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FORD MOTOR COMPANY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE CITY AND COUNTY OF SAN FRANCISCO

IN RE:	)	CASE NO. 828684
COMPLEX ASBESTOS LITIGATION	)	FIFTH AMENDED SUPPLEMENTAL
	)	RESPONSES OF FORD MOTOR
	)	COMPANY TO GENERAL ORDER NO.
	)	129 STANDARD INTERROGATORIES
	)	TO FRICTION DEFENDANTS

PROPOUNDING PARTY:	Plaintiffs
RESPONDING PARTY:	Defendant FORD MOTOR COMPANY.
SET NO.:	GENERAL ORDER NO 129 STANDARD INTERROGATORIES TO FRICTION DEFENDANTS

COMES NOW FORD MOTOR COMPANY (hereinafter "Ford") and hereby submits these
Amended Supplemental Responses of Ford to General Order No. 129 Standard Interrogatories to
Friction Defendants.

INTERROGATORIES

INTERROGATORY NO. 9:

IDENTIFY YOUR Custodian of Business Records.

1 **SUPPLEMENTAL RESPONSE:**

2 Ford incorporates herein by reference its previous responses. In as much as plaintiffs have
3 further defined the Custodian of Business Records to mean the custodian of business records
4 regarding asbestos-containing friction products, Ford identifies Jack Ridenour, Design Analysis
5 Engineer, Ford Motor Company, Design Analysis Group, Three Parklane Boulevard, Dearborn,
6 Michigan 48126, (313) 322-3738; 1971 to present. Ford requests that all contact be made through
7 counsel

8 **INTERROGATORY NO. 30:**

9 Between the years 1930 and 1985, did YOU purchase or otherwise acquire any
10 ASBESTOS-CONTAINING FRICTION PRODUCT lines from another person or entity? If so,
11 state for each purchase:

- 12 A. Date of purchase of acquisition;
13 B. Terms of purchase or acquisition agreement;
14 C. Either attach all DOCUMENTS or disks containing such data, evidencing said
15 acquisition, or describe such DOCUMENTS with sufficient particularity that they
16 may be made the subject of a request for production of documents;
17 D. Trade, brand and/or generic name of each such product line so acquired;
18 E. Name of the person or entity from whom YOU purchased or acquired each such
19 ASBESTOS-CONTAINING PRODUCT line;
20 F. Location of any manufacturing facilities so acquired and the type of ASBESTOS-
21 CONTAINING FRICTION PRODUCTS manufactured therein.

22 **SUPPLEMENTAL RESPONSE:**

23 Ford's previous responses to this interrogatory were based upon a misunderstanding of the
24 term ASBESTOS-CONTAINING FRICTION PRODUCT lines. FORD in fact purchased no such
25 product lines as that term has been judicially defined and interpreted. Thus, FORD did not
26 purchase any product lines as FORD MOTOR COMPANY understands that term, and therefore
27 responds: No.
28

1 **INTERROGATORY NO. 39:**

2 Did YOU or any of YOUR predecessors-in-interest manufacture any of the following
3 products which contained ASBESTOS-CONTAINING FRICTION PRODUCTS at any time
4 between 1930 and 1985:

- 5 A. Automobiles;
6 B. Light duty trucks;
7 C. Heavy duty trucks or trailers;
8 D. Buses/coaches;
9 E. Motorcycles;
10 F. Winches; drilling rig or other stationary machinery;
11 G. Aircraft;
12 H. Rubber-tired crawler, construction or farm equipment;
13 I. Railed engines or cars including light-railed vehicles;
14 J. Ships;
15 K. Off-road vehicles;
16 L. Forklifts;
17 M. Other machinery or equipment (please describe).

18 **SUPPLEMENTAL RESPONSE:**

- 19 M. No.

20 **INTERROGATORY NO. 54:**

21 Did YOU or any of YOUR predecessors-in-interest MARKET any ASBESTOS-
22 CONTAINING FRICTION PRODUCTS to any agency or department of the U.S. Government? If
23 so, IDENTIFY each agency or department of the U.S. Government who YOU MARKETING
24 products and as to each agency or department of the U.S. Government IDENTIFY the product that
25 YOU MARKETING to them and the inclusive years that YOU did so.

- 26 A. Either attach all DOCUMENTS or disks containing such data, evidencing the
27 information sought in this interrogatory and its subparts to YOUR answers to these
28

interrogatories or describe such DOCUMENTS with sufficient particularity that they may be made the subject of the request for production of documents;

B IDENTIFY the persons(s) presently knowledgeable about the information sought in this interrogatory or its subparts.

SUPPLEMENTAL RESPONSE:

Ford incorporates herein by reference its previous responses. Additionally:

A. Ford has conducted a duly diligent search and reasonable inquiry for documents responsive to this request and consulted with individuals and has discovered as the result of those inquiries that no such documents exist;

B. Jack Ridenour. Please see Supplemental Response to Interrogatory No. 9.

INTERROGATORY NO. 57:

As to each ASBESTOS-CONTAINING FRICTION PRODUCT listed in YOUR preceding answers to these interrogatories, did DEFENDANT warn of the health hazards of asbestos? If so, state for each such warning:

A. The content, size, color and location; whether the warning appeared on the material and/or on the container and/or placed on a tag; whether the warning was included in contract; whether the warning was included in advertising or other promotional material;

B. State whether YOU have any photographs thereof;

C. The inclusive dates on which YOU used each such warning;

D. State all changes YOU made in such warnings and the dates of such changes;

E. IDENTIFY the person most knowledgeable about YOUR warnings and warning policy;

F. Do YOU have or know of samples, photographs or DOCUMENTS depicting the above warnings?

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1
2 **SUPPLEMENTAL RESPONSE:**

3 Ford incorporates herein by reference its previous responses. Additionally:

- 4 A. Aftermarket brake linings, pads and clutch facings are shipped in cartons, measuring
5 approximately 5 inches by 10 inches. With respect to the aftermarket brake linings
6 sold by Ford, the Ford logo, as well as a label which reads along the following lines
7 has been placed on the side of cartons from 1980 until the 1990's:

8 CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING
9 DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY
10 HARM. WHEN SERVICING THIS BRAKE LINING OR ANY COMPONENT
11 RELATED TO IT OR LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM
12 BEING AIRBORNE BY VACUUMING THIS ASSEMBLY WITH AN
13 INDUSTRIAL TYPE VACUUM CLEANER EQUIPPED WITH A HIGH
14 EFFICIENCY FILTER SYSTEM AND BY WASHING THE ASSEMBLY WITH
15 AN APPROPRIATE BRAKE PARTS WASHER IF NECESSARY. NEVER
16 REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY BLOWING WITH
17 COMPRESSED AIR.

- 18 B. No;
19 C. FORD refers to and incorporates subsection A above;
20 D. None;
21 E. Jack Ridenour; please see previous Supplemental Response to Interrogatory No. 9.
22 F. No.

23 DATED: December 18, 1998

HARDIN, COOK, LOPER, ENGEL & BERGEZ, LLP

24
25 By: *Eugene Brown, Jr.*

26 EUGENE BROWN, JR.
27 Attorneys for Defendant
28 FORD MOTOR COMPANY

PROOF OF SERVICE
IN RE: COMPLEX ASBESTOS LITIGATION - Alameda SUPERIOR 828684

I, Denise Kassel, hereby declare:

I am a citizen of the United States, over 18 years of age and not a party to the within action. I am employed in the county of ; my business address is Lake Merritt Plaza, 1999 Harrison Street, Eighteenth Floor, Oakland, CA 94612-3541.

On December 18, 1998 I served the within:

**FIFTH AMENDED SUPPLEMENTAL RESPONSES OF FORD MOTOR COMPANY TO
GENERAL ORDER NO. 129 STANDARD INTERROGATORIES TO FRICTION
DEFENDANTS**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

Alan R. Brayton, Esq.
BRAYTON PURCELL CURTIS & GEAGAN
222 Rush Landing Road
P.O. Box 2109
Novato, CA 94948

☒ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U S Postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY HAND DELIVERY:** I caused such envelope, to be hand delivered to the stated parties.

☐ **VIA FAX:** I caused such documents to be transmitted via fax to the stated parties at their respective facsimile numbers.

☐ **VIA EXPRESS CARRIER:** I caused such documents to be collected by an agent for _____ to be delivered to the offices of the stated parties.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 18, 1998, at Oakland, California.


DENISE KASSEL

VERIFICATION TO FOLLOW