



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO

SALVATORE MAZZARA and THERESA MAZZARA,

Plaintiffs,

vs.

A.C. AND S., INC., *et al.*,

Defendants.

DEFENDANT GARLOCK'S
RESPONSES TO PLAINTIFFS'
FIRST STANDARD SET OF
LIABILITY INTERROGATORIES
AND REQUEST FOR PRODUCTION
OF DOCUMENTS

Index No.: 46/99

Defendant Garlock Inc., by its attorneys Iseman, Cunningham, Riester & Hyde, L.L.P., answers plaintiffs' first set of product identification interrogatories and document requests as follows:

GENERAL OBJECTIONS

Garlock, Inc. ("Garlock") poses the following general objections to plaintiffs' interrogatories and incorporates each of these objections by reference to every answer provided hereafter.

1. The interrogatories request information going back many years and Garlock has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. The answers given are based on the present facts known or believed by Garlock at the time of its answer.
2. The interrogatories are overly broad, burdensome, and in places, vague and ambiguous. In addition, the interrogatories are not sufficiently limited in time and use terms which do not refer to products manufactured by Garlock.
3. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing insulation products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any interrogatory referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that questions referring to insulation products are thus not applicable to Garlock.
4. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing building products as that term is commonly used and understood in this

litigation. Therefore, Garlock objects to any interrogatory referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that questions referring to building products are thus not applicable to Garlock.

5. The interrogatories themselves are overly broad in that they tend to group together all of the defendants. There has never been any competent scientific or medical evidence or reason to believe that Garlock products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Garlock denies that the use of, or exposure to, its asbestos-containing products poses any health hazard. Furthermore, the plaintiff's alleged problems are not related to Garlock products.

I. General Liability Interrogatories
SECTION 1: (APPLICABLE TO ALL DEFENDANTS)

INTERROGATORY NO. 1:

State the full name, address, telephone number and position of the corporate officer answering these interrogatories.

ANSWER:

James E. Heffron
Vice President & General Manager Hydraulic Components
Garlock Inc (since 1975)
1666 Division Street
Palmyra, New York 14522

INTERROGATORY NO. 2:

Have any documents and records of the defendant been used or referred to, in connection with the preparation of or answers to these interrogatories? If so, for each documents referred to, state the following:

- a. the number of the question and its subpart;
- b. the identity and title of the document;
- c. the name and location of the file in which the document was found;
- d. the name and location of the file in which the document is present located;
- e. the originator of the document.

ANSWER:

Garlock objects to the form of this interrogatory as it is duplicative and unduly burdensome. Notwithstanding and without waiving the foregoing objection, Garlock states that where applicable, it has referred to its relevant business records. Where such documents and/or

records have provided specific information contained in these answers, those documents and/or records are identified within the answer to which they refer.

INTERROGATORY NO. 3:

State the names of each person who was spoken to or who provided information to assist in answering these interrogatories and for each person state the following:

- a. the number of each question and its subpart for which such personnel provided information;
- b. for each question identified in a., state the name, title and position description of the personnel supplying information;
- c. the present location and address of the personnel supplying information;
- d. the contents of the information provided.

ANSWER:

Garlock objects to the form of this interrogatory as it is duplicative and unduly burdensome. Notwithstanding and without waiving the foregoing objection, Garlock states that where applicable, it has referred to its relevant business records. Where such documents and/or records have provided specific information contained in these answers, those documents and/or records are identified within the answer to which they refer.

INTERROGATORY NO. 4:

Please state in which state or states of the United States or what foreign countries your business is incorporated and where its principal place of business is located.

ANSWER:

Defendant's legal name is Garlock Inc (no punctuation). Garlock Inc is an Ohio corporation with offices located at 3 Coliseum Centre, 2550 West Tyvola Road, Charlotte, North Carolina 28217 and a principal manufacturing facility and sales office at 1666 Division Street, Palmyra, New York 14522.

The Garlock Packing Company was originally incorporated in New York on March 27, 1905. On April 25, 1960, the name was changed to Garlock Inc. On March 3, 1975, a Delaware corporation of the same name was incorporated and on May 12, 1975, the New York corporation was merged into the Delaware corporation. On November 25, 1975, Colt Industries Inc of Ohio was incorporated in the state of Ohio and on January 28, 1976, Garlock Inc was merged into Colt Industries Inc of Ohio which immediately changed its name to Garlock Inc.

INTERROGATORY NO. 5:

Please state whether:

a. Your company is authorized to do business in:

- (1) New York
- (2) New Jersey
- (3) Connecticut

b. your company does business in:

- (1) New York
- (2) New Jersey
- (3) Connecticut

ANSWER:

a.(1-3): Yes

b.(1-3): Yes

INTERROGATORY NO. 6:

State the full and complete legal name under which your company or any predecessor is now doing business and has done business at all times from the date when it began mining, processing, manufacturing, distributing, installing, using and/or selling asbestos products or thermal insulation products and materials up until the present time.

ANSWER:

See answer to Interrogatory No. 4 above.

INTERROGATORY NO. 7:

Have you ever acquired, by way of a consolidation, merger, purchase of assets, or otherwise, any company which manufactured, sold, distributed, installed or used any asbestos-containing products? If so, as to each such acquisition:

- a. State the name and state of incorporation of the company which was acquired;
- b. State the reasons for the acquisition;
- c. State the date of acquisition;
- d. State the terms of the acquisition, including but not limited to the consideration paid (e.g., amount of stock, cash, etc.) if any;
- e. Identify all of the company's assets which were acquired (e.g., plants, machinery, stock in trade, trademarks, patents, goodwill, etc.);
- f. Identify all of the company's liabilities which were assumed by you in the acquisition;
- g. Identify each of the company's asbestos-containing product lines;
- h. Identify each asbestos-containing product line of the acquired company which you continued to manufacture after the acquisition;
- i. State the number of employees of the acquired company which were retained by you after the acquisition;
- j. State the names of the directors, officers, and major stockholders of your company and the acquired company at the time of the acquisition and the names of the directors, officers, and major stockholders of your company and, if it continued to exist, of the acquired company, after the acquisition;
- k. State the total number of shares of the acquired company which you held before and after the acquisition;
- l. Identify and produce a copy of the agreement between you and the acquired company, the pertinent minutes of your Board of Directors and all other related documents.

ANSWER:

In past years, Garlock acquired four subsidiary companies which made and/or sold at least some asbestos-containing products. Those companies were the Belmont Packing & Rubber Company, Crandall Packing Company, Dealers' Steam Packing Company and U.S. Gasket Company. The only asbestos-containing products of which Garlock is aware that were made and/or sold by these companies were sealing products substantially equivalent to similar such products made and sold by Garlock. The Belmont Packing & Rubber Company was located in Philadelphia, Pennsylvania; Crandall Packing Company and Dealers' Steam Packing Company were located in Palmyra, New York and U.S. Gasket Company was located in Camden, New Jersey. Ultimately, each of the four subsidiaries was merged or otherwise absorbed into Garlock, including all assets and liabilities. As far as Garlock is aware, all business records of these former subsidiaries were destroyed many years ago in accordance with Garlock's long-standing record retention and destruction program. In June, 1987, Garlock Inc acquired The Anchor Packing Company of Philadelphia, Pennsylvania which has sold asbestos-containing gaskets, gasket materials and packing.

Garlock objects to the remainder of this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 8:

State the names and positions of all corporate officers or officials having the responsibility for creating, directing or setting the policy of your firm with regard to the mining, manufacturing, processing, sale, distribution, use and/or packaging of asbestos products since 1930.

ANSWER:

Not applicable to this defendant with respect to mining. Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and irrelevant. Notwithstanding and without waiving the foregoing objections, see attached hereto as Exhibit "A," entitled "Managers of Palmyra Operations."

INTERROGATORY NO. 9:

Have you or any of your predecessors or subsidiaries ever mined, processed, refined, sold, installed or distributed asbestos or asbestos containing products? If so, for each such product, complete an "Asbestos Product Information Sheet", Attachment I.

ANSWER:

Garlock did not mine asbestos, however, it did manufacture, market and/or distribute asbestos-containing products. Garlock objects to this interrogatory for the reasons set forth in General Objections Nos. 1 and 2, and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. To require Garlock to identify the hundreds of different products it has produced (or discontinued) over the years constitutes a request for masses of irrelevant information, is unduly burdensome and beyond the scope of permissible discovery. Notwithstanding and without waiving the foregoing objections, Garlock states that since as early as 1907, it has produced and sold encapsulated asbestos-containing gasket and packing products which do not emit asbestos fibers into the air when in operation. Garlock is not and has not been a manufacturer or seller of asbestos-containing thermal insulation materials, such as pipe covering, blocks, tape, cement and cloth used for insulating steam, water and chemical lines. The specific products which Garlock has manufactured are gaskets and compressed asbestos sheet, packing and other gasket materials. Garlock compressed asbestos sheet is a mixture of asbestos fiber, curing agents, reinforcing fillers and elastomers (natural rubber or synthetic polymers having the elastic qualities of rubber).

Other gasket material was made from woven asbestos impregnated and encased in a rubberized coating. Other gaskets have had asbestos encased by layers of metal or encapsulated within a P.T.F.E. (polytetrafluoroethylene) resin envelope. Manufacture and sale of such other gasket products has been discontinued, mostly during the decade of the 1980's. Garlock once manufactured and sold, but has now discontinued, asbestos packing encapsulated in either elastomeric compound or metal foils and/or impregnated with lubricants. Garlock believes its last such packing sale was in approximately 1982.

Attached hereto as Exhibit "B" is a description of Garlock asbestos-containing products.

INTERROGATORY NO. 10:

If your company ever manufactured, distributed, installed or sold any of the following types of asbestos-containing products, please identify each product and describe how it is cut, shaped, mixed and applied on the job:

- a. asbestos cement;
- b. asbestos pipe covering;
- c. asbestos bricks or blocks;

- d. asbestos sheeting, boards or marinite;
- e. asbestos insulation used to protect against extremes of heat as well as cold;
- f. asbestos insulation in loose form which may be blown into homes or buildings;
- g. asbestos applied in spray form;
- h. asbestos tape, cloth, yarn or thread;
- i. asbestos felts or blankets;
- j. asbestos paper;
- k. asbestos gaskets;
- l. asbestos-containing paint;
- m. asbestos-containing adhesives;
- n. asbestos-containing floor and ceiling tiles;
- o. asbestos-containing packing;
- p. asbestos-containing boiler coatings;
- q. raw asbestos fibers;
- r. asbestos-containing friction products;

giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste.

ANSWER:

See answer to Interrogatory No. 9 above.

INTERROGATORY NO. 11:

Please state if there is any way known to you that the products listed in questions 9 and 10 can be used, applied or installed without the worker involved inhaling any asbestos dust or fibers.

ANSWER:

Garlock objects to this interrogatory on the grounds that it presupposes that a "method" was necessary to restrict release of asbestos dust, fibers or materials out of the transport containers or from the products themselves. Garlock products, by their nature, are encapsulated and/or bonded and/or coated with various materials, including elastomers, polytetrafluoroethylene and/or impregnated with lubricants.

INTERROGATORY NO. 12:

Is it possible to distinguish the asbestos products listed by you in Answers 9 and 10 from those manufactured or distributed by a competitor?

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

ANSWER:

The ability to distinguish Garlock asbestos-containing products depends upon the particular Garlock product in question and the degree of expertise of the person seeking to make the distinction. Some Garlock products are labeled with the company name.

Garlock objects to the remainder of this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 13:

For each asbestos product listed by you in Answer 9 and 10, state whether the product could be used interchangeably with products of other manufacturers, distributors, or sellers, and if so, please identify such product and manufacturer.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 14:

For each asbestos product listed by you in Answer 9 and 10, state the names and addresses of each New York customer who purchased the product and each New York job site to which the products were delivered by year, and complete a Worksite/Purchase Sales Information Sheet (Attachment II) for each purchaser or worksite.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that it does not maintain separate compilations of sales records for its asbestos-containing products or for sales in specific states or sub-divisions thereof.

Such older records as still exist are retained in Rochester, NY in cardboard boxes, each containing ~~several cartons~~ of records. These records will be made available to plaintiff for inspection and copying ~~at plaintiff's expense and upon appropriate prior arrangements~~. It is believed that the oldest such paper records generally date from approximately 1978.

INTERROGATORY NO. 15:

For each asbestos product you manufactured or sold, state the total dollar, linear **feet** and/or number of pounds of the product:

- a. Sold in New York State;
- b. Sold in the United States.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 16:

Identify for the period from 1935 to 1980, each distributor, dealer, wholesaler and contractor who sold, distributed or used your asbestos-containing products in New York State. For each such distributor, dealer, wholesaler and contractor, state:

- a. The name, last known address and person who you did business with;
- b. The years of your relationship with the distributor, dealer, wholesaler and contractor;
- c. Whether there was a written agreement. If so, identify it (or them) by date, title, signatories and present location;
- d. Whether the relationship was exclusive, i.e., whether the distributor was not allowed to carry competing brands of some or all of the relevant products. If exclusive as to any particular product, identify that product;
- e. The annual volume in pounds and linear feet and dollar amount of each type of asbestos product sold;
- f. The names and ultimate recipients of the asbestos products sold to or through each dealer, distributor, wholesaler, sales agent and contractor.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, does not call for relevant evidence and is not calculated to lead to the discovery of

admissible evidence and the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that most of its product sales were on a direct basis until the mid-1960's. At that time, the decision was made to utilize distributors for sales to maintenance and repair customers and after a conversion period of several years, the majority of Garlock product sales are made through distributors. Garlock has continued to sell directly to original equipment manufacturers who use Garlock products in making their products.

Attached hereto as Exhibit "C" is a recent listing of Garlock distributors in New York.

INTERROGATORY NO. 17:

Identify each of your sales personnel responsible from 1935 to 1980 for sales of asbestos products in New York State. For each such person, state the years of such employment, his/her job last known address and whether he/s he is still your employee?

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 18:

Did you at any time manufacture asbestos-containing products which were sold to another manufacturer for resale by that company under its own name? If so:

- a. Identify each manufacturer to whom such sales were made and the date of such sales;
- b. Identify the product or products involved in each such agreement;
- c. If such sales were made pursuant to an agreement, identify the dates that each such agreement was in effect and produce a copy of the agreement.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has, from time to time, sold some of its products for resale under other labels. Some of these products contained asbestos, others contained no asbestos. Garlock has no record, knowledge or recollection of any written distribution or sales agreement concerning such products. There is no reason to believe that such products are germane to this litigation.

INTERROGATORY NO. 19:

Did you ever purchase any asbestos or any asbestos-containing products of any other manufacturer for distribution or sale under your name or trademark? If so:

- a. Identify each manufacturer from whom products were purchased;
- b. Identify the name of each product purchased;
- c. Identify the dates of each such purchase and distribution.
- d. Produce a copy of each purchase agreement;

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has, from time to time, purchased products from others for resale under the Garlock label. Some of these products contained asbestos, others contained no asbestos. Garlock has no record, knowledge or recollection of any written distribution or sales agreement concerning such products. There is no reason to believe that such products are germane to this litigation.

INTERROGATORY NO. 20:

Did you ever enter into distribution or licensing agreements with any manufacturer, distributor, marketer, seller, contractor or installer of asbestos-containing products? If so:

- a. Identity each manufacturer with whom such agreement was entered into;
- b. State the dates, products and geographical areas involved;
- c. Produce a copy of each such agreement.

ANSWER:

This Defendant has no record, knowledge or recollection of any such distribution, licensing, franchise or agency agreements. Discovery is continuing.

INTERROGATORY NO. 21:

For the period 1928 to the present, state the address of each miner, manufacturer or processor of asbestos or asbestos fibers used in your products and for each such miner, manufacturer or processor state:

- a. The date, amounts and delivery point for each shipment of asbestos you received;
- b. The products in which the asbestos was used.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and irrelevant. Notwithstanding and without waiving the foregoing objections, Garlock states that its principal suppliers of raw asbestos have been Lake Asbestos of Quebec, Johns-Manville and Bell Asbestos Mines.

- a. As a result of the Garlock record retention policy, precise records are not available and a majority of the records from which to derive this information have been destroyed. However, in its best estimate, Garlock's purchase and consumption of asbestos from approximately 1970 to the present has averaged between 1,500 and 2,500 tons per year.
- b. The only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 22:

With respect to each asbestos product (including loose asbestos fiber) you manufactured, refined, processed, used, distributed, marketed, installed, sold or delivered, state whether you claim any caution, warning, caveat or other statement about health involved in using the product and/or dust generated by the product was ever given to purchasers of the product or directed to the ultimate users of the product. If so, state separately for each product:

- a. The precise wording of each caution or set of instructions;
- b. For each asbestos product, the exact date you claim each caution was first used on that product;
- c. The inclusive dates you contend any alleged warning was affixed to each of your asbestos-containing products;
- d. Whether the wording of the alleged warning has been altered since its first appearance, and if so, when and how amended;
- e. Specifically what prompted you to first affix such caution, warning, caveat, statement or explanation, and what prompted the amendments, (i.e., if medical reports were relied upon, if so, identify such reports).
- f. The name, title and present address of the author of each such warning and/or instructions;
- g. Whether the warning and instructions were physically attached to the product itself when sold and/or delivered by you, and if so, the method of attachment;
- h. Whether you have a copy of the warning and/or instructions in your possession at the present time, and if so, where it is located;
- i. Whether any studies, evaluations or analyses of any potential hazards of your asbestos product were conducted by you prior to your use of each warning and/or instructions. If so, identify the study by date, author, title and file number and state its present location.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objections, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products poses any health hazard, or any significant possibility of inhalation of asbestos fibers. The asbestos fibers in Garlock products are encapsulated or otherwise retained, and, therefore, fall within the exception provided in the OSHA regulations requiring warnings on asbestos products and materials. Nevertheless, Garlock places the warning set forth in section 1910.1001, paragraph 2(ii) of the OSHA regulations on its asbestos-containing products. The warning reads: "CAUTION: Contains Asbestos fibers. Avoid creating dust. Breathing Asbestos dust may cause serious bodily harm." This warning has been present on all Garlock asbestos-containing products and/or the product packaging since late 1977.

A similar warning notice has been contained in product literature published since 1977 that describes one or more asbestos-containing products.

INTERROGATORY NO. 23:

State whether any of your distributors, dealers, contractors and/or customers were provided with any warnings, cautions, caveats or instructions regarding the use of your asbestos-containing products. If so, please state:

- a. By whom and when these instructions were first made;
- b. Whether the instructions were written or oral; if written, attach a copy; if oral, state the contents thereof;
- c. Whether your company carried out follow-up inspections to ascertain whether such instructions were adhered to and if so, please state when, where and by whom such inspections were made and the results of each such inspection.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only Garlock products at issue in this case are those to

which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has continually provided its customers with instructions as to the proper handling, installation and use of its products. Such instructions have been in various forms, including instruction sheets, advertising literature and user seminars. See also, answer to Interrogatory No. 22 above.

INTERROGATORY NO. 24:

State the first time any officers of your Company discussed putting a warning or caution on any asbestos containing product, and as to that first discussion state:

- a. the names of the persons who were involved in the discussions and the date and place of the discussions;
- b. the identity and location of all documents memorializing the discussion;
- c. the alleged substance of the discussion;
- d. what action if any, the Company took as a result of the discussion.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and that the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that it sponsors, from time to time, sales training programs for its sales personnel and those of its distributors. These meetings were conducted by Garlock marketing and training personnel and if questions relative to asbestos and its health implications were raised, the subject was discussed.

INTERROGATORY NO. 25:

Do you know of any facts or documents to support a claim that you provided any warnings, instructions or information as to the dangers of asbestos inhalation to any insulator, construction worker, building trades worker or other user of your asbestos products in the New York area prior to 1972? If so, for each such alleged warning:

- a. Describe in detail each such warning, instruction or information given;

- b. State the exact date of each such warning;
- c. State whether such warning, instruction or information was oral or written;
- d. If oral, identify the substance of the warning instruction or information given and the date and name of the person to whom given;
- e. If written, or printed attach a copy of each warning, instruction and information. identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, see answer to Interrogatory Nos. 22 and 23 above.

INTERROGATORY NO. 26:

Do you claim that you ever recommended to purchasers or users of the asbestos-containing products you manufactured, processed, mined, distributed, or sold, that respirators, protective masks and/or protective safeguards be worn while working with, installing or removing your asbestos- containing product? If so, state separately for each product:

- a. The date or dates when each such recommendation was made;
- b. Who made the recommendation;
- c. When and precisely to whom the recommendations were made;
- d. If oral, the manner and substance of the recommendation,
- e. 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.

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation. Specifically that there are dangers associated with the use of Garlock asbestos-containing products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Respirators are not required while working with, installing or removing Garlock products since said products pose no health hazard.

INTERROGATORY NO. 27:

Did you at any time recommend that your own employees or others (including independent contractors) use respirators, protective masks or other precautionary safeguards when working with asbestos-containing materials? If so, state:

- a. When and precisely to whom such recommendations were made;
- b. Whether you ever supplied respirators, face masks to your employees, and if so, the date when first supplied and whether you are supplying them now;
- c. From what specific source you have obtained such respirators and face masks (state address of company and dates obtained).

ANSWER:

See answer to Interrogatory No. 26 above.

INTERROGATORY NO. 28:

Have you stopped producing, distributing and/or selling or has asbestos been eliminated from any of the asbestos products listed in Answer 9 or 10? If so, state for each product:

- a. The reason and date you stopped producing the product, or eliminated asbestos therefrom;

- b. The name and title of each person who recommended and/or who authorized or directed the action;
- c. Whether any studies were conducted before you directed that production and sale of the product be stopped, or asbestos eliminated from the product, and if so, identify each study by date, author, title and subject matter and attach a copy.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is ambiguous and overly broad, unduly burdensome and is not reasonably calculated to lead to discovery of admissible or relevant material. Notwithstanding and without waiving the foregoing objections, Garlock answers that it continues to produce, distribute and sell asbestos-containing products. Garlock also states that it has made many changes in its products over the years which would amount to a change in chemistry. Some changes have not been recorded in writing while other changes are in writing, but it would be unduly burdensome for Garlock to have to make a detailed search of such changes. Changes were made for many reasons, including cost reduction, improved performance or because materials were no longer available.

INTERROGATORY NO. 29:

Have any officers or employees of defendant ever discussed or evaluated whether sales of your asbestos-containing products would be damaged if the public learned of the health hazards associated with asbestos exposure? If so, state the dates and names of participants of each such meeting and identify all documents relating to such meetings.

ANSWER:

Garlock objects to this interrogatory on the grounds that the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that the issues in this law suit concern Garlock's knowledge of the propensity of its finished products to cause injury and, therefore, facts relating to propensities of raw asbestos or the asbestos-containing products of others to cause injury are irrelevant and immaterial to the issues in this suit. There has never been any competent scientific or medical evidence or reason to believe that Garlock asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantity, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products poses any health hazard, or any significant possibility of inhalation of asbestos fibers.

INTERROGATORY NO. 30:

At the time of the development of, and sale of each of your asbestos product did you attempt to determine whether the product complied with any allegedly applicable safety standards, orders or rules, regulations or design requirements promulgated by any professional society, association, or government body?

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

ANSWER:

Garlock is not aware of any safety standards, safety orders, regulations, laws, rules or design requirements of any of the entities listed which dealt with any of its asbestos-containing products at the time when those products were developed or at the time of the decision to manufacture or sell those products. A few products were developed to meet the requirements of various federal government specifications, especially ones for the military services. For the most part, those specifications were related to material content and performance, and specific Garlock products were made to meet the requirements of those specifications. Garlock believes that all of its products are, and have always been, in compliance with applicable federal, state and local standards, regulations, laws, rules and/or ordinances.

INTERROGATORY NO. 31:

For each asbestos-containing product, identify and produce all sales, promotional and/or advertising materials, including brochures, used by you with regard to the sale and/or promotion and distribution of such products.

ANSWER:

Garlock objects to this interrogatory as being overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that over the years it has prepared hundreds of writings, instruction sheets, brochures and the like regarding its products. The majority of said

writings have long since been discarded. All existing writings are available for inspection and copying, in Rochester, NY, at plaintiff's expense upon appropriate prior arrangements through Garlock's counsel.

INTERROGATORY NO. 32:

Identify and produce pictures and descriptions of each product. Such description should include:

- a. a description of the physical appearance(s) of the product(s) and its packaging;
- b. the percentage of asbestos contained in each such product;
- c. the types of asbestos contained in each such product.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has and does make a wide variety of products, many of which have contained asbestos and many of which have contained no asbestos. Among the specific products which Garlock has and does manufacture are asbestos gasket and asbestos sheet (from which the purchaser cuts gaskets). Garlock asbestos sheet is a mixture of asbestos fibers, curing agents, reinforcing fillers and elastomers (natural rubber or synthetic polymers having the elastic qualities of rubber). Asbestos fibers are machine blended with the rest of the mixture until they are thoroughly coated. The entire compound is then heated and rolled into sheets and is continually compressed to form a tough, impermeable, homogeneous material that looks like linoleum.

Other gasket materials were made from woven, long fiber, asbestos yarn impregnated and encased in a rubberized coating. Other gaskets have had asbestos encased by layers of metal or encapsulated with a P.T.F.E. (polytetrafluoroethylene) resin envelope. Garlock asbestos packing materials consisted of woven asbestos encapsulated in either elastomeric compounds or metal foils and/or impregnated with lubricants.

Garlock gasket materials are primarily used for static sealing of steam line flanges, cylinder heads of engines, compressors and refrigeration equipment, fluid conduits, etc. Garlock packing materials are primarily used for dynamic sealing of machinery.

Finished compressed asbestos sheet is either cut into gaskets by Garlock or sold for use by others in cutting gaskets. Garlock's flexible and durable gasketing material is handled, installed and removed in all intended applications without releasing meaningful quantities, if any, of asbestos fibers into the air. Garlock's compressed asbestos sheets and gaskets are treated with an anti-stick releasing agent which reduces any tendency of the gaskets to adhere to pipe flanges during removal and replacement. This anti-stick agent facilitates the removal of old gaskets without generating dust. Other Garlock products come in specific sizes for application and do not generally require modification before or during application or use. Garlock objects to portions of this interrogatory until such time as proper orders are entered concerning the production of proprietary information. Notwithstanding and without waiving the foregoing objections, Garlock states that from 95% to 98% of its asbestos containing products have been made only with chrysotile asbestos fibers and that the remaining 2% to 5% of such products were made with crocidolite asbestos fiber. Depending upon the type of product involved, the percentage of asbestos contained in these products has ranged from about 10% to about 85%.

INTERROGATORY NO. 33:

Were any brochures, writings, or other materials made available to distributors, dealers, contractors, ultimate users, or the general public concerning the design, manufacture, use, quality and/or properties of the asbestos products referred to in Answer 9 and 10? If so, for each such brochure or other material:

- a. State the purpose of each brochure and given the name, present address, telephone number of the person responsible for the preparation and acceptance of the material for distribution on behalf of the company;
- b. Identify the brochure or material by author, date and present location and custodian, and attach copies of each.

ANSWER:

Garlock objects to this interrogatory as being overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that over the years it has prepared hundreds of writings, instruction sheets, brochures and the like regarding its products. The majority of said writings have long since been discarded. All existing writings are available for inspection and copying, in Rochester, NY, at plaintiff's expense upon appropriate prior arrangements through Garlock's counsel.

INTERROGATORY NO. 34:

Have you at any time since 1930 bought from, sold to, delivered or supplied any asbestos-containing products to any other defendant in this action or to any other manufacturer listed in Attachment III? If so:

- a. Identify the products involved by name and description;
- b. List the dates, quantity and price of each sale and the names of the persons who placed or accepted the order;
- c. Were any warnings regarding the health hazards of the product given or received and if so identify the warning by description, date, to whom it was given and by who received, and if oral state the substance and if written identify the document and state the present location.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that it has, from time to time, sold some of its products for resale under other labels. Some of these products contained asbestos, others contained no asbestos. Garlock has no record, knowledge or recollection of any written distribution or sales agreement concerning such products. There is no reason to believe that such products are germane to this litigation.

INTERROGATORY NO. 35:

Were any of the asbestos-containing products sold by you to private persons or companies (i.e., non-military or non-government sales) the same products you sold to the government pursuant to military or federal specifications? If so please state:

- a. Your name or designation for the product;
- b. The military or federal specification you claim is applicable;
- c. The person or company to whom sold and the date and amount sold.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Without waiving the foregoing objections that some of the same products sold to the government pursuant to military specifications would have been sold to private companies.

INTERROGATORY NO. 36:

Do you claim that you did anything prior to 1972 to notify users of asbestos-containing products of the possible dangers of inhalation of asbestos dust and fibers? If so, explain in detail what you did, to whom and give the dates.

ANSWER:

Garlock objects to this interrogatory on the grounds that the information sought is irrelevant to this case and is not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving the foregoing objections, Garlock states that the issues in this law suit concern Garlock's knowledge of the propensity of its finished products to cause injury and, therefore, facts relating to propensities of raw asbestos or the asbestos-containing products of others to cause injury are irrelevant and immaterial to the issues in this suit. There has never been any competent scientific or medical evidence or reason to believe that Garlock asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantity, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products poses any health hazard, or any significant possibility of inhalation of asbestos fibers.

INTERROGATORY NO. 37:

Had you at any time prior to 1973 performed, participated in, or financed any tests, studies, investigations or analyses to determine the asbestos level produced when your asbestos products were used, installed or removed from a prior installation?

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case

are those to which plaintiffs allege to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any competent scientific or medical evidence or reason to believe that Garlock products pose any health hazard, potential or otherwise, to persons using said products. Garlock has had the following studies conducted for it by industrial hygienists:

- a) "The Actual Occupational Exposure to Airborne Asbestos Released by Garlock Spiral Wound, Braided and Encapsulated Gaskets" by Carl A. Mangold, CIH (December 1982).
- b) "The Actual Contribution of Garlock Asbestos Gasket Materials to the Occupational Exposure to Asbestos Workers" by Carl A. Mangold, CIH (October 1982).
- c) "Asbestos Fibers in the Ambient Air in the Greater San Francisco Area": by Carl A. Mangold, CIH (March 1983).
- d) "Ambient Asbestos Fiber Levels in the Metropolitan Areas of Norfolk-Portsmouth-Newport News, Virginia" by Joseph D. Wendlick, CIH (December 1983).
- e) "The Actual Contribution of Asbestos Fiber Exposure During Gasket Removal from Pipe Flanges Aboard Ship" by Carl A. Mangold, CIH (November 1983).
- f) "The Actual Release of Asbestos Fibers from New, Used and Flanged Garlock Inc Asbestos Gasket Materials" by Carl A. Mangold, CIH (September 1985).
- g) "Occupational Exposures During Processing, Handling, Installation and Removal of Garlock Asbestos-Containing Gaskets" by Martin R. Bennett and Richard L. Hatfield (June 1985).
- h) "Garlock Inc Gasket Materials -A Comparison of the Tyndall Phenomena to the Actual Concentration of Asbestos Fibers in the Breathing Zone of Workers" by Carl A. Mangold, CIH (July 1986).
- i) "The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets" by Carl A. Mangold, CIH (January 1989); Eight separate sub-divisions titled as follows:

- 1) Cutting Gaskets with a Circular Cutter
 - 2) Gasket Cutting with Hand Shears
 - 3) Gasket Cutting with Ball Pien (sic) Hammer
 - 4) Scribing of Gasket Materials
 - 5) Opening of Old Flanges and Removal of Asbestos Gaskets
 - 6) Flange Face Scraping with Putty Knife
 - 7) Hand Wire Brushing of Asbestos Gasket Residual from Flanges
 - 8) Power Wire Brushing of Flange Faces
-
- j) "The Actual Contribution of Asbestos Fibers from Removal and Installation of Asbestos Packing from Valves" by Carl A. Mangold, CIH and Robert L. Gay, Ph.D. (May 1991).
 - k) "Asbestos - fiber exposures related to the replacement of Garlock Style 7021 gaskets". Neilson Associates - May 1981.
 - l) "An evaluation of potential occupational exposure to airborne asbestos during the installation and removal of braided asbestos gasketing material". Neilson Associates - May 1, 1982.
 - m) "An industrial hygiene survey to determine airborne asbestos fiber concentrations during the utilization of braided asbestos packing material (Garlock Inc - Style 5880)". Neilson Associates - June 6, 1980.
 - n) "An industrial hygiene survey to determine airborne asbestos fiber concentrations during the cutting of Garlock gasket material types 900 and 7021". Neilson Associates - June 6, 1980.
 - o) "An industrial hygiene survey to determine airborne asbestos fiber concentrations during the utilization of Garlock gasket material - Style No. 7021". Neilson Associates - October 22, 1980.
 - p) "An evaluation of potential occupational exposure to airborne asbestos fibers encountered during installation and removal of asbestos containing gaskets - Gasket Type 604". Neilson Associates - April 1, 1982.
 - q) Fiber Release Study - Industrial Fittings - Flat Blade Scraper (10/9/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
 - r) Fiber Release Study - Industrial Fittings - Wire Brush (10/28/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.

- s) Fiber Release Study - Industrial Fittings - Making Gaskets With A Ball Peen Hammer (11/5/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- t) Fiber Release Study - Industrial Fittings - Power Wire Brush (11/11/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- u) Fiber Release Study - Industrial Fittings - Valve Packing Removal 911/19/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- v) Fiber Release Study - Industrial Fittings - Flat Blade Scraper (11/22/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- w) Fiber Release Study - Industrial Fittings - Wire Brush (12/1/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- x) Fiber Release Study - Industrial Fittings - Power Wire Brush (12/12/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- y) Fiber Release Study - Industrial Fittings - Making Gaskets With A Ball Peen Hammer (12/18/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- z) Fiber Release Study - Industrial Fittings - Valve packing Removal And Replacement 912/24/96). Boelter Environmental Consultants - BAI Project No. 1418A-4602.
- aa) Technical report for Garlock Inc: Occupational exposures during processing, handling, installation and removal of Garlock asbestos-containing gaskets. McCrone Environmental Services Inc. - June 1985.
- bb) Report of Findings: Exposure Assessment: An Evaluation of the Actual Contribution of Airborne Asbestos Fibers from the Fabrication of Gaskets; EPI Project No. 8489; Prepared By E.I. - John W. Spencer, CIH, CSP; Prepared for Parrott and Donahue; 11 September 1998.
- cc) Report of Findings: Exposure Assessment: An Evaluation of the Actual Contribution of Airborne Asbestos Fibers from the Removal and Installation of Gaskets and Packing Material; E.I. Project No. 8500; Prepared By E.I. - John W. Spencer, CIH, CSP; Prepared for A.W. Chesterton Company; 3 September 1998.

During the course of this litigation, Garlock has recently obtained results of additional air sampling data conducted by McCrone Environmental Services Inc. in 1985. McCrone did not include these results in its report, but they are completely consistent with the conclusions of the report.

INTERROGATORY NO. 38:

Had you at any time prior to 1973 performed, participated or financed any tests, studies, investigations or analyses to determine the effects of your product on workers using or working with any of your asbestos products?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 39:

Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses which had the purpose to prevent, minimize or eliminate inhalation of asbestos dust or fibers by those using or exposed to your asbestos products?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 40:

Have you at any time after 1973 performed, participated in, or financed any tests, studies, investigations or analyses to determine the asbestos level produced when your asbestos products were used, installed or removed from a prior installation?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 41:

Have you at any time after 1973 performed, participated or financed any tests, studies, investigations or analyses to determine the effects of your product on workers using or working with any of your asbestos products?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 42:

Have you at any time after 1973 performed, participated in or financed any tests, studies, investigations or analyses which had the purpose to prevent, minimize or eliminate inhalation of asbestos dust or fibers by those using or exposed to your asbestos products?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 43:

Had you at any time prior to 1973 performed, funded or participated in any investigation, study, test or analysis concerning asbestos-related diseases, asbestosis, pulmonary diseases or cancer.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiffs allege to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any competent scientific or medical evidence or reason to believe that Garlock products pose any health hazard, potential or otherwise, to persons using said products. Garlock products pose no health hazard, potential or otherwise, to persons using such products.

INTERROGATORY NO. 44:

Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses to determine the effects of inhalation of asbestos dust or fibers on any one using or being exposed to asbestos products manufactured by your company?

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 45:

Have you, at any time after 1973 performed, participated in or financed any tests, studies, investigations or analyses to determine the effects of inhalation of asbestos dust or fibers on any one using or being exposed to asbestos products manufactured by your company?

ANSWER:

See answer to Interrogatory No. 38 above.

INTERROGATORY NO. 46:

Have you ever performed, participated in or financed any studies to determine whether any type of respirator and/or protective mask would either eliminate or reduce asbestos inhalation to safe levels?

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock asbestos-containing products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Respirators are not required while working with, installing or removing Garlock products since said products pose no health hazard.

INTERROGATORY NO. 47:

Have you ever undertaken or financed any tests or studies to determine whether any type of ventilator or ventilating system would eliminate or decrease the number of airborne asbestos fibers in confined spaces?

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock asbestos-containing products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products.

INTERROGATORY NO. 48:

For each study identified in response to Questions 37-47, state:

- a. The subject matter, title, date and names of the persons who conducted and/or authored the study;
- b. The reason for the study
- c. The date the study was completed;
- d. If the results were disseminated, where and to whom and if published the name and identity of the publication;
- e. The results of each study, and the data and assumptions relied on;
- f. If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

ANSWER:

See answer to Interrogatory No. 37 above.

INTERROGATORY NO. 49:

State whether you took any action as a result of any of the studies listed in answer to interrogatories 37 through 47. If so:

- a. Describe the date and action taken;
- b. Identify who authorized or directed the action;
- c. Why was the action taken;
- d. Identify all documents discussing the study, the action considered and the action taken by date, title, subject, author and present custodian and location and produce the documents;
- e. If you have not taken any action state in detail, why not;
- f. If you have not given any consideration to taking such -actions. state in detail the reasons why.

ANSWER:

See answer to Interrogatory No. 44 above.

INTERROGATORY NO. 50:

From the year 1920 to date, have you supported by gift, grant, direct cash or property payment any kind of medical research concerning asbestos? If so, state:

- a. The date or dates of such support;
- b. The dollar amount paid or contributed;
- c. The identity of the persons and/or organizations carrying out the research study;
- d. The title, name or other identification of each such study;
- e. Identify and produce all documents relating to each such study.

ANSWER:

Garlock has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research.

INTERROGATORY NO. 51:

Did you, at any time prior to 1975, conduct, finance, or have conducted for you any asbestos inspection or any dust count in any facility where your asbestos products were used? If so, state the date, place and people involved in each such inspection or test and identify all records.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 52:

Did you, at any time prior to 1975, conduct, finance, or have conducted for you, any asbestos inspection or environmental dust count in any of your own plants which are or were engaged in the manufacture of asbestos products. If so, state the date, place and people involved in each such inspection or test, the results of the tests and identify all records.

ANSWER:

Garlock objects to this interrogatory on the grounds that the information sought is irrelevant to this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to encapsulated fluid sealing products after they have left the Garlock facilities.

INTERROGATORY NO. 53:

Did you, at any time after 1975, conduct, finance, or have conducted for you any asbestos inspection or environmental dust count in any facility where your asbestos products were used?

If so, state the date, place and people involved in each such inspection or test and identify all records.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence. Notwithstanding and without waiving the foregoing objection, Garlock states that no such studies exist.

INTERROGATORY NO. 54:

Did you, at any time after 1975, conduct, finance, or have conducted for you any asbestos inspection or made any dust count in any of your own plants which are or were engaged in the manufacture of asbestos products. If so, state the date, place and people involved in each such inspection or test, the results of the tests and identify all records.

ANSWER:

Garlock objects to this interrogatory on the grounds that the information sought is irrelevant to this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to encapsulated fluid sealing products after they have left the Garlock facilities.

INTERROGATORY NO. 55:

Does your company recognize that workers in the following trades were foreseeable users of your asbestos products? If so, when did you come to such a recognition?

- a. Pipe Ladders;
- b. Pipe Fitters;
- c. Welders;
- d. Burners;

- e. Sheetmetal Workers;
- f. Tapers;
- g. Chippers;
- h. Plasterers;
- i. Riggers;
- j. Grinders;
- k. Inspectors;
- l. Shipwrights;
- m. Painters;
- n. Boilermakers;
- o. Insulators;
- p. Custodians;
- q. Planners;
- r. Testers;
- s. Teachers;
- t. Carpenters;
- u. Electricians;
- v. Millrights;
- w. Laborers;
- x. Masons;

y. Aluminum Workers.

ANSWER:

Garlock states that pipefitters and mechanics were foreseeable users of Garlock gaskets and packing products which contain fully encapsulated asbestos fibers.

INTERROGATORY NO. 56:

Does your company recognize that the types of workers listed in Question 55 would be exposed to asbestos in the course of working on jobs where other trades would be using asbestos products?

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence. Discovery is continuing.

INTERROGATORY NO. 57:

Does your company recognize that it was foreseeable that people working in the same or adjacent areas where your asbestos products were being used, installed or removed would inhale and/or ingest asbestos fibers emitted from your products?

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Garlock denies that use of, or exposure to, its asbestos-containing products pose any health hazard or any significant possibility of inhalation of asbestos fiber.

INTERROGATORY NO. 58:

Does your company recognize that it was foreseeable that trades persons listed in Question 55 would inhale and/or ingest asbestos fibers released from your asbestos products?

ANSWER:

See answer to Interrogatory No. 57 above.

INTERROGATORY NO. 59:

Do you contend that any respirators or other breathing devices would prevent inhalation of the asbestos dust and fibers released from your product? If so, state:

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

ANSWER:

Garlock objects to this interrogatory on the grounds that it assumes the truth of matters in dispute in this litigation, specifically that there are dangers associated with the use of Garlock asbestos-containing products. Notwithstanding and without waiving the foregoing objection, Garlock states that there has never been any competent scientific or medical evidence or reason to believe that its asbestos-containing products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using such products. Respirators are not required while working with, installing or removing Garlock products since said products pose no health hazard.

INTERROGATORY NO. 60:

From the year 1930 to the present, identify:

- a. The name of each physician in your employ and/or the employ of your subdivision or contract unit;
- b. The current and/or last known address for each such individual;
- c. The dates of employment of each such individual;
- d. The job duties and/or responsibilities for each such individual identified;
- e. The duration of each such individual's employment, the office address or duty assignment location held by each such individual, and the dates associated with each such assignment.

ANSWER:

Garlock has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research. Garlock has had six **part-time plant physicians** since 1920.. They are as follows:

<u>Name</u>	<u>Dates of Service</u>
Dr. C. C. Nesbitt (deceased)	8/30/20 - 8/ 1/56
Dr. J. D. Bramer (deceased)	8/1/56 - 7/24/72
Dr. K. K. Kapur 1269 Pittsford Palmyra Road Macedon, New York 14502	10/23/72 - 8/14/79
Dr. William G. Fallon 602 7th Street Liverpool, New York 13088	10/31/79 - 3/ 1/88
Dr. B. Maureen Merritt P. O. Box 477 Celoron, New York 14720	9/15/88 - 8/28/90

Dr. Tillman F. Farley
3345 22nd Court
Brighton, Colorado 80601

10/9/90 - 8/3/93

Dr. Alan Lorenz
2 Forest Knoll
Pittsford, New York 14534

8/3/93 - 3/1/98

Dr. Carl M. Devore
Garlock Inc
1666 Division Street
Palmyra, New York 14522

3/3/98 - Present

All of these physicians served on a part-time basis and were at Garlock primarily for incoming employee physicals, treatment of minor injuries, etc. Any existing records, reports or memoranda written by any of these physicians and pertaining to Garlock are in the hospital records which are all maintained by patient name at Garlock.

INTERROGATORY NO. 61:

Have you, at any time since 1930, maintained any office or department dealing with medical research? If so, state:

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

ANSWER:

Garlock has not employed, retained or otherwise engaged physicians, industrial hygienists or others to conduct medical research.

INTERROGATORY NO. 62:

From the year 1930 to the present, state:

- a. The address of each medical library maintained by you or your subdivisions and/or contract units;

- b. When each such library came into existence; and
- c. The custodian of each such library facility records, such as individual's dates of employment and last known address or current address.

ANSWER:

Not applicable to this defendant, see answer to Interrogatory No. 61 above.

INTERROGATORY NO. 63:

For each facility identified in response to the two preceding Interrogatories, state the name or title of each medical journal or periodical subscribed to and the inclusive dates of each such subscription.

ANSWER:

Not applicable to this defendant.

INTERROGATORY NO. 64:

Other than the medical library facilities referenced in the answers to the immediately preceding three Interrogatories, state the identity of each medical library, from 193-0 to date, in which you held a membership, or funded by way of contribution, gift, grant, or any other direct cash or property payments.

ANSWER:

Not applicable to this defendant.

INTERROGATORY NO. 65:

State the names and addresses of all professional, trade, industrial, safety, hygiene, or health associations and research foundations or organization you have been a member of since 1930 indicating for each association:

- a. The inclusive dates of your membership;

- b. The names of your employees who attended meetings and the dates and designations of such meetings:
- c. The positions held by any of your employees;
- d. The location of all minutes, digests, reports and documents received or concerning such association.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad. Notwithstanding and without waiving the foregoing objection, Garlock states that it has been a member of five organizations which may have dealt with asbestos-containing products:

- 1. The Fluid Sealing Association (formerly Mechanical Packing Association) (member from 1933 to present).
- 2. Asbestos Textile Institute, Inc. (member from approximately 1966 to 1979 - Garlock acknowledges that a review of ATI minutes discloses an earlier membership period during the 1940's, but Garlock has no other record or information as to such period.)
- 3. Asbestos Information Association of North America (member from approximately 1974 to 1980).
- 4. American Society for Testing and Materials (member from 1945 to present).
- 5. National Safety Council (member from 1922 to present).

INTERROGATORY NO. 66:

When did you first learn that there were health hazards associated with the use and/or exposure, installation, and/or fabrication of asbestos containing products? State the date, source, nature and extent of such information.

ANSWER:

Garlock objects to this interrogatory on the grounds that it calls for an expert medical opinion which Garlock is not qualified to give. Notwithstanding and without waiving the foregoing objection, some Garlock personnel have been aware for a number of years that excessive exposure

to asbestos dust may be hazardous to one's health. Garlock is unable to pinpoint when or how such personnel first became aware of the possible health hazard. However, there has never been any competent scientific or medical evidence or reason to believe that Garlock products, through normal use, have caused or contributed to any hazardous condition, potential or otherwise, since they are bonded and/or encapsulated.

INTERROGATORY NO. 67:

Have you knowledge of any deaths or cases of lung disease or lung impairment prior to 1975 among your employees engaged in the manufacture or use of asbestos products which are attributable to, or were alleged to be caused by, the inhalation of asbestos dust or fibers? If so, please give the name and address of each such employee, identify all medical records possessed in relation to the employee, and state whether reports of occupational disease were furnished to any bureau, branch or governmental body of the relevant state; attach copies of the latter.

ANSWER:

Garlock objects to this interrogatory insofar as it pertains to Workers' Compensation claims on the grounds that it is overly broad, unduly burdensome and that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left Garlock facilities.

INTERROGATORY NO. 68:

If any of your employees or officers have testified at trial or by deposition in any litigation, or before any Congressional Committee or administrative agency concerning asbestos exposure, pulmonary or asbestos-related diseases or industrial hygiene relating to asbestos use, state:

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

ANSWER:

Alexander Kuzmuk, then president of Garlock Mechanical Packing Division, testified on behalf of the Asbestos Textile Institute at the March 14, 1972 hearings of the U.S. Department of Labor on the proposed standard for exposure to asbestos dust.

For a list of employees or officers who have given testimony, see attached Exhibit "D".

INTERROGATORY NO. 69:

Have you or any employee or agent of yours ever communicated with an agency or department of the United States concerning specifications and/or standard for any asbestos product or thermal insulation product? If so state separately for each product or set of specifications:

- a. Identify each such product and its military or federal specification or standard;
- b. The intended purpose or use for the product so specified;
- c. The date, time and place of each communication including:
 - (1) The name of each of your agents or employees who participated in each communication;
 - (2) The names, 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.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that a few of its products were developed to meet the requirements of various federal government specifications, especially ones for the military services. For the most part, those specifications were related to material content and performance and specific Garlock products were made to meet the requirements of those specifications.

INTERROGATORY NO. 70:

Does your company recognize that:

- a. Asbestos causes asbestosis;
- b. Asbestos exposure leads to an individual contracting asbestosis;
- c. There is a correlation between exposure to asbestos and the occurrence of asbestosis;
- d. Asbestos causes lung cancer;
- e. There is a correlation between asbestos exposure and the occurrence of lung cancer;
- f. Asbestos contributes to the development of gastro-intestinal cancer;
- g. That a portion of inhaled asbestos fibers remain in the lungs after being inhaled into the human body and are not destroyed?
- h. The symptoms of asbestosis and other asbestos-induced lung diseases or cancers may not manifest themselves until many years after the asbestos was inhaled into the body?
- i. Prolonged use of the asbestos material can cause or contribute to various occupational diseases, including asbestosis, mesothelioma, cancer and other lung and respiratory diseases?

- j. The use of asbestos insulating and/or asbestos-containing products listed in Answer (10) are dangerous and harmful to human health?
- k. There is a connection between the inhalation of asbestos dust and fibers and the disease "mesothelioma"?

If your answer to any part of this question is "Yes", explain when you came to this knowledge and what, if anything, you have done about it to notify the public or users of your products. If your answer is that your products are not harmful then explain what facts and tests were made upon which you base such conclusion.

ANSWER:

Garlock objects to this interrogatory on the grounds that it seeks expert medical opinion which Garlock is not qualified to give.

INTERROGATORY NO. 71:

Have any workman's compensation claims based on asbestosis, mesothelioma, lung cancer, other cancers, asbestos-induced diseases, or lung diseases been filed against you? If so, for each claim state:

- a. The date, place filed, reference numbers and outcome of each claim;
- b. Whether you advised your workers' compensation carrier of the claims;
- c. The location and custodian of all records of claims and correspondence with your compensation carrier.

ANSWER:

Garlock objects to this interrogatory insofar as it pertains to Workers' Compensation claims on the grounds that it is overly broad, unduly burdensome and that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left Garlock facilities.

INTERROGATORY NO. 72:

Have you as part of your business ever employed any steam plant operators, boiler repair workers, insulators or had a division or unit which installed insulation materials on a contract by contract basis (e.g., a "contract unit")? If so, state:

- a. The location where such persons or unit was based;
- b. The names of the operators or managers of the contract units;
- c. Whether there existed rules, regulations and/or work practices which were to be followed by such employees:
- d. Were such employees ever required to wear respirators. If so, please state:
 - (1) Whether the requirement was by written regulation or oral direction;
 - (2) The names of the people in your firm originating such a requirement and/or in charge of enforcing it;
 - (3) The date the requirement was imposed for the first time.
- e. Have such former employees ever filed workmen's compensation claims due to lung or coronary illness. If so, for each such claim, state the date, jurisdiction and docket number and outcome of the claims.

ANSWER:

Not applicable to this defendant.

INTERROGATORY NO. 73:

State the total number of employees of yours or your contract unit receiving benefits under any Occupational Disease or Workers Compensation statute for asbestosis, mesothelioma, bronchogenic carcinoma and/or cancer of the stomach, colon or rectum of each year, from the date that you first manufactured, distributed or sold any asbestos-containing products until the present time.

ANSWER:

See answer to Interrogatory No. 72 above.

INTERROGATORY NO. 74:

State by year the total dollar amount paid out by you, your contract unit and/or your insurance carrier as a result of claims under any Occupational Disease or Workers' Compensation statute for asbestosis, mesothelioma, broncho genic carcinoma and/or cancer of the stomach, colon or rectum.

ANSWER:

See answer to Interrogatory No. 72 above.

INTERROGATORY NO. 75:

Identify any action, other than workers' compensation claims, brought against you by claimants injured as a result of exposure to asbestos and asbestos-containing products prior to 1972, stating the court in which the action was brought, the date of filing, case style, and case number.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and that the information sought is irrelevant in this case and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Garlock states that it had no such personal injury claims alleging asbestos-related disease or injury based on product handling or use.

INTERROGATORY NO. 76:

State separately for each calendar year for the period 1928 to the present:

- a. The total amount of asbestos mined by your company;
- b. The total pound volume of asbestos fibre purchased by your company;

- c. The total pound volume of asbestos used by your company in its manufacturing processes;
- d. The total pound volume of asbestos sold by your company;
- e. The total pound volume of asbestos acquired by your company in any manner other than mining or purchase, and identify the manner of acquisition for each year;
- f. The total dollar value of asbestos mined by your company;
- g. The total dollar value of asbestos purchased by your company;
- h. The total dollar value of asbestos used by your company in its manufacturing process;
- i. The total dollar value of asbestos sold by your company;
- j. The total dollar value of all asbestos-containing products sold by you;
- k. The total number of pounds or linear feet of each asbestos product sold by you and the dollar value of such sales;
- l. The percentage of sales by dollar value and by linear foot and weight of your asbestos as compared to all asbestos sold in the United States;
- m. The percentage of sales by dollar value and by linear foot and weight of your asbestos-containing material as compared to all asbestos-containing materials sold in the United States;

ANSWER:

Garlock does not mine asbestos. Garlock objects to the balance of this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 77:

Did you in any way finance, assist or participate in:

- a. The Metropolitan Life Insurance Company studies of asbestos conducted from 1950;
- b. The Trudeau Foundation Saranac Lake studies from 1929-1960;
- c. The Quebec Asbestos Mining Association Study of Asbestos and Health between 1940 and 1970.

If so, state what role or action you took and identify all documents relevant to such activities by name, date, title, file number and present location.

ANSWER:

Garlock states that it was not involved in any studies and/or tests performed by the Metropolitan Life Insurance Company, the Trudeau Foundation Saranac Lake, or the Quebec Asbestos Mining Association.

INTERROGATORY NO. 78:

Has your firm ever been cited or admonished by any government agency (federal, state or local) for dust levels in excess of any threshold limit value (TLV) or other predetermined number? If so, please state:

- a. The date the government agency and the dust and TLV or number involved;
- b. The means of identifying any document related to such an occurrence;
- c. Any action taken by the agency involved.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is vague and ambiguous. As Garlock understands "Threshold Limit Value", it is a defined term and not subject to measurement. Garlock's products have always been within the accepted level or standard. Garlock products have never released asbestos fibers in excess of the presently prevailing TLV.

INTERROGATORY NO. 79:

State whether from 1930 to date you promulgated any rules, written or oral for the handling of asbestos or asbestos products by your own employees? If so, state:

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

ANSWER:

Garlock objects to this interrogatory insofar as it pertains to Workers' Compensation claims on the grounds that it is overly broad, unduly burdensome and that the information sought is irrelevant in this case and is not reasonably calculated to lead to discovery of admissible evidence. The plaintiff has never been a Garlock employee and does not allege ever visiting any Garlock facility. The only relevant issues in this action pertain to finished asbestos-containing products after they have left Garlock facilities.

INTERROGATORY NO. 80:

Have any of your employees been reassigned to other duties because of pulmonary coronary health problems? If so, please state for each such reassignment:

- a. The date and reason for reassignment;
- b. The jobs prior to and after reassignment;
- c. The age and health problem of the person reassigned.

ANSWER:

See answer to Interrogatory No. 79 above.

INTERROGATORY NO. 81:

Prior to 1972, have your employees ever been subject to periodic medical examination so, please state:

- a. Whether the examinations were performed by your firm, its agents or employees or by outside personnel either private or governmental;
- b. Whether the examinations were performed as a result of an internal corporate decision or to comply with some governmental rule;
- c. Whether any person was rejected for employment as a result of such examination. If so, state the date and reason for such rejection;
- d. Whether any employee was reassigned, terminated or pensioned as the result of such examination and the date and reason for each such occurrence.

ANSWER:

Garlock has had a medical examination program for employees with exposure to asbestos, which has been in effect since the early sixties. Eligible employees were located in the high pressure sheet and the textile department. Supervisors of employees in these departments were notified when the medical examinations would take place. Participation was optional; an employee could decline to participate upon a written authorization. 95% of eligible employees participated in the medical examination program. Since the inception of this program, less than 1 per cent have been found to have an asbestos related condition, upon independent review of the CXR films.

Results of medical examinations are available for inspection at Garlock Inc, 1666 Division Street, Palmyra, New York 14522. Copies of the CXR are in the possession of physicians who review the CXR.

INTERROGATORY NO. 82:

Have you ever removed or had removed any asbestos insulation or other asbestos containing material from any building, plant or facility which you owned, operated, leased or maintained? If so, identify the building or facility, state the date the asbestos material was removed and who removed the asbestos, and identify all documents relating to or referring to the removal.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 83:

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

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 84:

Do you agree that the possibility of exposure to asbestos dust and fibers extends not only to workers actually handling the asbestos products but also to:

- a. Other workers in the area where the asbestos products are being used;
- b. Members of the families of workers;
- c. Household members of workers.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and for the further reason that the only products at issue in this litigation are those to which plaintiff alleges to have been exposed. Notwithstanding and without waiving the foregoing objections, Garlock states that during the course of continuous investigation, observation, experience and study of its products and their use, there has never been any competent scientific or medical evidence or reason to believe that Garlock asbestos-containing products pose a health hazard, potential or otherwise to persons using said products. Garlock products pose no health hazard, potential or otherwise to persons using such products.

INTERROGATORY NO. 85:

Does your company have a record or document "retention" policy, plan or program? If so, please describe such plan. If the plan is different for separate categories of records, please describe the plan for each category. Please include in the descriptions the following:

- a. The name and title of the custodian of the records;
- b. The length of time for which records are retained;
- c. The titles and names of the personnel responsible for determining the policy or plan from 1935 to the present;
- d. The titles and names of the personnel responsible for the removal and destruction of any records, pursuant to any such plans from 1935 to the present.

ANSWER:

Garlock objects to this interrogatory on the grounds that the interrogatory is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 86:

Have you destroyed any documents, records or writings pertaining to:

- a. Health hazards of asbestos;

- b. Workmen's Compensation claims arising out of asbestos, lung cancer, mesothelioma, cor pulmonale, pneumoconiosis, or pulmonary fibrosis;
- c. Placing warning labels on your products;
- d. Hazardous conditions in your plants or factories;
- e. Funding of studies about health hazards of asbestos;
- f. Lawsuits arising out of injuries alleged to having been caused by asbestos.
- g. The effectiveness of masks or respirators in protecting users from asbestos exposure. If so, list every such document destroyed by author, date and subject matter.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 87:

Identify and produce all Minutes of each meeting of the Board of Directors or of any committee of the Board at which meeting the hazards of asbestos exposure, and/or the possible application of warning labels on asbestos-containing products were discussed.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case and not reasonably calculated to lead to discovery of admissible evidence.

INTERROGATORY NO. 88:

If there is any person whom the defendant expects to call as an expert witness at trial, please provide a copy of the witness' curriculum vitae or summary of the witness' qualifications if there is no vitae, and please state for each such expert witness:

- a. The person's identity, giving name, profession or occupation and address;
- b. The subject matter on which each such expert is to testify;
- c. The substance of all facts and opinions regarding which each such expert is to testify;
- d. A summary of the grounds for each opinion of each such expert;
- e. Whether the facts and opinions listed in (c) above are contained in a written report, memorandum or transcript and if they are, produce the same pursuant to the Rule 34 Notice of Production of Documents attached hereto;
- f. If the opinion of any expert listed above is based in whole or in part on any code or regulation, governmental or otherwise, identify said code or regulation and specifically set forth the section relied upon;
- g. Whether each such expert intends to base his or her testimony on any book, treatise, article, study, or any other document, and, if so, identify all such documents; and
- h. Whether the witness has testified at trial or by deposition in other asbestos-related personal injury or wrongful death cases, and if so, state for each such case:
 - (1) the name and docket number;
 - (2) the court in which each such case was pending; and
 - (3) the party for whom the witness testified.

ANSWER:

Garlock has not yet determined which expert witnesses it will use at the time of trial. See attached Exhibit "E". Garlock reserves the right to amend this list and reserves the right to call any expert witness listed by any other party.

INTERROGATORY NO. 89:

Identify the name and address of each non-expert witness whom you intend to call at trial, and specifically set forth the nature and substance of the matters to which each such person will testify and summarize the facts to which such person will testify.

ANSWER:

Garlock has not yet determined which fact witnesses it will use at the time of trial. See attached Exhibit "F". Garlock reserves the right to amend this list and reserves the right to call any fact witness listed by any other party.

INTERROGATORY NO. 90:

Identify and produce each exhibit that You intend to rely upon at trial.

ANSWER:

Garlock has not yet determined which exhibits it will use at the time of trial. See attached Exhibit "G." Garlock reserves the right to amend this list and reserves the right to use any exhibit listed by any other party.

INTERROGATORY NO. 91:

Identify all persons, other than your attorneys, who provided you with any information used in answering these interrogatories, and state the particular information each person supplied.

ANSWER:

Information used to answer these interrogatories was gathered from answers to interrogatories previously filed in this and other jurisdictions over the last several years and involved obtaining and confirming information from many present and former employees. The names of the individuals who provided information include: Clayton M. Jewett, former Manager of Marketing - Gasket Products, Garlock Inc, Roy L. Whittaker, former Director, Engineering, Industrial Packing, Garlock Inc, and Richard W. Watson, former Paralegal and Patent Agent, Garlock Inc. Garlock objects to the remainder of the interrogatory on the grounds that it is unduly burdensome, unnecessary and harassing.

INTERROGATORY NO. 92:

At any time prior to 1972, did you team of any recommended levels of asbestos proposed by The American Conference of Governmental and Industrial Hygienists (ACGIH)? If so, state:

- a. The exact date you first learned of any ACGIH recommended levels:
- b. How you first learned of it:
- c. Which of your employees or agents first learned of it:
- d. The steps or action you took to advise your sales personnel of the recommendation;
- e. The steps or action you took to advise your customers, dealers, distributors and contractors of the ACGIH recommendation;
- f. Any comment you filed or submitted to ACGIH:
- g. Identify all documents related to ACGIH:

ANSWER:

In the late 1960's, the American Conference of Governmental Industrial Hygienists changed its recommended standard to 12 fibers, greater than 5 microns in length, per cubic centimeter, roughly equivalent to two million particles per cubic foot as measured by older techniques. Under the 1970 Occupational Safety and Health Act (OSHA), the government promulgated a TLV and adopted the prevailing standard of 12 fibers, greater than 5 microns in length, per cubic centimeter, which continued until June 7, 1972 when it was reduced to 5 fibers. That TLV continued until July 1, 1976 when it became 2 fibers and effective July 21, 1986, the OSHA Permissible Exposure Limit (PEL) for an eight hour Time Weighted Average (TWA) was set at no greater than .2 fibers per cubic centimeter of air. In August 1994, however that changed to Permissible Exposure Limit (PEL) for an eight hour Time Weighted Average (TWA) to be no greater than .1 fibers per cubic centimeter of air. Garlock's products have always been within the accepted level or standard. Garlock products have never released asbestos fibers in excess of the presently prevailing TLV.

INTERROGATORY NO. 93:

Do you contend that there is a minimum safe threshold level of exposure to asbestos below which there is no risk in developing mesothelioma or lung cancer? If so, specify the minimum safe threshold level of exposure for each disease, the date you claim the threshold was arrived at, and the precise basis for your contention.

ANSWER:

Garlock objects to this interrogatory on the grounds that it seeks an expert medical opinion which Garlock is not qualified to give.

INTERROGATORY NO. 94:

Do you contend that there is any difference between chrysotile fiber, amosite fiber, crocidolite fiber, and/or tremolite fiber in the development of (a) mesothelioma; and (b) lung cancer? If so, explain in detail your contention as to the distinction between or among fiber types in the development of each disease and the medical authority you rely on.

ANSWER:

Garlock objects to this interrogatory on the grounds that it seeks an expert medical opinion which Garlock is not qualified to give.

INTERROGATORY NO. 95:

With respect to any other (non-asbestos containing) product manufactured, distributed and/or marketed by you, have you ever devised, issued or included any warning with the product(s), or the user(s) thereof concerning potential hazards of respirable dust connected with such product(s)' use. If so, set forth:

- (a) The name of the product;
- (b) The contents of the warning;
- (c) The year such warning was issued;
- (d) Whether the warning appeared directly on the product or was included in accompanying product literature;
- (e) If the warning appeared on the product, provide a physical description of the warning's appearance, including type size and color and area of placement on the product.

ANSWER:

Garlock objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant to any issue in this case, not reasonably calculated to lead to discovery of admissible evidence and for the further reason that the only Garlock products at issue in this case are asbestos-containing and those to which plaintiff alleges to have been exposed.

INTERROGATORY NO. 96:

Have you, or any corporate division, subsidiary or related entity ever been engaged in the business of asbestos abatement. If so, state:

- a. The name of the unit of all personnel involved;
- b. The location where such persons or units were based;
- c. The dates such person or units functioned;
- d. The sites where such abatement, repair, encapsulation or removal occurred.

ANSWER:

No.

PRODUCTION OF DOCUMENTS
GENERAL OBJECTIONS

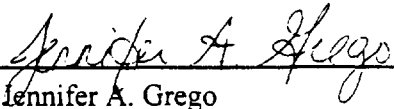
1. The Requests seek information going back many years and Garlock has found it difficult, if not impossible, to reconstruct or retrieve much of the information requested. The answers given are based on the present facts known or believed by Garlock at the time of its answer.
2. The Requests are overly broad, burdensome, and in places, vague and ambiguous. In addition, the Requests are not sufficiently limited in time and use terms which do not refer to products manufactured by Garlock.
3. Garlock does not now manufacture or sell, and has never manufactured or sold, asbestos-containing insulation products as that term is commonly used and understood in this litigation. Therefore, Garlock objects to any Request referring to or assuming that such products are or have been manufactured by Garlock. Garlock presumes that Requests referring to insulation products are thus not applicable to Garlock.
4. The Requests themselves are overly broad in that they tend to group together all of the defendants. There has never been any evidence or reason to believe that Garlock products, upon reasonable use, release asbestos fibers in sufficient quantities, if any, to pose a health hazard, potential or otherwise, to persons using said products. Garlock denies that the use of, or exposure to, its asbestos-containing products poses any health hazard. Furthermore, the plaintiff's alleged problems are not related to Garlock products.

RESPONSES

Where applicable, Garlock has already produced documents identified in its answers to Interrogatories which are attached hereto as exhibits. Garlock believes that plaintiff's Requests for Production of Documents are duplicative to what has already been produced in its answers to Interrogatories and therefore objects to these Requests as being overly broad, burdensome, and in places, vague and ambiguous.

DATED: May 19, 1999

ISEMAN, CUNNINGHAM, RIESTER &
HYDE, L.L.P.

By: 
Jennifer A. Grego

Attorneys for Defendant Garlock Inc.
9 Thurlow Terrace
Albany, New York 12203
(518) 462-3000

TO: Baron & Budd, P.C.
All Known Defense Counsel

GARLOCK INC

Managers of Palmyra Operations

(Revised 06/11/96)

(1 page)

GARLOCK INC

Managers of Palmyra Operations

<u>Name</u>	<u>Years as Manager</u>	<u>Current Address</u>
G. L. Abbott	1938 - 1955	Deceased
R. M. Waples	1955 - 1960	Deceased
A. J. McMullen	1960 - 1968	Deceased
G. P. Wiess	1968 - 1970	P. O. Box 41188 Houston, TX 77241
Alex Kuzmuk	1970 - 1972	31 Selborne Chase Fairport, NY 14450
G. P. Wiess	1972 - 1974	P. O. Box 41188 Houston, TX 77241
G. W. Townsend	1974 - 1982	Coltec Industries Inc The Reserve Commerce Center 2176-2178 NW Reserve Park Trace Port St. Lucie, FL 34986
J. L. Vensel	1982 - 1985	Crucible Specialty Metals Division P. O. Box 977 State Fair Boulevard Syracuse, NY 13201
J. W. Guffey, Jr.	1985 - 1991	Coltec Industries Inc 430 Park Avenue New York, NY 10022
K. B. Schoenfelder	1991 - 1994	Coltec Industries Inc 104 Pheasant Run Newton, PA 18940
M. S. Burdulis	1994 - 5/31/96	Coltec Industries Inc c/o 430 Park Avenue New York, NY 10022
K. R. Miller	06/01/96 - Present	Garlock Inc Mechanical Packing Division 1666 Division Street Palmyra, NY 14522

Revised 06/11/96

GARLOCK INC

MONOGRAPH

**Description of Garlock
Asbestos-Containing Products**

(10/85, Rev. 12/92)

(3 pages)

GARLOCK ASBESTOS-CONTAINING PRODUCTS

Garlock has produced several hundred products which contained asbestos fibers in one form or another. The majority of these products were made by Garlock Mechanical Packing Division, and the first portion of this product description is divided into the four product groups made by that division.

GARLOCK MECHANICAL PACKING

Compression Packings - There are four general product groups within the Compression Packing group which included products containing asbestos. These are furnished in ring form or in longer lengths from which users may cut their own rings. Manufacture of products in each of these groups began prior to 1933. Within the past several years, all of the asbestos-containing products in these four groups have been discontinued. The four groups are:

Braided Packings - Asbestos yarns were braided and lubricated with such materials as oils, waxes, PTFE and graphite. Some of the styles had yarns with copper, brass, Monel or Inconel wire insertions. Representative style numbers were 5862, 733 and 234. 25%-65% asbestos (by weight).

Fabric and Rubber Packings - Asbestos fabric was first impregnated with an elastomeric compound and then either laminated with additional elastomeric material or else rolled and/or folded with other components to form a coil of resilient material. These packings were normally lubricated and graphited. Sometimes the yarn from which the cloth was made was wire-inserted. Representative styles were 7130, 150 and 144. 25%-65% asbestos (by weight).

Flexible Metallic Packings - Most of these had a braided asbestos core with a twisted metal foil jacket. However, soft metal strands and asbestos yarn were twisted together and braided for some styles. These packings were usually lubricated and graphited. Representative styles were 631, 633 and 644. 10%-50% asbestos (by weight).

10/85, Rev. 12/92

Plastallic Packings - These packings were made with asbestos fibers mixed with a variety of ingredients, such as elastomers, oils and greases, metallic particles and graphite. Some styles had a complete braided jacket, some had a skeleton braided jacket and some had no jacket. Representative styles were 908, 926 and 127. 35%-65% asbestos (by weight).

Expansion Joints - The standard construction of most of our expansion joints and flexible couplings calls for polyester or glass fabric. Elastomeric materials are used to encapsulate and bond the fabric portions and include chlorobutyl, neoprene and fluoroelastomers. The fabric and rubber materials are laminated and vulcanized to produce a tough and unitary structure. Representative styles which used to be furnished with asbestos fabrics on special order are 204 and 9278. Less than 25% asbestos (by weight). Manufacture of the products in this group began in approximately 1950 and the use of asbestos was discontinued in about 1978.

Industrial Packings - Within this product group, gasketing material and formed gaskets, all of various constructions, are included. Except as noted, products of these types have been produced since before 1933. They may be described as follows:

Compressed Asbestos Sheet and Gaskets - Asbestos fibers are mixed with elastomeric binders and other fillers and formed into large sheets. Substantial pressure is applied to compress the material and heat is applied to cure the elastomeric material. A tough durable product results and gaskets are cut from the finished sheet. Sometimes we cut the gaskets; at other times, we supply the sheet to others and they cut the gaskets. All current styles use only white chrysotile asbestos fibers. A variety of elastomers and other materials are used according to the chemical resistance and temperature resistance that may be necessary. The surfaces are treated to reduce any tendency to adhere to flanges in service. The most popular styles are 900/7735, 7021 and 7228. Style 7705 was made with blue asbestos fiber and was intended for use in highly acidic conditions. 65%-85% asbestos (by weight).

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Woven Asbestos and Rubber Gaskets - Woven asbestos cloth, sometimes with wire insertions, was impregnated with a variety of elastomeric materials and then cut and/or folded to make gaskets and tapes of specified sizes. Representative styles were 604 and 612. 40%-65% asbestos (by weight).

Spiral Wound Gaskets - The standard construction consisted of alternating plies of steel ribbon and asbestos paper wound helically to finished sizes. Other metals were used, as were other fillers, as necessary for severe applications. Manufacture of such gaskets began in approximately 1933 and ceased in 1988. A representative style was 555. 5%-10% asbestos (by weight).

Hydraulic Components - Various hydraulic component products have been manufactured, beginning in approximately 1933. Sales of products containing asbestos within this group were minimal, but, for convenience, they will be divided into two groups as follows:

Asbestos Fabric and Rubber - Asbestos fabrics were impregnated with various elastomeric materials, rolled or folded and then molded into a variety of forms such as V-rings, cups and U-packings. Representative styles were 532, 813 and 7904. 25%-65% asbestos (by weight).

Homogeneous Fiber and Rubber - Elastomeric material was compounded in the uncured state with asbestos fibers and the resulting homogeneous material was then molded into finished shapes such as V-rings and cups. A representative style was 7815. 25%-65% asbestos (by weight).

OTHER DIVISIONS

In addition to the above products made by Garlock Mechanical Packing Division, the Valves and Industrial Plastics Unit of Garlock Special Products Division makes TFE envelope gaskets with a number of internal fillers and several of these contained asbestos. Asbestos materials used were compressed asbestos sheet, woven asbestos and felted asbestos. The latter two materials had a latex surface treatment. Manufacture of this type of product began in the 1940's and those which contained asbestos were from 20% to 40% asbestos (by weight).

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CURRENT GARLOCK DISTRIBUTORS IN NEW YORK

Apex Packing & Rubber Co. Inc
1855 New Highway
Farmingdale, NY 11735

Darcoid Co Inc
24 Midland Avenue
Hicksville, NY 11801

Gaddis Engineering Co.
P.O. Box 689
35 Beechwood Avenue
Port Washington, NY 11050

Gerald Packing & Belting Corp.
24 Midland Avenue
Hicksville, NY 11801

Higbee Gasket & Sealing Products
4083 New Court Avenue
Syracuse, NY 13206

Loewy Machinery Supplies Co.
33-37 57th Street
Woodside, NY 11377-2214

Midway Industrial Supply
6287 E. Molloy Road
East Syracuse, NY 13057

523 North Perry Street
P. O. Box 239
Johnstown, NY 12095

51 Wurz Avenue
Utica, NY 13503

Potter Associates Inc
24 Browncroft Blvd.
Rochester, NY 14609

Prince Rubber & Plastics Co Inc
137 Arthur Street
Buffalo, NY 14207

Queen City Rubber
200 Creekside Drive
Amherst, NY 14228

Sealing Devices Inc
4400 Walden Avenue
Lancaster, NY 14086-9751

4375 Walden Avenue
Lancaster, NY 14086

7150 Henry Clay Blvd.
Liverpool, NY 13088

20 Bermar Park
Rochester, NY 14624

Troy Belting
Gateway Industrial Park
Wembly Road
New Windsor, NY 12553

Troy Belting & Supply Co.
Rte 32 Cohoes Rd. at Elm
P.O. Box 170
Watervliet, NY 12189

Web Seal Co.
206 Marcellus St.
Syracuse, NY 13204

3801 Barnes Hill Road
Horseheads, NY 14845

15 Oregon Street
Rochester, NY 14605

3/11/92

DEPOSITION & TRIAL TESTIMONY GIVEN ON BEHALF OF GARLOCK INC
By Company Representatives, In Re: Asbestos Litigation

G. Elwood Houghton

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Overby v. Raymark	Circuit Court, City of Chesapeake	VA	12/4/86	2055-M
Re: Asbestos Cases	Circuit Court, Madison County	IL	6/9/88	-

Harold Hughes

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Sadowsky v. Anchor	Circuit Court, Oconto County	WI	3/22/95	91-CV-275

Clayton M. Jewett

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
* Bailey v. J-M	U.S. Dist. Court, Eastern Dist.	VA	10/26/78	76-155-NN et al.
Matthew v. J-M	Court of Common Pleas, PCCP	PA	10/23/79	4052(1/97);AC#1-71
Pennell v. J-M	Supreme Court, Albany County	NY	10/18/83	L-57219-8
Jakupko v. Alloy	Superior Court, Middlesex County	NJ	12/9/83	NA
Pratt v. Optical	U.S. Dist. Court, Western Dist.	TX	4/27/84	EP-83-CA-288,406 EP-82-CA-366
Adgate v. Keene	Common Pleas, 1st Judicial Dist.	PA	6/25/84	N-3080
* Atkins v. Garlock	U.S. Dist. Court, Southern Dist.	GA	5/23/88	CV288-52
Chancey v. Garlock	U.S. Dist. Court, Northern Dist.	GA	5/23/88	CV286-178
Bigpond v. Fibreboard	U.S. Dist. Court, Northern Dist.	OK	9/14/88	87-C-1223-E
Bigpond v. Fibreboard	U.S. Dist. Court, Northern Dist.	OK	10/13/88	87-C-1223-E
Hoell v. Garlock	Circuit Court, Sheboygan County	WI	2/26/92	90CV667
Armistead v. Celotex	U.S. Dist. Court, Calcasieu Parr.	LA	3/2/92	91-400
Delong v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	88C-NO-110
* West v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	89C-SE-123
Lukowski v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	87C-JN-84
Kenny v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	86C-AU-70
Deschenes v. Fibreboard	Superior Court, Orange County	CA	5/29/92	573285
Abercrombie v. Abex	Superior Court, San Francisco Co	CA	9/4/92	941345
Hellquist	Supreme Court, Los Angeles Co.	CA	10/19/93	BC-072504
Malone v. Garlock	District Court, Brazoria County	TX	11/15/93	7868
Baltimore City Asb. Lit.	Circuit Court, for Baltimore City	MD	6/29/94	94095701
Pl's v. Borden Inc.	Civil Dist. Court, Orleans Parish	LA	7/11/94	91-18397
MI Board of Education	Circuit Court, Wayne County	MI	8/16/94	84-429-634-NP
MI Board of Education	Circuit Court, Wayne County	MI	8/17/94	84-429-634-NP
Potter, Et Al	District Court, Orleans Parish	LA	8/11/95	88-16051
Abate, Et Al (Phase II)	Circuit Court, Baltimore City	MD	1/19/95	93-076701
Boyd (Phase I)	Circuit Court, Common Pleas	PA	10/26/95	91-3806
Osick (Phase I)	Circuit Court, Common Pleas	PA	10/26/95	91-2571
Chappell	Circuit Court, Baltimore City	MD	5/29/96	95-213501
Cozie/Zong/Springer	Common Pleas, 1st Judicial Dist.	PA	1/30/97	2584/1135/3357

* = Cases consolidated for discovery purposes

Kanwal Kapur

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
McGuire V. J-M	U.S. Dist. Court, Eastern Dist.	VA	6/22/79	CP77-1;CS77-68-NN

Wilbur Klotz

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
McGuire V. J-M	U.S. Dist. Court, Eastern Dist.	VA	6/22/79	CP77-1;CS77-68-NN

Alexander Kuzmuk

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Bailey v. J-M	U.S. Dist. Court, Eastern Dist.	VA	10/27/78	76-155-NN et al.
Matthews v. J-M	Common Pleas, Philadelphia Co.	PA	10/23/79	4025(Jan 79);AC1-71

Gordon Leroy

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Matthews v. J-M	Common Pleas, Philadelphia Co.	PA	10/23/79	4025(Jan 79);AC1-71

Thomas Mills

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Hutton V. Raymark	Superior Court, Middlesex County	NJ	9/22/88	L-014451-87
* Mehegan V. Celotex	Superior Court, Middlesex County	NJ	9/22/88	L-025167-86
Smith, H. v. Raymark	Superior Court, Middlesex County	NJ	9/22/88	L-88932-85

Walter Rooney

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Re: Asbestos Cases	U.S. Dist. Court, Eastern Dist.	VA	4/26/79	CP-#77-1
* Patrick V. J-M	U.S. Dist. Court, Eastern Dist.	VA	4/26/79	ALN#2330

Herbert Schaefer

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
McGuire v. J-M	U.S. Dist. Court, Eastern Dist.	VA	6/22/79	CP77-1; CS77-68-NN

George Townsend

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
McGuire v. J-M	U.S. Dist. Court, Eastern Dist.	VA	6/21/79	CP77-1; CS77-68-NN

* = Cases consolidated for discovery purposes

Roy Whittaker

CAPTION	COURT	STATE	DATE	CIVIL ACTION NO.
Durski v. Celotex	Superior Court, Middlesex County	NJ	7/21/87	L-063301-86
* Lee v. Am. Cyan.	Superior Court, Middlesex County	NJ	7/21/87	L-019976-84
Sholtis v. Am. Cyan.	Superior Court, Middlesex County	NJ	7/21/87	L-069326-85
* Sharp v. II. C.G. RR	U.S. Dist. Court, Southern Dist.	KY	1/27/88	86-3749
Bruce v. II. C.G. RR	U.S. Dist. Court, Western Dist.	KY	1/27/88	C87-0229P(J)
Douglas v. Garlock	U.S. Dist. Court, Southern Dist.	NY	2/29/88	-
Judy v. Armstrong	Circuit Court, Monongalia County	WV	10/30/91	CA 88-C-147
* Vogel v. Armstrong	Circuit Court, Monongalia County	WV	10/30/91	CA 86-C-832
Hurlow v. Armstrong	Circuit Court, Monongalia County	WV	10/30/91	CA 86-C-764
Delong v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	88C-NO-110
* West v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	89C-SC-123
Lukowski v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	87C-JN-84
Kenney v. Garlock	Superior Court, New Castle Co.	DE	4/21/92	86C-AU-70
Morgan v. Garlock	Superior Court, New Castle Co.	DE	8/30/93	CA89C-OC-185
Abate v. Garlock	Circuit Court, Baltimore City	MD	9/29/93	9236705
Dolan, Thomas W.	Superior Court, Middlesex Co.	MA	4/13/94	93-6001
Huff/Fowler v. Garlock	Superior Court, King County	WA	8/1/94	94-2-02492-2
McDonald v. U.P. RR	District Court, Cameron County	TX	12/6/94	94-01-497-E
Layton v. Garlock	Superior Court, Middlesex County	NJ	7/19/95	W02605788
* Granski v. Garlock	Circuit Court, Baltimore City	MD	12/6/95	95-020502
Balonis v. Garlock	Circuit Court, Baltimore City	MD	12/6/95	95-261701
Norman, Mike	Circuit Court, Wayne County	MI	12/13/95	94-421061
Charlot v. Garlock	District Court, Orleans Parish	LA	3/27/96	91-18397
* Fertig v. Garlock	Circuit Court, Baltimore City	MD	4/11/96	94-032501
Brannan v. Acands	Circuit Court, Baltimore City	MD	4/11/96	92-153501
Jackson, R. B.	District Court, Harris County	TX	4/17/96	87-37068 (?)
Swindler, Jr.	District Court, Orleans Parish	LA	6/5/96	95-15916
Eitemiller v. Acands	Circuit Court, Baltimore City	MD	9/24/96	96-176701
Aaron, Johnny B.	District Court, Brazoria County	TX	5/1/97	94-C-2110-2
Neary & McAnany	Common Pleas, 1st Judicial Dist.	PA	5/15/97	975 & 3666
Fisk & Graves	Common Pleas, 1st Judicial Dist.	PA	5/27/97	4276 & 4348
Finocchio	Common Pleas, 1st Judicial Dist.	PA	6/18/97	1484
Homung & Steffancavage	Common Pleas, Philadelphia Co.	PA	11/13/97	Nos. 2681 & 2679
Nelson [Excerpt only]	Circuit Court, Baltimore City	MD	11/18/97	97-314701
MON MASS II	Circuit Court, Monogalia County	WV	1/14/98	Mon Mass II
Scribner	Circuit Court, Baltimore City	MD	10/30/98	95-284501
Boyd/Collins/Conger	Common Pleas, 1st Judicial Dist.	PA	?	Nos. 3834, 0760 & 4476
Greenleaf	U.S. Dist. Court, Eastern Dist.	PA	17/24/97	90-1557

* = Cases consolidated for discovery purposes

**GARLOCK INC'S
EXPERT WITNESS DISCLOSURE**

GARLOCK INC ("Garlock") discloses the following expert witnesses who may be called to testify at trial:

CARL MANGOLD, C.I.H.

Mr. Mangold is a Certified Industrial hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products. He may complete asbestos exposure assessments on individual plaintiffs.

ROBERT GAY, Ph.D.

Mr. Gay is an environmental consultant and chemist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

DONNA M. RINGO, C.I.H.

Ms. Ringo is a Certified Industrial Hygienist. She may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. She may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. She may testify as to work practices regarding various types of occupations using products that contained asbestos. She may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. She may testify as to exposure that may result from the use of other types of asbestos products. She may complete asbestos exposure assessments on individual plaintiffs.

LARRY LIUKONEN, C.I.H.

Mr. Liukonen is a Certified Industrial Hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products. He may complete asbestos exposure assessments on individual plaintiffs.

FREDERICK WILLIAM BOELTER, C.I.H.

Mr. Boelter is an industrial hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products. He may complete asbestos exposure assessments on individual plaintiffs.

JOHN SPENCER, C.I.H.

Mr. Spencer is an industrial hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products. He may complete asbestos exposure assessments on individual plaintiffs.

J. LEROY BALZER, Ph.D., C.I.H.

Mr. Balzer is a Certified Industrial Hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding asbestos. He may testify as to the applicability of the OSHA and EPA's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

ROBERT SAWYER, M.D.

Dr. Sawyer may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Sawyer's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

STANLEY FIEL, M.D.

Dr. Fiel may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Fiel's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

JAMES CRAPO, M.D.

Dr. Crapo may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Crapo's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

ILAN ALLAN FEINGOLD, M.D.

Dr. Feingold may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Feingold's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

ROBERT W. MORGAN, M.D., S.M. HYG.

Dr. Morgan may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Morgan's testimony will be based on his training, experience, education and review of the literature concerning asbestos-related disease.

PETER BARRETT, M.D.

Dr. Barrett is a practicing radiologist and a B-reader certified by NIOSH. His testimony will relate to his interpretation of chest films taken of the plaintiffs, as disclosed in reports produced and made available to the plaintiff. It is anticipated that Dr. Barrett will testify generally as to his interpretation of the plaintiff's chest films, the presence of any asbestos-related condition as evidenced on the chest film, and the presence of other abnormalities or conditions unrelated to any exposure to asbestos.

Dr. Barrett may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Barrett's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

ANDREW CHURG, M.D.

Dr. Churg is a board certified pathologist who may give testimony regarding the pathological diagnosis of the medical condition of any plaintiff and in the case of a deceased plaintiff, may give testimony as to the cause of death. He will further testify as to whether any given plaintiff or plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos-related diseases and the carcinogenic properties of different types of asbestos fibers.

Dr. Churg may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes,

asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

MICHAEL GRAHAM, M.D.

Dr. Graham is a board certified pathologist who may give testimony regarding the pathological diagnosis of the medical condition of any plaintiff and in the case of a deceased plaintiff, may give testimony as to the cause of death. He will further testify as to whether any given plaintiff or plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos-related diseases and the carcinogenic properties of different types of asbestos fibers.

Dr. Graham may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

JOHN CRAIGHEAD, M.D.

Dr. Craighead is a board certified pathologist who may give testimony regarding the pathological diagnosis of the medical condition of any plaintiff and, in the case of a deceased plaintiff, may give testimony on the medical condition which caused plaintiff's death. He will further testify as to whether any given plaintiff or plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos-related diseases and the carcinogenic properties of different types of asbestos fibers.

Dr. Craighead may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

RICHARD J. LEE, Ph.D.

Dr. Richard Lee is President of R.J. Lee Group, Inc. He has a Ph.D. in Theoretical Solid State Physics and his fields of specialization include phased contrast microscopy, transmission electron microscopy, computer controlled scanning electron microscopy, environmental asbestos analysis and quantitative materials characterization. He will testify regarding the appropriate analytical method (PCM) for the measurement of airborne asbestos fibers in occupational settings. He will also testify that the TEM Indirect Method is not a reliable method for measurement of exposure to airborne asbestos fibers in the occupational setting. He will also testify that the tyndallization effect is not a useful scientific tool for evaluating the amount of respirable asbestos fibers in the air. He may also critique the sampling and analytical method employed by William Longo in experiments involving Garlock gasket and packing products.

HARRY DEMOPOULOS, M.D.

Dr. Demopoulos will testify regarding the state of the scientific and medical knowledge concerning asbestos. His testimony may include, but is not limited to, discussions regarding the respiratory system, asbestos-related diseases and the effect of other substances on the respiratory system.

Dr. Demopoulos may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos-related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

Garlock reserve the right to adopt the testimony of any and all experts identified by other defendants in this case, to the extent the testimony of said expert is not inconsistent with the defenses asserted by Garlock.

Garlock reserve the right to call all treating and/or consulting physicians identified in discovery and reserves the right to call any individual with knowledge of the physical or mental condition of the plaintiff.

Garlock further identify all witnesses named by any other party and reserves the right to call any such witness in their case.

GARLOCK INC'S FACT WITNESS DISCLOSURE

GARLOCK INC (hereinafter "GARLOCK" discloses the following fact witnesses who may be called to testify at trial:

Defendant discloses the following fact witnesses who may be called to testify at trial:

1. Any present or former employee of Garlock. Garlock specifically identifies Mr. Clayton Jewett and Mr. Roy Whittaker as former employees, and Mr. James E. Heffron, as a current employee, who may testify on behalf of Garlock. Messrs. Jewett, Whittaker and/or Heffron will provide testimony on the process involved in the manufacture of various asbestos containing and non-asbestos containing Garlock gaskets and packing material. Messrs. Jewett, Whittaker and/or Heffron may also describe the various products manufactured by Garlock and the proper application and use of said products. Garlock reserves the right to call any current or past Garlock employees in response to the evidence presented in plaintiff's case-in-chief.
2. Garlock reserves the right to cross-examine any fact or expert witnesses disclosed by the plaintiffs as well as any and all treating physicians of the plaintiffs. In addition, defendants adopt, insofar as they deem it consistent with their own defenses, any fact witnesses disclosed by any co-defendants or any plaintiff in this matter.
3. Garlock disclaims any duty to introduce any of the above-mentioned witnesses at trial by virtue of placing them on the list.
4. Garlock specifically reserves the right to call any witness listed by any party, either live or by deposition or by previous trial testimony who may have been called to testify in this case for the purpose of impeachment, rebuttal, or any other purpose the law allows.
5. Garlock has not yet completed its determination of witnesses and reserves the right to supplement and amend this list up to and including the time of trial.
6. Any and all treating physicians, attending physicians, screening physicians and pathologists of the plaintiff's decedent and of the plaintiff.
7. Any and all family members, friends, or other witnesses disclosed by the plaintiff or otherwise revealed in discovery to be conducted.

8. Any and all co-workers or other employees of the employer(s) of the plaintiff's decedent as disclosed by plaintiff or other defendants or as otherwise may be disclosed in trial preparation and discovery.

Respectfully submitted,

By: _____
Attorneys for Garlock Inc

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GARLOCK INC'S EXHIBIT LIST

1. OSHA - 29 CFR Part 1910, Federal Register, Vol. 36, No. 234, December 7, 1971. Emergency Standard for Exposure to Asbestos Dust.
2. OSHA - 29 CFR Part 1910, Federal Register, Vol. 37, No. 110, June 7, 1972. Standard for Exposure to Asbestos Dust.
3. OSHA - 29 CFR Parts 1910 and 1926, Federal Register, Vol. 51, No. 119, June 20, 1986. Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Final Rules.
4. OSHA - 29 CFR Parts 1910, 1915, and 1926, Federal Register, Vol. 59, No. 153, August 10, 1994. Occupational Exposure to Asbestos; Final Rule.
5. OSHA - 29 CFR Part 1910, 1919, and 1926, Federal Register, Vol. 60, No. 125, June 29, 1995. Occupational Exposure to Asbestos; Corrections; Final Rule.
6. EPA - 40 CFR Parts 61 & 763, Federal Register, Vol. 54, No. 6, January 10, 1989. Asbestos NESHAP Revision, Including Disposal of Asbestos Containing Materials Removed from Schools.
7. EPA - 40 CFR Part 763, Federal Register, Vol. 54, No. 132, July 12, 1989. Asbestos: Manufacture, Importation, Processing, and Distribution in Commerce Prohibitions; Final Rule.
8. EPA - 40 CFR Part 61, Federal Register, Vol. 55, No. 224, November 20, 1990. National Emission Standards for Hazardous Air Pollutants; Asbestos NESHAP Revision; Final Rule.
9. EPA - 40 CFR Part 763, Federal Register, Vol. 58, No. 213, November 5, 1993. Asbestos, Manufacture, Importation, Processing and Distribution Prohibitions.
10. Nonmetallic Gaskets for Pipe Flanges - American Standard - ASA B16.21-1951 - The American Society of Mechanical Engineers.
11. Nonmetallic Gaskets for Pipe Flanges - American Standard - ASA B16.21-1962 - The American Society of Mechanical Engineers.
12. Nonmetallic Flat Gaskets for Pipe Flanges - American National Standard - ANSI B16.21-1978 - The American Society of Mechanical Engineers.
13. Final Report: Economic Analysis of the Proposed Revisions to the OSHA Asbestos Standards for Construction and General Industry, Contract Number J-9-F-8-0033, Task Order 4, Option Year 1. Prepared for: U.S. Department of Labor, Occupational Safety and Health Administration Office of Regulatory Analysis; Prepared by: CONSAD Research Corporation, July 27, 1990.
14. Ambient Water Quality Criteria For Asbestos. Prepared by U.S. EPA, Office of Water Regulations and Standards, Criteria and Standards Division, Washington D.C., EPA440/5-80-022, October, 1980.
15. Department of Health of Sacramento, CA. Letter to California Employers Who Use Asbestos. Subject: Reporting Asbestos Use to Cal/OSHA. August 1977.
16. Asbestos Exposure from Gasket Operations. Naval Regional Medical Center, Bremerton, WA. L.R. Liukonen, K.R. Still, R.R. Beckett. May 1978

17. Analysis of Fiber Release from Certain Asbestos Products. GCA Corporation - Technology Division - December 1982; Prepared for U.S. Environmental Protection Agency.
18. The Actual Contribution of Garlock Asbestos Gasket Materials to the Occupational Exposure of Asbestos Workers. Carl A. Mangold, CIH - October 1982.
19. The Actual Occupational Exposure to Airborne Asbestos Released by Garlock Spiral Wound, Braided and Encapsulated Gaskets. Carl A. Mangold, CIH - December 1982.
20. The Actual Contribution of Asbestos Fiber Exposure During Gasket Removal from Pipe Flanges Aboard Ship. Carl A. Mangold, CIH - November 1983.
21. The Actual Release of Asbestos Fibers from New, Used and Flanged Garlock Inc Asbestos Gasket Materials. Carl A. Mangold, CIH - September 1985.
22. Garlock Inc Gasket Materials - A Comparison of Tyndall Phenomena to the Actual Concentration of Asbestos Fibers in the Breathing Zone of Workers. Carl A. Mangold, CIH - July 1986 (Rev.).
23. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Opening of Old Flanges and Removal of Asbestos Gaskets. Carl A. Mangold, CIH - January 1989.
24. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Cutting Gaskets With a Circular Cutter. Carl A. Mangold, CIH - January 1989.
25. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Gasket Cutting With Hand Shears. Carl A. Mangold, CIH - January 1989.
26. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Gasket Cutting With Ball Pein Hammer. Carl A. Mangold, CIH - January 1989.
27. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Scribing of Gasket Material. Carl A. Mangold, CIH - January 1989.
28. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Flange Face Scraping With Putty Knife. Carl A. Mangold, CIH - January 1989.
29. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Hand Wire Brushing of Asbestos Gasket Residual from Flanges. Carl A. Mangold, CIH - January 1989.
30. The Actual Contribution of Airborne Asbestos Fibers to the Occupational Exposure of By-Standers During Selected Processing of Encapsulated Asbestos Gaskets - Power Wire Brushing of Flange Faces. Carl A. Mangold, CIH - January 1989.
31. The Actual Contribution of Airborne Asbestos Fibers from Removal and Installation of Asbestos Packing from Valves. Carl A. Mangold, CIH, and Robert Gay, Ph.D., May 1991.

32. Final Report - Actual Asbestos Fiber Release During Gasket Removal Work Practices. Robert L. Gay, Ph.D., August 23, 1991.
33. An Industrial Hygiene Survey to Determine Airborne Asbestos Fiber Concentrations During the Utilization of Braided Asbestos Packing Material (Garlock Inc - Style 5880). Neilson Associates - June 6, 1980.
34. An Industrial Hygiene Survey to Determine Airborne Asbestos Fiber Concentrations During the Cutting of Garlock Gasket Material Types 900 and 7021. Neilson Associates - June 6, 1980.
35. An Industrial Hygiene Survey to Determine Airborne Asbestos Fiber Concentrations During the Utilization of Garlock Gasket Material (Style No. 7021). Neilson Associates - October 22, 1980.
36. Asbestos- Fiber Exposures Related to the Replacement of Garlock Style 7021 Gaskets. Neilson Associates - May 19, 1981.
37. An Evaluation of Potential Occupational Exposure to Airborne Asbestos During the Installation and Removal of Braided Asbestos Gasketing Material (Braided Asbestos Type 150, 234, 644, 733, 5861 and 5876). Neilson Associates - April 1, 1982.
38. An Evaluation of Potential Occupational Exposure to Airborne Asbestos Fibers Encountered During Installation and Removal of Asbestos-Containing Gaskets - Gasket Type 604. Neilson Associates - April 1, 1982.
39. Technical Report for Garlock Inc Occupational Exposures During Processing, Handling, Installation and Removal of Garlock Asbestos-Containing Gaskets. McCrone Environmental Services, Inc. - June 3, 1985.
40. Technical Report. Occupational Exposures During Processing and Handling of Asbestos-Containing Gaskets at Anchor Packing Company. McCrone Project No. ME-5396 - October 12, 1988.
41. DMR & Associates, Donna M. Ringo gasket testing 5/23/91, 91-LGE-08, Magnolia Station, Louisville, KY.
42. DMR & Associates, Donna M. Ringo gasket testing 9/8/91, 91-LGE-24, Mill Creek Power Plant, Louisville, KY.
43. DMR & Associates, Donna M. Ringo gasket testing 9/20, 23, 24/91, 91-LGE-25, Mill Creek Station, Louisville, KY.
44. DMR & Associates, Donna M. Ringo gasket & packing testing 10/1, 2, 8/91, 91-LGE-28, Cane Run, Louisville, KY.
45. DMR & Associates, Donna M. Ringo gasket & packing testing 9/30/91 to 10/24/91, 91-LGE-26, Mill Creek Station, Louisville, KY.
46. DMR & Associates, Donna M. Ringo gasket testing 11/4/91, 91-LGE-38, Mill Creek Station, Louisville, KY.
47. DMR & Associates, Donna M. Ringo gasket testing 12/28, 29/91, 91-LGE-43, Mill Creek Station, Louisville, KY.
48. DMR & Associates, Donna M. Ringo gasket & packing testing 1/10/92, 92-LGE-02, Mill Creek Station, Louisville, KY.

49. DMR & Associates, Donna M. Ringo gasket testing 1/17/92, 92-LGE-05, Cane Run Power Plant, Louisville, KY.
50. DMR & Associates, Donna M. Ringo gasket & packing testing 1/16/92, 92-LGE-04, Trimble County, Louisville, KY.
51. DMR & Associates, Donna M. Ringo gasket testing 1/31/92, 92-LGE-08, Trimble County, Louisville, KY.
52. DMR & Associates, Donna M. Ringo gasket testing 2/13/92, 92-LGE-14, Cane Run Station, Louisville, KY.
53. DMR & Associates, Donna M. Ringo gasket & packing testing 3/17, 18/92, Trimble County, Louisville, KY.
54. DMR & Associates, Donna M. Ringo gasket testing 3/3/92, 92-LGE-21, AC&S Shop, Louisville, KY.
55. DMR & Associates, Donna M. Ringo gasket testing 3/25/92, 92-LGE-37, The King's Daughter & Son Nursing Home, Louisville, KY.
56. DMR & Associates, Donna M. Ringo gasket testing 4/3/92, 92-LGE-40, Trimble County, Louisville, KY.
57. DMR & Associates, Donna M. Ringo gasket testing 3/27/92, 92-LGE-38, Taylor Boulevard, Louisville, KY.
58. DMR & Associates, Donna M. Ringo gasket testing 3/27/92, 92-LGE-38, Custom Chrome, Louisville, KY.
59. DMR & Associates, Donna M. Ringo gasket testing 3/27/92, 92-LGE-38, Portland Station, Louisville, KY.
60. DMR & Associates, Donna M. Ringo gasket testing 4/22/92, 92-LGE-50, 92-LGE-53, Mill Creek Station, Louisville, KY.
61. DMR & Associates, Donna M. Ringo gasket testing 4/29/92, 92-LGE-56, Ford Truck Plant, Louisville, KY.
62. DMR & Associates, Donna M. Ringo gasket testing 5/12/92, 92-LGE-61, 11th & Main Streets, Louisville, KY.
63. DMR & Associates, Donna M. Ringo gasket testing 5/15/92, 92-LGE-63, Doe Run Station, Louisville, KY.
64. DMR & Associates, Donna M. Ringo gasket testing 4/24-29/92, 92-LGE-55, Gas Department, Louisville, KY.
65. DMR & Associates, Donna M. Ringo gasket testing 3/11/92, 92-LGE-29, Magnolia Compressor Station, Louisville, KY.
66. DMR & Associates, Donna M. Ringo gasket testing 4/6/92, 92-LGE-041, Penille Road Station, Louisville, KY.

67. DMR & Associates, Donna M. Ringo gasket testing 4/21/92, 92-LGE-48-1, Muldraugh Compressor Station, Louisville, KY.
68. DMR & Associates, Donna M. Ringo gasket testing 4/22/92, 92-LGE-48-3, Muldraugh Emergency Shutdown System, Louisville, KY.
69. DMR & Associates, Donna M. Ringo gasket testing 5/26/92, 92-LGE-66, Muldraugh, Louisville, KY.
70. DMR & Associates, Donna M. Ringo gasket testing 4/24-29/92, 92-LGE-55, Various Regulator and Relief Pits, Louisville, KY.
71. DMR & Associates, Donna M. Ringo gasket testing 6/15/92, 92-LGE-71, Magnolia Station, Louisville, KY.
72. DMR & Associates, Donna M. Ringo gasket testing 4/16/92, 92-LGE-45, Crestwood Area, Louisville, KY.
73. DMR & Associates, Donna M. Ringo gasket testing 4/20/92, 92-LGE-47, Muldraugh, Louisville, KY.
74. DMR & Associates, Donna M. Ringo gasket testing 7/10/92, 92-LGE-73, Magnolia Facility, Louisville, KY.
75. DMR & Associates, Donna M. Ringo gasket testing 7/6-10/92, 92-LGE-72, Muldraugh Compressor Station, Louisville, KY.
76. DMR & Associates, Donna M. Ringo gasket testing 7/21-22/92, 92-LGE-75, Muldraugh Station, Louisville, KY.
77. DMR & Associates, Donna M. Ringo gasket testing 7/27/92, 92-LGE-76, Magnolia Station, Louisville, KY.
78. DMR & Associates, Donna M. Ringo gasket testing 7/28/92, 92-LGE-79-1, 4th and Brandies, Frankfort and Stitz Regulators, Louisville, KY.
79. DMR & Associates, Donna M. Ringo gasket testing 7/29/92, 92-LGE-79-2, Lexington & Braeview, Wallace and Wilmington Regulator Stations, Louisville, KY.
80. DMR & Associates, Donna M. Ringo gasket testing 7/30/92, 92-LGE-79-3, Belmont & Bardstown, Taylorsville Road and Bon Air Regulator Stations, Louisville, KY.
81. DMR & Associates, Donna M. Ringo gasket testing 7/30/92, 92-LGE-81, St. Helen's Station, Louisville, KY.
82. DMR & Associates, Donna M. Ringo gasket testing 7/31/92, 92-LGE-82, Muldraugh Station, Louisville, KY.
83. DMR & Associates, Donna M. Ringo gasket testing 8/3/92, 92-LGE-79-5, 3rd & Collins Court, Eastern Parkway and Burnette, Louisville, KY.
84. DMR & Associates, Donna M. Ringo gasket testing 8/5/92, 92-LGE-83, Trimble County Station, Louisville, KY.
85. DMR & Associates, Donna M. Ringo gasket testing 8/6/92, 92-LGE-84, Magnolia Compressor Station, Louisville, KY.

86. DMR & Associates, Donna M. Ringo gasket testing 8/26/92, 92-LGE-86, Muldraugh Compressor Station, Louisville, KY.
87. DMR & Associates, Donna M. Ringo gasket testing 10/5/92, 92-LGE-92, Muldraugh Station, Louisville, KY.
88. DMR & Associates, Donna M. Ringo gasket testing 10/29-30/92, 92-LGE-97, Mill Creek Station, Louisville, KY.
89. DMR & Associates, Donna M. Ringo gasket testing 3/22, 29/93, 93-LGE-16, Palmer Ball, Louisville, KY.
90. DMR & Associates, Donna M. Ringo gasket testing 5/12/93, 93-LGE-23, 834 E. Broadway, 1400 W. Broadway, 1024 E. Jefferson, Louisville, KY.
91. DMR & Associates, Donna M. Ringo gasket testing 11/3/93, 93-LGE-43, Muldraugh Gas Compressor Station, Louisville, KY.
92. DMR & Associates, Donna M. Ringo gasket testing 6/7/94, 94-LGE-37, Muldraugh Station, Louisville, KY.
93. DMR & Associates, Donna M. Ringo gasket testing 8/9/94, 94-LGE-42, Muldraugh Station, Louisville, KY.
94. DMR & Associates, Donna M. Ringo gasket testing 6/2-3/92, 92-LGE-68, Muldraugh Station, Louisville, KY.
95. DMR & Associates, Donna M. Ringo gasket testing 7/31/92, 92-LGE-79-4, Bardstown & Douglas, Browns Lane and Taylorsville Road, Louisville, KY.
96. DMR & Associates, Donna M. Ringo gasket testing 10/5-8/93, Major Locomotive Repair Facility During Gasket Removal.
97. DMR & Associates, Donna M. Ringo gasket testing 5/12/94, 94-LGE-28, Muldraugh Station, Louisville, KY.
98. Air Sampling for Asbestos During Maintenance Activities at Trinity River Authority of Texas, Central Regional Wastewater System, Grand Prairie, TX. Technical Safety & Health Consulting, Inc. - May 31, 1991.
99. Boelter & Yates, Fiber Release Study Test Report, Industrial Fittings, Flat Blade Scraper, 10/9/96.
100. Boelter & Yates, Fiber Release Study Test Report, Industrial Fittings, Wire Brush, 10/28/96.
101. Boelter & Yates, Fiber Release Study Test Report, Industrial Fittings, Making Gaskets with a Ball Peen Hammer, 11/5/96.
102. Boelter & Yates, Fiber Release Study Test Report, Industrial Fittings, Power Wire Brush, 11/11/96.
103. Boelter & Yates, Fiber Release Study Test Report, Industrial Fittings, Valve Packing Removal and Replacement, 11/19/96.
104. Boelter & Yates, Fiber Release Study Test Report, Maritime Fittings, Flat Blade Scraper, 11/22/96.

105. Boelter & Yates, Fiber Release Study Test Report, Maritime Fittings, Wire Brush, 12/1/96.
106. Boelter & Yates, Fiber Release Study Test Report, Maritime Fittings, Power Wire Brush, 12/12/96.
107. Boelter & Yates, Fiber Release Study Test Report, Maritime Fittings, Making Gaskets with a Ball Peen Hammer, 12/18/96.
108. Boelter & Yates, Fiber Release Study Test Report, Maritime Fittings, Valve Packing Removal and Replacement, 12/24/96.
109. An Evaluation of Simulated Field Use of Various Asbestos-Containing Packing Materials. Stephen W. Campbell, CSP, CIH - May 11, 1983.
110. Chesterton Company; Testing of Packing and Gasket Materials, Hygeia, Inc. Project No. 5617. March 9, 1989. By Charles Spooner, Ph.D., CIH.
111. Fiber Release Tests on Asbestos Valve Packing Material of the Crane Packing Company, Morton Grove, Illinois. Michael J. Matteson, School of Chemical Engineering, Georgia Institute of Technology.
112. Use of John Crane Packings in the Railroad Industry. By Henry L. Buccigross, Paul B. Monaghan and James H. Cheney, Arthur D. Little, Inc. - June 1985.
113. Report on the Measurement of Fiber Release from Simulated Steam-Stressed Durabla Gaskets (120°, 160°, 190°C for 5 hrs.) for Health Hazard Evaluation. A.M. Langer, R.P. Nolan, Environmental Sciences Laboratory, Brooklyn College. January 31, 1992.
114. Report on the Measurement of Fiber Release from Simulated Steam-Stressed Durabla Gaskets (250°C, 30 Days) for Health Hazard Evaluation. A.M. Langer, R.P. Nolan, Environmental Sciences Laboratory, Brooklyn College. December 9, 1992.
115. Report on the Measurement of Fiber Release from Simulated Steam-Stressed Durabla Gaskets (120°C, 160°C, 190°C for 5 Days) for Health Hazard Evaluation. A.M. Langer, R.P. Nolan, Environmental Sciences Laboratory, Brooklyn College. November 6, 1992.
116. Exposure to Asbestos Fibers During Gasket Removal, S.K. Spence and P.S.J. Rocchi, *Ann. Occ. Hyg.*, Vol. 40., No. 5, pp. 583-588, 1996.
117. An Investigation of the Fiber Release from Argo Valve Stem Packing Materials During Cutting, Installation and Replacement of Stem Packings. Dietrich A. Weyel, Sc.D., CIH, January 1993.
118. Asbestos Removal H.P. Turbine, Boiler Bottom. J.P. Carr, I.H. - February 28, 1984.
119. Industrial Hygiene Reports from Shell Oil regarding Gaskets and Packing (1974-1987).
120. Asbestos in Public and Commercial Buildings: Supplementary Analyses of Selected Data Previously Considered by the Literature Review Panel. Health Effects Institute - Asbestos Research, 1992.
121. Chemicals Report, "Asbestos Gasket Grinding Simulation," December 16, 1980; prepared by J.P. Koch.

122. Chemicals Survey Report, "Asbestos Exposure Evaluation USS Chemicals - Neville Island," May 17, 1984; prepared by S.D. Stockton, CIH; approved by F.M. Toca, Ph.D, CIH.
123. Structure Probe - Technical Report No. 31292 - Construction Analysis Research Investigation of 23 Gasket and Packing Samples using Polarized Light Microscopy, Dispersion Staining and Infrared Spectroscopy Techniques. May 20, 1988.
124. Asbestos Fibers in the Ambient Air in the Greater San Francisco Area. Carl A. Mangold, CIH, - March 1983, Bellevue, Washington.
125. Threshold Limit Values for Physical Agents in the Work Environment Adopted by ACGIH with Intended Changes for 1987 - 1988. American Conference of Governmental Industrial Hygienists 1986.
126. NIOSH Heta 87-017-1949 Health Hazard Evaluation Report. February 1989. United Rubber Workers International Union.
127. Materials Survey Asbestos - National Security Resources Board - U.S. Dept. of the Interior Bureau of Mines, February 1952.
128. Heating and Cooling for Man in Industry. American Industrial Hygiene Association, 1970.
129. Asbestos Elimination Program. Department of the Navy, Office of the Supervisor of Shipbuilding, Conversion and Repair, USN, August 20, 1979.
130. Environmental Protection Agency; Asbestos Advisory; Joseph Schechter, Technical Assistance Section, Environmental Assistance Division; 3/6/91.
131. Report of Findings: Exposure Assessment: An Evaluation of the Actual Contribution of Airborne Asbestos Fibers from the Fabrication of Gaskets; EPI Project No. 8489; Prepared By EPI - John W. Spencer, CIH, CSP; Prepared for Parrott and Donahue; 11 September 1998.
132. Report of Findings: Exposure Assessment: An Evaluation of the Actual Contribution of Airborne Asbestos Fibers from the Removal and Installation of Gaskets and Packing Material; EPI Project No. 8500; Prepared By EPI - John W. Spencer, CIH, CSP; Prepared for A.W. Chesterton Company; 3 September 1998.
133. Any and all medical records of plaintiff including but not limited to documentary records, x-rays, photographs of pathological materials, and reports of Defendant's expert witnesses.
134. The income tax and work records of plaintiff.
135. The Curricula Vitae of any and all expert witnesses called by other parties.
136. Any and all exhibits listed by other parties or otherwise identified during the course of the proceedings in this case.
137. Product samples, including photographs, valves, flanges, packing and gaskets.
138. The medical and scientific literature regarding asbestos related disease.

Finally, Garlock Inc reserves the right to introduce exhibits not designated herein for the purpose of impeachment or rebuttal.

Respectfully submitted,
GARLOCK INC

BY: _____
Attorney for: GARLOCK INC

F:\Data\Word\Exhibits\Garlock (Revised 2/2/99)