in the preliminary paragraphs of this response and on the
further grounds that it is overly broad and seeks information not
calculated to lead to the discovery of admissible evidence,
particularly in that it seeks information not relating to asbestos-
containing industrial thermal insulation products. Subject to the
foregoing objections, this defendant responds that, relative to the
manufacture of asbestos-containing industrial thermal insulation
products, this defendant was a member of the following industrial
groups or organizations:

National Insulation Manufacturers' Association, Inc.
441 Lexington Avenue
New York, New York 10017
1958-1971

Thermal Insulation Manufacturers' Association, Inc.
Seven Kirby Plaza
Mount Kisco, New York 10549
After 1973 - approximately 1978

Asbestos Information Association/North America
1745 Jefferson Davis Highway, Suite 509
Arlington, Virginia 22202
1971-1977

National Safety Council
444 N. Michigan Avenue
Chicago, Illinois 60611
Prior to 1966 - 1981

American Society for Testing Materials
1916 Race Street

Philadelphia, Pennsylvania 19103
Approximately 1946 - 1981

This defendant is aware of documents, neither generated by nor in the custody and control of this defendant, reflecting that General Aniline & Film Corporation was a new member of the Industrial Hygiene Foundation during the years 1945 to 1947, a period when General Aniline & Film Corporation was under government ownership and did not manufacture any asbestos-containing materials. Although certain documents appear to indicate that Ruberoid considered becoming a member for a limited period in 1953-54, this defendant possesses no evidence that it ever did so.

INTERROGATORY NO. 40:

For each trade organization, association or other entity identified in your Answer to Interrogatory No. 39, state:

- (A) Dates of membership;
- (B) Type of membership, i.e., regular or associate;
- (C) The dates and type of any meetings you attended and the identity of the individuals who attended such meetings on your behalf;
- (D) The identity, title, duties and responsibilities of any individual who held an elected, appointed or self-designated position within said organization, etcetera;
- (E) The names of any publications or written materials distributed by or on behalf of said organization, etcetera;

(F) The identity of all documents received by you from said organization(s) and the dates of receipt of each;

(G) The amount of money you contributed in each year;

(H) Whether you served on the board or on any committees, and if so, identify the person(s) who was on said board or committee, the position of the person(s) on said board or committee and the dates thereof; and

(I) The identity of all written studies, investigations, materials, notes, summaries, minutes or transcripts relating to publications, reports, transactions and proceedings of said organization(s), etcetera and the custodian thereof.

RESPONSE TO INTERROGATORY NO. 40:

Subject to the objections set forth in the preliminary paragraphs of this response, see response to Interrogatory No. 40. In further response, this defendant states that Ruberoid and then GAF representatives were members, along with representatives of the United States Navy, of standard-setting groups and committees of the American Society of Testing Materials, Philadelphia, Pennsylvania ("ASTM"). Specifically, Ruberoid/GAF representatives served on subcommittee C-16, which dealt with high temperature thermal insulation, from 1950 until 1971. At various times in this period, this defendant's representatives on subcommittee C-16 were J.M. High, Thomas J. Walters, Duane A. Davis, and William C. Schwingen.

Ruberoid and then GAF was also a member of the National Insulation Manufacturers' Association for certain years between 1958 and 1971. Wilbur G. Neel at some point in the 1960's was a member of the Board of Directors of NIMA and attended a meeting in 1964.

During the 1970's, representatives of GAF were members of the Board of Directors of the Asbestos Information Association/North America. Among persons so serving were Frank Campagna, Joseph Hall and William Fassuliotis.

INTERROGATORY NO. 41:

For each trade organization, association or other entity identified in your Answer to Interrogatory No. 39, identify all studies, tests, research, recommendations, suggestions, seminars, symposia and/or speeches conducted or made which concerned, discussed, addressed or dealt with the actual, alleged or possible health hazards associated with exposure to asbestos.

RESPONSE TO INTERROGATORY NO. 41:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that it had no knowledge of such studies or research conducted by these organizations.

INTERROGATORY NO. 42:

With respect to each study, test, research project recommendation, suggestion, seminar, symposium or speech identified in your Answer to Interrogatory No. 41, identify:

(A) The individuals or groups involved therein;

- (B) The date(s) thereof;
- (C) The complete results thereof;
- (D) The recommendations, if any, which were made as a result thereof; and
- (E) The custodian, identity and location of each document which represents, refers to or contains information relating thereto.

RESPONSE TO INTERROGATORY NO. 42:

Subject to the objections set forth in the preliminary paragraphs of this response, not applicable.

INTERROGATORY NO. 43:

Describe each action taken by you as a result of each study, test, research project, recommendation, suggestion, seminar, symposium and/or speech identified in your Answer to Interrogatory No. 41. In your Answer to this Interrogatory, state the date of each action and the identity of the individual(s) who initiated said action.

RESPONSE TO INTERROGATORY NO. 43:

Subject to the objections set forth in the preliminary paragraphs of this response, not applicable.

INTERROGATORY NO. 44:

State whether you directed, sponsored, financed, participated in or received any findings or results of any studies and/or tests performed by the Saranac Laboratory of the Trudeau Foundation concerning the human health consequences of exposure to asbestos.

RESPONSE TO INTERROGATORY NO. 44:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, no.

INTERROGATORY NO. 45:

If your Answer to Interrogatory No. 44 is in the affirmative, identify:

(A) All documents in your possession or control which summarize or explain the investigations or results of said studies or tests;

(B) The identity, substance and dates of all communications, oral or written, between you and Saranac Laboratory personnel, including but not limited to Gerrit W. Schepers, M.D., Arthur Vorwald, M.D. and/or Leroy Gardner, M.D.;

(C) All documents relating to Saranac Laboratory studies or tests which were received or submitted by you, either directly or indirectly through predecessor(s) in interest, subsidiary(ies) or affiliate(s), if any, through other companies, or through any trade associations, organizations or entities;

(D) All recommendations or findings of such studies in relation to:

(i) adequacy or inadequacy of the threshold limit values;

(i) the substitution of materials for asbestos;

(E) Whether or not you entered into any agreements with the Saranac Laboratory. If so, state:

(i) the date of the agreement;

- {i) the signatories to the agreement;
- ii) the purpose for entering into the agreement;
- {v) what, if any, editing rights you retained regarding any reports or studies to be issued by the Saranac Laboratory; and
- (v) what, if any, materials you actually reviewed and/or edited as a result of the studies performed by Saranac Laboratory.

(F) The custodian and location of all documents and/or communications identified in your Answer to this Interrogatory.

RESPONSE TO INTERROGATORY NO. 45:

Subject to the objections set forth in the preliminary paragraphs of this response, not applicable.

INTERROGATORY NO. 46:

State the amount of money spent or contributed by you annually from 1930 to the present for research of the relationship between exposure to asbestos dusts, fibers and/or products and any pulmonary pathology and identify each person or organization to whom the expenditure or contribution was made and the dates thereof.

RESPONSE TO INTERROGATORY NO. 46:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly in that it is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant is not aware that any money was so contributed.

INTERROGATORY NO. 47:

State whether you have ever maintained a library (or libraries) which contains books, articles, periodicals, journals and/or reference materials that relate to the subjects of asbestos, industrial hygiene, medicine, safety, health, occupational disease and/or engineering. If so, state:

- (A) The date each such library was established;
- (B) The location of each such library;
- (C) The identity of each librarian or other person in charge of the operation and materials of each such library;
- (D) For whose use each such library was established;
- (E) The title, publisher and dates of subscription to or acquisition of each such periodical or journal for each such library; and
- (F) The title, author, publisher, date and dates of acquisition of each such article and book for each such library.

RESPONSE TO INTERROGATORY NO. 47:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that neither GAF Corporation nor The Ruberoid Co. maintained a central corporate library as to occupational safety and health. Any information which did exist was kept by Mr. Harry Mesler while he headed corporate safety for the company from approximately the early 1960's into 1971. Prior to Mr. Mesler's appointment to this

position, Ruberoid and GAF employees may have from time to time maintained or possessed personal files containing periodicals and other literature relating to asbestos, its uses and qualities.

Mr. Mesler died on August 29, 1972, and the whereabouts of any such information is unknown.

INTERROGATORY NO. 48:

State whether any of the co-defendants in this litigation or the following companies have ever furnished you with any information as to the state of the medical knowledge at any time regarding the relationship between exposure to asbestos dusts, fibers and/or products and the contracting of diseases, including asbestosis, pneumoconiosis, mesothelioma, lung cancer and other cancers:

- (a) Johns-Manville/Canadian Johns-Manville
- (b) Raybestos-Manhattan/Raymark
- (c) H.K. Porter/Southern Asbestos/Southern Textile
- (d) Celotex/Philip Carey
- (e) Carey Canada
- (f) National Gypsum/National Asbestos Mines
- (g) Pittsburgh Corning
- (h) Owens-Corning Fiberglas
- (i) Owens-Illinois
- (j) Keene/Ehret/Baldwin-Hill/Baldwin-Ehret-Hill/Mundet
- (k) Fibreboard/Pabco
- (l) GAF/Ruberoid/Eternit/Vermont Asbestos Mines
- (m) Armstrong World Industries/Armstrong Cork

(n) Flintkote/Flintkote Mines
(o) Asbestospray/Smith & Kanzler/Spraycraft
(p) Georgia-Pacific
(q) U.S. Gypsum
(r) W.R. Grace/Zonolite/Multibestos
(s) Turner & Newall/Turner Bros. Asbestos/Turner
Asbestos Corp./J.W. Roberts/Ferodo
(t) U.S. Minerals
(u) Asbestos Corporation Ltd.
(v) Asbestos Unlimited
(w) Union Carbide
(x) Cape Asbestos/Cape Industries/North American
Asbestos Corp.
(y) Bell Asbestos Mines
(z) Lake Asbestos of Quebec
(aa) Nicolet Industries/Keasby & Mattison
(bb) Cassiar Asbestos Corp.
(cc) ACandS/Armstrong Contracting & Supply
(dd) General Motors Corp.
(ee) Westinghouse
(ff) Uniroyal/U.S. Rubber
(gg) Pfizer/Gibsonburg Lime Products Co.
(hh) McCormick Asbestos Co/MCIC
(ii) Porter Hayden/Reid Hayden
(jj) Hopeman Bros.
(kk) Krafft-Murphy

(ll) Hampshire Industries/John H. Hampshire
(mm) Dresser Industries/Harbison-Walker Refractories
(nn) Foster Wheeler
(oo) Ford Motor Co.
(pp) Unarco/Union Asbestos and Rubber Co.
(qq) Quigley Co.
(rr) Amatex
(ss) Eagle-Picher Industries
(tt) Metropolitan Life Insurance
(uu) Forty-Eight Insulation

RESPONSE TO INTERROGATORY NO. 48:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly with respect to the work product rule and on the grounds that the term "state of the medical knowledge" is too ambiguous for definitive response. Subject to these objections, GAF responds that it is aware that most if not all of those manufacturers which produced asbestos-containing products placed warnings on their products during the 1960s and 1970s.

Prior to 1964, GAF is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods

of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 49:

If your Answer to Interrogatory No. 48 is in the affirmative, identify:

- (A) How the information was furnished;
- (B) Who furnished said information;
- (C) When said information was given to you; and
- (D) The identity and substance of said information.

RESPONSE TO INTERROGATORY NO. 49:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced

providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 50:

State whether, at any time since 1930, you have interchanged, exchanged or communicated, the results of research, tests, studies or experiments regarding the relationship between exposure to asbestos dusts, fibers and/or products and the contracting of diseases, including asbestosis, pneumoconiosis, mesothelioma, lung cancer and other cancers, with any other person, corporation or other business entity, including, but not limited to, co-defendants in this action and/or the companies listed in Interrogatory No. 48 above.

RESPONSE TO INTERROGATORY NO. 50:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and further objects to the form of the interrogatory. Subject to these objections, this defendant responds: no, this defendant has not "interchanged, exchanged or communicated the results of any research, tests, studies or experiments...with...any other business entity..." Prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by

some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 51:

If your Answer to Interrogatory No. 50 is in the affirmative, state:

(A) When said interchanges, exchanges or communications occurred;

(B) The identity of those persons, corporations or business entities who participated in said interchanges, exchanges or communications;

(C) The content of said interchanges, exchanges or communications; and

(D) The identity of the custodian of any documents which relate to said interchanges, exchanges or communications.

RESPONSE TO INTERROGATORY NO. 51:

Subject to the objections set forth in the preliminary paragraphs of this response, not applicable.

INTERROGATORY NO. 52:

Identify all persons who have testified on your behalf before the Occupational Safety and Health Administration, the National Institute of Occupational Safety and Health, any United States congressional or state legislative committee, sub-committee, administrative hearing or investigative proceeding on the subjects of the human health consequences of exposure to asbestos dusts, fibers and/or products and the setting, modification, feasibility and acceptance of allegedly safe or proper levels of exposure to said asbestos and asbestos products.

RESPONSE TO INTERROGATORY NO. 52:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly regarding any such testimony given outside of the 1928-1981 time period. Subject to these objections, this defendant responds:

Robert A. Beber,
Executive V.P.,
General Counsel and
Secretary, GAF
Corporation

Written testimony dated 6/14/83
before the Subcommittee on Labor
Standards of the Committee on
Education and Labor on H.R. 3175

Testimony of Beber and Daniel H.
Williams on 7/27/83 before the
Subcommittee on Education and Labor,
U.S. House of Representatives, 98th
Cong., on H.R. 3175, the
"Occupational Disease Compensation
Act of 1983"

Testimony presented on 5/21/84 on
the Occupational Disease
Compensation Act of 1983 before a
House Subcommittee on Labor and
Human Resources

Phillip S. Bettoli,

Statement on 2/15/72 and 2/16/72

Retired, Technical
Director, GAF
Corporation, 1967-80

before U.S. Environmental
Protection Agency, Public Hearing
on National Emissions Standards for
Hazardous Air Pollutants

Joseph G. Hall,
V.P., GAF
Corporation

Testimony on 3/14/72 before U.S.
Department of Labor in the Matter
of Standard for Exposure to Asbestos
Dust

Edward E. Shea,
Senior V.P.,
General Counsel and
Secretary, GAF
Corporation

Testimony presented on 4/23/85 to a
House of Representatives
Subcommittee on H.R. 1626

Statement for the Record dated
5/15/86 on S.2083 (AHRA) and S.2300
before the Toxic Substances and
Environmental Oversight Subcommittee
on Environment and Public Works

Paul I. Weiner, Esq.,
GAF Corporation

Statement for the record dated
3/22/72 of GAF Corporation in the
Matter of Standard for Exposure to
Asbestos Dust, submitted to the U.S.
Department of Labor

INTERROGATORY NO. 53:

Identify all documents presented to or utilized in the
preparation of testimony before the organizations, agencies or
committees referred to in Interrogatory No. 52, specifying which
documents were presented or utilized for each such body and the
present custodian and location of each document.

RESPONSE TO INTERROGATORY NO. 53:

This defendant objects to this interrogatory for reasons set
forth in response to Interrogatory No. 52.

INTERROGATORY NO. 54:

For all testimony or presentations identified in your Answer
to Interrogatory No. 52, identify:

(A) The dates and descriptions of the hearings and proceedings;

(B) The relationship between the person who testified or responded and you; and

(C) All studies, test results, scientific and/or medical documents relied upon by each person as the basis for any recommendation made or testimony given;

RESPONSE TO INTERROGATORY NO. 54:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly regarding any such testimony given outside of the 1928-1981 time period. Subject to these objections, this defendant responds:

Robert A. Beber,
Executive V.P.,
General Counsel and
Secretary, GAF
Corporation

Written testimony dated 6/14/83
before the Subcommittee on Labor
Standards of the Committee on
Education and Labor on H.R. 3175

Testimony of Beber and Daniel H.
Williams on 7/27/83 before the
Subcommittee on Education and Labor,
U.S. House of Representatives, 98th
Cong., on H.R. 3175, the
"Occupational Disease Compensation
Act of 1983"

Testimony presented on 5/21/84 on
the Occupational Disease
Compensation Act of 1983 before a
House Subcommittee on Labor and
Human Resources

Phillip S. Bettoli,
Retired, Technical
Director, GAF
Corporation, 1967-80

Statement on 2/15/72 and 2/16/72
before U.S. Environmental
Protection Agency, Public Hearing
on National Emissions Standards for
Hazardous Air Pollutants

TWA (time weight average) and ten fibers per cc for peak time. In 1976, the standard changed to two fibers per cc for TWA; the peak time asbestos exposure did not change.

INTERROGATORY NO. 56:

With reference to "maximum allowable concentration" and "threshold limit value" (which, for purposes of this interrogatory, means how much asbestos dust and/or fibers one can safely inhale, absorb or ingest without risk of disease or illness), state:

(A) When and by what means you first obtained information related to a threshold limit value and maximum allowable concentration;

(B) The substance of any information imparted to you regarding the same; and

(C) Whether and by what means you advised or warned anyone of details relating thereto.

RESPONSE TO INTERROGATORY NO. 56:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e). Subject to these objections, this defendant responds that, prior to 1964, Ruberoid officials were not aware of any health hazard related to the use of its asbestos-containing industrial thermal insulation products.

In the 1960's, industrial and governmental hygienists and the Walsh-Healy Act endorsed and enacted the standard of 5 m. particles per cubic foot and, in approximately 1964, Ruberoid became aware of

opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers could be harmful but GAF did not receive specific medical information on the results of such exposure. Upon the enactment of the federal Occupational Safety and Health Act of 1970, GAF became aware of tests and examinations made as a result of that legislation. In 1972, OSHA set standards for the Threshold Limit Value ("TLV") for asbestos particles. The acceptable standard was five fibers per cc for TWA (time weight average) and ten fibers per cc for peak time. In 1976, the standard changed to two fibers per cc for TWA; the peak asbestos exposure did not change.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products

containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above. Other than as set forth above, this defendant became aware of the medical theories related to "threshold limit values" in connection with litigation.

INTERROGATORY NO. 57:

State whether you ever knew that any governmental, private agency, and/or other entity issued guidelines suggesting a "maximum allowable concentration" and/or "threshold limit value" (as defined in Interrogatory No. 56) for exposure to asbestos dust and/or fibers. If so, state:

(A) The identity of the agency or other entity which issued said guidelines;

(B) The verbatim content of said guidelines;

(C) The date said guidelines were issued;

(D) The date you were first aware of the purpose of said guidelines; and

(E) The custodian, location and identity of all documents related thereto.

RESPONSE TO INTERROGATORY NO. 57:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that the so called definition designated in the previous interrogatory requires medical knowledge which this defendant did not possess or purport to possess to the extent such definition is meaningful at all. Subject to these objections, this defendant responds that it became aware of the medical meaning of TLV in the course of litigation. This defendant further answers that a TLV of 5 million particles per cubic foot was proposed by the United States Public Health Service in 1938. The American Conference of Governmental Industrial Hygienists issued the same TLV in 1946.

In the 1960s, the Walsh-Healy Act endorsed and enacted the standard of 5 m. particles per cubic foot. In 1972, OSHA set standards for TLV for asbestos particles at five fibers per cc for TWA (time weight average) and ten fibers per cc for peak time. In 1976, the standard changed to two fibers per cc for TWA; the peak time asbestos exposure did not change.

INTERROGATORY NO. 58:

State whether you ever possessed any information or knowledge of documents indicating that existing or proposed "maximum allowable concentration" and/or "threshold limit values" (as defined in Interrogatory No. 56) were not safe or proper or that lower threshold limit values were necessary in order to prevent diseases caused by exposure to asbestos. If so, identify:

- (A) The source of such knowledge;
- (B) The persons who obtained such knowledge and when;
- (C) All documents relating thereto; and
- (D) The custodian and location of all documents identified in your Answer to Part (C) of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 58:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it inaccurately and improperly assumes the existence of knowledge, events and conclusions which did not and do not exist. Subject to these objections, this defendant responds, no.

INTERROGATORY NO. 59:

State whether you were ever made aware that the proper method for determining safe levels of asbestos dust was to test concentrations of asbestos fibers in the air rather than the total number of asbestos particles in the air. If so, state:

- (A) The source of such knowledge;
- (B) The persons who obtained such knowledge and when;
- (C) All documents relating thereto; and
- (D) The custodian and location of all documents identified in your Answer to Part (C) of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 59:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it inaccurately and improperly assumes the

existence of knowledge, events and conclusions which did not and do not exist.

INTERROGATORY NO. 60:

State in detail what tests or studies, if any, you ever conducted or directed with regard to the quantity, quality, or threshold limit values (as defined in Interrogatory No. 56) of asbestos dust, fibers or particles to which insulators, shipyard workers or others who used the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 and/or others working in the same vicinity were exposed.

RESPONSE TO INTERROGATORY NO. 60:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that the job sites (on which the asbestos-containing industrial thermal insulation products were used) were under the exclusive control of their owners, employers and contractors, who had a legal duty to conduct various tests and monitoring. Furthermore, this defendant was not present at such job sites and did not have a legal duty to conduct dust monitoring at job sites where its asbestos-containing industrial thermal insulation products were applied.

INTERROGATORY NO. 61:

State in detail what research, tests or studies, if any, you ever conducted or directed to determine whether the exposure of insulators, shipyard workers or others to asbestos dust exceeded

the American Conference of Governmental Industrial Hygienists' (A.C.G.I.H.) recommended threshold limit values.

RESPONSE TO INTERROGATORY NO. 61:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that the job sites (on which the asbestos-containing industrial thermal insulation products were used) were under the exclusive control of their owners, employers and contractors, who had a legal duty to conduct various tests and monitoring. Furthermore, this defendant was not present at such job sites and did not have a legal duty to conduct dust monitoring at job sites where its asbestos-containing industrial thermal insulation products were applied.

INTERROGATORY NO. 62:

State in detail what steps, if any, you ever took to determine whether the American Conference of Governmental Industrial Hygienists' (A.C.G.I.H.) recommended threshold limit values for exposure to asbestos dust were accurate or reliable.

RESPONSE TO INTERROGATORY NO. 62:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that it had no reason to question the accuracy or reliability of threshold limit values promulgated by the A.C.G.I.H.; therefore, none.

INTERROGATORY NO. 63:

State your knowledge relating to the meaning of "dose response relationship" as it pertains to exposure to asbestos dusts, fibers and/or products and the contracting of disease, including asbestosis, pneumoconiosis, mesothelioma, lung cancer and other cancers.

RESPONSE TO INTERROGATORY NO. 63:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e).

INTERROGATORY NO. 64:

State whether you have ever placed any warranties, guarantees or other such representations on any asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 and/or on or in the containers or packages in which said products were sold, distributed or otherwise placed in the stream of commerce.

RESPONSE TO INTERROGATORY NO. 64:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, no.

INTERROGATORY NO. 65:

If your Answer to Interrogatory No. 64 is in the affirmative, for each such product and/or container or package, identify:

(A) The inclusive dates on which each such warranty, guarantee or other representation appeared on or with the product and/or on or in the container or package;

(B) A verbatim description of each such warranty, guarantee or other representation;

(C) A description of the location on the product and/or container where each such warranty, guarantee or other representation was placed;

(D) Each of your present or former highest supervisory employees with knowledge of the decision to place any such warranties, guarantees or other representations on or with the product and/or on or in the container or package; and

(E) The custodian of all documents in your custody, possession or control which relate to or describe any such warranties, guarantees or other representations or the decision to place any of these on or with the product and/or on or in the container or package.

RESPONSE TO INTERROGATORY NO. 65:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 66:

State whether the content and/or placement of any warranty, guarantee or other representation described in your Answer to Interrogatory Nos. 64 and 65 was ever changed. If so, for each such change, identify:

(A) The nature of the change, including a verbatim description, if applicable;

(B) The date when the change was made and the inclusive dates during which such change appeared on or with the product and/or on or in the container or package;

(C) The persons with personal knowledge of the reasons for making the change; and

(D) The custodian of documents in your custody, possession or control which relate to the decision and process of making the change.

RESPONSE TO INTERROGATORY NO. 66:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 67:

State when and by what means you became aware of the alleged hazards of exposure to asbestos dusts, fibers and/or products to the health of persons coming into contact with, handling or using asbestos products.

RESPONSE TO INTERROGATORY NO. 67:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general

could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 68:

State when and by what means you became aware that exposure to asbestos dusts, fibers and/or products was acknowledged to be or alleged to be potentially hazardous to the health of persons coming in contact with, handling or using asbestos products.

RESPONSE TO INTERROGATORY NO. 68:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 69:

State whether you ever learned that there is or may be a causal connection between exposure to asbestos dust and:

- (A) Asbestosis;
- (B) Pneumoconiosis;
- (C) Lung Cancer;
- (D) Mesothelioma; and
- (E) Other cancers.

RESPONSE TO INTERROGATORY NO. 69:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. This defendant further objects on the grounds that the term "pneumoconiosis" is too vague to be meaningful, and on the grounds of repetitiveness. Subject to these objections, this defendant says it became aware of medical theories which related asbestos exposure to pneumoconiosis only during the course of asbestos litigation.

Further answering this interrogatory, this defendant says that, in approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos

fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF. The health risk may have involved asbestosis, although this defendant became aware of medical theories which related asbestos exposure to the medical disease of asbestosis during the course of asbestos litigation.

INTERROGATORY NO. 70:

If your Answer to Interrogatory No. 69 is in the affirmative, identify the following as to each such disease listed therein:

(A) When and by what means you first became aware of such causal connection;

(B) If your awareness of such causal connection was obtained at any conference, lecture, convention, symposium, or other such meeting, identify the event, its date, the person(s) who attended on your behalf and/or any documents obtained from such event; and

(C) If your awareness of such causal connection was obtained from a medical or scientific study, or from any other published works, identify the same and the date of your receipt thereof.

RESPONSE TO INTERROGATORY NO. 70:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that the interrogatory calls for this defendant to agree or disagree with a matter of opinion, which it is not required to do.

Without waiving these objections, this defendant responds that, in approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF. The health risk may have involved asbestosis, although this defendant became aware of medical theories which related asbestos exposure to the medical disease of asbestosis, pneumoconiosis, lung cancer, mesothelioma, and other cancers during the course of asbestos litigation.

INTERROGATORY NO. 71:

State whether you ever specifically informed the purchasers and/or users of the asbestos products identified in your Answer to Interrogatory Nos. 8 and 19 that exposure to asbestos dust could cause asbestosis, pneumoconiosis, lung cancer, mesothelioma and/or other cancers. If so, state:

- (A) The date(s) of such notice to purchasers or users;
- (B) The means used for transmittal of such notice;

(C) The custodian, identity and location of each document which refers to or contains information relevant to such notice; and

(D) The identity of each person who made decisions regarding the furnishing of such notice to purchasers and/or users.

RESPONSE TO INTERROGATORY NO. 71:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

No list or other compilation of documents relating to this interrogatory exists in discoverable form. This defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 72:

State whether you ever specifically informed the distributors or other entities identified in your Answer to Interrogatory No. 20 and/or those identified in your Answer to Interrogatory No. 21 who resold or redistributed the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 that exposure to asbestos dust could cause asbestosis, pneumoconiosis, lung cancer, mesothelioma and/or other cancers. If so, state:

- (A) The date(s) of such notice;
- (B) The means used for transmittal of such notice;
- (C) The custodian, identity and location of each document which refers to or contains information relevant to such notice; and
- (D) The identity of each person who made decisions regarding the furnishing of such notice to distributors and/or those engaged in the resale or redistribution of the asbestos products.

RESPONSE TO INTERROGATORY NO. 72:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

No list or other compilation of documents relating to this interrogatory exists in discoverable form. This defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 73:

State whether you ever provided any caution, notice, warning or other statement or explanation of the potential health hazards of exposure to asbestos on or with the asbestos products identified in your Answers to Interrogatories Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 73:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, yes.

INTERROGATORY NO. 74:

If your Answer to Interrogatory No. 73 is in the affirmative, state as to each product identified in your Answers to Interrogatory Nos. 8 and 19:

(A) The date(s) on which such caution, notice, warning or other statement or explanation first appeared;

(B) The identity of each person with knowledge of decisions made regarding the use of such caution, notice, warning or other statement of explanation;

(C) The verbatim content of each caution, notice, warning or other statement or explanation when it was first used;

(D) Whether the caution, notice, warning or other statement or explanation was ever altered, amended or changed. If so, how, when and why was it altered, amended or changed; and

(E) The size, color and location of the caution, notice, warning or other statement or explanation on each such product and/or its container or package.

RESPONSE TO INTERROGATORY NO. 74:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

No list or other compilation of documents relating to this interrogatory exists in discoverable form. This defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 75:

State when you first became aware that asbestos products were being labeled with a caution, warning, notice or other statement or explanation concerning the potential health hazards resulting from the use of asbestos products and/or exposure to asbestos dust or fibers and identify the product(s) and manufacturer(s) with which such label was connected.

RESPONSE TO INTERROGATORY NO. 75:

Subject to the preliminary objections, this defendant states that on or around April 14, 1964, W.G. Neel of The Ruberoid Co. attended a meeting of the Board of Directors of NIMA, in Chicago, Illinois. At that time, The Ruberoid Co. first learned that Johns-Manville Corporation, the world's largest manufacturer of asbestos products, was commencing to place a warning on certain of its asbestos-containing thermal insulation products. Richard W. Henry, Sales Manager of Ruberoid's industrial products division, saw, in 1964 or 1965, a warning label printed on a box of Johns-Manville calcium silicate thermal insulation. Phillip Bettoli attended a conference held by the New York Academy of Sciences on May 14, 1968, at which health aspects were discussed. Fiber suppliers may have warned purchasers and prospective purchasers. In addition, Ruberoid, until its acquisition by GAF on May 26, 1967, and thereafter GAF, at all times complied with the United States Government's specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities. Until 1972, the U.S.

Government did not require any warning with respect to asbestos-containing products. Nevertheless, as described above, GAF (and Ruberoid, before May 26, 1967) did provide warnings. With respect to these warnings, GAF was at all times in compliance with the Occupational Safety and Health Act of 1970.

INTERROGATORY NO. 76:

Identify the officer, agent, servant, employee or other representative of yours who first obtained an awareness that asbestos products were being labeled as described in Interrogatory No. 75.

RESPONSE TO INTERROGATORY NO. 76:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that it does not possess the information requested by this interrogatory, except for W.G. Neel.

INTERROGATORY NO. 77:

Identify the custodian, identity and location of all documents related to the knowledge obtained by you regarding the labeling of asbestos products as described in Interrogatory No. 75.

RESPONSE TO INTERROGATORY NO. 77:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that no list or other compilation of documents relating to this interrogatory exists in discoverable form; this defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 78:

State when and by what means you first became aware that Johns-Manville Corporation or any of its affiliated companies placed on its asbestos products a caution, warning, notice, other statement or representation concerning the potential health hazards resulting from the use of asbestos products and/or exposure to asbestos dust or fibers.

RESPONSE TO INTERROGATORY NO. 78:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, in approximately 1964, probably by way of Ruberoid's membership in NIMA.

INTERROGATORY NO. 79:

Identify the officer, agent, servant, employee or other representative of yours who first became aware that asbestos products of Johns-Manville Corporation or its affiliated companies were being labeled as described in Interrogatory No. 78.

RESPONSE TO INTERROGATORY NO. 79:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that it does not possess the information requested by this interrogatory, except for W.G. Neel.

INTERROGATORY NO. 80:

Identify the custodian, identity and location of all documents related to the knowledge obtained by you regarding the labeling of asbestos products by Johns-Manville Corporation or its affiliated companies as described in Interrogatory No. 78.

RESPONSE TO INTERROGATORY NO. 80:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that no list or other compilation of documents relating to this interrogatory exists in discoverable form; this defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 81:

If upon learning that Johns-Manville Corporation or its affiliated companies labeled its asbestos products as described in Interrogatory No. 78 you did not apply such labels to the products identified in your Answer to Interrogatory Nos. 8 and 19, state:

- (A) The reason(s) for such a decision;
- (B) The identity of any agent, servant, employee, officer or representative of yours involved in discussions and decisions regarding the same; and
- (C) The custodian, identity and location of all documents pertaining to such a decision.

RESPONSE TO INTERROGATORY NO. 81:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 82:

State whether you specifically informed your employees, agents and/or servants that use of asbestos products and/or exposure to asbestos dust or fibers was either actually or alleged to be hazardous to their health.

RESPONSE TO INTERROGATORY NO. 82:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 83:

If your Answer to Interrogatory No. 82 is in the affirmative, state:

(A) When and in what manner you first provided such information to these persons;

(B) The identity of any agent, servant, employee, officer or representative of yours involved in discussions and decisions regarding providing information to these persons;

(C) The verbatim content of any written documents and/or communications containing such information; and

(D) The custodian, identity and location of all documents which relate or pertain to providing such information to these persons.

RESPONSE TO INTERROGATORY NO. 83:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this

litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 84:

Describe in detail any precautionary procedures which you urged or required your employees, agents and/or servants to follow so as to reduce and/or avoid the potential hazards or dangers associated with use of asbestos products and/or exposure to asbestos dust or fibers and state when and how each such procedure was introduced to these individuals.

RESPONSE TO INTERROGATORY NO. 84:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 85:

State whether you ever required your employees, agents and/or servants who worked with and around asbestos and/or asbestos products to wear respirators, gas masks, protective clothing and/or other protective devices. If so, state:

(A) Which employees, agents and/or servants, by type of employment and department, were required to use each such protective device;

(B) The date(s) on which the directive relative to each such protective device was issued for each type of employee and each department;

(C) Which type of protective device was required to be used or worn by each type of employee and each department;

(D) The identity of any agent, servant, employee, officer or representative of yours involved in discussions and decisions regarding the same; and

(E) The custodian, identity and location of all documents pertaining to protective devices.

RESPONSE TO INTERROGATORY NO. 85:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 86:

State whether at the commencement of an individual's employment with you, from 1930 to the present, you informed that person as to possible health ramifications of working with and around asbestos fibers, dust and/or products. If so, set forth:

(A) The nature of the warning;

(B) The manner in which said information is communicated and, if the communication is in writing, attach a copy hereto;

(C) When such practice was initiated; and

(D) By whom such information is communicated.

RESPONSE TO INTERROGATORY NO. 86:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that conditions in GAF's facilities, including provision for safety and health in same, are not at issue in this litigation and, therefore, this interrogatory is irrelevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 87:

State whether, based upon the material contents, the manufacturing methods and the method of intended use of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19, those asbestos products can generally be applied and/or removed by users or others without liberating asbestos fibers.

RESPONSE TO INTERROGATORY NO. 87:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response; in addition, this defendant objects to this interrogatory on the grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e). This defendant further objects to this interrogatory in that it is impossible and unduly burdensome for defendant to "prove a negative" and that it is plaintiffs' burden to prove that any use of defendant's products created a health hazard.

INTERROGATORY NO. 88:

State whether it was foreseeable to you that your asbestos-containing products would have to be removed, at any time after installation.

RESPONSE TO INTERROGATORY NO. 88:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it calls for a legal conclusion.

INTERROGATORY NO. 89:

State whether you ever provided users and others who would be applying or removing your asbestos products instructions concerning safety precautions to use during use of or exposure to such products.

RESPONSE TO INTERROGATORY NO. 89:

Subject to the preliminary objections, this defendant responds, yes, the warning label on packaging of products.

INTERROGATORY NO. 90:

State when you first became aware or received notice that any person was claiming injury as a result of use of and/or exposure to asbestos products identified in your Answers to Interrogatory Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 90:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that plaintiff seeks information which is a matter of public record and, therefore, equally available to plaintiff.

Subject to these objections, GAF responds that the first asbestos-related lawsuit by such a person naming GAF as a defendant was Potter v. Fibreboard, et al. (U.S.D.C. E.D. Texas; CV 6329; filed July 29, 1969).

INTERROGATORY NO. 91:

With regard to the first awareness or notice of claim of injury described in your Answer to Interrogatory No. 90 and regarding all claims filed up to the present for any injury allegedly resulting from the use of and/or exposure to asbestos products, state:

- (A) The identity of each claimant;
- (B) The date of notice of each claim;
- (C) A description of each claim;
- (D) The type of injury allegedly sustained by each claimant;
- (E) The job location and job function of each claimant;
- (F) The date of employment of each claimant;
- (G) The identity of each attorney representing the individuals making such claims;
- (H) The style, case number and court applicable to each claim;
- (I) The resolution of each claim; and
- (J) The custodian, identity and location of all documents which relate or pertain to each claim.

RESPONSE TO INTERROGATORY NO. 91:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that plaintiff seeks information which is a matter of public record and, therefore, equally available to plaintiff. Subject to these objections, GAF responds that the first asbestos-related lawsuit by such a person naming GAF as a defendant was Potter v. Fibreboard, et al. (U.S.D.C. E.D. Texas; CV 6329; filed July 29, 1969).

INTERROGATORY NO. 92:

State whether, at any time prior to the present, any person filed a claim against any worker's compensation insurance carrier which provided coverage for you alleging that he or she contracted a disease as a result of use of and/or exposure to asbestos products identified in your Answers to Interrogatory Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 92:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

INTERROGATORY NO. 93:

If your Answer to Interrogatory No. 92 is in the affirmative, provide the following information:

(A) A list of each such claim by claimant's name, occupation, date of employment, job location, date claim filed and jurisdiction; and

(B) A brief summary of the disposition of each such claim.

RESPONSE TO INTERROGATORY NO. 93:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 94:

State whether you ever received any reports or communications from your worker's compensation insurance carrier or products liability insurance carrier with regard to potential health hazards incident to use of asbestos products and/or exposure to asbestos fibers or dust.

RESPONSE TO INTERROGATORY NO. 94:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response.

INTERROGATORY NO. 95:

If your Answer to Interrogatory No. 94 is in the affirmative, state:

(A) The substance of the contents of such reports or communications;

(B) The identity of the insurance carrier from which you received each report or communication;

(C) The dates of each such report or communication; and

(D) The custodian, identity and location of all documents which relate or pertain to such reports or communications.

RESPONSE TO INTERROGATORY NO. 95:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 96:

State whether you ever maintained or operated a unit or units of your corporation, including, but not limited to, divisions, subsidiaries or any other entity, which was/were under contract to apply or install the asbestos products described in your Answers to Interrogatory Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 96:

No.

INTERROGATORY NO. 97:

If your Answer to Interrogatory No. 96 is in the affirmative, identify any and all claims filed by workers in such contract units or divisions alleging disease arising out of the use of asbestos products and/or exposure to asbestos fibers or dust and, as to each such claim, state:

- (A) The date on which you first received notice;
- (B) The identity of the claimant;
- (C) The nature and description of the claim;
- (D) The job location and job function of each claimant;
- (E) The date of employment of each claimant;
- (F) The style, case number and jurisdiction;
- (G) The resolution of the claim; and
- (H) The custodian, identity and location of all documents which relate or pertain to each claim.

RESPONSE TO INTERROGATORY NO. 97:

Not applicable.

INTERROGATORY NO. 98:

Describe the method by which you have maintained records concerning the manufacture, sale, advertising, distribution, delivery and installation of each of the asbestos products identified in your Answer to Interrogatory Nos. 8 and 19.

RESPONSE TO INTERROGATORY NO. 98:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that it is overly broad and vague and further on the grounds that the manner in which GAF records are maintained is irrelevant, not likely to lead to the discovery of admissible evidence and requests privileged information. Subject to the foregoing objections, GAF responds that it does not have a defined method of accession to all its retained records.

INTERROGATORY NO. 99:

With regard to the record-keeping method described in your Answer to Interrogatory No. 99 [sic], identify:

(A) Each present and former corporate department, division or subdivision responsible for maintaining the records;

(B) How the records are kept, e.g., in boxes, files, on microfilm, microfiche or computer tape or disk;

(C) The inclusive dates of manufacture, sale, advertising, distribution, delivery and installation that the record keeping system covers;

(D) The location(s) where such records are maintained; and

(E) The identity of each person employed by you at any time from 1930 to the present, in the highest supervisory capacity, who is or was directly responsible for the collection and maintenance of such records.

RESPONSE TO INTERROGATORY NO. 99:

This defendant incorporates its objections as set forth in the preliminary paragraphs of this response and in its response to Interrogatory No. 98. Subject to these objections, this defendant responds that Michael Baker, presently Assistant Secretary, has been employed by GAF since May 28, 1982. One of his duties and responsibilities since that date has been to act as records custodian. GAF objects to identifying former persons responsible for determining record retention policies or plans on the grounds of relevance. A list or other compilation of the names of all persons responsible for determining the policy or plan regarding the record retention or destruction policy from 1930 to the present does not currently exist.

The length of time for which records are retained varies according to the operational, financial, and legal requirements of the corporation. The time period for document retention varies according to the type of document. Documents are generally retained for seven years. However, corporate and other documents may be kept for longer periods. Certain operational documents not required to be preserved by applicable regulations are generally not kept for more than two years. All records which are

discoverable are retained in their original form. GAF does not have a master list of all its business records, nor does it have a defined method of accession to all its retained records, nor does the Company maintain a central document depository.

INTERROGATORY NO. 100:

If the record keeping system described in your Answer to Interrogatory No. 99 includes use of microfilm, microfiche, computer tape or disk or any other system in which data is taken from other records, state whether you have retained the documents or other material from which the information entered into these modes of storage was obtained. If not, indicate:

(A) The date when and location where the original records were destroyed or discarded;

(B) The custodian and location of the records prior to their destruction; and

(C) The identity of each employee, representative, official or agent of yours who ordered, authorized or supervised said destruction.

RESPONSE TO INTERROGATORY NO. 100:

Subject to the preliminary objections, see responses to Interrogatory Nos. 98 and 99.

INTERROGATORY NO. 101:

State whether, at any time from 1930 to the present, you made any representations that the presence of asbestos in the products

identified in your Answer to Interrogatory Nos. 8 and 19 made these products superior, in any way, to any asbestos-free product or material intended for the same or similar use.

RESPONSE TO INTERROGATORY NO. 101:

Subject to the preliminary objections, this defendant responds, no, not to our knowledge.

INTERROGATORY NO. 102:

If your Answer to Interrogatory No. 102 [sic] is in the affirmative, indicate with respect to each such representation:

- (A) The date(s) on which the representation was made;
- (B) Its exact content; and
- (C) The manner in which it was communicated.

RESPONSE TO INTERROGATORY NO. 102:

Subject to the preliminary objections, not applicable.

INTERROGATORY NO. 103:

State whether, at any time from 1930 to the present, you made any representations that the use of asbestos or the use of the asbestos products identified in your Answer to Interrogatory Nos. 8 and 19 was safe, harmless or not dangerous.

RESPONSE TO INTERROGATORY NO. 103:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and for the further reason that it requires this defendant to interpret the meaning of "safe, harmless or not dangerous." Subject to these objections, see advertising materials to be supplied.

INTERROGATORY NO. 104:

If your Answer to Interrogatory No. 104 [sic] is in the affirmative, indicate as to each such representation:

- (A) The date(s) on which the representation was made;
- (B) Its exact content; and
- (C) The manner in which it was communicated.

RESPONSE TO INTERROGATORY NO. 104:

See response to Interrogatory No. 103.

INTERROGATORY NO. 105:

State whether any of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 were ever stored or warehoused by you in Maryland at any time from 1930 to the present.

RESPONSE TO INTERROGATORY NO. 105:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant replies in the negative and states that it has no knowledge regarding the maintenance of a warehouse for the storage of asbestos-containing industrial thermal insulation products in Maryland.

INTERROGATORY NO. 106:

If your Answer to Interrogatory No. 106 [sic] is in the affirmative, identify:

- (A) The address of each warehouse or storage facility;
- (B) The asbestos products stored or warehoused at each warehouse or storage facility identified in your Answer to part (A) of this Interrogatory;
- (C) The year(s) of such storage or warehousing; and

(D) The custodian, identity and location of each document in your custody, possession or control which describes or relates to such storage or warehousing.

RESPONSE TO INTERROGATORY NO. 106:

See response to Interrogatory No. 105.

INTERROGATORY NO. 107:

Identify the means by which the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 were transported to Maryland at any time from 1930 to the present and state:

(A) If the asbestos products were transported by rail, identify the name(s) of the railroad company(ies) providing that service and the year(s) during which such service was used;

(B) If the asbestos products were transported by truck, identify the name(s) of the carrier providing that service and the year(s) during which such service was used;

(C) If the asbestos products were transported by vessel, identify the name(s) of the shipline providing that service and the year(s) during which such service was used;

(D) The identity of each employee of yours responsible for coordinating the transport or delivery of such products to Maryland and in the District of Columbia;

(E) The identity of each employee, officer, agent or representative of yours with personal knowledge of the transport or delivery of such products to Maryland and in the District of Columbia; and

(F) The custodian, identity and location of each document which describes or relates to the transport or delivery of such products to Maryland and in the District of Columbia;

RESPONSE TO INTERROGATORY NO. 107:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 108:

Identify each person whom you expect to call as an expert witness at trial, state the subject matter on which each expert is expected to testify, state the substance of the findings and opinions to which each expert is expected to testify and a summary of the grounds for each opinion and produce any written report made by each expert concerning those findings and opinions.

RESPONSE TO INTERROGATORY NO. 108:

The identity of such experts will be provided pursuant to the Pre-Trial Discovery Schedule in this case. Accordingly, all information will be provided pursuant to Maryland Rule 2-402(e)(1).

GAF submits the following summary of qualifications of Phillip S. Bettoli and William C. Schwingen as potential fact and expert witnesses on GAF's asbestos-containing products at issue.

PHILLIP S. BETTOLI

1. In 1942 Mr. Bettoli graduated with honors from the University of California at Berkeley with a Bachelor of Science degree in Chemistry.

2. In 1945 Mr. Bettoli joined Ruberoid Co. ("Ruberoid") in South Bound Brook, New Jersey. From 1945 to 1949 (all dates are approximate) he was a research chemist in Ruberoid's Research Department, and in 1949 became Ruberoid's Chief Chemist. He served as Ruberoid's Chief Chemist until 1953. In those capacities, he was responsible for product development through use of raw materials, including asbestos fill. He was also responsible for developing quality control programs for new and existing products. Finally, he was responsible for testing Ruberoid products to ensure that they complied with U.S. Navy and other U.S. military and federal specifications.

3. In about 1953, Mr. Bettoli was promoted to Assistant Director of Research for Ruberoid. In 1957 he became Director of Research for Ruberoid. He served in that capacity for ten years. During this period he became responsible for all areas of research and development for the company. In addition to his supervisory responsibilities, he became even more familiar with the characteristics and manufacture of Ruberoid's asbestos-containing products at issue.

4. After Ruberoid's merger with GAF Corporation in 1967, Mr. Bettoli was appointed Technical Director of GAF's Building, Industrial and Flooring Products Division, a position he held until his retirement from GAF in 1980. In that capacity, he continued performing the same responsibilities as when he was Director of Research for Ruberoid.

5. During his career, Mr. Bettoli has held nine United States patents for a variety of asbestos-containing or other building products.

6. Since 1981 Mr. Bettoli has been a consultant to GAF and has testified as a fact witness and an expert witness for GAF in cases involving asbestos-containing products.

WILLIAM C. SCHWINGEN

1. Mr. Schwingen graduated from Lafayette College in 1954 with a Bachelor of Arts degree in Chemistry. From June 1954 to approximately 1957 or 1958, Mr. Schwingen was employed by The Ruberoid Co. ("Ruberoid") as a Quality Control Chemist at the South Bound Brook, New Jersey plant. During his tenure as Quality Control Chemist, he was responsible for the group which collectively tested raw materials, products being manufactured, and finished products, to determine whether they conformed to specifications. He was also responsible for quality control of certain asbestos-containing products manufactured at the South Bound Brook plant.

2. From 1957 to 1962, Mr. Schwingen was the Research Department Group Leader at Ruberoid. As Group Leader, he was responsible for a group of chemists which engaged in product development and product improvement projects dealing with certain asbestos-containing products.

3. From 1962 to 1973, Mr. Schwingen was Chief Chemist for Special Projects in the Research Department of Ruberoid (which in 1967 merged into GAF Corporation). As Chief Chemist, Mr. Schwingen

was responsible for several new products. In addition to his supervisory responsibilities, he became even more familiar with the characteristics and manufacture of Ruberoid/GAF products.

4. From 1973 to 1978, Mr. Schwingen was Manager of New Product Development for GAF Corporation. During this period, he was responsible for new product development programs in a different range of products.

5. From 1978 to 1983, Mr. Schwingen was Product Manager in the Marketing Department of Insulation Products. From 1983 to 1985, Mr. Schwingen was Marketing Manager in the Commercial Roofing Department. From 1985 to 1986, Mr. Schwingen held the title of Director of Commercial Development of the GAF Building Materials Corporation. In 1986, he was appointed Vice President of Research and Commercial Development of the Building Materials Corporation.

6. In 1987, Mr. Schwingen was promoted to Vice President and Director of Marketing for the GAF Building Materials Corporation, where he was responsible for the marketing and promotion of certain of GAF's commercial products. In 1991, Mr. Schwingen was appointed Vice President of Technical Services for the GAF Building Materials Corporation. Mr. Schwingen has frequently testified in cases involving the asbestos-containing products at issue.

INTERROGATORY NO. 109:

With regard to expert witnesses identified in your Answer to Interrogatory No. 109, identify by case name, date, court and case number any deposition or testimony given by each such expert and state the custodian and location of transcripts thereof.

RESPONSE TO INTERROGATORY NO. 109:

Objection; this Interrogatory seeks information which was prepared in anticipation of litigation and as such is protected by the work product privilege. All information as to expert witnesses will be provided pursuant to the Pre-Trial Discovery Schedule in this case. Accordingly, all information will be provided pursuant to Maryland Rule 2-402(e)(1). Without waiving objection to this Interrogatory, see Response to Interrogatory No. 110.

INTERROGATORY NO. 110:

Identify each person who has testified on your behalf at trial or by deposition in a case alleging asbestos-related injury, state the custodian and location of transcripts thereof, and set forth the case name, number, court and date with respect to each proceeding in which the witness testified.

RESPONSE TO INTERROGATORY NO. 110:

Subject to the preliminary objections, this defendant responds that the following is a list of GAF/Ruberoid personnel who have testified at either a trial or deposition in personal injury or asbestos-in-buildings litigation:

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
Herbert Abrons, Former General Counsel for GAF Corp.	Richard O. Evans, et al. v. J-M Sales Corp., et al., 4/28/82	USDC of NJ
Michael J. Baker, Records Retention Mgr., GAF Corp.	In re: All Asbestos Cases 5/25/83 Creed J. Stiles, et ux., v. J-M Sales Corp.	USDC E.D. of VA, Norfolk & Newport News Divisions
	Boyle, et al. v. Owens- Corning, et al., 1/27/84	Circuit Court, Jackson County, MO

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
	Erickson, et al. v. Armstrong World Industries, et al., 2/22/84	Superior Court San Francisco, County, CA
	In re: Massachusetts Asbestos Litigation, 2/28/84	USDC of MA
	Haugh v. Raymark, et al. 10/15/84	Court of Common Pleas, Philadelphia, PA
	Jestine Roberts v. JM, et al., 7/6/85	Superior Court, Union County, NJ
	In re: Sparrows Point Steel Plant Asbestos Cases, 11/26/85	USDC of MD
	State of Maryland v. Keene Corp., et al., 4/6/87	Circuit Court, Anne Arundel County, MD
Norbert Baumstart, Former Purchasing/Traffic at St. Louis Plant	Hubert Hayes, et al. v. J-M Sales Corp., et al., 10/27/81	USDC E.D. of MO
Jonathan Berger, Former Vice President of Human Resources at GAF Corporation	Richard Evans, et al., v. J-M, et al., 1/4/82	USDC of NJ
Phillip S. Bettoli, Retired, Technical Director of GAF Corporation 1967-80	Virgil E. Ballinger, et ux. vs. Combustion Bruce Alfred Nave, et ux., 1/28/77	Circuit Court, Knox County, TN
	Hattie S. Thornton v. J-M Corp., et al. Samuel E. Hershman v. J-M Corp., et al. Esther Bailey v. J-M Corp., et al. David C. Durham, et al. v. J-M Corp., et al., 9/7/77; 3/8/78	Virginia Circuit Court, City of Portsmouth, VA; Court of Common Pleas, Greenville, SC
	Ida Baltz v. J-M Sales Corp. et al., 4/25/80; 5/16/80	USDC E.D. of MO
	Stice v. GAF Corp., et al., 5/26/83	USDC of MD
	In re: Massachusetts Asbestos Litigation, 3/12/84	USDC of MA

DEPONENTCASE/DATECOURT

Pyne v. Baldwin-Ehret-
Hill, 8/14/84

Superior Court,
Middlesex County,
NJ

Funseth v. Fibreboard,
11/7/84

Superior Court,
San Francisco
County, CA

Earl R. Nutt, et al. v.
AC&S, Inc., et al.,
10/10/85

Superior Court,
New Castle County,
DE

William J. Kornegary,
11/14/85; 12/17/85

USDC S.D. of TX

Dorothy St. Jacque, et
al. v. J-M Corp., et al.,
7/2/86; 10/29/86

Superior Court,
Los Angeles County,
CA

Lee v. American Cyanamid
and Sholtis v. American
Cyanamid, 8/13/87

Superior Court, NJ

Harry Parsys, et al. v.
Armstrong World Industries,
et al., 2/29/88

USDC S.D. of FL

University System of
New Hampshire v.
National Gypsum Co.,
9/28/88

USDC of NH

Laurie Williams v.
Fibreboard, et al.,
4/28/89; 8/2/89

Superior Court,
King County, WA

Joseph R. Theer, et al.
v. Celotex, et al.,
10/2/90

Baltimore City
Consolidation, 2/12/91;
3/19/91

Circuit Court,
Baltimore City,
MD

In re: State of West
Virginia Public Buildings,
3/29/91

Circuit Court,
Monogalia County,
WV

In Re: Asbestos Cases,
7/19/91

Baltimore City Consoli-
dation, 5/19/92

Circuit Court,
Baltimore City, MD

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
Charles F. Bien, Retired, Chief Environmental Engineer at GAF Corp., Wayne, NJ	Ida Baltz v. J-M Corp., et al., 8/7/80	USDC E.D. of MO
	Richard Evans, et al., v. J-M, et al., 1/13/82	USDC of NJ
	Lee v. Carey-Canada, 5/9/84	USDC of NJ
	In re: Promaulayko and and Other Consolidated Matters, 5/9/84	Superior Court, Middlesex County, NJ
Arman G. Boranian, Former Manager, Mfrg. Floor Tile of GAF Corp.	Adams-Arapahoe School District No. 28J v. Celotex Corp., et al., 11/10/87; 10/29/90	USDC of CO
	St. Vrain Valley S.D. v. W.R. Grace, et al., 10/13/89; 6/25/91; 7/2/91	USDC of CO
Robert V. Canfield, Manager, R&D, GAF Corp.	Daniel Frank v. GAF, et al., 10/17/91	Superior Court, Ocean County, NJ
Patricia M. Corbutt, Former Assistant Secretary, GAF Corporation	Elizabeth C. Morris, Indiv. and as Co- Executor of the Estate of Fred Lavell Morris, Douglas Morris and Patricia Morris v. J-M Sales Corp., 3/23/83	Superior Court, City and County of San Francisco, CA
Philip Dalton, Retired, Former President of GAF	Richard O. Evans, et al. v. J-M Corp., et al., 4/23/82	USDC of NJ
Leo J. Faneuf, Former Vice President and Director of Manufac- turing and Building Materials at GAF	Hubert Hayes, et al. v. J-M Sales Corp., et al., 4/28/82	USDC E.D. of MO
	Richard O. Evans, et USDC of NJ al. v. J-M Sales Corp., et al., 4/28/82	
	Balderman v. GAF, et al., 5/3/84	Superior Court, Camden County, NJ
William Fassuliotis, Former Director of Safety & Occupatn'l Health at GAF Corp.	All Philadelphia Naval Shipyard Cases-Eleanor Van Buskirk v. GAF Corp., 11/26/79	USDC E.D. of PA

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
	Forest, Baltz & Smith v. J-M Sales Corp., et al., 12/14/79	USDC E.D. of MO
George R. Ferment Former Technical Director, Floor Tile Group at GAF	Dorothy St. Jacque, et al. v. J-M Corp., et al., 12/20/83	Superior Court, Los Angeles County, CA
Richard F. Fisanick, Former Supervisor, Office Services South Bound Brook	Promaulayko, et al. v. J-M Corp., et al., 4/24/84	Superior Court, Middlesex County, NJ
Eugene Flood, Former Plant Mgr., Gloucester, NJ The Ruberoid Co.	Elizabeth Martorano, et ux. v. GAF, 8/26/81	USDC E.D. of PA
R. Power Fraser, Jr., Former V.P. and General Manager of Industrial Products Division of GAF Corp.	Anthony & Ellen Grugan v. J-M Corp., et al., 12/14/78	Court of Common Pleas, Philadelphia, PA
Guy C. Freeman, Regional Mgr., Technical Services, GAF Corp.	Port Authority of New York and New Jersey and Port Authority Trans- Hudson Corp. v. Allied Corp., et al., 4/13/92	USDC S.D. of NY
Thomas F. Gedettis, Retired Manager of Manufacturing Roof and Granule at GAF	Richard O. Evans, et al. v. J-M Corp., et al., 4/29/82	USDC of NJ
Jack Gow, Former Senior Vice President (Personnel Relations) at GAF	Richard O. Evans, et al. v. J-M Corp., et al., 4/29/82	USDC of NJ
Joseph G. Hall, Former Senior Vice President, Building Materials Div., GAF Corp.	Anthony & Ellen Grugan v. J-M Corp., et al., 12/20/78	Court of Common Pleas, PA
	Forest, Baltz & Smith v. J-M Sales Corp., et al., 12/14/79	USDC E.D. of MO
Richard W. Henry, Decd., Market Manager for Calsilite Products, The Ruberoid Co.	Joseph G. Clune v. J-M Corp., et al. and All Philadelphia Naval Shipyard Cases, 6/12/80	USDC E.D. of PA; Court of Common Pleas, Philadelphia County, PA; USDC E.D. VA

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
	Ida Baltz v. J-M, et al., 9/25/80	USDC E.D. of MO
	Biagio Leopanto for George Blair, etc., v. GAF, et al., 4/22/87	Court of Common Pleas, Philadelphia, PA
Jack Holloway, Environmental Engi- neer in Wayne, NJ at GAF Corp.	Richard O. Evans, et al. v. J-M Corp., et al., 4/15/82	USDC of NJ
	Marsden, et al. v. J-M Corp., et al., 5/19/82	USDC of NJ
James J. Iaquinto, Former Manager of Sales Administration of the Industrial Products Division of GAF Corp.	Anthony & Ellen Grugan v. J-M Corp., et al., 12/20/78	Court of Common Pleas, Philadelphia, PA
Howard F. Johnston, Retired as Personnel Manager of Chemical Group Manufacturing in South Bound Brook, NJ	Hubert Hayes, et al. v. J-M Sales Corp., et al., 3/26/82	USDC E.D. of MO
Harry H. Kaufman, Retired as Assistant Director of Quality Control in South Bound Brook, NJ	Hubert Hayes, et al. v. J-M Sales Corp., et al., 3/29/82	USDC E.D. of MO
	Richard O. Evans, et al. v. J-M Corp., et al., 3/30/82	USDC of NJ
Robert Klein, Controller for Building Materials Group at GAF Corp.	Hubert Hayes, et al. v. J-M Sales Corp., et al., 3/22/82	USDC E.D. of MO
Elmer L. Krusa, NY District Field Sales Mgr., GAF Corp.	Port Authority of New York and New Jersey and Port Authority Trans- Hudson Corp. v. Allied Corp., et al., 4/13/92	USDC S.D. of NY
Stanley L. Leach, Former V.P. of Sales, Vermont Asbestos Group	In re: Shipyard & Applicator Asbestos Cases, 2/24-2/25/86	Superior Court, Alameda County, CA
	Asbestos Litigation, 7/1/86	Superior Court, Middlesex County, NJ
Jack Lee, Former General Product Manager at GAF Corp.	Dorothy St. Jacque, et al. v. Owens-Corning Fiberglass 5/13/83	Superior Court, Los Angeles County, CA

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
Charles Limerick, Former Vice President of Operations for Ruberoid	Oral Forrest, et al. v. JM, 12/28/79	USDC E.D. of MO
	Florence Ubben v. J-M Sales Corp., et al., 11/19/81	USDC E.D. of MO
	In re: All Asbestos Cases, 5/24/83	USDC E.D. of VA
	Biagio Leopanto for George Blair, etc. v. GAF, et al., 4/23/87	Court of Common Pleas, Philadelphia, PA
Bernard J. Lokuta, Former Staff Engineer of Technical Services at GAF Corporation	John L. Underwood v. UIP Engineered Products, 9/10/81; 3/11/83	State Court, Chatham County, GA
Alice M. Luongo, R.N., Nurse at South Bound Brook	In re: Promaulayko, etc., 7/24/85	Superior Court, Middlesex County, NJ
Lawrence E. Lyons, Purchasing Specialist in Wayne, NJ	Hubert Hayes, et al. v. J-M Sales Corp., et al., 12/3/81; 3/22/82	USDC E.D. of MO
Anthony J. Marchetta, Esq.	Martorano v. GAF Corp., et al., 4/15/85	USDC E.D. of PA
Louis T. Menapace, Former Supervisor of Sales, The Ruberoid Co.	In re: Promaulayko, etc., 2/28/85	Superior Court, Middlesex County, NJ
Michael T. Messel, Former Mine Manager, Vermont Mine	Charles Lee Austin, et al. v. JM, et al., 8/18/80; 8/19/80	USDC of NJ
	Clayton Brass, et al. v. Asbestos Corp., Ltd., et al., 1/15/87	Superior Court, Quebec, Montreal
Wilbur G. Neel, Former Director of Sales/Trade Relations of Asbestos Fibre and Industrial Insulation at GAF Corp.	Cochran, Sullivan v. J-M Corp., 6/17/80	Superior Court, CA
	Phelps v. Fibreboard American Smelting & Refinery Cross-D's 2/2/81	Superior Court, CA
	Hubert Hayes, et al. v. v. J-M Sales Corp., et al., 3/9/82	USDC E.D. of MO
	M. Meyers v. J-M Sales Corp., et al., 3/9/82	USDC E.D. of MO

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
	Norman Banks v. J-M Sales Corp., 9/22/83	Superior Court, CA
William Nelson, Former Manager of St. Louis Plant	Ida Baltz v. J-M Sales Corp., et al., 3/28/80	USDC E.D. of MO
	Hubert Hayes, et al. v. J-M, et al., 11/16/81	USDC E.D. of MO
John G. O'Brien, Senior Counsel, GAF Corporation	Los Angeles Unified School District v. Owens-Corning, et al., 4/25/86	Superior Court, Los Angeles County, CA
	Leroy Hall v. Lac D'Amiante du Quebec, et al., 10/21/86	USDC E.D. of PA
	Tommie L. Heathman, et ux. v. Owens-Corning, et al., 8/9/89	USDC of TX
E.J. O'Leary, Retired, Past President and Chief of Board of Directors for Ruberoid at GAF	Hubert Hayes, et al. v. J-M Sales Corp., et al., 3/29/82	USDC E.D. of MO
	Richard O. Evans, et al. v. J-M Corp., et al., 3/30/82	USDC of NJ
Wayne H. Page, Former Vice President, Manufacturing of Consumer Products Group of GAF Corp.	Ida Baltz v. J-M Sales Corp., et al., 9/7/77; 10/22/80	USDC E.D. of MO; Court of Common Pleas, Greenville, SC
	Eleanor Van Buskirk, et al. v. Carey Canadian Mines, Ltd., et al. and All Philadelphia Naval Shipyard Cases and Va. Consolidated Proceedings 11/27/79	USDC of PA
	Dorothy C. Balderman, et. al v. GAF, 3/14/84	Superior Court, Camden County, NJ
	Biagio Leopanto for George Blair, etc. v. GAF, et al., 4/87	Court of Common Pleas, Philadelphia, PA
Clell Pickens, Former Supervisor of St. Louis Plant	Hubert Hayes, et al. v. J-M Sales Corp., et al., 11/21/81	USDC E.D. of MO
Dominic S. Sandora, Retired, Mfg., Shipping & Receiving, GAF	Fred Eppler, et al., v. JM, et al., 4/26/83	Superior Court, Middlesex County, NJ

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
Louis Sarlo, Former Mfg. Coordinator for GAF Corp., Gloucester, New Jersey	Banks v. GAF, 8/10/76	NJ, Dept. of Labor & Industry, WC Div.
	Joseph G. Clune v. J-M Corp., et al., 5/1/80	USDC E.D. of VA; USDC E.D. of PA
	Louis J. Fitzgerald v. Brand Insulations, Phila. Asbestos Corp., J.J. White Corp. etc., 9/14/81	NJ Dept. of Labor & Industry
	Richard O. Evans, et al., v. J-M et al., 1/13/82; 1/5/83	USDC of NJ
	Robert A. Smith v. Celotex, et al., 2/11/86	Court of Common Pleas, Philadelphia, PA
	Biagio Lopanto for George Blair, etc. v. GAF, et al., 4/23/87	Court of Common Pleas, Philadelphia, PA
	Baltimore City Consoli- dation, 5/20/92	Circuit Court, Baltimore City, MD
Arnold Schwartz, Engineer at Linden Plant, GAF Corporation	Kirkwood Carey, et ux. v. Philip Carey, et al., 8/2/88	Superior Court, Middlesex County, NJ
William C. Schwingen, V.P., Technical Services, GAF Building Materials Corp.	<u>Consolidated Cases</u> Virgil E. Ballinger, et ux. v. Combustion Engineering, Inc., et al., 1/29/77	Circuit Court, Knox City, TN; USDC E.D. of TN
	Virgil E. Ballinger, et ux. v. Combustion Engineering, Inc., et al., 9/7/77	State of South Carolina, City of Greenville
	Dolores M. Moran v. J-M et al., 4/81	USDC N.D. of OH
	Hubert Hayes, et ux. v. J-M Sales Corp., et al. v. Lac D'Amiante Du Quebec, LTEE vs. GAF Corp., 3/25/82	USDC of MO
	Eve Lorraine Marks, et al. v. Fibreboard Corp., et al., 7/21/82	USDC E.D. of TX
	Doan v. J-M, et al., 10/13/82; 7/12/88	Court of Common Pleas, Cuyahoga County, OH

DEPONENTCASE/DATECOURT

In re: All Asbestos
Cases 5/25/83
Creed J. Stiles et
ux., v. J-M Sales Corp.

USDC E.D. of VA

Arrendondo v. J-M,
6/4/83

USDC S.D. of TX,
Houston Division

Earl R. Nutt, et al. v.
A.C. & S., et al.,
12/5/83; 6/28/84
Balderman v. J-M Sales
Corp., 12/15/83
RE: Gloucester Plant
Workers

Superior Court,
New Castle County,
DE
Superior Court,
Camden County, NJ

Williams v. Fibreboard,
1/27/84

Circuit Court,
Jackson County, MO

Massachusetts Asbestos
Cases, 3/12/84

USDC of MA

Earl Paterson, etc.
v. GAF Corp. C.&S., Inc.,
3/13/84

USDC of MD

Press, etc. v. J-M
Corp., 4/25/84

Court of Common
Pleas,
Philadelphia, PA

In re: Promaulayko,
5/9/84

Superior Court,
Middlesex County,
NJ

Broszeit v. GAF
Corporation, 5/16/84

Court of Common
Pleas,
Philadelphia, PA

Walter Hanna, et ux.
v. J-M Corp., et al.,
7/23/84

Court of Common
Pleas,
Philadelphia, PA

John Haugh, et ux., v.
Raymark, et al.,
10/15/84

Court of Common
Pleas,
Philadelphia, PA

Kathryn Guidry,
Executrix of the Estate
of Gilbert Guidry v.
GAF, 10/15/84

Court of Common
Pleas,
Philadelphia, PA

Hosea v. Standard
Insulation, 12/12/84

USDC S.D. of TX,
Houston Division

Dellomo v. Keene, 1/9/85;
1/15/85

Court of Common
Pleas,
Philadelphia, PA

DEPONENTCASE/DATECOURT

In re: Asbestos School
Litigation, 1/15/85;
8/23/88

USDC E.D. of PA

Babich, etc., v. EP,
et al., 7/24/85; 8/1/85

Superior Court,
Middlesex County,
NJ

Consolidated Asbestos
Cases, 11/20/85

Circuit Court,
Duval County, FL

Robert A. Smith v.
Celotex, et al.,
2/11/86

Court of Common
Pleas,
Philadelphia, PA

McCarty, et al. v.
J-M Sales Corp., et al.
10/7/86

USDC S.D. of MS

University System of
New Hampshire v.
National Gypsum Co.,
et al., 7/28/88; 9/28/88

USDC of NH

In re: Asbestos School
Litigation National
Schools Class Action,
8/23/88

USDC E.D. of PA

State of Maryland v.
Keene Corp., et al.,
6/2/89

Circuit Court,
Anne Arundel
County, MD

Geoffrey D. Spinks, et ux.
v. Celotex Corp., et al.,
2/8/90

USDC of D.C.

In re: State of West
Virginia, 3/27/91

Circuit Court,
Monogalia County,
WV

Baltimore City
Consolidation, 4/18/91;
5/19/92

Circuit Court,
Baltimore City, MD

Tommie Heathman, et ux.
v. OCF, et al., 6/21/91

District Court,
Brazoria County,
TX

Port Authority of New York
and New Jersey and Port
Authority Trans-Hudson
Corp. v. Allied Corp., et
al., 4/14/92

USDC S.D. of NY

Virginia Philbrook, etc. v.
Fiberboard Corp., et al.,
5/21/92

District Court,
Harris County, TX

<u>DEPONENT</u>	<u>CASE/DATE</u>	<u>COURT</u>
	Mayor & City Council of Baltimore v. Keene Corp., et al., 7/28/92	Circuit Court, Baltimore City, MD
	Virginia M. Jackson for Elson S. Jackson, et al., v. OCF, et al., 3/9/83	Superior Court, MA
Herbert Stoudt, Former Technical Information Supervisor at GAF Corp.	Dorothy St. Jacque, et al., v. J-M Corp., et al., 12/12/83	Superior Court, San Francisco, CA
Hazel Sutton, Former Cost Accountant at the St. Louis Plant	Hubert Hayes, et al. v. J-M Sales Corp., et al., 3/9/82	USDC of MO
Phillip Teague, Former Plant Manager of St. Louis Plant	Forrest v. J-M Sales Corp., 12/20/79	USDC E.D. of MO
	Hubert Hayes, v. J-M Sales Corp., et al., 11/13/81	USDC E.D. of MO
Harold James Vickery, Former Safety Coordinator for GAF Corp.	Richard O. Evans, et al. v. J-M Corp., et al., 11/12/81	USDC of NJ

INTERROGATORY NO. 111:

State whether you contend that asbestos products have been or can be manufactured or treated so as to eliminate all potential health hazards to workers who use asbestos products and/or are exposed to asbestos fibers or dust. If so, explain in detail the factual basis for this contention.

RESPONSE TO INTERROGATORY NO. 111:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly in that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e). Defendant will supply the opinions of defendant's experts if and when required by the Court.

In addition, this defendant objects to this interrogatory in that it is impossible and unduly burdensome for defendant to "prove a negative" and that it is plaintiffs' burden to prove that any use of defendant's products created a health hazard.

INTERROGATORY NO. 112:

State whether you contend that any person or business entity not presently a party to this action is responsible in whole or in part for any of the plaintiff's(s') damages. If so, identify each such person or business entity and state the facts which form the basis for each such contention.

RESPONSE TO INTERROGATORY NO. 112:

Subject to the objections set forth in the preliminary paragraphs of this response and without asserting that plaintiff's injuries, if any, constitute a cause of action against any person or entity, but assuming responsibility as alleged in this interrogatory, this defendant states that possibly several companies, some of whom are currently in bankruptcy, may be responsible, for the reasons as set forth in Plaintiff's complaint, including, but not limited to: Johns-Manville Corporation; UNARCO; Wallace and Gale; Amatex; Forty-eight Insulation; Raymark Industries; and, Celotex Corporation.

Furthermore, asbestos-containing thermal insulation products were sold and supplied to the United States specifically for use by or at the discretion of the United States Government in government sponsored and government-controlled projects and facilities. The government, its departments and agencies required that this

defendant meet such specifications as a condition to the sale of products to be used for government-owned, controlled and sponsored projects and facilities. The government further required, explicitly and implicitly, that this defendant include asbestos in such thermal insulation products.

Additionally, the federal, state and municipal governments were solely responsible for setting all product content, performance, packaging and labeling specifications applicable to all products it purchased or procured. Such specifications were promulgated and enforced within the sole determination and discretion of the government. Accordingly, these entities were also responsible. Also, owners, employers, and contractors at the job sites (on which this defendant's products may have been used) had exclusive control of those job sites, were sophisticated purchasers of this defendant's products, had a duty under OSHA and otherwise to monitor those job sites, and they had responsibility for safety and good work practices thereon.

INTERROGATORY NO. 113:

State whether you contend that asbestos products are not inherently dangerous. If so, state all facts and documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 113:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. This defendant further objects to this interrogatory on the grounds that

it seeks expert opinion beyond the scope of Maryland Rule 2-402(e).

INTERROGATORY NO. 114:

State whether you contend that you did not have any reason or duty to warn Plaintiffs, Plaintiffs' employers or users of the asbestos products identified in your Answer to Interrogatory Nos. 8 and 19 of the hazards and risks of use of and exposure thereto. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 114:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and further objects on the grounds that the interrogatory is vague regarding the meaning of the word "exposure" and seeks legal conclusions and expert opinion. Further, this defendant objects to the interrogatory inasmuch as it assumes that a "hazard" or "risk" was posed to anyone at any job site by any product supplied thereto by this defendant. Without waiving these objections, this defendant responds that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

In accordance with industry practice and later at the direction of OSHA, tests were to be made in the work place by the management officials and other employees who were employed by sophisticated purchasers of such products. Furthermore, currently applicable ambient air testing methods and equipment were not available during the time periods involved in this case. No testing was performed with respect to GAF's industrial thermal insulation products, other than as set forth above.

No list, compilation, summary or abstract of the documents relating to this interrogatory exists in discoverable form; this defendant identifies William Schwingen and Phillip Bettoli as persons having knowledge.

INTERROGATORY NO. 115:

State whether you contend that you performed adequate tests of the safety of the asbestos products identified in your Answer to Interrogatory Nos. 8 and 19. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 115:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly on the grounds that this interrogatory seeks expert opinion beyond the scope of Maryland Rule 2-402(e), and further on the basis that it seeks a legal conclusion. Subject to these objections, this defendant replies that its products met generally accepted industry-wide standards as set by the American Society for Testing and Materials and by the specifications of the United States Navy and other federal, state and local government agencies. Furthermore, this defendant believes its products met the standards which were developed by the United States Public Health Service through Dreessen in 1938 and Fleischer and Drinker in 1946, and which were endorsed, adopted and enacted by the Walsh-Healy Act of the U.S. Congress and by an association of governmental and industrial hygienists. This defendant did not test its products for safety in the field inasmuch as those job sites were under the

control of the purchasers and other users of the products. This defendant identifies William Schwingen and Phillip Bettoli as persons responsible for compliance with such standards.

INTERROGATORY NO. 116:

State whether you contend that you did not conspire with others to allow asbestos products to be used without adequate warnings, or without any warnings, regarding the hazards or risks of use of and/or exposure thereto. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 116:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. This defendant further objects on the grounds that it is unduly burdensome to "prove a negative" and defendants do not bear the burden of negating such a claim. Subject to the foregoing objections, this defendant denies that it conspired with others in any way pertaining to the manufacture, sale or use of asbestos-containing products.

INTERROGATORY NO. 117:

State whether you contend that there are circumstances under which asbestos products can safely be handled and used. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 117:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e).

INTERROGATORY NO. 118:

State whether you contend that there is now or has ever been a distinction between one or more of the following with respect to use of and exposure to asbestos products and the health hazards or risks relating thereto: miners, millers, textile workers, asbestos plant workers, insulators, shipyard workers, steel plant workers, building tradesmen, industrial workers, auto mechanics, and brake service mechanics. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 118:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e). Subject to these objections, this defendant responds, yes; it does so contend.

INTERROGATORY NO. 119:

State whether you contend that there are differences between asbestos fiber types (chrysotile, amosite, crocidolite, actinolite, anthophyllite or tremolite) with regard to diseases they may be capable of causing. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE TO INTERROGATORY NO. 119:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly on the grounds that it seeks expert opinion beyond the scope of Maryland Rule 2-402(e). Subject to these objections, this defendant responds that it is aware of epidemiological studies which suggest that there are differences between types of asbestos fibers in terms of their potential for causing asbestos-related disease in humans.

INTERROGATORY NO. 120:

Identify all locations including but not limited to those at which Plaintiffs worked, to which you sold, supplied, distributed and/or installed asbestos products within the States of Maryland, Delaware, Pennsylvania, West Virginia, Virginia and the District of Columbia from the date of the inception of your company to the present and include as to each such location:

- (A) The identity of employees, including foremen and helpers;
- (B) Dates;
- (C) Location;
- (D) Identity and quantity of asbestos products;
- (E) Contracts;
- (F) Bids;
- (G) Specifications;
- (H) Work orders;
- (I) Estimates;
- (J) Reports; and

(K) Job Books

RESPONSE TO INTERROGATORY NO. 120:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that it is overly broad, unduly burdensome and not drafted in a fashion precise enough, nor reasonably calculated to lead to the discovery of admissible evidence. The only possible relevant sales of this defendant's asbestos-containing industrial thermal insulation products could be for those shipments made to jobsites on which and during years in which plaintiff actually worked.

INTERROGATORY NO. 121:

Have you undertaken an investigation of the occurrence(s) alleged in plaintiffs' Complaints? If so, state:

(A) The identity of the person(s) participating in each such investigation;

(B) Whether you have obtained statements from any witness(es) and, if so, identify:

(i) The identity of each such witness; and

(i) The identity of the person in possession of each such statement.

RESPONSE TO INTERROGATORY NO. 121:

Objection; this Interrogatory seeks information which was prepared in anticipation of litigation and as such is protected by the work product privilege.

INTERROGATORY NO. 122:

State whether you contend that you gave adequate warnings to users of and to those exposed to your asbestos products, including the plaintiffs, of the hazards and risks of use of and exposure thereto. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 122:

Subject to the preliminary objections, this defendant responds that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT
POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF
MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to
read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of
millboard.

Until 1972, GAF's use of these warnings followed major
manufacturers in the industry which used such cautionary notices
after certain opinions were expressed by some members of the
medical profession that there might be a health risk to some
persons who installed industrial thermal insulation products
containing asbestos from the inhalation of excessive quantities of
asbestos fibers over prolonged periods of time under certain
conditions. Commencing in 1972, pursuant to the requirements of
the Occupational Safety and Health Act of 1970, GAF placed the last
notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

No list or other compilation of documents relating to this interrogatory exists in discoverable form.

INTERROGATORY NO. 123:

State whether you contend that you recommended safety procedures regarding the use of and exposure to asbestos products to the plaintiff or the plaintiffs' employer. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 123:

Subject to the preliminary objections, see response to Interrogatory No. 122.

INTERROGATORY NO. 124:

State whether you contend that the plaintiffs were exposed, if at all, to a safe amount of asbestos or to less than the "threshold limit" of exposure to asbestos dust and fibers from the use of and exposure to asbestos products. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 124:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. In addition, this defendant objects to this interrogatory on the

grounds that it is unduly burdensome for defendant to "prove a negative" and that it is plaintiffs' burden to prove that any use of this defendant's asbestos-containing products created a health hazard.

INTERROGATORY NO. 125:

State whether you contend that the plaintiffs' disabilities or injuries are unrelated to the use of and exposure to asbestos products. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 125:

Objection; this Interrogatory is overbroad, vague and not calculated to lead to the discovery of admissible evidence. Without waiving objection, and subject to the preliminary objections, and further subject to the denial that plaintiffs have suffered any asbestos-related injury, this defendant states that the plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to their health. Furthermore, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts.

This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 126:

State whether you contend that the plaintiffs' injuries are related in whole or in part to cigarette smoking. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 126:

Objection; this Interrogatory is overbroad, vague and not calculated to lead to the discovery of admissible evidence. Without waiving objection, and subject to the preliminary objections, and further subject to the denial that plaintiffs have suffered any asbestos-related injury, this defendant states that the plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to thier health. Furthermore, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 127:

State whether you contend that the plaintiffs' injuries are due to an act of the plaintiff's employer. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 127:

Subject to the preliminary objections, this defendant states that it believes that plaintiffs' injuries, if any, were caused by the acts or omissions of parties other than this defendant and are unrelated to plaintiffs' alleged exposure to its asbestos-containing industrial thermal insulation products. Furthermore, this defendant states that plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to their health. Also, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own Complaints in which plaintiffs list numerous defendants as being responsible for their alleged injuries, their statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 128:

State whether you contend that the plaintiffs did not work with and were not exposed to any asbestos products mined, manufactured, sold, supplied, distributed and/or installed by you. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 128:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is overly broad and not calculated to lead to the discovery of admissible evidence. In addition, this defendant objects to this interrogatory on the grounds that it unduly burdensome for defendant to "prove a negative" and that it is plaintiffs' burden to prove that any use of this defendant's asbestos-containing products created a health hazard.

Subject to these objections, this defendant states that it believes that plaintiffs' injuries, if any, were caused by the acts or omissions of parties other than this defendant and are unrelated to plaintiffs' alleged exposure to its asbestos-containing industrial thermal insulation products. Furthermore, this defendant states that plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to their health. Also, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that

it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own Complaints in which plaintiffs list numerous defendants as being responsible for their alleged injuries, their statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 129:

State whether you contend that the asbestos products which the plaintiffs used and/or were exposed to were not under your exclusive control. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 129:

Subject to the preliminary objections, this defendant states that it never employed plaintiffs nor had any control or connection whatsoever with any of their claimed jobsites.

INTERROGATORY NO. 130:

State whether you contend that there were changes made to your asbestos products after they left your control. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 130:

Subject to the preliminary objections, this defendant responds that jobsites were under the exclusive control of their owners, employers or contractors.

INTERROGATORY NO. 131:

State whether you contend that the plaintiffs' claims are barred by the applicable statute of limitations. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 131:

Yes. The investigation of this Defendant is continuing on this matter.

INTERROGATORY NO. 132:

State whether you contend that the plaintiffs' claims are barred by the doctrine of assumption of the risk. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 132:

Yes. This Defendant's investigation is continuing on this matter. However, as a partial answer, and subject to the preliminary objections, and further subject to the denial that plaintiffs have suffered any asbestos-related injury, this defendant states that the plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to thier health. Furthermore, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own statements in answers to interrogatories and

deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 133:

State whether you contend that the plaintiffs' claims are barred by his alleged contributory negligence. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 133:

Yes. This Defendant's investigation is continuing on this matter. Without waiving objection, and as a partial answer, and subject to the preliminary objections, and further subject to the denial that plaintiffs have suffered any asbestos-related injury, this defendant states that the plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to their health. Furthermore, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 134:

State whether you contend that the plaintiffs' claims are barred by his alleged misuse of the asbestos products with which he worked. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 134:

Yes. This Defendant's investigation is continuing on this matter. Without waiving objection, and as a partial answer, and subject to the preliminary objections, and further subject to the denial that plaintiffs have suffered any asbestos-related injury, this defendant states that the plaintiffs assumed the risk when they continued to work in those areas that they contend were dusty long after they knew that exposure to certain levels of asbestos dust could be harmful to their health. Furthermore, plaintiffs smoked tobacco products and continued smoking for a number of years knowing that it was or could be hazardous to their health. In support of these contentions, this defendant will rely upon plaintiffs' own statements in answers to interrogatories and deposition, the statements of co-workers, and opinions of defendants' experts. This defendant will not be precluded from presenting other or additional evidence depending upon evidence produced during discovery and at trial.

INTERROGATORY NO. 135:

State whether you contend that the plaintiffs' injuries were caused by any intervening acts or superseding negligence. If so, state all facts and identify all documents which form the basis of such a contention.

RESPONSE TO INTERROGATORY NO. 135:

Yes. This Defendant's investigation is continuing on this matter.

INTERROGATORY NO. 136:

With regard to each type of asbestos or asbestos product identified in your Answers to Interrogatory Nos. 8 and 19, state:

- (a) Where it was purchased, or if it was not purchased, where it was obtained;
- (b) From whom it was purchased or obtained and when;
- (c) The manner in which it was received, stored and used in the production of the product; and
- (d) The amount of it received by you on a year to year basis.

RESPONSE TO INTERROGATORY NO. 136:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly in that the subject matter of the Complaint relates to finished asbestos-containing products and not to ore or mined asbestos in its raw state, and in that the occupational level exposures of asbestos mining and manufacturing workers are different from the occupational level exposures of insulators,

shipyard workers, and construction bystanders working with finished asbestos-containing products.

Subject to the foregoing objections, and to the extent this interrogatory is intelligible, see response to Interrogatory Nos. 8 and 19. In further response, GAF states that from time to time it obtained asbestos for use in its Calsilite® and/or certain other products from: The Reconstruction Finance Corporation, an agency of the United States Government; Cape Asbestos, Ltd.; EGNEP (Penge, Ltd.); North American Asbestos Corporation; Johns-Manville Products Corporation; Johns-Manville Sales Corporation; Canadian Johns-Manville Company, Ltd.; Canadian Johns-Manville Asbestos Ltd.; Johns-Manville Corporation; Asbestos Corporation Ltd.; Asbestos Fiber Distributors, Inc.; Johnson's Company, Ltd.; Lake Asbestos Company and The Lake Asbestos of Quebec, Ltd.; Philip Carey Company; Vermont Asbestos Group, Inc.; Bell Asbestos Mines; Calaveras Asbestos Mines; and, the Vermont Mine.

INTERROGATORY NO. 137:

Before marketing, selling, distributing and/or installing the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 did you or anyone on your behalf conduct any pre-marketing tests of such asbestos-containing products concerning their potential for causing injury to persons exposed thereto? If your answer is in the affirmative, please state:

- (a) The particular products upon which such tests were performed;

- (b) When said tests were performed;
- (c) By whom said tests were performed;
- (d) Where said tests were performed;
- (e) What tests were performed;
- (f) The reason for performing said tests;
- (g) The results of said tests;
- (h) To whom said results were reported or communicated;
- (i) Where the results of said tests were memorialized.

RESPONSE TO INTERROGATORY NO. 137:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the

Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness; abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244

3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance

with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

INTERROGATORY NO. 138:

Before marketing, selling, distributing and/or installing the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19, did you or anyone on your behalf conduct a search of the medical and scientific literature concerning asbestos or asbestos-containing products and potential health hazards associated therewith. If your answer is in the affirmative, please state:

- (a) The particular searches performed;
- (b) When said searches were performed;
- (c) The dates of such searches;
- (d) Where said searches were performed;
- (e) By whom said searches were performed;
- (f) The results of said searches;
- (g) To whom the results were reported or communicated;
- (h) Where the results of said searches were memorialized.

RESPONSE TO INTERROGATORY NO. 138:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the

medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 139:

State when and under what circumstances you first learned that those engaged in the mining and milling of asbestos and/or the manufacturing of asbestos-containing products contracted asbestos-related lung diseases including but not limited to pleural asbestosis, parenchymal asbestosis, pulmonary asbestosis, lung cancer, colon cancer, other cancers, mesothelioma.

RESPONSE TO INTERROGATORY NO. 139:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing

thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 140:

After marketing, selling, distributing, and/or installing the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 did you or anyone on your behalf conduct any tests of your asbestos-containing products concerning their potential for causing injury to persons exposed thereto? If your answer is in the affirmative, please state:

- (a) The particular products upon which such tests were performed;
- (b) When said tests were performed;
- (c) By whom said tests were performed;
- (d) Where said tests were performed;
- (e) What tests were performed;
- (f) The reason for performing said tests;
- (g) The results of said tests;
- (h) To whom said results were reported or communicated;
- (i) Where the results of said tests were memorialized.

RESPONSE TO INTERROGATORY NO. 140:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness;

abrasion resistance; impact strength; thermal resistance/conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

INTERROGATORY NO. 141:

After marketing, selling, distributing and/or installing the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19, did you or anyone on your behalf conduct a search of the medical and scientific literature concerning asbestos or asbestos-containing products and potential health hazards associated therewith. If your answer is in the affirmative, please state:

- (a) The particular searches performed;
- (b) The dates of such searches;
- (c) Where said searches were performed;
- (d) By whom said searches were performed;
- (e) The results of said searches;
- (f) To whom the results were reported or communicated;
- (g) Where the results of said searches were memorialized.

RESPONSE TO INTERROGATORY NO. 141:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 142:

After learning that those involved in the mining and milling of asbestos and/or manufacturing of asbestos-containing products sustained asbestos-related injuries, did you or anyone on your behalf conduct any tests of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 concerning their potential for causing injury to persons exposed thereto? If your answer is in the affirmative, please state:

(a) The particular products upon which such tests were performed;

(b) By whom said tests were performed;

(c) Where said tests were performed;

(d) What tests were performed;

(e) The reason for performing said tests;

(f) The results of said tests;

(g) To whom said results were reported or communicated;

(h) Where the results of said tests were memorialized.

RESPONSE TO INTERROGATORY NO. 142:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly in that the subject matter of the Complaint relates to finished asbestos-containing products and not to ore or mined asbestos in its raw state, and in that the occupational level exposures of asbestos mining and manufacturing workers are different from the occupational level exposures of insulators and construction bystanders working with finished asbestos-containing products.

INTERROGATORY NO. 143:

After learning that those involved in the mining and milling of asbestos and/or manufacturing of asbestos-containing products sustained asbestos-related injuries did you or anyone on your behalf conduct a search of the medical and scientific literature of

asbestos or asbestos-containing products and potential health hazards associated therewith? If your answer is in the affirmative, please state:

- (a) The particular searches performed;
- (b) The dates of such searches;
- (c) Where said searches were performed;
- (d) By whom said searches were performed;
- (e) The results of said searches;
- (f) To whom the results were reported or communicated;
- (g) Where the results of said searches were memorialized.

RESPONSE TO INTERROGATORY NO. 143:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly in that the subject matter of the Complaint relates to finished asbestos-containing products and not to ore or mined asbestos in its raw state, and in that the occupational level exposures of asbestos mining and manufacturing workers are different from the occupational level exposures of insulators and construction bystanders working with finished asbestos-containing products.

INTERROGATORY NO. 144:

Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between your employees exposed to asbestos or any persons using the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 and the contraction by

humans or animals of pleural asbestosis, parenchymal asbestosis, pulmonary asbestosis, lung cancer, colon cancer, other cancers and mesothelioma. If so:

(a) Identify each person participating in such investigation and describe in detail the extent of this participation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or related to any information set forth in answer to this Interrogatory;

(e) As to any information received orally in answer to this Interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(f) Identify the person or persons to whom the results of the investigation were reported or communicated; and

(g) Where the results of said investigation were memorialized.

RESPONSE TO INTERROGATORY NO. 144:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 145:

Describe in detail all written and oral reports, including those reports originating from users of any of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 made by anyone, including doctors, and employees and agents of the Defendants, concerning any relationship between the

use of these products and the development of pleural asbestosis, parenchymal asbestosis, pulmonary asbestosis, lung cancer, colon cancer, other cancer or mesothelioma in humans or animals;

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this Interrogatory;

(d) As to any information received orally in answer to this Interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(e) the date of each of the reports.

RESPONSE TO INTERROGATORY NO. 145:

Subject to the preliminary objections, and subject to the further objection that this interrogatory is unintelligible, not applicable.

INTERROGATORY NO. 146:

With respect to each of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19, state separately whether you gave any consideration to the possibility of inhalation of asbestos fibers by users of the product. If so:

(a) Describe, in detail, the factors considered;

(b) Give the date, location and names of participants at each meeting where the matter was discussed or considered;

(c) Identify each document recording such consideration by date, title, file designation, author and present location.

RESPONSE TO INTERROGATORY NO. 146:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and on the further grounds that the phrases "gave any consideration" and "the possibility of inhalation of asbestos fibers" are too vague and ambiguous to permit reasonable interpretation.

INTERROGATORY NO. 147:

At the time of the development of or at the time of the decision to manufacture, sell, distribute and/or install each of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19, did you attempt to determine whether the product complied with any then applicable safety standards, safety orders, regulations, laws, rules and design requirements of any city, county, state, or the Federal Government of the United States?

(a) If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the persons deciding not to conduct the analysis;

(b) If the answer is in the affirmative, identify those safety standards, safety orders, regulations- laws, rules, or other ordinances which you claim you considered.

RESPONSE TO INTERROGATORY NO. 147:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

GAF products were tested for purposes of quality control and, with respect to sales to Government agencies and departments, such tests were mandatory and performed by the Government itself in many instances. The required testing was detailed in specifications of the United States government (including the military), as well as the American Society for Testing and Materials ("ASTM"). Tests for Calsilite® included: density; surface strength (modulus rupture); weight loss on soaking heat; shrinkage on soaking heat; hardness;

abrasion resistance; impact strength; thermal resistance/ conductivity (K factor); weight loss after tumbling; thermal shock; flexural strength; and, moisture absorption. It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers. In accordance with industry practice and later at the direction of OSHA, tests were to be made in the workplace by the installing contractors and by other sophisticated purchasers of such products.

INTERROGATORY NO. 148:

Did you ever recommend to purchasers or users of the asbestos-containing products identified in your Answers to Interrogatories Nos. 8 and 19, or to any other Defendant, with respect to asbestos products sold or made available to them, directly or indirectly, that respirators, protective masks and/or protective clothing be worn while working with, installing or removing the product? If so, state separately for each product:

- (a) The date or dates when each such recommendation was made;
- (b) The date or dates when each such recommendation was made to all users;
- (c) Who made the recommendation;
- (d) Who received the recommendation;
- (e) If oral, the manner and substance of the recommendation;
- (f) If written, identify the document by title, date, file designation and author of each such recommendation and the location and present custodian of each such recommendation.

RESPONSE TO INTERROGATORY NO. 148:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that, in approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 149:

Have you ever communicated with an agency or department of the United States, or state or local government, concerning the specifications, and/or standard for any asbestos-containing product? If so, state separately for each product or set of specifications:

- (a) Identify each such product;
- (b) The number, if any, assigned to the military or federal specifications, or standard;
- (c) The intended purpose or use for the product so specified;
- (d) The date, time and place of each communication:

(1) The name of each of your agents or employees who participated in each communication;

(2) The name, titles, and agencies of each individual with whom such communication was had;

(3) The subject of the communication;

(4) Whether any notes, minutes or memoranda in any form were recorded of such communication or of any meetings between you and the agency;

(5) Whether any documents were submitted to the agency;

(6) If (4) or (5) is answered in the affirmative state the name, and location of the custodian of such records.

RESPONSE TO INTERROGATORY NO. 149:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that Ruberoid and then GAF representatives were members, along with representatives of the United States Navy, of standard-setting groups and committees of the American Society of Testing Materials, Philadelphia, Pennsylvania ("ASTM"). Specifically, Ruberoid/GAF representatives served on subcommittee C-16, which dealt with high temperature thermal insulation, from 1950 until 1971. At various times in this period, this defendant's representatives on subcommittee C-16 were J.M. High, Thomas J. Walters, Duane A. Davis, and William C. Schwingen. Ruberoid and then GAF was also a member of the National Insulation Manufacturers' Association for certain years between 1958 and 1971.

Such associations discussed specifications applicable to thermal insulation products used for commercial and industrial applications. GAF is not specifically aware of efforts by such associations or groups to change or affect specific product requirements promulgated or enforced by the United States. The United States was solely responsible for setting product content, performance, packaging and labelling specifications applicable to all products it purchased or procured. Such specifications were promulgated and enforced by within the sole determination and discretion of the United States and asbestos-containing products purchased or procured by the United States were similarly purchased or procured within the United States' sole determination and discretion.

From time to time, the United States solicited comments from manufacturers of asbestos-containing products regarding the specifications issued by the United States for such products. In response to a letter from the Navy Bureau of Ships, GAF on or about February 28, 1945, submitted comments regarding Specifications 32-P-8. On or about October 27, 1960, the Navy Bureau of Ships solicited comments and recommendations regarding Specification MIL-I-2819. In response to that letter, GAF submitted written comments.

GAF believes that on other occasions Ruberoid representatives may have met or communicated with representatives of United States Government agencies, in response to solicitations for comments by the Government, regarding the foregoing or other federal

specifications. For example, Ruberoid representatives met with, and wrote to, Navy officials regarding the development of Calsilite® II, and Government specifications applicable thereto. However, the "development" of Government specifications was solely within the discretion of the United States, which in every instance had sole authority for issuance of such specifications. To the extent that GAF possesses documents evidencing contacts or communications between the United States and The Ruberoid Co., those documents are contained within GAF's voluminous business records and thus no list or compilation of such documents exists in discoverable form.

INTERROGATORY NO. 150:

Have you ever been a member of or participated in a trade association which communicated with any agency or a department of the United States, concerning specifications and/or standards for any asbestos product? If so, state separately for each product or set of specifications:

- (a) Identify each such product;
- (b) The number, if any, assigned to the military of federal specification or standard;
- (c) The name of the association;
- (d) The years during which you were a member of or participated in the association;
- (e) The intended purpose or use for the product so specified;
- (f) The date, time and place of each communication:

(1) The name of each of your agents or employees who participated in each communication;

(2) The name, titles, and agencies of each individual with whom such communication was had;

(3) The subject of the communication;

(4) Whether any notes, minutes or memoranda in any form were recorded of such communication or of any meetings between you and the agency;

(5) Whether any documents were submitted to the agency;

(6) If (4) or (5) is answered in the affirmative state the name, and location of the custodian of such records.

RESPONSE TO INTERROGATORY NO. 150:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that Ruberoid and then GAF representatives were members, along with representatives of the United States Navy, of standard-setting groups and committees of the American Society of Testing Materials, Philadelphia, Pennsylvania ("ASTM"). Specifically, Ruberoid/GAF representatives served on subcommittee C-16, which dealt with high temperature thermal insulation, from 1950 until 1971. At various times in this period, this defendant's representatives on subcommittee C-16 were J.M. High, Thomas J. Walters, Duane A. Davis, and William C. Schwingen. Ruberoid and then GAF was also a member of the National Insulation Manufacturers' Association for certain years between 1958 and 1971.

Such associations discussed specifications applicable to thermal insulation products used for commercial and industrial applications. GAF is not specifically aware of efforts by such associations or groups to change or affect specific product requirements promulgated or enforced by the United States. The United States was solely responsible for setting product content, performance, packaging and labelling specifications applicable to all products it purchased or procured. Such specifications were promulgated and enforced by within the sole determination and discretion of the United States and asbestos-containing products purchased or procured by the United States were similarly purchased or procured within the United States' sole determination and discretion.

From time to time, the United States solicited comments from manufacturers of asbestos-containing products regarding the specifications issued by the United States for such products. In response to a letter from the Navy Bureau of Ships, GAF on or about February 28, 1945, submitted comments regarding Specifications 32-P-8. On or about October 27, 1960, the Navy Bureau of Ships solicited comments and recommendations regarding Specification MIL-I-2819. In response to that letter, GAF submitted written comments.

GAF believes that on other occasions Ruberoid representatives may have met or communicated with representatives of United States Government agencies, in response to solicitations for comments by the Government, regarding the foregoing or other federal

specifications. For example, Ruberoid representatives met with, and wrote to, Navy officials regarding the development of Calsilite® II, and Government specifications applicable thereto. However, the "development" of Government specifications was solely within the discretion of the United States, which in every instance had sole authority for issuance of such specifications. To the extent that GAF possesses documents evidencing contacts or communications between the United States and The Ruberoid Co., those documents are contained within GAF's voluminous business records and thus no list or compilation of such documents exists in discoverable form.

INTERROGATORY NO. 151:

Have you undertaken or financed any tests or studies to determine what type of ventilator or ventilation system would eliminate or decrease the number of airborne asbestos fibers in confined spaces? If so, state:

- (a) Who made the test or study;
- (b) When was the test or study made;
- (c) What was the result of the study or test;
- (d) To whom the results were reported or communicated;
- (e) If the result was written, identify the document by title, date, file designation and author of each such test or study, and the location and present custodian thereof.

RESPONSE TO INTERROGATORY NO. 151:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant responds that, while ventilation equipment was utilized by it, it is not aware of any such tests or studies.

INTERROGATORY NO. 152:

Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium not previously identified herein dealing with the potential health hazards of asbestos inhalation or use of asbestos-containing products and, if so, state:

(a) The date and place of such conference, seminar, lecture or symposium;

(b) The person or persons conducting such conference, seminar, lecture or symposium;

(c) The person or persons who attended on your behalf;

(d) The subject matter of such conference, seminar, lecture or symposium;

(e) The speakers and/or moderators at such conference, seminar, lecture or symposium;

(f) Whether any reports or memoranda were made concerning the subject matter of such conference, seminar, lecture or symposium; identifying each such report or memorandum.

RESPONSE TO INTERROGATORY NO. 152:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant and not calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant states that on or around April 14, 1964, W.G. Neel of The Ruberoid Co. attended a meeting of the Board of Directors of NIMA, in Chicago, Illinois. At that time, The Ruberoid Co. first learned that Johns-Manville Corporation, the world's largest manufacturer of asbestos products, was commencing to place a warning on certain of its asbestos-containing thermal insulation products. Phillip Bettoli attended a conference held by the New York Academy of Sciences on May 14, 1968, at which health aspects were discussed.

INTERROGATORY NO. 153:

State when, if at all, you received knowledge of the following publications or matters discussed therein, who received such knowledge and identify all documents relating to such knowledge:

(a) Selikoff, et al., "Asbestosis and Neoplasia," 42 Am. J. Med. 1967;

(b) Selikoff, Churg and Hammond, "The Occurrence of Asbestosis Among Industrial Insulation Workers," 132 Ann. New York Acad. Sc. 139 (1965);

(c) 1957 Industrial Hygiene Foundation of America - "An Epidemiological Study of Lung Cancer in Asbestos Miners" by Braun;

(d) 1964 "Asbestos Exposure and Neoplasia" by Selikoff, Churg and Hammond;

(e) Annals New York Academy of Sciences, "The Occurrence of Asbestosis Among Insulation Workers in the United States" by Selikoff, Churg and Hammond;

(f) 1965 - "Relation Between Exposure to Asbestos and Mesothelioma" by Selikoff, Churg and Hammond;

(g) 1968 - "Asbestos Exposure, Smoking, and Neoplasia" by Selikoff, Hammond and Churg;

(h) "Documentation of the Threshold Limit Values for Substances in Workroom Air," A.C.G.I.H. (3rd 1971);

(i) "Threshold Limit Values for 1961," A.C.G.I.H. (1961);

(j) 1906 report by Dr. H. Montague Murray;

(k) 1930 - "The Occurrence of Pulmonary Fibrosis and Other Pulmonary Afflictions in Asbestos Workers" by E.R.A. Merewether, M.D;

(l) 1930 - "Report on Effects of Asbestos Dust on the Lungs and Dust Suppression in the Asbestos Industry" by Merewether and Price;

(m) Lanza, A.J., W.J. McConnell, and J.W. Fehnel. "Effects of the Inhalation of Asbestos Dust on the Lungs of Asbestos Workers," Publ. Health Rep. 50:1-12 (1935);

(n) Fulton, W.B. et al., Asbestosis. Harrisburg, Pennsylvania: Department of Labor and Industry, Commonwealth of Pennsylvania, 1935;

(o) Doll, R., "Mortality from Lung Cancer in Asbestos Workers", British Journal of Industrial Medicine, v. 12, 1955;

(p) Wagner, J.C., et al., "Diffuse Pleural Mesothelioma and Asbestos Exposure in the North Western Cape Province," British Journal of Industrial Medicine, v. 17, 1960;

(q) Hueper, W.C. "Carcinogens in the Human Environment," Arch. Path. 71:237-267 (1961);

(r) Enterline, P.E. and M.F. McKiever. "Differential Mortality from Lung Cancer by Occupation," J. Occup. Med. 5:283-290 (1963);

(s) Newhouse, M. and H. Thompson. "Mesothelioma of Pleura and Peritoneum following Exposure to Asbestos in the London Area," Brit. J. Indust. Med. 22:261-269 (1965);

(t) Hueper, W.C. "Occupational and Nonoccupational Exposures to Asbestos," Ann. N.Y. Acad. Sci. 132:184-195 (1965); and

(u) Brodeur, P., "The Magic Mineral", The New Yorker Magazine, 10/12/68.

RESPONSE TO INTERROGATORY NO. 153:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and because it is impossible to respond on behalf of several companies which employed thousands of people over the past seventy-five years.

INTERROGATORY NO. 154:

When was the firm time that you became aware of the contents and existence of Public Health Bulletin No. 241 entitled "A Study of Asbestosis in the Asbestos Textile Industry" by Dressen, Dallavale, Edwards, Miller and Sayers?

RESPONSE TO INTERROGATORY NO. 154:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

With respect to the study referred to in this interrogatory, this defendant first became aware of the contents and existence of this study during the course of asbestos-related litigation. This defendant does not know which of its representatives first became

aware of this study or when that awareness occurred. This defendant did not manufacture an asbestos textile product, so would have had no reason to be aware of this or any similar study prior to the advent of asbestos litigation.

INTERROGATORY NO. 155:

With respect to the article referred to in the preceding Interrogatory, please state:

- (a) How you became aware of the existence of such article;
- (b) How you first became aware of the content of such article;
- (c) Which individuals, representatives, employees or agents of yours were the first to become aware of the content and existence of such article;
- (d) The job title or position held by such individual(s) of yours who first became aware of the contents and existence of such article.

RESPONSE TO INTERROGATORY NO. 155:

Subject to the preliminary objections, see response to Interrogatory No. 154. With respect to the study referred to in this interrogatory, this defendant first became aware of the contents and existence of this study during the course of asbestos-related litigation. This defendant does not know which of its representatives first became aware of this study or when that awareness occurred. This defendant did not manufacture an asbestos textile product, so would have had no reason to be aware of this or any similar study prior to the advent of asbestos litigation.

INTERROGATORY NO. 156:

State whether your knowledge of the contents of the article referred to in the preceding two interrogatories was relied upon by you at any time in deciding whether a caution or warning statement should be placed upon the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 concerning the potential health hazards of exposure to asbestos. If so, please state:

(a) How such article influenced the decision concerning the placement of a caution or warning statement on such asbestos-containing products concerning the potential health hazards posed by exposure to asbestos.

(b) Identify and attach hereto copies of all writings, including memos, letters, etc., concerning your reliance on such article in deciding whether to place a caution or warning statement on such asbestos-containing products.

RESPONSE TO INTERROGATORY NO. 156:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Furthermore, jobsites were under the exclusive control of their owners, employers or contractors. This defendant believes that those owners, employers or contractors present at jobsites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those jobsites, in the manner required by OSHA and other

laws, and this defendant did not have any such legal duty at any time.

Subject to these objections, this defendant responds: unknown. On or around April 14, 1964, W.G. Neel of The Ruberoid Co. attended a meeting of the Board of Directors of NIMA, in Chicago, Illinois; at that time, The Ruberoid Co. first learned that Johns-Manville Corporation was commencing to place a warning on some or all of its asbestos-containing products. In 1968, Phillip Bettoli attended a conference at which health aspects were discussed. Prior to 1964, this defendant is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 157:

When was the first time that you became aware of the contents and existence of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels" by Fleischer, Viles, Gade, and Drinker.

RESPONSE TO INTERROGATORY NO. 157:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

With respect to the study referred to in this interrogatory, this defendant first became aware of the contents and existence of this study during the course of asbestos-related litigation. This defendant does not know which of its representatives first became

aware of this study or when that awareness occurred. This defendant did not manufacture an asbestos textile product, so would have had no reason to be aware of this or any similar study prior to the advent of asbestos litigation.

INTERROGATORY NO. 158:

With respect to the article referred to in the preceding interrogatory, please state:

- (a) How you became aware of the existence of such article;
- (b) How you first became aware of the content of such article;
- (c) Which individuals, representatives, employees or agents of yours were the first to become aware of the content and existence of such article;
- (d) The job title or position held by such individual(s) of yours who first became aware of the contents and existence of such article.

RESPONSE TO INTERROGATORY NO. 158:

Subject to the preliminary objections, see response to Interrogatory No. 157. With respect to the study referred to in this interrogatory, this defendant first became aware of the contents and existence of this study during the course of asbestos-related litigation. This defendant does not know which of its representatives first became aware of this study or when that awareness occurred. This defendant did not manufacture an asbestos textile product, so would have had no reason to be aware of this or any similar study prior to the advent of asbestos litigation.

INTERROGATORY NO. 159:

State whether your knowledge of the contents of the article referred to in the preceding two interrogatories was relied upon by you at any time in deciding whether a caution or warning statement should be placed upon the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 concerning the potential health hazards of exposure to asbestos. If so, please state:

(a) How such article influenced the decision concerning the placement of a caution or warning statement on such asbestos-containing products concerning the potential health hazards posed by exposure to asbestos.

(b) Identify and attach hereto copies of all writings including memos, letters, etc., concerning your reliance on such article in deciding whether to place a caution or warning statement on such asbestos-containing products.

RESPONSE TO INTERROGATORY NO. 159:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Furthermore, jobsites were under the exclusive control of their owners, employers or contractors. This defendant believes that those owners, employers or contractors present at jobsites (on which this defendant's asbestos-containing industrial thermal insulation products were installed or otherwise used) had a legal duty mandated by state and federal governments to inspect and monitor those jobsites, in the manner required by OSHA and other

laws, and this defendant did not have any such legal duty at any time.

Subject to these objections, this defendant responds: unknown. On or around April 14, 1964, W.G. Neel of The Ruberoid Co. attended a meeting of the Board of Directors of NIMA, in Chicago, Illinois; at that time, The Ruberoid Co. first learned that Johns-Manville Corporation was commencing to place a warning on some or all of its asbestos-containing products. In 1968, Phillip Bettoli attended a conference at which health aspects were discussed. Prior to 1964, this defendant is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 160:

Identify all patents issued, or any applications made therefor by you, for any non-asbestos product which was developed to replace an asbestos-containing product. Specify the number of each patent, the date(s) of application, issuance and renewal if applicable, to whom each patent was issued and the product(s) for which each patent was issued.

RESPONSE TO INTERROGATORY NO. 160:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is totally irrelevant and not calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant states that it filed a patent application for its asbestos-free Calsilite® through Duane A. Davis, inventor, on October 8, 1971. The patent application, Proposal No. 187,921, and rights to the process for which the patent was sought, were sold in 1972.

INTERROGATORY NO. 161:

Pursuant to your record destruction or retention policy have you destroyed any documents, records or writings pertaining to:

- (a) Health hazards of asbestos;
- (b) Workmen's Compensation claims arising out of asbestosis, lung cancer, mesothelioma, corpulmonale, pneumoconiosis, or pulmonary fibrosis;
- (c) Placing caution statements or warning labels on your products;

- (d) Hazardous conditions in your mines, plants or factories;
- (e) Funding of studies about health hazards of asbestos;
- (f) Lawsuits arising out of injuries alleged to have been caused by asbestos.

RESPONSE TO INTERROGATORY NO. 161:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant states that record-keeping methods vary according to the operational, financial, and legal requirements of the corporation. The length of time for which records are retained varies according to the operational, financial, and legal requirements of the corporation. The time period for document retention also varies according to the type of document. Documents are generally retained for seven years. However, corporate and other documents may be kept for longer periods. Certain operational documents not requiring to be preserved by applicable regulations are generally not kept for more than two years. This defendant has, from time to time over the years and pursuant to its record retention policies, destroyed or otherwise disposed of certain documents. It is impossible at this time to know the contents of those documents and, therefore this defendant is unable to answer.

INTERROGATORY NO. 162:

State your understanding of what legal duties or obligations you have or had concerning testing, inspection, design, manufacturing and use of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 before and after marketing them for sale.

RESPONSE TO INTERROGATORY NO. 162:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly on the grounds that the information requested calls for purely a legal conclusion.

INTERROGATORY NO. 163:

State whether you have ever discussed or considered the effect giving caution statements or warnings would have on sales of products containing asbestos. If so, please state:

- (a) The form of the consideration or discussion;
- (b) The date of the discussion or consideration;
- (c) If the consideration or discussion occurred at a meeting, the names and present business and home addresses of those attending;
- (d) The location and identifying codes of any records of such considerations or discussions;
- (e) Whether you discussed or considered the effect such warning(s) would have on sales of the product;
- (f) Whether you considered or discussed the costs that would be insured in preparing and using such label;

(g) Whether consideration was given to the effect any particular language used in a warning might have on sales.

RESPONSE TO INTERROGATORY NO. 163:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly on the grounds that it is too vague and ambiguous to permit reasonable interpretation. Subject to these objections, this defendant responds that it is aware that most, if not all, of those manufacturers which produced asbestos-containing products placed warnings on their products during the 1960s and 1970s. On or around April 14, 1964, W.G. Neel of The Ruberoid Co. attended a meeting of the Board of Directors of NIMA, in Chicago, Illinois. Phillip Bettoli attended a conference held by the New York Academy of Sciences on May 14, 1968, at which health aspects were discussed. Ruberoid, until its acquisition by GAF on May 26, 1967, and thereafter GAF, at all times complied with the United States Government's specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities. Until 1972, the U.S. Government did not require any warning with respect to asbestos-containing products. Nevertheless, as described above, GAF (and Ruberoid, before May 26, 1967) did provide warnings. With respect to these warnings, GAF was at all times in compliance with the Occupational Safety and Health Act of 1970.

INTERROGATORY NO. 164:

Did you ever consider the resultant effect on sales of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19 of the public knowing of health hazards linked or allegedly linked to asbestos? If so, please state:

- (a) The form of consideration;
- (b) The date of the consideration;
- (c) The names of each person who considered the matter;
- (d) If the consideration occurred at a meeting, the names and present business and home addresses of those attending;
- (e) The location and identifying code of all records of such consideration.

RESPONSE TO INTERROGATORY NO. 164:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly on the grounds that it is too vague and ambiguous to permit reasonable interpretation.

INTERROGATORY NO. 165:

Have you ever imposed or considered any restriction or limitation on the use the asbestos-containing products you sold supplied, distributed and/or installed? If so, state separately for each product:

- (a) The verbatim content of each limitation indicating which product it applied to;
- (b) The date it was first imposed;
- (c) The reason for imposing the restriction or limitations;

(d) If the reason for the restriction is stated in any document, identify each document by date, author, title and state where it is presently located;

(e) The person responsible for imposing the restriction or limitation;

(f) If the limitation or restriction was communicated to purchasers of the product, state how this was communicated and if in writing, identify the communication and attach a copy to your answer;

(g) If not imposed, state why not.

RESPONSE TO INTERROGATORY NO. 165:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 166:

Did you, at any time since 1930, ever consider providing any warnings, using any caution label or imposing any restriction on the use of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19? If so, state separately for each time the matter was considered:

(a) The form of the consideration;

(b) The date of the consideration;

(c) If the consideration occurred at a meeting, the names and present business and home addresses of those attending;

(d) The substance of the consideration;

(e) The location and identifying codes of any records of such consideration;

(f) What language would be used in each label and whether you considered the effect such language would have in:

- (i) providing an adequate warning;
- (i) depressing sales of the products;

(g) What were the various sizes of labels that were considered and the substance of the discussion;

(h) Where each label or warning was to be placed on the product and the substance of any pertinent discussions.

RESPONSE TO INTERROGATORY NO. 166:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 167:

Did you receive any warning, instructions, or information as to the potential dangers of asbestos inhalation when you purchased, or accepted any asbestos or asbestos products? If so, for each:

(a) Describe in detail each such warning, instruction or information received;

(b) State whether such warnings, instruction or information was oral or written;

(c) If oral, identify the substance of the warning, instruction or information received and the date and the name and company of the person from whom received;

(d) If written, attach a copy of each warning, instruction and information, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to you.

RESPONSE TO INTERROGATORY NO. 167:

Subject to the preliminary objections, this defendant responds that it is aware that most, if not all, of those manufacturers producing asbestos-containing products placed warnings on their products in the 1960s and 1970s. However, GAF has not retained any packaging which may have contained those products.

INTERROGATORY NO. 168:

Have you ever included a health warning with respect to any product manufactured by you which does not contain asbestos, indicating that such non-asbestos containing product may in some way be harmful to human beings? If so, for each such product, please state:

(a) The name of the product;

(b) The chemical composition or ingredients of the product;

(c) The use for which such product is intended;

(d) The manner in which it is thought the product may cause harm to human beings;

(e) The contents of the warning;

(f) The size of the warning;

(g) The color of the warning;

(h) The date the warning was first given to the public;

(i) The names of the people responsible for or participating in the decision to provide the warning and:

(1) Their present address;

(2) Their present position or status with your company;

(3) The position held at the time the decision was made.

RESPONSE TO INTERROGATORY NO. 168:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 169:

Have you ever sent any advisory letter or memorandum to any of your customers (specifically including without limitation, to any co-defendant in this case) or to any of the Plaintiffs' employers, which attempts to advise them of any health hazard that may be associated with the use of asbestos-containing products? If so,

(a) Identify the author of each such advisory letter or memorandum;

(b) State the content of each such advisory letter or memorandum;

(c) Identify the person(s) to whom each such letter or memorandum was sent;

(d) State the date on which each such letter was sent; and

(e) Identify the custodian of all such advisory letters or memoranda.

RESPONSE TO INTERROGATORY NO. 169:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 170:

Did you or do you claim that any respirators or other breathing devices prevent inhalation of 100% of the asbestos dust and fibers which may be given off or released from the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19? If so, state:

- (a) Identify the respirator by manufacturer of product name and number;
- (b) When the respirator was sold;
- (c) Give the detailed description of such respirator or other breathing device;

(d) The basis of your claim that it will prevent the inhalation of such dust and fibers;

(e) Identify any relevant tests performed by date, title, author and number.

RESPONSE TO INTERROGATORY NO. 170:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it seeks expert opinion. Subject to these objections, this defendant responds that it is aware that there are and have been respirators or other breathing devices that allegedly prevent the inhalation of asbestos dust and fibers.

INTERROGATORY NO. 171:

Have you undertaken or financed any studies to determine what type of respirator and/or protective mask would either eliminate or afford maximum protection against the inhalation of asbestos fibers? If so, state:

(a) Who made the study;

(b) When was the study made;

(c) What was the result of the study;

(d) If the result was written, identify the document by title, date, file designation and author of each such study, and the location and present custodian thereof.

RESPONSE TO INTERROGATORY NO. 171:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 172:

State whether you have entered into any agreement, either oral or written, with any other Defendant in this action or other personal injury asbestos cases regarding:

(a) Settlement or non-settlement and/or

(b) Allocation of damages, should the Plaintiffs prevail on liability. If the answer is yes to either of the above, state the substance of each such agreement and such parties who have entered into this agreement:

(1) Identify those persons who participated in the preparation of each such agreement and describe in detail the nature and extent of his participation;
and

(2) Identify each document which contains, refers or relates to each such agreement.

RESPONSE TO INTERROGATORY NO. 172:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 173:

Do you or your attorneys have any written statements which you have not previously produced from any persons having knowledge of facts relevant to the subject matter of this lawsuit, including witnesses to the exposure, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers,

places of employment, relationship to you and the present whereabouts of all such persons.

RESPONSE TO INTERROGATORY NO. 173:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is so vague, ambiguous and overly broad as to defy reasonable interpretation.

INTERROGATORY NO. 174:

State whether any expert whom you expect to call as a witness at trial has performed any examination, test, modeling or other analysis of any product at issue in this action or of any product similar in nature to a product at issue in this trial, if you intend to call that witness to testify at trial and the witness will rely on the examination, testing, modeling, or other analysis of such similar products. If so:

- (a) Identify the product involved by trade name, brand name;
- (b) Identify the defendant whom you claim manufactured or sold the product; and
- (c) With respect to such examination, test, modeling or other analysis;
 - (i) Identify the expert who performed it;
 - {i) State the date it was performed;
 - ii) State its purpose;
 - {v) State its nature;
 - (v) State the results;
 - vi) State the expert's conclusions based on it;

- v(i) State whether any notes of the examination, test, modeling or other analysis were made; and
- vi(i) State whether the expert has issued a report which mentions or is based in whole or in part upon any such examination, test, modeling or other analysis. If so, please attach a copy of the report to your answers to these Interrogatories.

RESPONSE TO INTERROGATORY NO. 174:

This defendant objects to this interrogatory on the grounds that it is unintelligible and impermissibly vague and overly broad. Among the experts designated by this defendant are present and past employees who have had extensive contact with products manufactured by this defendant. A response to this interrogatory is thus highly impractical, if not impossible.

INTERROGATORY NO. 175:

State whether any expert whom you expect to call as a witness at trial has ever inspected, visited or otherwise viewed any workplace where asbestos-containing products were used or removed. If so:

- (a) Identify the expert;
- (b) Identify each site inspected, visited or otherwise viewed;
- (c) State the date of each such inspection, visit or viewing;
- (d) State whether any notes were made by the expert with respect to such inspection, visit or viewing;

(e) State the opinions of the expert band [sic] in whole or in part upon the inspection, visit or view; and

(f) State whether the expert issued any report concerning the inspection, visit or view. If so, please attach a copy to your Answers to these Interrogatories.

RESPONSE TO INTERROGATORY NO. 175:

Objection; this Interrogatory is overbroad, vague, requests information which was prepared in anticipation of litigation and as such is protected by the work product privilege, oppressive and not calculated to lead to the discovery of admissible evidence. Without waiving objection, all experts will be disclosed to the Plaintiffs pursuant to the Pre-Trial Discovery Schedule in this case. Furthermore, all material and information will be provided pursuant to Maryland Rule 2-402(e)(1).

INTERROGATORY NO. 176:

For each person whom you expect to call as a non-expert witness on your behalf at trial who previously has testified in a trial or deposition in a Court or administrative proceeding involving asbestos-related injury, identify each such person, identify by case name, date, Court or administrative agency, and docket number, each such proceeding, and identify the custodian and location of each transcript of that person's testimony in such proceeding.

RESPONSE TO INTERROGATORY NO. 176:

Objection; this Interrogatory is overbroad, vague, requests information which was prepared in anticipation of litigation and as such is protected by the work product privilege, and is not calculated to lead to the discovery of admissible evidence. Without waiving objection, all such non-expert witnesses will be disclosed to Plaintiffs pursuant to the Pre-Trial Discovery Schedule in this case.

INTERROGATORY NO. 177:

State whether you have ever attended any meetings related to the setting of industry or governmental standards or regulations related to asbestos. If so, identify:

- (a) when the meeting occurred;
- (b) the participants;
- (c) the standard or regulation which was involved;
- (d) all other participants at the meeting; and
- (e) all documents which evidence, reference or relate to any such meeting.

RESPONSE TO INTERROGATORY NO. 177:

Subject to the preliminary objections, this defendant responds that Ruberoid and then GAF representatives were members, along with representatives of the United States Navy, of standard-setting groups and committees of the American Society of Testing Materials, Philadelphia, Pennsylvania ("ASTM"). Specifically, Ruberoid/GAF representatives served on subcommittee C-16, which dealt with high temperature thermal insulation, from 1950 until 1971. At various

times in this period, this defendant's representatives on subcommittee C-16 were J.M. High, Thomas J. Walters, Duane A. Davis, and William C. Schwingen. Any standard or specification recommended or promulgated by ASTM would have been, and was, generally applicable to commercial and industrial applications.

Ruberoid and then GAF was also a member of the National Insulation Manufacturers' Association for certain years between 1958 and 1971.

Such associations discussed specifications applicable to thermal insulation products used for commercial and industrial applications. GAF is not specifically aware of efforts by such associations or groups to change or affect specific product requirements promulgated or enforced by the United States. The United States was solely responsible for setting product content, performance, packaging and labeling specifications applicable to all products it purchased or procured. Such specifications were promulgated and enforced within the sole determination and discretion of the United States and asbestos-containing products purchased or procured by the United States were similarly purchased or procured within the United States' sole determination and discretion.

From time to time, the United States solicited comments from manufacturers of asbestos-containing products regarding the specifications issued by the United States for such products. In response to a letter from the Navy Bureau of Ships, GAF on or about February 28, 1945, submitted comments regarding Specifications 32-

P-8. On or about October 27, 1960, the Navy Bureau of Ships solicited comments and recommendations regarding Specification MIL-I-2819. In response to that letter, GAF submitted written comments.

GAF believes that on other occasions Ruberoid representatives may have met or communicated with representatives of United States government agencies, in response to solicitations for comments by the Government, regarding the foregoing or other federal specifications. For example, Ruberoid representatives met with, and wrote to, Navy officials regarding the development of Calsilite® II, and Government specifications applicable thereto. However, the "development" of Government specifications was solely within the discretion of the United States, which in every instance had sole authority for issuance of such specifications. To the extent that GAF possesses documents evidencing contacts or communications between the United States Government and The Ruberoid Co., those documents are contained within GAF's voluminous business records and thus no list or compilation of such documents exists in discoverable form.

INTERROGATORY NO. 178:

State whether you have ever participated in any way in the development of governmental specifications for asbestos products.

If so, state in detail:

- (a) the extent and substance of your participation;
- (b) the inclusive dates of your participation;
- (c) all persons who participated;

- (d) the governmental entity involved; and
- (e) the identity of all documents which evidence, reference or relate to your participation.

RESPONSE TO INTERROGATORY NO. 178:

Subject to the preliminary objections, see response to Interrogatory No. 177.

INTERROGATORY NO. 179:

List all companies which have provided you Worker's Compensation insurance and accident and disability insurance since 1930 and the inclusive dates of coverage for each such company.

RESPONSE TO INTERROGATORY NO. 179:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

INTERROGATORY NO. 180:

Did you in any way assist or participate in, or receive information from or about:

(a) any Metropolitan Life Insurance Company investigations, studies or dust surveys of asbestos conducted from 1929 to 1960; and

(b) any Industrial Hygiene Foundation investigations, studies or dust surveys of asbestos from 1930 to 1982.

If so, for each:

- (i) state what role or action you took;
- (i) identify all documents relevant to such activities by name, date, title, file number and present location.

RESPONSE TO INTERROGATORY NO. 180:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 181:

State whether or not you were a member of any board, committee, organization or group involved in the review of formulation of Worker's Compensation laws concerning asbestos or asbestos-related disease in any of the United States. If so, for each:

- (a) state what role or action you took and when;
- (b) identify all documents relevant to such activities by name, date, title, file number and present location.

RESPONSE TO INTERROGATORY NO. 181:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

INTERROGATORY NO. 182:

State whether or not you attended a symposium of dust problems held on January 15, 1935 in Pittsburgh, Pennsylvania. If so, please state:

(a) what, if any, matters were discussed at this symposium;
(b) the substance of any discussions concerning asbestos or asbestos-related products;

(c) the substance of any discussions concerning the problems of ventilation, dust collecting and elimination, respiratory devices, the establishment of standards for dust counting and particle size determination and for the taking of x-rays and diagnostic use and for interpretation of the markings on x-ray films.

RESPONSE TO INTERROGATORY NO. 182:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 183:

If your Answer to the preceding Interrogatory is affirmative, state whether or not you or any of your agents, representatives and/or employees were elected to any of the committees formed at the end of the January 15, 1935 symposium. If so, state:

(a) what committees to which you/they were elected or named;
(b) the purpose for the formulation of the committee;
(c) the objectives of the committee; and
(d) if any reports, notes, minutes and/or summaries were issued by said committee. If so, state:

- (i) the identity of the notes, minutes and/or summaries and where they are located.

RESPONSE TO INTERROGATORY NO. 183:

Subject to the preliminary objections, this defendant responds, not applicable.

INTERROGATORY NO. 184:

State whether you or any representatives, agents and/or employees were present at a meeting on November 11, 1948 held at the headquarters of the Johns Manville Corporation. If so, state:

- (a) the name of the individual who attended;
- (b) the matters discussed at the meeting;
- (c) whether any minutes, notes, reports and/or summaries of the meeting were made;
- (d) to whom said minutes, notes, reports and/or summaries of the meeting were delivered; and
- (e) by whom said minutes, notes, reports and/or summaries are maintained.

RESPONSE TO INTERROGATORY NO. 184:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 185:

For every policy of liability insurance insuring you against losses as a result of claims for bodily injury or death as a result of use of your asbestos products from 1935 to the present list:

- (a) The name of each insurer;
- (b) Each policy number;

- (c) The term of each policy;
- (d) The amount of the coverage;
- (e) Whether each policy provides for primary or excess coverage and if excess, the limit;
- (f) The deductible, if any, for each policy;
- (g) The basis of coverage for each, e.g. claims made, occurrence;
- (h) The amount paid by the insurer to date or alternatively the amount of coverage still remaining;
- (i) The identity of the person having possession of each policy.

RESPONSE TO INTERROGATORY NO. 185:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, this defendant responds that, on January 7, 1987, this defendant entered the Asbestos Claims Facility, Princeton, New Jersey.

INTERROGATORY NO. 186:

If you contend that your financial condition in any of the past five (5) years is other than that which is stated in the documents produced pursuant to the Requests for Production filed in these cases, please state the particular facts upon which you base your contention that the financial condition of the company is different than that shown in those documents.

RESPONSE TO INTERROGATORY NO. 186:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, harassing, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 187:

For each of the last five (5) years state the actuarial surplus or deficit as reported to the United States Government in compliance with the Employer Retirement Income Security Act (ERISA), of each and every pension plan maintained by you for your employees.

RESPONSE TO INTERROGATORY NO. 187:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 188:

For each of the last five (5) years, identify any off-balance sheet transaction, lease, asset, liability, or other factor that would have material effect on your financial condition as per trade on your balance sheets.

RESPONSE TO INTERROGATORY NO. 188:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 189:

Please state for each of the last five (5) years the following financial ratios:

- (a) current ratio;
- (b) quick ratio;
- (c) income after taxes to sales;
- (d) income before interest and taxes to sales;
- (e) income after taxes to equity;
- (f) sales to assets;
- (g) sales to equity;
- (h) sales to equity;
- (i) sales to inventory;
- (j) equity to assets;
- (k) equity to debt;
- (l) cost of goods sold to sales; and
- (m) general and administrative expense to sales.

RESPONSE TO INTERROGATORY NO. 189:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly

broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 190:

State the two digit, three digit and four digit standard industrial classification code used by you in reporting economic data to the United States Government. Also provide product codes (seven digit) pertinent to your company.

RESPONSE TO INTERROGATORY NO. 190:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 191:

If you are part of a holding company structure, identify all payments of dividends, corporate allocations and charges for corporate expenses made by you to the parent corporation.

RESPONSE TO INTERROGATORY NO. 191:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 192:

If you contend that you are unable to pay an award of punitive damages because of your financial condition or otherwise, state the facts upon which you base such contention and identify all documents in support thereof.

RESPONSE TO INTERROGATORY NO. 192:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant, and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 193:

State whether you received any documents pertaining, relating or referring to the non-disclosure of potential health hazards associated with exposure to asbestos or asbestos-containing products. If so, for each such document state:

- (a) the date the document was received;
- (b) by whom the document was authored;
- (c) to whom the document was addressed;
- (d) the subject matter of the document;
- (e) where a copy of said document is maintained.

RESPONSE TO INTERROGATORY NO. 193:

Subject to the preliminary objections, this defendant responds that it is not aware of having received any such documents.

INTERROGATORY NO. 194:

Did you send any documents to any person or entity which relate, refer or pertain to the non-disclosure of potential health hazards associated with exposure to asbestos or asbestos-containing products? If so, for each document state:

- (a) the date the document was prepared;
- (b) by whom the document was prepared;
- (c) the date the document was sent;
- (d) to whom the document was addressed;
- (e) the subject matter of the document;
- (f) where a copy of said document is maintained.

RESPONSE TO INTERROGATORY NO. 194:

Subject to the preliminary objections, this defendant responds that it is not aware of having sent any such documents.

INTERROGATORY NO. 195:

State whether you or anyone on your behalf ever made any changes, or approved any changes suggested by others, in any reports, studies or writings concerning potential health hazards associated with exposure to asbestos or asbestos-containing products. If your answer is in the affirmative, please state:

- (a) the date such suggestions were made;
- (b) by whom such suggestions were made;
- (c) the suggestions made;
- (d) the reasons for such suggestions;
- (e) if such suggestions were memorialized in writing;

(f) if such suggestions were memorialized in writing, the identity and location of a copy of said document reflecting such suggestions.

RESPONSE TO INTERROGATORY NO. 195:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 196:

State whether you ever received or are in possession of any documents, reports, writings, or studies which were done by you or someone on your behalf concerning the potential health hazards associated with exposure to asbestos or asbestos-containing products, which were not published or otherwise made available to members of the public. If your answer is in the affirmative, please state:

- (a) the title of the writing, report, document or study;
- (b) the date;
- (c) by whom prepared;
- (d) to whom it was sent;
- (e) where a copy of the document, writing, report or study is

maintained.

RESPONSE TO INTERROGATORY NO. 196:

Subject to the preliminary objections, this defendant responds that it is not aware of any such documents.

INTERROGATORY NO. 197:

State whether you received any document, study, reports or other writings concerning the potential health hazards associated with exposure to asbestos or asbestos-containing products which document(s) were not made available through publication or otherwise to members of the public. If your answer is in the affirmative, please state:

- (a) the date of said document;
- (b) the date received by you;
- (c) by whom it was sent;
- (d) to whom it was sent;
- (e) the title of the document, if any;
- (f) the subject matter of the document;
- (g) where a copy of said document is maintained.

RESPONSE TO INTERROGATORY NO. 197:

Subject to the preliminary objections, this defendant responds that it is not aware of any such documents which should have been made available to the public.

INTERROGATORY NO. 198:

State whether after you became aware of the potential health hazards associated with exposure to asbestos or asbestos-containing products you continued to sell, distribute or install the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 without any cautions or warnings and, if so, state:

- (a) the date you became aware of the potential hazards;

(b) the period of time for each such product that you continued to sell, distribute or install said product without a caution or warning;

(c) The reason(s) for continuing such sales, distributions or installations after you became so aware; and

(d) The person(s) responsible for such decision(s)

RESPONSE TO INTERROGATORY NO. 198:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 199:

If you contend that you are not responsible for the alleged acts, omissions and/or liabilities for any predecessor in interest, state the facts upon which you base such contention and identify all documents in support thereof.

RESPONSE TO INTERROGATORY NO. 199:

Subject to the preliminary objections, this defendant responds that, on May 26, 1967, merger, The Ruberoid Co. was acquired by GAF. GAF denies liability for acts and omissions of Ruberoid for which Ruberoid would not be liable. GAF denies any liability for punitive damages relating to acts or omissions of Ruberoid.

INTERROGATORY NO. 200:

State whether after learning of the potential health hazards associated with exposure to asbestos or asbestos-containing products you informed those selling, distributing and/or installing your product of those potential hazards. If so, state:

- (a) those informed;
- (b) the date(s) as to each;
- (c) who informed them;
- (d) what information was given;
- (e) if given in writing:
 - (i) the author;
 - (ii) to whom sent;
 - (iii) the date;
 - (iv) where a copy of the writing is maintained.

RESPONSE TO INTERROGATORY NO. 200:

Subject to the preliminary objections, this defendant responds, yes. Prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968,

GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF.

In approximately 1964, The Ruberoid Co. began placing the following warning notices on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

GAF placed warning labels on packaging of asbestos fiber and insulation cements by 1968, and on millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite® pipe covering and block products from the sides to the front of the carton, by 1970. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

In approximately 1972, this warning was further changed to read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING DUST.
BREATHING ASBESTOS MAY CAUSE SERIOUS BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed major manufacturers in the industry which used such cautionary notices after certain opinions were expressed by some members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

All observers of this packaging, whether purchasers, users, handlers, distributors, or contractors, would have seen, and thus received, the warnings as set forth above.

INTERROGATORY NO. 201:

Identify all documents that you will use in support of your defense that you are not liable for punitive damages.

RESPONSE TO INTERROGATORY NO. 201:

Subject to the preliminary objections, this defendant responds that it will identify documents in accordance with the applicable Orders of this Court.

INTERROGATORY NO. 202:

For each of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19, indicate the purpose of asbestos fibers in the product formulation and state whether such asbestos fibers were necessary for the proper performance of the product as intended by you.

RESPONSE TO INTERROGATORY NO. 202:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, from the beginning of the manufacture of asbestos-containing industrial thermal insulation products by The Ruberoid Co., such as Calsilite®, the standards for manufacture were contained in specifications issued by the U.S. Government and other purchasers as described below, with which specifications Ruberoid complied. Ruberoid's Calsilite® was produced to meet these specifications. Further, governmental and industrial hygienists adopted a safety standard of 5 m. particles per cubic foot, and the government studies indicated that asbestos-containing industrial thermal insulation products such as this defendant's products, as used in the shipyard and other construction work places, were in compliance with that standard. Further, the President and U.S. Congress, and executive departments adopted that safety standard in the Walsh-

Healy Act, and perpetuated it in subsequent regulations. In the early 1970's the United States adopted the standards of the Occupational Safety and Health Act, with which the products of this defendant have also complied.

This defendant manufactured its asbestos-containing industrial thermal insulation products in compliance with specifications, including military specifications, of agencies and departments of the United States of America, and tested its products to assure compliance with these specifications.

Government specifications applicable to asbestos-containing products relevant to this litigation were promulgated or approved by various agencies and departments of the United States, including:

- a. General Services Administration
Washington, D.C.;
- b. Department of Defense
Washington, D.C.; and
- c. Department of the Navy
Washington, D.C.

Each such specification set a standard applicable to a group or class of products. Upon meeting the standard, a manufacturer's product could be placed on a "Qualified Product List," which listed all products in such group or class to which the standard applied. Such products were then eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities including, but not limited to, the

construction, outfitting, reconstruction and overhaul of vessels owned and operated by the United States, particularly the Navy.

It was necessary to comply with each such government specification, as well as specifications governing packaging and similar matters, in order for products to be eligible for sale, by contract or otherwise, for use in federally owned and federally sponsored projects and facilities.

To the best of this defendant's knowledge, no complete list, compilation, abstract or summary of the documents sought by this interrogatory presently exists. Furthermore, the information as to government and military specifications is contained in public documents which would be equally available to plaintiffs as to GAF. Subject to the foregoing caveat, to the best of this defendant's knowledge, its products conformed to the following specifications, their predecessors, successors and amendments:

1. MIL-I-002819 (SHIPS)
2. MIL-I-24244
3. MIL-I-2781
4. MIL-I-2819
5. MIL-C-2908
6. HH-I-523
7. HH-I-00523
8. HH-I-561

Specifications identified in this response were periodically revised by the United States, its agencies and departments. The dates on which these revisions occurred are contained on the front

page of each specification. These specifications are a matter of public record and are equally available to all parties to this action. This defendant has in its possession copies of some specifications. To the extent this defendant has such specifications, they will be made available to plaintiffs for copying and inspection, upon reasonable request.

To the best of this defendant's knowledge, government specifications applicable to its industrial thermal insulation products were still in effect and required the use of asbestos at the time this defendant determined to cease, and did cease, manufacture of such thermal insulation products.

In addition to establishing and enforcing mandatory contract specifications for asbestos-containing insulation products, the United States exercised sole supervision and control over the work performed at Navy and contract shipyards and at its other facilities. The United States had the duty and responsibility to provide for the safety and welfare of its workers.

INTERROGATORY NO. 203:

If you had a sales or other office or manufacturing or storage facility located in Maryland, Pennsylvania, Delaware, Washington, D.C., West Virginia and/or Virginia state the following:

(a) The address and type (whether sales office, executive offices, manufacturing, packaging, warehouse, shipping or other) of each office or facility;

(b) Dates each office or facility was open and in operation;

(c) The area or territory of responsibility for each such office or area or territory covered by the operations of each facility;

(d) The identity of any asbestos-containing products that were manufactured, packaged or stored in such facility and the dates applicable thereto;

(e) The identity of any asbestos-containing products that were sold, distributed or supplied from each such office or facility and the dates applicable thereto.

RESPONSE TO INTERROGATORY NO. 203:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant says that it has maintained sales offices or plants at: 500 South Ponca Street, Baltimore, Maryland 21224; 34 Charles Street, Hagerstown, Maryland 21470; 4030 Benson Avenue, Baltimore, Maryland 21227; 7310 Ritchie Highway, Glen Burnie, Maryland 21061; and, 9730C George Palmer Highway, Lanham, Maryland 29801.

INTERROGATORY NO. 204:

If any product brochure, advertisement, bulletin or other document published by you identified jobsites in Maryland, Pennsylvania, Delaware, Washington, D.C., West Virginia and/or Virginia where any of the asbestos-containing products identified in your Answers to Interrogatory Nos. 8 and 19 were supplied, delivered, installed or applied, list each such product and jobsite, the dates or time period during which such asbestos-

containing products were supplied, delivered, installed or applied and identify and attach copies of each brochure, advertisement, bulletin or document containing reference to each such jobsite.

RESPONSE TO INTERROGATORY NO. 204:

Subject to the preliminary objections, this defendant responds, not applicable.

INTERROGATORY NO. 205:

If you ever received notification or awareness of the failure of any of your asbestos-containing products to perform as intended by you, state:

- (a) The name of the product;
- (b) The problem or failure discovered or of which you became aware;
- (c) The date you initially became aware of such problem or failure;
- (d) The time period during which you received notification of continued existence of such problem or failure;
- (e) Any actions taken by you as a result of such awareness;
- (f) Any labelling placed by you on packages of such products providing notification of such problem or failure;
- (g) The identity of any document prepared by you relating to the problem or failure;
- (h) Any decision by you to withdraw the defective product or to limit its production and/or availability.

RESPONSE TO INTERROGATORY NO. 205:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and particularly because it is overly broad, unduly burdensome and not drafted in a fashion precise enough, nor reasonably calculated to lead to the discovery of admissible evidence. The only possible relevant information as to this defendant's asbestos-containing industrial thermal insulation products could be for those shipments made to jobsites on which and during years which plaintiffs actually worked.

INTERROGATORY NO. 206:

If you or any attorney or law firm representing you has in connection with any asbestos personal injury claim or asbestos property damage claim ever been fined or otherwise sanctioned by a court anywhere within the United States for improperly or inadequately responding to discovery requests or requests for production of documents, state:

- (a) The identity of each judge and court which imposed any such fine or sanctions;
- (b) The date of any such fine or sanctions;
- (c) The amount of any fine;
- (d) The details of any sanctions;
- (e) The identity, title and business address of each person or persons fined or sanctioned;
- (f) The date of any hearing or deposition conducted prior to the court's decision on any such fine or sanction;

(g) The identity of anyone testifying in any such hearing or deposition and the date thereof;

(h) If any such fine or sanctions were appealed;

(i) The decision on appeal;

(j) The case name and docket number of the proceeding in which any fine or sanctions were ordered.

RESPONSE TO INTERROGATORY NO. 206:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 207:

For each of the asbestos products identified in your Answers to Interrogatory Nos. 8 and 19, state whether you engaged in any advertising program to promote the sale of that product and, if so, state:

(a) The name or description of each advertising media that you have used to promote the product during the period 1930 to 1982;

(b) The name of each national magazine or periodical in which you have advertised the product during the period 1930 to 1982;

(c) The date of each issue of such magazine or periodical in which such advertisement appeared;

(d) The name and address of each newspaper, in which it advertised the product during the period 1930 to 1982;

(e) The date of each publication of each newspaper in which the advertisement appeared;

(f) Identify and produce each document which refers, reflects or pertains to each such advertisement which was published in each such magazine, periodical and/or newspaper;

(g) State whether the advertising of the product was handled by an agency and, if so, state the name and address of each advertising agency that handled any portion of the advertising of the product during the period 1930 to 1982.

RESPONSE TO INTERROGATORY NO. 207:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant states that The Ruberoid Co. (and later GAF) presented product and technical information in trade and other magazines, and maintained entries in Sweet's Catalog Files. Advertisements for this defendant's asbestos-containing industrial thermal insulation products also appeared in the magazine Asbestos.

INTERROGATORY NO. 208:

State whether you have ever been the subject of any investigation or accusation by any Governmental Agency concerning asbestos and the provisions of the Occupational Safety and Health Act of 1970 (P.L. 91-596, 29 U.S.C. Section 651 et seq.). If so state:

(a) The date of such investigation, accusation, or other administrative or judicial procedure or action;

(b) The administrative agency or Court in which any proceedings arising from such investigation or accusation were heard or instituted;

(c) The determination and results of any such accusation or action;

(d) The identity of each document which refers or relates to information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

RESPONSE TO INTERROGATORY NO. 208:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 209:

Please state:

(a) Your knowledge as to any respirator or other breathing device which was on the market during the time period you produced, sold, distributed and/or installed asbestos-containing products which would prevent the inhalation of asbestos dust and fibers;

(b) A detailed description of such respirator or other breathing device, together with all information as to how such device prevents the inhalation of asbestos dust and fibers;

(c) What tests, if any, were conducted, by whom and where, with regard to the effectiveness of any such device;

(d) Identify each documents in your possession which refers or relates to the subject matter of this interrogatory;

(e) As to any information received orally in answer to this interrogatory identify each person who supplied such information and state the full substance of the information supplied.

RESPONSE TO INTERROGATORY NO. 209:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it seeks expert opinion. Subject to these objections, this defendant responds that it is aware that there are and have been respirators or other breathing devices that allegedly prevent the inhalation of asbestos dust and fibers.

INTERROGATORY NO. 210:

With respect to the period from 1930 to 1982, state the names, addresses and company title or position of each person who at any time during that period was in charge of the following activities with regard to each of the products identified in Answers to Interrogatory Nos. 8 and 19:

- (a) Production;
- (b) Marketing;
- (c) Labeling;
- (d) Advertising;
- (e) Product evaluation;
- (f) Research and development;
- (g) Distribution.

RESPONSE TO INTERROGATORY NO. 210:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 211:

Have you received any reports of documents prepared by Metropolitan Life Insurance Company from 1929 to about 1960, concerning statistical and/or other studies of asbestos workers for Johns-Manville? If So:

- (a) Identify and produce all such documents received;
- (b) Identify who received them and when;
- (c) Identify the current location of the documents.

RESPONSE TO INTERROGATORY NO. 211:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 212:

As to any asbestos threshold limit values ever published by the American Conference of Governmental Industrial Hygienists, state when, if ever, you brought such information to the attention of purchasers, users, sellers and/or suppliers of your asbestos products. If you did not do so, state the reasons why not.

RESPONSE TO INTERROGATORY NO. 212:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response. Subject to these objections, this defendant responds that, prior to 1964,

it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In the 1960s, industrial and governmental hygienists and the Walsh-Healy Act endorsed and enacted the standard of 5 m. particles per cubic foot and in approximately 1964 Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive medical information specific to the type of products then being manufactured by GAF. In 1972, OSHA set standards for the Threshold Limit Value ("TLV") for asbestos particles. The acceptable standard was five fibers per cc for TWA (time weight average) and ten fibers per cc for peak time. In 1976, the standard changed to two fibers per cc for TWA; the peak time asbestos exposure did not change.

INTERROGATORY NO. 213:

Please identify all of your present or former employees, categorized by manufacturing plant, business division, date of claim, claimant occupation, employment date, and claim disposition who are now receiving or who have ever received benefits under any

Occupational Disease or Workmen's Compensation Statute for each year from 1930 until the present time for each of the following:

- (a) Asbestosis;
- (b) Lung Cancer;
- (c) Mesothelioma;
- (d) Any other pulmonary disorder;
- (e) Gastrointestinal System Cancer; and
- (f) Asbestos-related lung disease.

RESPONSE TO INTERROGATORY NO. 213:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is irrelevant and not calculated to lead to the discovery of admissible evidence, inasmuch as this action does not involve mining or manufacturing plant workplace exposure.

INTERROGATORY NO. 214:

Please state if any of the physicians, industrial hygienists, or other persons identified by you in these answers to interrogatories ever made at any time any recommendations and/or suggestions to you pertaining to the risks or hazards to persons involved in the manufacturing or use of any asbestos-containing product. If so, please state:

- (a) When was each such recommendation and/or suggestion made?
- (b) To whom was each such recommendation and/or suggestion made?

(c) By whom was each such recommendation and/or suggestion made?

(d) The substance of each recommendation and/or suggestion.

(e) The identity of all writings addressed, directed or submitted to you pertaining to the subject matter of this interrogatory.

RESPONSE TO INTERROGATORY NO. 214:

Subject to the preliminary objections, this defendant responds, not applicable.

INTERROGATORY NO. 215:

Please state each private meeting or discussion held at any time before December 31, 1982 between any of your directors, officers, or employees and any officer or employee of any other manufacturer or seller of asbestos or asbestos-containing products in which the safety of any asbestos-containing product was a subject of discussion. As to each such meeting or discussion, please state:

(a) Its date;

(b) Its location;

(c) The participants in the meeting or discussion identified by name, title and business affiliation;

(d) A description of all statements made by each participant concerning the safety of any asbestos-containing product;

(e) The identity of all writings pertaining in any manner to the matters covered in this interrogatory.

RESPONSE TO INTERROGATORY NO. 215:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds that, prior to 1964, it is aware of no information that Ruberoid officials knew of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, although the opinion did not relate to the use of Ruberoid products. At approximately the same time, Ruberoid commenced providing its warnings. In approximately 1968, GAF received further information that inhalation of asbestos fibers in general could be harmful but GAF did not receive specific medical information specific to the type of products then being manufactured by GAF.

INTERROGATORY NO. 216:

Please state whether you exported any asbestos-containing product to a country without attaching warnings or caution labels regarding the potential health hazards of asbestos exposure on the packaging of each such product after you had sold, supplied or distributed the same or similar types of products in the United States with such warnings or caution labels. If so, please state:

(a) The generic and brand names of each such product exported;

(b) The asbestos content, by type, weight and volume, of each such product exported;

(c) The dates when you began and ceased exporting each such product;

(d) The countries to which you exported each such product;

(e) The dates, content and description, by size and color, of any warning or caution labels regarding the potential health hazards of asbestos exposure which were placed on the packaging of each such product exported;

(f) The identity of each of your directors, officers and/or employees who participated in making the decision to export such products; and

(g) The identity of all documents pertaining to the export of each such product and the custodian thereof.

RESPONSE TO INTERROGATORY NO. 216:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 217:

Please state whether you exported asbestos-containing products to a country after those same or similar types of products had been banned in the United States. If so, please state:

(a) The generic and brand names of each such product exported;

(b) The asbestos content, by type, weight and volume, of each such product exported;

(c) The dates when-you began and ceased exporting each such product;

(d) The countries to which you exported each such product;

(e) The dates, content and description, by size and color, or any warning or caution labels regarding the potential health hazards of asbestos exposure which were placed on the packaging of each such product exported;

(f) The identity of each of your directors, officers and/or employees who participated in making the decision to export such products; and

(g) The identity of all documents pertaining to the export of each such product and the custodian thereof.

RESPONSE TO INTERROGATORY NO. 217:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 218:

State whether you ever received a publication known as the "Asbestos Magazine". If so, please state:

(a) The dates you received such publication;

(b) The terms, circumstances or requirements of receipt of such publication, e.g., free, by subscription, distributed at meetings, etc.;

(c) The identity and custodian of any copies of such magazine that you received.

RESPONSE TO INTERROGATORY NO. 218:

Subject to the preliminary objections, this defendant responds that it subscribed to Asbestos Magazine from approximately 1976 to 1979. These periodicals are in the possession of GAF's Legal Department.

INTERROGATORY NO. 219:

Please state whether you recalled any asbestos product or otherwise attempted to remove it from the stream of commerce after you became aware of the potential health hazards of asbestos exposure.

(a) If so, please state when, why and how you performed such a recall for each such product.

(b) If not, please state the reason for not doing so and the identity of all corporate officials responsible for not doing so.

(c) Identify all documents pertaining to the subject matter of this interrogatory.

RESPONSE TO INTERROGATORY NO. 219:

Subject to the preliminary objections, this defendant responds, no.

INTERROGATORY NO. 220:

Please provide the approximate market share of each of your asbestos products, individually or by category, identified in Answers to Interrogatory Nos. 8 and 19 which you sold, supplied, distributed and/or installed in Maryland, Washington, D.C.,

Virginia, West Virginia, Pennsylvania, Delaware and/or the United States for each year from 1930 to 1982. Identify all documents pertaining to the subject matter of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 220:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 221:

Please state whether you used, installed, applied and/or removed asbestos-containing materials from any of your own facilities after learning of the potential health hazards of asbestos exposure. If so, please state:

- (a) the purpose for each such action;
- (b) the location where each such action occurred;
- (c) the dates for each such action;
- (d) the persons responsible for deciding to undertake such action;
- (e) how each such action was accomplished by the workers who were removing the asbestos-containing materials;
- (f) what respiratory protection was recommended and/or required for the workers who were using or removing the asbestos-containing materials, and if so, the dates thereof; and

(g) the identity of any employees who alleged asbestos-lung disease or filed a Workers' Compensation claim alleging asbestos lung disease as a result of such work, and if so, all dates thereof.

RESPONSE TO INTERROGATORY NO. 221:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 222:

Please state whether you or any of your directors, officers, shareholders, or officials ever owned any financial interest or stock in any company other than yours which was involved in the mining, manufacturing, production, sale, supply or distribution of asbestos or any asbestos-containing product, including but not limited to, Metropolitan Life Insurance Co., co-Defendants in this case and bankrupt asbestos companies, e.g., Johns-Manville Corporation and its subsidiaries and affiliated companies. If so, please state:

(a) The identity of the entity or person(s) who owned such interest;

(b) The job title and position of each person who owned such interest;

(c) The value of such interest owned by each such entity or persons; and

(d) The dates of such ownership by each such entity or persons.

RESPONSE TO INTERROGATORY NO. 222:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, and particularly because it is totally irrelevant and not calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 223:

State whether you ever produced, funded or in any way participated in the creation of any film, video, movie or tape (hereinafter "film") whose subjects included asbestos, asbestos-containing products, asbestos and health, methods of asbestos product application, or removal, recommended practices for asbestos product use or warnings concerning asbestos inhalation. If so, state:

- (a) The identity, contents and description of each film;
- (b) The author or producer of each film;
- (c) The date of each film;
- (d) The identity of all products discussed therein;
- (e) To whom each film was shown and when; and
- (f) The present location and custodian of each film.

RESPONSE TO INTERROGATORY NO. 223:

Subject to the preliminary objections, this defendant responds that it has no information concerning any such film, etc.

INTERROGATORY NO. 224:

Have you or any of your representatives ever visited any of the locations or entities at which the Plaintiffs herein worked in the course of their employment for the purpose, among others, of promoting, selling or discussing asbestos-containing products or for the purpose of discussing, inspecting or reviewing the use of asbestos-containing products or the health and safety aspects concerning the use of such products? If so, state:

(a) The name, address, and title of each individual, agent or employee who visited each location or entity;

(b) The date of each visit;

(c) The purpose of each visit;

(d) Who at each location he or she saw and spoke to on each occasion;

(e) Whether such party or parties discussed the possible long term effects on health and safety of exposure to asbestos with management personnel, and, if so state:

(i) The content of such discussions; and

ii) The dates of such discussions.

(f) Whether such party or parties attempted to impart information respecting possible health and safety ramifications of long term asbestos exposure to employees and if so, state:

(i) The results of such efforts; and

ii) The content of the information sought to be imparted; and

iii) The date of such efforts.

(g) With respect to your answer to this interrogatory and each subpart thereof, identify and produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the interrogatory and each subpart thereof.

RESPONSE TO INTERROGATORY NO. 224:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response and because it is impossible to respond on behalf of several companies which employed thousands of people over the past seventy-five years.

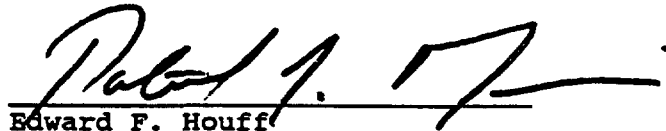
INTERROGATORY NO. 225:

Name any person not heretofore mentioned having personal knowledge of the facts material to this case.

RESPONSE TO INTERROGATORY NO. 225:

This defendant objects to this interrogatory on the grounds set forth in the preliminary paragraphs of this response, particularly on the grounds that it is vague, ambiguous, overly broad, irrelevant and not calculated to lead to the discovery of admissible evidence.

Respectfully submitted,



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