

7012-20640

**ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.**

ATTORNEYS & COUNSELORS AT LAW

JOHN A. ELZUFON
JEFFREY M. AUSTIN
MARK L. REARDON
EDWARD A. TARLOV
SCOTT R. MONDELL
H. GARRETT BAKER
ROBERT H. RICHTER
COLLEEN D. SHIELDS
JOEL M. DONER
ROGER L. TRUEMPER
SCOTT A. SIMPSON

CHRISTIAN G. MCGARRY
MATTHEW P. DONELSON
BARBARA SNAPP DANBERG
DIANE M. ANDREWS
KATE G. SHUMAKER
ANDREA C. RODGERS
PENELOPE B. O'CONNELL
KRISTA REALE SAMIS
ANDREW J. CARMINE
PETER S. MURPHY

300 DELAWARE AVENUE
SUITE 1700, P.O. BOX 1630
WILMINGTON, DELAWARE, 19899-1630
PHONE: 302.428.3181
FACSIMILE: 302.428.3180
INTERNET: WWW.ELZUFON.COM
WRITERS E-MAIL: MDONELSON@ELZUFON.COM

SENIOR COUNSEL:
FRANCIS J. TRZUSKOWSKI
JAMES F. KIPP

October 6, 2008

VIA HAND DELIVERY

Mr. David W. deBruin, Esq.
Bifferato Gentilotti, LLC
800 North King Street
Plaza Level
Wilmington, DE 19801

Re: Lawrence Dolney v. Gleason Corporation
C.A. No. 08C-02-461
January 2009 Delaware Case

Dear Dave,

Enclosed please find copies of documents from Gleason Corporation in response to plaintiff's supplemental Request for Production.

Should you have any questions or concerns, please do not hesitate to contact me at (302) 504-3250. Thank you for your time and anticipated cooperation.

Very truly yours,


MATTHEW P. DONELSON

enclosures

Wilmington, Delaware Φ Boothwyn, Pennsylvania Φ Bear, Delaware

SCF-EC-7050

GLEASON-000001

IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

IN RE: ASBESTOS)
LITIGATION:)
)
LAWRENCE DOLNEY, and) C.A. No. 08C-02-461 ASB
CYNTHIA DOLNEY, his wife)
)
Plaintiffs,) Asbestos
)
v.) Non-Arbitration
)
AGCO CORPORATION, et. al.) Trial by Jury of Twelve Demanded
)
Defendants)

PLAINTIFFS' SUPPLEMENTAL INTERROGATORIES
DIRECTED TO DEFENDANT GLEASON CORPORATION

Please take notice that pursuant to Delaware Superior Court Rule of Civil Procedure 33, defendant is required to serve sworn answers upon the undersigned to the following interrogatories within thirty (30) days after service hereof. The defendant corporation or company shall designate an officer or agent who will answer the interrogatories by providing all of the information available to the organization whether the answering individual personally knows it or not. Each interrogatory is to be answered fully and separately.

Instructions

With respect to all questions, all information is to be divulged which is within the knowledge, possession or control of the corporation or company to whom these interrogatories are addressed, as well as the corporation or company's attorneys, investigators, agents, employees or other representatives.

If defendant cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, then state and answer to the fullest extent possible, specifying defendant's inability to answer the remainder, stating whatever information or knowledge defendant has concerning the unanswered portion and detailing what defendant did in attempting to acquire the information.

Definitions

A. "Defendant," as used herein, includes the above-named defendant.

B. "Predecessor" or "predecessor entity or company" as used herein means any entity which previously owned, controlled or comprised all or any portion of the named defendant, or all or part of which has been acquired by the named defendant whether by asset purchase, merger and stock transaction. "Predecessor" or "predecessor entity or company" as used herein includes, but is not limited to, entities as to which the named defendant is liable as a successor as a successor-in-interest.

C. "Related entity or company" as used herein means any and all past or present parent companies, subsidiaries, sister companies or like entities which have or have had connected/interlocking ownership with the named defendant.

D. "Asbestos-containing product" as used herein means any product which included any form of asbestos and/or asbestos-containing material as any part of its composition, components, parts and/or ingredients. This term specifically

includes, but is not limited to, any systems, equipment or machinery incorporating such components and/or materials, including, but not limited to, boilers, generators, turbines, pumps, furnaces, ovens, motor vehicles, and/or any component systems thereof.

E. Documents" as used herein, has the same meaning as set forth in Delaware Superior Court Rules of Civil Procedure. It includes, without limitation, any and all books, records, notes, letters, correspondence, memoranda, writings, invoices, purchase orders, contracts, sales ledgers, recordings, journals or books of account, in the possession, custody or control of this defendant or defendant's attorneys, investigators, agents, or employees. Control includes, but is not limited to, any right or entitlement to obtain access to documents in the possession or custody of another, including, but not limited to, rights conferred under an asset or business sale agreement. "Documents" includes originals and copies, microfilms, computer databases and transcripts made, recorded, produced or reproduced by any every means.

F. Where used with respect to documents, "identify" means to give the date, title, origin, author and addressee of the document and the name, address, position or title of the person who has custody of the document. Whenever identification is requested and defendant is willing to produce the documents voluntarily, defendant may respond by attaching a copy of the responsive document to the answers to these interrogatories.

Where used with respect to a person, "identify" means to give the person's name, employer, title or position with that employer, and business address and last known home address if the person is no longer so employed. If the person identified is, or has been, an employee, officer, director or agent of defendant, also state: the period of time during which he/she has been employed by defendant; all positions, titles or jobs that person has held with the defendant and the years each position was held; and, whether or not plaintiffs should contact said person directly or only through defense counsel.

G. Where appropriate, the singular includes the plural and vice-versa.

ANSWERS

Gleason Corporation (hereinafter referred to as "Gleason") has made a good faith effort to responsively address plaintiffs' discovery to which objections have not otherwise been filed. For this reason, Gleason is relying upon information collected from various sources, including information recently identified. Defendant's exploration of its prior operations is continuing and these responses amend and supersede any previously filed responses to discovery in this and any other jurisdiction. Defendant does not purport to have adopted or applied any definitions set forth at the outset of or at other places in plaintiffs' discovery nor has it assumed the improper, unproved and hypothetical facts or accepted the terminology or substance of plaintiffs' claims incorporated in, implied or alluded to within this discovery.

Due to the broad and diverse nature of Gleason's

operations and business, these answers are limited to Gleason's operations involving the manufacture and sale of Gleason machinery which operations appear to be the basis of the claims asserted.

General Objections

1. Gleason objects to Plaintiffs' Discovery on the grounds that it is overly broad, unduly burdensome, seeks information which is not relevant to Plaintiffs' cause of action, and seeks information which is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

2. Gleason objects to Plaintiffs' Discovery to the extent that said Discovery seeks information protected by either the attorney-client privilege or the work-product doctrine. Without waiving these objections, and subject to any additional objections herein, Gleason provides its Answers herein.

3. Gleason objects to Plaintiffs' Discovery to the extent that it seeks information that is not within the custody or control of Gleason, is otherwise within the public domain, or is otherwise equally or more available to Plaintiffs than to Gleason. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

4. Gleason objects to Plaintiffs' Discovery to the extent that it asserts and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

5. Gleason objects to Plaintiffs' Discovery to the

extent that it assumes the truth of the allegations which are in dispute in this litigation and/or makes incorrect and/or untrue assertions, and/or assumes unproven conclusions as established facts. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

6. Gleason objects to Plaintiffs' Discovery to the extent it seeks information regarding Gleason's sales of any asbestos-containing products to any entities other than those specifically identified as being in the chain of distribution of products to which Plaintiffs allegedly were exposed, or to any employers or job sites other than any employers or job locations that Plaintiffs specifically identified as employers and job locations at which Plaintiffs allegedly were exposed to asbestos-containing products. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers herein.

7. Gleason objects to Plaintiffs' Discovery to the extent it requires Gleason to identify any product either sold or manufactured by Gleason which may have contained asbestos or components containing asbestos when: Plaintiffs have failed and/or refused to specifically identify any product either sold or manufactured by Gleason to which Plaintiffs claim exposure; Plaintiffs have failed or refused to identify any locations and/or job sites at which Plaintiffs claim exposure to any products sold or manufactured by Gleason or Plaintiffs have failed or refused to identify any time periods during which Plaintiffs claim exposure to any products sold or manufactured by Gleason. Without waiving this objection, and subject to any additional objections herein, Gleason provides its Answers

herein.

8. Gleason objects to Plaintiffs' Discovery to the extent that it seeks to require it to provide information other than that which may be obtained through a reasonably diligent search of its records.

9. The responses made herein are made without in any way waiving or intending to waive, but on the contrary intending to reserve and reserving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent step or proceeding in this action or any other action; (2) the right to object on any and all grounds at any time, to any other discovery procedure involving or relating to the subject matter of Plaintiffs' Discovery; and (3) the right to supplement these answers should additional information be discovered.

Unless otherwise noted, answers are on behalf of The Gleason Works, the correct defendant, not Gleason Corporation, the incorrectly named defendant.

Each and every objection listed above is incorporated into answering defendant's response to Plaintiffs' interrogatories. Notwithstanding and without waiving these objections, Gleason hereby responds to Plaintiffs' Discovery as follows:

Interrogatories

INTERROGATORY NO. 1:

Identify the person answering these interrogatories on behalf of defendant.

ANSWER: Mr. Edward J. Pelta, Esq.

INTERROGATORY NO. 2:

Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that plaintiffs may rely upon these answers as the truthful and complete answers made on behalf of defendant? Specifically:

- (a) Describe the manner in which the information used to answer these interrogatories was collected, including listing any and all such sources of information relied upon, including identifying any and all records or documents reviewed and identifying persons providing information;
- (b) Identify any and all policies, procedures and/or practice involving the retention, collection and/or storage of documents, including effective dates and any and all modifications thereto, which have been in effect since 1940; and,
- (c) Identify any and all documents referring to, relating to, and/or reflecting said policies/procedures.

ANSWER: - Answering defendant objects to this interrogatory to the extent that it is overbroad and unduly burdensome. Answering defendant has made reasonable inquiry, including contacting personnel with knowledge of some of the information plaintiff is seeking. Answering defendant does not have a current policy of involving the retention, collection and/or storage of documents.

INTERROGATORY NO. 3:

Describe defendant's corporate/business history, including:

- (a) State defendant's full and correct name;
- (b) State the form in which defendant presently conducts business (i.e. corporation, partnership, proprietorship, etc.), and any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted

in each form;

- (c) State any and all names by which defendant has been known or has conducted business, at any time, and the date(s) during which defendant has been known by and/or conducted business, under each such name;
- (d) State defendant's present principal place of business and headquarters;
- (e) State any and all prior principle places of business and prior headquarters;
- (f) State defendant's present date and State of incorporation or State in which defendant is registered as a partnership, association, etc., whichever is applicable;
- (g) State the dates and States of each and every previous incorporation, reincorporation and/or registration;
- (h) Identify any and all predecessors, parents, subsidiaries and related companies as defined above;
- (i) List each and every State in which defendant is or as been authorized to transact business and the dates of said authorization;
- (j) If this defendant has an agent (including, but not limited to an agent for service), representative or place of business in Delaware, identify such agent, representative, or place of business;
- (k) Identify any and all documents, including, but not limited to, annual reports, corporate histories, organizational charts and/or like materials that refer to, relate to, and/or reflect defendant's corporate structure and history; and,
- (l) Identify the person with the most knowledge concerning defendant's corporate structure and history.

ANSWER:

- a) The Gleason Works
- b) Incorporated in 1865
- c) "Gleason"
- d) 1000 University Ave., Rochester, NY
- e) See above. Since early 1900s.
- f) The State of New York
- g) N/A

- h) Parent company is Gleason Corporation. The Gleason Works has various subsidiaries in the United States and abroad.
- i) N/A
- j) Gleason Corporation uses CT Corp., in the State of Delaware. The Gleason Works does not use a Delaware agent.
- k) Please refer to the information available at the Gleason website. (www.gleason.com).
- l) Edward J. Pelta, Esq.

INTERROGATORY NO. 4:

Has this defendant been sued under its correct legal name? If not, state the correct legal name of defendant and provide the information requested in No. 3 above concerning the defendant as correctly named.

ANSWER: - No. The Gleason Works.

INTERROGATORY NO. 5:

Identify any and all persons or entities which own, or at any time have owned, more than a twenty-five percent (25%) interest in this defendant, and for each such person or entity identified, state the date(s) during which said person or entity owned more than a twenty-five percent (25%) interest in defendant and the specific type and amount of interest owned.

ANSWER: - Gleason Corporation owns 100% of The Gleason Works.

INTERROGATORY NO. 6:

Identify any and all companies, businesses, corporations, and/or joint ventures in which this defendant owns, or at any time has owned, more than a twenty-five

percent (25%) interest, and with respect to each state:

- (a) The type of business, conducted by such related entity;
- (b) The past and present business relationship(s) between said related entity and defendant;
- (c) The identity of any past or present officer or director of defendant who, at any time, served as an officer or director of said related entity; and,
- (d) The nature of the products or services which defendant has sold to, or purchased from, said related entity.

ANSWER: - Gleason objects to this interrogatory as it is overly broad, vague, burdensome and harassing.

INTERROGATORY NO. 7:

List all directors and officers of defendant from 1940 to date and for each state all positions held and the date(s) during which each position was held.

ANSWER:

The Gleason Works

Current Directors

Edward J. Pelta
John J. Perrotti
John W. Pysnack

Current Officers

John J. Perrotti - President and Chief Executive Officer
Edward J. Pelta - VP, General Counsel & Secretary
John W. Pysnack - VP, Finance and Treasurer
Hermann J. Stadtfeld - VP, Bevel Gear Technology
John M. Terranova - VP, Sales - Americas
Gary N. Figler - VP, Rochester Operations
Gary J. Kimmet - VP, Worldwide Sales & Marketing
Kelvin T. Harburn - VP, Sales, Asia - Pacific
Udo Stolz - VP, Sales - Europe
William J. Simpson - VP, Global Supply Chain Management

INTERROGATORY NO. 8:

State whether any of defendant's present or former officers or directors ever served (whether before, during or

after becoming defendants' officer or director) as an officer or director of any other company, corporation or business which manufactured, sold, distributed, applied and/or installed asbestos or asbestos-containing products and, if so, please:

- (a) Identify each officer and director of defendant, who served as such other company's officer or director; and
- (b) Identify each company, corporation or business for which each such officer or director served, each position held by such officer or director for such other company, corporation or business, and the time periods each position was held.

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NO. 9:

Has defendant and/or any predecessor/related entity ever been involved, in any capacity, including but not limited to, seller, transferor, grantor, franchiser, licensor, buyer, transferee, grantee, franchisee or subject of the transaction, in any transaction, of any kind, concerning any of the following:

- (a) The purchase/sale or transfer of ownership of a company, corporation, business or entity which manufactured, sold, processed, distributed or contracted to apply asbestos and/or asbestos-containing products;
- (b) The purchase/sale or transfer of ownership of the assets or rights (including, but not limited to patents) to manufacture, sell, distribute or apply asbestos or asbestos-containing products; and/or
- (c) The purchase/sale or transfer of liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

ANSWER: - Gleason objects to this interrogatory as it

is overly broad, vague, burdensome, excessive in scope and time. Without waiving its objections, answering defendant responds no.

INTERROGATORY NO. 10:

If the answer to any sub-part of Interrogatory No. 9 is in the affirmative, with respect to each such transaction:

- (a) Identify all parties to the transaction;
- (b) Identify the subject matter of the transaction;
- (c) State the date of the transaction;
- (d) Identify any and all documents, referring to, relating to or reflecting the transaction; and,
- (e) Identify the person(s) with the most knowledge concerning said transaction.

ANSWER: - N/A

INTERROGATORY NO. 11:

Identify by full and complete trade name, any and all asbestos-containing products as defined above, which this defendant and/or any predecessor/related entity has, at any time:

- (a) Designed;
- (b) Omitted as duplicative of Standing Order #1 Interrogatories;
- (c) Omitted as duplicative of Standing Order #1 Interrogatories;
- (d) Omitted as duplicative of Standing Order #1 Interrogatories;
- (e) Distributed;
- (f) Applied;
- (g) Installed;

- (h) Patented;
- (i) Specified; and/or
- (j) Re-labeled.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. Without waiving its objections, answering defendant responds that some Gleason made machines are believed to have contained asbestos containing materials at some point. Gleason does not have an inventory of such machines. By way of further response, Gleason purchased brake materials from other suppliers that were used in Gleason machines.

INTERROGATORY NO. 12:

Has defendant and/or any predecessor/related entity, at any time, designed, manufactured, processed, sold, distributed, supplied, applied, installed or contracted to apply or install any product which contained vermiculite? If so, identify by brand/trade name any and all such products which contained vermiculite and for each:

- (a) State the date(s) during which said product contained vermiculite;
- (b) State, in percentage terms, the amount of vermiculite contained in the product;
- (c) Identify the source of the vermiculite used in the product;
- (d) Identify the specific entity (defendant, predecessor, related entity) which designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (e) State the year in which defendant and/or any predecessor/related entity first designed, manufactured, processed, sold, distributed, applied, installed or patented such product; and,
- (f) State the year in which the defendant and/or any predecessor/related entity last designed, manufactured, processed, sold, distributed,

applied, installed or patented such product.

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NO. 13:

With respect to each asbestos-containing product listed for each subpart of Interrogatory No. 11:

- (a) Identify the specific entity (defendant, predecessor, related entity) which designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- (b) State the year in which defendant and/or any predecessor/related entity first designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- (c) State the year in which the defendant and/or any predecessor/related entity last designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product; and,
- (d) Provide a full and complete description of the packaging in which the product was sold, including, but not limited to, type of package, size, color and writings thereon.

ANSWER: - The Gleason Works. See also response to interrogatory No. 11. By way of further response, see documents to be provided.

INTERROGATORY NO. 14:

Were any of the products, which were listed in response to Interrogatory No. 11 as having been specified, sold, distributed, applied or installed by defendant and/or any predecessor/related entity purchased from another company and re-labeled for sale or distribution by defendant and/or any predecessor/related entity? If so, identify those products, and with respect to each:

- (a) Identify the company from which defendant, its predecessor or related company purchased the product; and,
- (b) Identify the company which manufactured the product; and,
- (c) State the date(s) during which said re-labeled product was sold, distributed or applied.

ANSWER: - See response to Interrogatory no. 11. By way of further response, answering defendant responds that Gleason only used or re-sold asbestos containing materials in their machines. Gleason did not re-label any products.

By way of further response, see documents provided.

INTERROGATORY NO. 15:

Have defendant and/or any predecessor/related entity, at any time, applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products? If so:

- (a) Identify the entity that applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;
- (b) State the date(s) on which or during which said entity applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;
- (c) Identify by manufacturer and trade name each and every asbestos-containing product applied or installed;
- (d) Identify the employee(s) of said entity who was (were) in charge of the described operations; and,
- (d) Identify all documents relating to such contract, application or installation.

ANSWER: - The Gleason Works. See response to Interrogatory nos. 11 and 14.

INTERROGATORY NO. 16:

Have this defendant and/or any predecessor/related

entity ever mined asbestos and/or engaged in the business of mining asbestos? If so:

- (a) Identify which entity did so;
- (b) State the date(s) during which each said entity did so;
- (c) State each and every location at which such mining was done;
- (d) Identify each and every officer, employee and/or agent of said entity who, at any time, was in charge of each mining operation;
- (e) Describe each and every manner in which defendant and/or any predecessor/related entity used said asbestos, including, but not limited to, identifying any and all products into which it was incorporated; and,
- (f) Identify each and every entity, if any, to which said entity sold raw asbestos which it mined.

ANSWER: - No.

INTERROGATORY NO. 17:

Has this defendant and/or any predecessor/related entity ever purchased and resold raw asbestos? If so:

- (a) Identify the entity that purchased and resold raw asbestos;
- (b) State each and every source from which said entity purchased raw asbestos;
- (c) Identify the type of asbestos purchased;
- (d) Identify each and every person / entity to which said entity sold raw asbestos;
- (e) State the year(s) during which said entity purchased and resold raw asbestos; and,
- (e) Identify any and all documents referring to, relating to, and/or reflecting said purchase and resale of raw asbestos.

ANSWER: - No

INTERROGATORY NO. 18:

Omitted as duplicative of Standing Order #1
Interrogatories;

ANSWER:

INTERROGATORY NO. 19:

With respect to each and every product listed in response to Interrogatories Nos. 11 and 12 and in response to Standing Order No. 1 Interrogatories, state whether any of the following items are known or believed by defendant to exist and, if so, identify the location of each and every such item, including which are in the possession, custody and/or control of defendant:

- (a) Any and all actual products, components, pieces and/or sample thereof;
- (b) Any and all packaging, labels, tags and/or like materials for said products, including pieces or portions thereof;
- (c) Any and all pictures, photographs and/or like representations of said products and/or their packaging, labels, tags and/or like materials; and,
- (d) Any and all catalogues, sales brochures, flyers, advertisements and like promotional materials.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 20:

Did defendant and/or any predecessor/related entity ever stamp or otherwise place (including affixing tags or labels) a company name, initials, or any identifying logo on any of the products listed in response to Interrogatory No.

11 or any products listed in response to Standing Order No. 1 Interrogatories? If so, identify each and every such product and for each:

- (a) Describe each and every name, initials or identifying logo appearing on said product, at any time, by stating the wording, lettering, symbols, size, color and manner in which it was stamped, placed or affixed to said product;
- (b) State the date(s) during which each such name, initials, or identifying logo appeared on said product; and
- (c) Identify any and all documents referring to, relating to or reflecting the stamping, placing or affixing of names, initials or logos to said product, including, but not limited to, any pictures, photographs or like representations of such names, initials or logos

ANSWER: - Answering defendant responds that the name Gleason is on the machines.

INTERROGATORY NO. 21:

With respect to each product listed in response to Interrogatories Nos. 11 and 12 or in response to Standing Order No. 1 Interrogatories:

- (a) Identify each and every person who participated in the design and/or preparation of manufacturing or assembly specifications for each such product;
- (b) Identify any and all documents, including, but not limited to, written memoranda, specifications, blueprints, formulas, patterns and designs, referring to, relating to or reflecting the design, preparation, application and/or installation of each such product;
- (c) Omitted as duplicative of Standing Order #1 Interrogatories
- (d) Any modification to the product which altered the percentage or type of asbestos in the product and the dates of such modification;
- (e) Identify the source(s) of asbestos and/or asbestos-containing components in each such

product by year and by specific product (i.e. if defendant made automobiles with asbestos-containing components, identify the source of each and every such component by make, model and year);

- (f) Describe the color, physical characteristics, and appearance of each product;
- (g) State any and all other names under which the product was sold, at any time;
- (h) State the number and date of each patent or patent application for each product;
- (i) If the product continued to be produced after the deletion of asbestos, state all reasons why the asbestos was deleted, identify of the person(s) who made the decision to delete the asbestos, and state the date the product was first produced without the asbestos;
- (j) If the product is no longer produced, state all reasons it was discontinued, identify of the person(s) who made the decision to discontinue the product, state the brand name of the replacement product, and state the date the replacement product first went into production; and
- (k) State the reasons why asbestos was used as an ingredient in each such product.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 22:

Identify any and all facilities at which defendant and/or any predecessor/related entity, at any time, manufactured or processed asbestos-containing products, raw asbestos and/or any other product(s) listed in response to Interrogatories Nos. 11 and 12 and in response to Standing Order No. 1 Interrogatories. For each such facility identified:

- (a) State the date(s) which said facility was owned and/or operated by defendant and/or any

predecessor/related entity;

- (b) Identify which products and/or raw asbestos were manufactured or processed, at said facility and the dates thereof; and,
- (c) Identify each person serving as the manager or supervisor of said facility during any time which the facility has been owned and/or operated by defendant and/or any predecessor/related entity, and state the date(s) of the tenure as manager or supervisor for each.

ANSWER: - The Gleason Works since the early 1900s. It is located at its current place of business. By way of further response, Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 23:

With respect to each product identified in response to Interrogatories Nos. 11 and 12 and in response to Standing Order No.1 Interrogatories:

- (a) Omitted as duplicative of Standing Order #1 Interrogatories;
- (b) Identify the largest purchaser of said product for each year that the product was manufactured, sold, distributed and or otherwise dispersed by defendant and/or any predecessor/related entity;
- (c) Identify the ten (10) largest purchasers of said product for the entire time that the product was manufactured, sold, distributed and or otherwise dispersed by defendant and/or any predecessor/related entity;
- (d) Identify any all purchasers for which defendant and/or any predecessor/related entity was the exclusive provider of the product type in question for any period of time;
- (e) Identify any and all documents, including, but not limited to, contracts and sales records, referring to, relating to, and/or reflecting the transactions described in sub-parts (b)-(c) of this Interrogatory; and,
- (f) Identify any and all persons known to defendant to have knowledge or information concerning

transactions described in sub-parts (a)-(c) of this Interrogatory.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 24:

Were any of the products identified in response to Interrogatory No. 11 and Standing Order No. 1 Interrogatories utilized by any purchaser thereof as a component or material in the manufacture and/or assembly of any equipment or other finished product (i.e. gaskets incorporated by another in pumps; brakes used in automobile)? If so:

- (a) Identify any and all such purchasers;
- (b) Identify the product(s) used as a component or material and the specific type, make and/or model of equipment/finished product into which it was incorporated; and,
- (c) State the year(s) during which each such component product was used in each such finished product.

ANSWER: - See response to Interrogatory No. 11. By way of further response, please see documents provided.

INTERROGATORY NO. 25:

Did defendant and/or any predecessor/related entity and/or any entity acting on behalf thereof (including, but not limited to, an insurer) ever conduct, sponsor, receive the results of, finance and/or participate in any manner (including as a subject) in any of the following:

- (a) Tests, studies, surveys and/or research of any type concerning the health hazards of asbestos;

- (b) Tests, studies, surveys and/or research of any type concerning the hazards and/or potential exposure associated with any specific type and/or brand of asbestos-containing material/product, including but not limited to, materials/products that were manufactured, sold, distributed, installed, applied and/or otherwise used by defendant and/or any predecessor/related entity, other than those already identified in response to Standing Order No. 1 Interrogatories;
- (c) Tests, studies, surveys and/or research of any type concerning the relationship between exposure to asbestos and any disease, including pleural disease, asbestosis, lung cancer, mesothelioma and/or cancer of any kind;
- (d) Dust counts, industrial hygiene surveys, tests relating to TLVs, and/or like studies, tests and or surveys concerning the propensity of any material/product to release asbestos fibers (including but not limited to, materials/products that were manufactured, sold, distributed, installed, applied and/or otherwise used by defendant and/or any predecessor/related entity) and/or the quantity of fibers released;
- (e) Dust counts, industrial hygiene surveys, tests relating to TLVs, and/or like studies, tests and or surveys concerning the presence of asbestos fibers at any facility, location and/or area (including but not limited to, those owned, operated and/or controlled by defendant and/or any predecessor/related entity) and/or the quantity of fibers present;
- (f) Tests, studies, surveys and/or research of any type designed to reduce or eliminate inhalation of asbestos and/or asbestos fibers by persons working with and/or around asbestos and/or asbestos-containing materials/products; and/or
- (g) Research of any type concerning asbestos.

ANSWER:

- a) No
- b) No
- c) No
- d) Gleason Facilities were tested for asbestos some time in the mid 1980s. Please see documents provided.
- e) See above
- f) See above
- g) Three employees are tested every year relative to

the facility. No employees are tested with respect to the production of the Gleason products.

INTERROGATORY NO. 26:

If the answer to Interrogatory No. 25 is in the affirmative with respect to each such "research/test":

- (a) Describe the type of research/test conducted, including location, date(s), methodology and purpose;
- (b) Identify any and all persons and entities authorizing, conducting and/or otherwise participating in the same;
- (c) Describe the results;
- (d) Identify any and all persons, entities and/or groups, which received said results and/or any summary, notification and/or advisement thereof (including, but not limited to, whether or not employees, end-users and/or like persons likely to be exposed were informed in any way);
- (e) Describe any and all actions taken in response thereto by defendant and/or any predecessor/related entity, including, but not limited to, engineering controls, changes in products, changes in procedures, policies and/or availability of respiratory protection; and,
- (f) Identify any and all documents referring to, relating to, and/or reflecting said research/test, including, but not limited to, the results thereof, notifications of results and/or discussions concerning the same.

ANSWER: - See response to Interrogatory No. 25.

INTERROGATORY NO. 27:

Did any government entity (federal, state and/or local), at any time and at any or all of the facilities in question, conduct any dust counts, industrial hygiene surveys or like tests to determine the presence and/or

amount of dust (specifically including, but not limited to asbestos dust or fibers) at any location and/or facility, which was owned, operated and or controlled by defendant and/or any predecessor/related entity? If the answer is in the affirmative, please identify each and every such count/survey/study/test, as follows:

- (a) State the date on which and location at which (facility and area of facility) said count/survey/study/test was conducted;
- (b) Identify the persons and entities conducting said count/survey/study/test;
- (c) Describe the purpose of the count/survey/study/test and the procedures used;
- (d) State the results;
- (e) Identify each and every person and/or entity receiving said results; and,
- (g) Identify any and all documents referring to, relating to, and/or reflecting said count/survey/study/test, the results thereof and/or any analysis and/or discussion of the same.

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NO. 28:

Describe, in detail, any and all changes, modifications and/or actions recommended, discussed, contemplated and/or undertaken in response to each count/survey/study/test identified in response to Interrogatory No. 27.

ANSWER: - N/A.

INTERROGATORY NO. 29:

Other than those identified in response to Standing Order No. 1 Interrogatories, identify any and all persons

employed by defendant and/or any predecessor/related entity at any time from 1940 to date in a management or upper-level supervisory (including upper-level assistants and associates) position having responsibility in each of the areas listed below:

- (a) Occupational health and/or safety;
- (b) Compliance with federal, state and/or local safety regulations (including, but limited to OSHA);
- (c) Compliance with federal, state and/or local environmental regulations;
- (d) Compliance with federal, state and/or local health regulations (including, but limited to OSHA);
- (e) Industrial hygiene;
- (f) Insurance or risk management;
- (g) Workers compensation;
- (h) Medical director;
- (i) Asbestos abatement;
- (j) The manufacture, sale, distribution, possession, application, installation or use of asbestos-containing materials/products; and,
- (k) The design and/or preparation of manufacturing specifications asbestos-containing materials and/or products.

ANSWER: -

- a) James Turner
- b) James Turner
- c) James Turner and Herb Allen
- d) Jim Turner
- e) Jim Turner
- f) Rachel Collins
- g) Mary Ann Rall
- h) Mary Ann Rall
- i) James Turner
- j) Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.
- k) Gleason objects to this Interrogatory as overly

broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 30:

Identify any and all persons or entities, other than the employees listed above, including, but not limited to insurance carriers and/or related companies, which provided services, information, consulting and/or advice to defendant and/or any predecessor/related entity, at any time from 1940 to date, relating to any and/or all of the following:

- (a) Occupational health and/or safety;
- (b) Federal, state and/or local safety regulations (including, but limited to OSHA);
- (c) Federal, state and/or local environmental regulations;
- (d) Federal, state and/or local health regulations (including, but limited to OSHA);
- (e) Industrial hygiene;
- (f) Insurance or risk management;
- (g) Workers compensation;
- (h) Medical matters; and,
- (h) Asbestos abatement.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 31:

Did defendant and/or any predecessor/related entity, or any medical department or industrial hygiene division thereof, maintain a medical and/or scientific library at any time from 1940 to the present? If so:

- (a) State the dates such library existed;
- (b) Identify the person(s) within the corporate structure to whom library employees reported throughout the existence of the library; and,
- (c) State the present location of any and all books, documents, and/or materials that were at any time part of said library.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard.

INTERROGATORY NO. 32:

Omitted as duplicative of Standing Order #1
Interrogatories

ANSWER:

INTERROGATORY NO. 33:

Omitted as duplicative of Standing Order #1
Interrogatories

ANSWER:

INTERROGATORY NO. 34:

State the year that Defendant and/or any predecessor/related entity was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust, promulgated by the American Conference of Governmental Industrial Hygienists, and identify the specific person(s) receiving such advise, and any and all documents communicating such advise. State whether such threshold limit values or maximum allowable concentrations referred involved TOTAL dust or just asbestos

dust.

ANSWER: - Not to answering defendant's knowledge.
Please see documents provided.

INTERROGATORY NO. 35:

State the date on which any official of Defendant and/or any predecessor/related entity first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

- (a) Pleural disease;
- (b) Asbestosis;
- (c) Mesothelioma;
- (d) Lung cancer; and,
- (e) Any other forms of cancer.

ANSWER: - Answering defendant has general knowledge that some asbestos containing materials can cause disease. Such knowledge was learned some time in the mid 1980s when the hazards of asbestos were made public.

INTERROGATORY NO. 36:

With respect to each disease set forth in Interrogatory No. 35:

- (a) Identify the manner in which defendant and/or any predecessor/related entity first obtained said knowledge, notice, information or understanding;
- (b) Identify any and all documents referring to, relating to or reflecting the receipt of such knowledge, notice, information or understanding; and,
- (c) Describe what, if any, actions defendant and/or any predecessor/related entity took in response to such knowledge, notice, information or understanding.

ANSWER: - See response to Interrogatory No. 35.

INTERROGATORY NO. 37:

Is defendant aware, or does defendant possess knowledge or information concerning, a causal connection between exposure to asbestos or asbestos-containing products and:

- (a) Pleural disease?
- (b) Asbestosis?
- (c) Lung cancer?
- (d) Mesothelioma?
- (d) Other cancer?

ANSWER: See response to Interrogatory No. 35.

INTERROGATORY NO. 38:

For each subpart of Interrogatory No. 37, in addition to stating "yes" or "no":

- (a) Describe any and all such knowledge or information, including when it was obtained;
- (b) Identify and describe any and all contrary knowledge or information upon which defendant relies in denying such connection;
- (c) Identify any and all documents referring to, relating to, and/or reflecting the same.

ANSWER: - See response to Interrogatory No. 35.

INTERROGATORY NO. 39:

Omitted as duplicative of Standing Order #1
Interrogatories

ANSWER:

INTERROGATORY NO. 40:

How many past or present employees of defendant and/or any predecessor/related entity are known by defendant to be suffering from, to have suffered from, or to have suffered deaths caused by:

- (a) Asbestosis?
- (b) Lung cancer?
- (c) Mesothelioma?

ANSWER: - To answering defendant's knowledge, none.

INTERROGATORY NO. 41:

For each employee referenced in defendant's answer to Interrogatory No. 40, state the date that defendant and/or any predecessor/related entity first knew, or had notice or information, that such past or present employee was suffering, or had suffered from:

- (a) Asbestosis;
- (b) Lung cancer;
- (c) Mesothelioma.

ANSWER: - See response to Interrogatory No. 40.

INTERROGATORY NO. 42:

Omitted as duplicative of Standing Order #1 Interrogatories

ANSWER:

INTERROGATORY NO. 43:

Prior to the date on which defendant and/or any predecessor/related entity was first named as a party to any

suit alleging illness or death as a result of exposure to asbestos, was defendant and/or any predecessor/related entity ever subpoenaed to provide information / evidence in any such suit and/or named as a respondent in discovery?. If so, identify the first ten (10) such occasions.

ANSWER: - No.

INTERROGATORY NO. 44:

Identify any and all material safety data sheets concerning the products listed in response to Interrogatory Nos. 11 and 12 Standing Order No. 1 Interrogatories prepared, at any time, by, or on behalf of, defendant and/or any predecessor/related entity.

ANSWER: - To answering defendant's knowledge, none.

INTERROGATORY NO. 45:

Omitted as duplicative of Standing Order #1 Interrogatories

ANSWER:

INTERROGATORY NO 46:

Omitted as duplicative of Standing Order #1 Interrogatories

ANSWER:

INTERROGATORY NO. 47:

Omitted as duplicative of Standing Order #1 Interrogatories

ANSWER:

INTERROGATORY NO. 48:

Identify any and all documents, which defendant and/or any predecessor/related entity submitted to and/or received from any organizations listed in response to Standing Order No. 1 Interrogatory No. 62 (including any committee, subcommittee and/or affiliate thereof) and/or which refer to and/or relate to any such organization, which also refer to, relate to or reflect any and/or all of the following subjects:

- (a) Asbestos;
- (b) Asbestos-related disease;
- (c) The hazards of asbestos;
- (d) Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- (e) Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- (f) Marketing asbestos and/or asbestos-containing products;
- (g) Asbestos related claims and/or litigation;
- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (j) Government proceedings and/or actions regulating asbestos (including proposals to do so);
- (k) Medical / scientific information and/or research

concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos;

- (1) Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

INTERROGATORY NO. 49:

Did defendant and/or any predecessor/related entity, at any time, have a representative present at any meetings, seminars, conferences, symposiums and/or like gatherings (including, but not limited to one sponsored by any organization listed in response to Interrogatory No. 45), at which any and/or all of the following subjects were discussed or presented and/or at which information referring to, relating to, and/or reflecting the same was available:

- (a) Omitted as duplicative of Standing Order #1 Interrogatories
- (b) Omitted as duplicative of Standing Order #1 Interrogatories;
- (c) Omitted as duplicative of Standing Order #1 Interrogatories;
- (d) Omitted as duplicative of Standing Order #1 Interrogatories;
- (e) Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- (f) Marketing asbestos and/or asbestos-containing products;
- (g) Asbestos related claims and/or litigation;

- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (j) Government proceedings and/or actions regulating asbestos (including proposals to do so);
- (k) Omitted as duplicative of Standing Order #1 Interrogatories;
- (l) Omitted as duplicative of Standing Order #1 Interrogatories.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

INTERROGATORY NO. 50:

Did any person(s), on behalf of Defendant and/or any predecessor/related entity, attend any meetings, seminars or symposiums held by the trade organizations, associations, or other entities identified in response to Standing Order No. 1 Interrogatory No. 61.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

INTERROGATORY NO. 51:

If the answer to Interrogatory No. 50 is in the affirmative, and as to each such meeting, seminar, conference, symposium and/or like gathering:

- (a) State the location at which and dates on which it was held;
- (b) Identify any and all persons/entities sponsoring the same;
- (c) Identify the representative(s) attending on behalf of defendant and/or any predecessor/related entity;
- (d) Specify which of the subjects listed in Interrogatory No. 50 was discussed etc.; and,
- (d) Identify any and all documents referring to, relating to, and/or reflecting said meeting, seminar, conference, symposium and/or gathering.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

INTERROGATORY NO. 52:

Identify any and all agreements, oral or written, between or among defendant, any of the other defendants in these lawsuits, any organization, association or other entity including, but not limited to, those identified in response to Standing Order No. 1 Interrogatory No. 61 and/or any medical or scientific foundations, relating to:

- (a) Specifications for any asbestos-containing product(s);
- (b) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (c) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public; and/or
- (e) Safety equipment and/or protective clothing to be utilized while handling asbestos products.

ANSWER: - N/A.

INTERROGATORY NO. 53:

Did defendant and/or any predecessor/related entity direct to be performed, sponsor in whole or in part, finance in whole or in part, receive the results of, or become aware of, any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human health? If so:

- (a) Identify any and all documents received by Defendant, its predecessor(s), or a related company referring to, relating to or reflecting any findings or results of those studies or tests, and state the date upon which each was first received;
- (b) Identify any and all communications (oral or written), between Defendant, its predecessor(s) or a related company and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.;
- (c) Identify any and all documents referring to, relating to or reflecting the Saranac studies received or submitted by Defendant, its predecessor(s) or a related company either directly, through related or predecessor companies, through other companies, or through any trade associations, organizations or other entities; and
- (d) Identify any and all documents referring to, relating to or reflecting recommendations or findings of such studies relating to:
 - (i) Adequacy or inadequacy of threshold limit values;
 - (ii) Substitution of materials other than asbestos to be used in the insulation process.

ANSWER: - No.

INTERROGATORY NO. 54:

Identify each and every occasion on which any and/or

all subjects listed below were discussed at a meeting of the board of directors and/or any committee or sub-group thereof of defendant and/or any predecessor/related entity:

- (a) Asbestos;
- (b) Asbestos-related disease;
- (c) The hazards of asbestos;
- (d) Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- (f) Medical monitoring of persons working with ,and/or around asbestos and/or otherwise exposed to asbestos;
- (g) Marketing asbestos and/or asbestos-containing products; Asbestos related claims and/or litigation;
- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (j) Government proceedings and/or actions regulating asbestos (including proposals to do so);
- (k) Medical/scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos;
- (l) Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, not to answering defendant's knowledge.

INTERROGATORY NO. 55:

In any lawsuit alleging exposure to asbestos, has defendant been subject to sanctions, a contempt citation or similar action for failing, or refusing to comply with, any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery? If so:

- (a) Identify the lawsuit involved, the court which imposed the sanctions or issued the contempt citation, any other court which reviewed the same, and the date(s) thereof;
- (b) Describe the violation for which sanctions or contempt was imposed; and,
- (c) Identify any and all documents referring to, relating to or reflecting said matter, including, but not limited to, pleadings, exhibits and court orders.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, answering defendant responds, no.

INTERROGATORY NO. 56:

Has defendant and/or any predecessor/related entity and/or any present or former directors, officers, employees, or agents thereof testified before and/or provided information in any form to any government legislative and/or regulatory body / agency concerning any and/or all of the following subjects:

- (a) Asbestos;
- (b) Asbestos-related disease;

- (c) The hazards of asbestos;
- (d) Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- (e) Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- (f) Marketing asbestos and/or asbestos-containing products;
- (g) Asbestos related claims and/or litigation;
- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (j) Government regulation of asbestos (including proposals to do so);
- (k) Medical/scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos;
- (l) Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, not to answering defendant's knowledge.

INTERROGATORY NO. 57:

If the answer to any and/or all subparts of Interrogatory No. 56 is "yes," identify each and every such occasion as follows:

- (a) Identify each and every person who testified, prepared and/or presented information or material;

- (b) Identify any and all officers, directors and/or agents of Defendant and/or its predecessor/related entity who reviewed, edited, authorized and/or otherwise affected the content of said testimony, presentation or material;
- (c) Identify the government body / agency involved;
- (d) State the dates on which said testimony was given, presentation was made and/or information was provided;
- (e) Identify any and all documents referring to, relating to and/or reflecting the same.

ANSWER: - N/A.

INTERROGATORY NO. 58:

Identify any and all documents referring to, relating to, and/or reflecting the response to, or compliance with, of Defendant and/or any predecessor/related entity with the Asbestos Information Act of 1988, Pub. L. 100-577, 15 U.S.C. Section 2607, regardless of whether or not said document was provided to the government. This specifically includes, but is not limited to, memoranda, reports, notes, letters, correspondence and any and all drafts thereof referring to, relating to, and/or reflecting information that was and was not provided.

ANSWER: - N/A

INTERROGATORY NO. 59:

Other than those previously described, identify (by date, source, subject matter and recipient) each and every occasion on which Defendant and/or any predecessor/related entity received information from any source involving any and/or all of the following subjects, and identify any and

all documents referring to, relating to, and/or reflecting the same:

- (a) Asbestos;
- (b) Asbestos-related disease;
- (c) The hazards of asbestos;
- (d) Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- (e) Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- (f) Marketing asbestos and/or asbestos-containing products;
- (g) Asbestos related claims and/or litigation;
- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (j) Government proceedings and/or actions regulating asbestos (including proposals to do so);
- (k) Medical/scientific information and/or research concerning
- (l) asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos;
- (m) Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos).

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

By way of further response, Gleason has been involved

in one prior asbestos related law suit, as a premises defendant in 2006. The case did not involve any defendant-made products.

INTERROGATORY NO. 60:

Other than those previously identified, identify as follows each and every policy, procedure, step and/or program undertaken, implemented, discussed and/or contemplated by defendant and/or any predecessor/related entity involving and/or intended to involve protecting any person or persons (including, but not limited to, employees, product end-users and/or bystanders) in any way from exposure to asbestos, including, but not limited to, abatement, substitution, warnings, instructions, engineering controls, product modification and/or protective equipment:

- (a) Describe the policy, procedure, step and/or program and state its effective date(s);
- (b) Identify the person(s) who were the subject of protection; and,
- (c) Identify any and all documents referring to, relating to, and/or reflecting the same.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, see documents provided.

INTERROGATORY NO. 61:

Has defendant and/or any predecessor/related entity ever performed any work and/or provided any product and/or service pursuant to any contract or agreement with the federal government? If so:

- (a) Beginning with the first year, state each year in which such products and/or services were provided;

- (b) Describe the general type(s) of products and/or services provided;
- (c) Specifically identify any and all such agreements that involved providing, using and/or in any way dealing with asbestos and/or asbestos-containing products;
- (d) Identify, by government and/or military procurement designation, any and all asbestos-containing products and/or materials provided to the federal government;
- (e) State whether or not, as a result of such agreements, Defendant and/or any predecessor/related entity was subject to compliance with the Walsh-Healy Public Contracts Act; and,
- (f) Identify any and all documents referring to, relating to, and/or reflecting said agreements, information received from the government concerning asbestos and/or the hazards thereof, and/or any and all safety, health and hygiene requirements imposed by the government.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, answering defendant responds that it provided goods & services to the federal government from time to time.

INTERROGATORY NO. 62:

Has defendant and/or any predecessor/related entity ever been cited, warned, fined, sanctioned or otherwise officially written up for, any violation of a federal, state or local statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal, state or local governmental entity, which violation concerned asbestos in any way? If so:

- (a) Identify the governmental entity issuing the citation, warning, fine, sanction or write-up;
- (b) State the date of the citation, warning, fine,

sanction or write-up;

- (c) Describe the violation and state the date(s) during which it occurred;
- (d) Identify the statute, law, rule, ordinance, code or order to which the violation related;
- (e) State what, if any, specific fine, penalty, or sanction was imposed;
- (f) State the date in which and the manner in which said violation was corrected;
- (g) Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and,
- (h) Identify any and all documents referring to, relating to or reflecting said violation.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. By way of further response, answering defendant responds, no.

INTERROGATORY NO. 63:

Are there any policies of insurance which provide, or might provide, coverage on behalf of any predecessor/related entity for the injuries alleged in plaintiffs' complaints?

If so:

- (a) Identify the insurer(s);
- (b) Identify the insured(s);
- (c) State the date on which the policy was first purchased and the date on which the policy expired or was terminated;
- (d) Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage;
- (e) State the dollar limits of the coverage provided,

including, if applicable, the "per person" limitations and "per occurrence" limitation;

- (f) the dollar amount of coverage which remains unexpended; and
- (g) whether any dispute exists between insurer and insured with respect to coverage.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. Without waiving its objections, answering defendant responds that it is insured and policies will vary from claim to claim.

INTERROGATORY NO. 64:

Other than the policies of insurance described in response to Interrogatory No. 63, do there exist any agreements providing for the benefit of any predecessor/related entity complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees? If so:

- (a) Identify all parties to the agreement and state the capacity of each such party (i.e. indemnitor, indemnitee, etc.);
- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NO. 65:

From 1940 to present, state whether defendant and/or any predecessor/related entity ever provided workers'

compensation, health, accident and disability and/or life insurance coverage for its employees, and if so:

- (a) Identify each insurance carrier which provided workers' compensation, health, accident and disability and/or life insurance coverage to defendant's (and any predecessor's / related entity's) employees and the dates such coverage was provided by each such carrier;
- (b) State whether such insurance carrier(s) ever conducted any dust counts or studies, industrial hygiene surveys or other tests relating to any asbestos-containing products that Defendant's employees may have been working with or around; and,
- (c) If the response to subpart (b) hereof is in the affirmative, please indicate the date of each such count, study, survey or other test and identify all documents relating thereto.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. Gleason also objects as this interrogatory is not likely to lead to discoverable evidence. Without waiving its objections, answering defendant responds that it does provide worker's compensation, health, disability and/or life insurance coverage for its employees. By way of further response, see documents provided.

INTERROGATORY NO. 66:

Omitted as duplicative of Standing Order #1 Interrogatories

ANSWER:

INTERROGATORY NUMBER 67:

Has defendant and/or any predecessor/related entity and/or any officer and/or director thereof ever been convicted of a felony involving or relating to the conducting of the corporation's business? If so:

- (a) Describe each such offense;
- (b) State the date of the conviction;

- (c) Identify the court / jurisdiction in which the conviction was obtained;
- (d) State the penalty imposed; and,
- (e) Identify any and all documents referring to, relating to, and/or reflecting the same.

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NUMBER 68:

Has defendant and/or any predecessor/related entity and/or any person or entity acting on behalf thereof ever destroyed or otherwise disposed of, including, but limited transferring to another, any documents referring to, relating to, and/or reflecting any and/or all of the following:

- (a) Asbestos;
- (b) Asbestos-related disease;
- (c) The hazards of asbestos;
- (d) Working with and/or around asbestos (including, but not limited to, recommended practices, controls, TLVs, standards etc.);
- (e) Medical monitoring of persons working with and/or around asbestos and/or otherwise exposed to asbestos;
- (f) Marketing asbestos and/or asbestos-containing products;
- (g) Asbestos related claims and/or litigation;
- (h) The publication and/or dissemination of information concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);
- (i) Warning, cautions and/or notices concerning asbestos, asbestos-related diseases and/or the hazards of asbestos (including withholding the same);

- (j) Government proceedings and/or actions regulating asbestos (including proposals to do so);
- (k) Medical/scientific information and/or research concerning asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos;
- (l) Occupational health and safety / industrial hygiene (as they concern asbestos, asbestos-related diseases, working with and/or around asbestos, and/or the hazards of asbestos);
- (m) The exposure of any person, including, but not limited to, any plaintiff or decedent involved in any case pending in this Asbestos Litigation, to asbestos and/or asbestos-containing products?

ANSWER: - Not to answering defendant's knowledge.

INTERROGATORY NUMBER 69:

If the answer to any one or more subparts of Interrogatory No. 68 is affirmative:

- (a) Describe the documents that were destroyed or disposed-of;
- (b) Describe the manner of the destruction and/or disposition and state the date on which it occurred;
- (c) Identify any and all document retention policies that were in effect at the time of said destruction / disposition and state the date upon which said policy became effective;
- (d) Identify each and every person and/or entity (including any insurer) that participated in any way in the decision to destroy or dispose of said documents, including persons and/or entities giving advise on the subject; and,
- (e) Identify any and all documents referring to, relating to, and/or reflecting the destruction/disposition of said documents and/or the decision to do so.

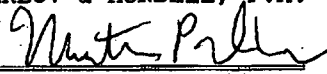
ANSWER: - N/A.

INTERROGATORY NUMBER 70:

Is the defendant claiming that any document responsive to any interrogatory or any request for production is protected from disclosure because of a privilege claimed for any reason? If yes, please list each document being claimed as protected from disclosure in a privilege log providing the date of the document, the identity of the author, what individual or entity the document was addressed to, the identity of any individuals or entities provided copies of the document, a brief description of the nature of the document, and the particular privilege claimed as shielding the document from disclosure.

ANSWER: - Gleason objects to this Interrogatory as overly broad, burdensome, harassing, excessive in scope and time and incorrectly implying that its products were a health hazard. Gleason also objects as this interrogatory is not likely to lead to discoverable evidence.

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.


MATTHEW P. DONELSON
Bar No. 4243
300 Delaware Avenue, 17th Floor
P.O. Box 1630
Wilmington, Delaware 19899-1630
(302) 428-3181
Attorney for Defendant
Gleason Corporation

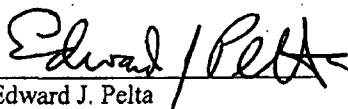
Dated: 10/3/08
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VERIFICATION OF EDWARD J. PELTA

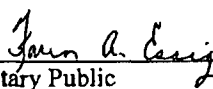
STATE OF NEW YORK)
)
COUNTY OF MONROE)

I, Edward J. Pelta, am an authorized officer or agent of Gleason Corporation and am authorized to make this Verification for and on behalf of Gleason Corporation, a party to this action; the matters stated in Defendant, Gleason Corporation's Responses to Supplemental Interrogatories are not all within my personal knowledge, but the facts stated therein have been assembled by authorized corporate employees and legal counsel, and I am informed and believe that the facts stated therein are true.

This Verification was executed on October 3, 2008 in Rochester, New York.


Edward J. Pelta
Vice President and General Counsel

SUBSCRIBED AND SWORN TO before me, the undersigned Notary Public on this 3rd day of October, 2008.


Notary Public

KAREN A. ESSIG
Notary Public, State Of New York
Monroe County
My Commission Expires February 28, 20 10



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

IN RE ASBESTOS LITIGATION	)	
	)	
<u>LANEY TRIAL GROUP</u>	)	
	)	
LAWRENCE DOLNEY	)	C.A. No. 08C-02-461 (ASB)

NOTICE OF SERVICE

PLEASE TAKE NOTICE that the undersigned attorney served defendant's Answers to Plaintiff's supplemental interrogatories on Mr. David deBruin, Esq., via electronic mail, on October 3, 2008.

Respectfully submitted,

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.

/s/ Matthew P. Donelson

MATTHEW P. DONELSON (#4243)
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899
(302) 428-3181
Attorney for Defendant Gleason Corporation

Dated: October 3, 2008