

IN RE: ALL ASBESTOS-RELATED	§	IN THE SUPERIOR COURT
PERSONAL INJURY OR DEATH CASES	§	
FILED BY BARON & BUDD, P.C. IN	§	OF
FULTON COUNTY, GEORGIA	§	
	§	FULTON COUNTY, GEORGIA

**DEFENDANT NATIONAL SERVICE INDUSTRIES, INC.'S
RESPONSES TO PLAINTIFFS' MASTER SET OF
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**

COMES NOW Defendant National Service Industries, Inc. ("NSI") and responds to Plaintiffs' Master Set of Interrogatories and Request for Production of Documents as follows:

GENERAL OBJECTIONS

NSI makes the following General Objections and incorporates these objections in each of its responses to Plaintiffs' Master Set of Interrogatories and Request for Production of Documents to All Defendants:

1.

NSI objects to the scope of this discovery to the extent plaintiffs are attempting to impose on NSI requirements beyond those set forth in the Georgia Rules of Civil Procedure.

2.

In responding to plaintiffs' requests, NSI has interpreted plaintiffs' words and phrases in accordance with usual definitions and usages. To the extent plaintiffs intended a meaning other than the generally accepted one, NSI objects because such requests are vague and ambiguous and cannot be understood in context.

PLAINTIFF'S EXHIBIT

NSI-1

3.

NSI objects to each of plaintiffs' requests to the extent plaintiffs are asking for the disclosure of material prepared by or for NSI's lawyers or representatives in the course of securing legal counsel or in anticipation and defense of litigation; this material is protected from disclosure by the work product doctrine.

4.

NSI objects to each of plaintiffs' requests to the extent plaintiffs are asking for communications between NSI and its lawyers; these attorney-client communications are privileged and not subject to discovery or disclosure.

5.

NSI makes the following responses without waiving: (1) the right to object to the use of any response for any purpose, in this action or any other action, on the grounds of privilege, relevance, materiality or anything else appropriate; (2) the right to object to any other requests involving or relating to the subject matter of these responses; and (3) the right to revise, correct, supplement or clarify any of the responses that NSI's ongoing investigation and defense of this action may warrant.

6.

NSI objects to plaintiffs' requests to the extent they ask NSI to produce confidential or competitively sensitive information without an appropriate protective order.

7.

In searching for documents and information, NSI will conduct a thorough and reasonable search of its records. NSI will search for information and documents where

the information and documents are most likely to be found. To the extent plaintiffs' requests ask for more, NSI objects because such discovery is overly broad, unduly burdensome and asks for information that is not relevant and will not lead to the discovery of admissible evidence.

8.

NSI objects to any request asking for information not related to the operations of its North Brothers division ("North Brothers") on the ground such request is overly broad.

9.

NSI objects to any request seeking information or knowledge for any time period other than the period during which North Brothers sold or installed products containing asbestos as being irrelevant and, therefore, not reasonably calculated to lead to the discovery of admissible evidence.

10.

NSI objects to Plaintiffs' Interrogatories on the ground plaintiffs have exceeded the maximum number of interrogatories allowed to be served by a party on another party under O.C.G.A. § 9-11-33 without leave of court.

I. INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

RESPONSE TO INTERROGATORY NO. 1:

NSI prepared these responses with the assistance of its counsel.

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Georgia.

RESPONSE TO INTERROGATORY NO. 2:

National Service Industries, Inc. ("NSI") is a Delaware corporation. NSI is authorized to conduct business in Georgia. Its principal place of business is 1420 Peachtree Street, N.E., Atlanta, Georgia 30309. NSI can be served with process through its registered agent, Corporation Service Company, 4845 Jimmy Carter Boulevard, Norcross, Georgia 30093.

INTERROGATORY NO. 3:

If Defendant is disputing whether the Court has jurisdiction over Defendant in these actions, please state whether Defendant has engaged in any of the following activities:

- (a) Transacting business within this state;
- (b) Committing a tortious act or omission with [sic] this state, except as to a cause of action for defamation of character arising from the act;
- (c) Committing a tortious injury in this state caused by an act or omission outside this state;
- (d) Regularly doing or soliciting business, or engaging in any other persistent course of conduct, or deriving substantial revenue from goods used or consumed or services rendered in this state; and
- (e) Owning, using, or possessing any real property situated in this state.

RESPONSE TO INTERROGATORY NO. 3:

NSI is not disputing jurisdiction. NSI reserves any and all venue defenses.

INTERROGATORY NO. 4:

Other than the actions at issue in this litigation, has Defendant ever been involved in any action where a party alleged that Defendant engaged in the activities enumerated in the previous Interrogatory?

RESPONSE TO INTERROGATORY NO. 4:

NSI has been named in other asbestos personal-injury litigation in which the aforementioned claims were made.

INTERROGATORY NO. 5:

If Defendant is disputing whether the Court has jurisdiction over Defendant in these actions, please state:

- (a) Whether you have a registered agent for service of process in this state;
- (b) Whether you have an office in this state;
- (c) Whether you employ persons or independent contractors in this state;
- (d) Whether you have shipped produced to this state, either directly or through suppliers;
- (e) Whether you received any income or revenue from the sale of products in or to this state and how that income or revenue compares to the total received by you through the sale of such products;
- (f) Whether you have participated in any civil litigation in this state;
- (g) Whether you have negotiated or executed any contracts within this state; and
- (h) Whether your officers and/or employees have traveled to this state on company business.

RESPONSE TO INTERROGATORY NO. 5:

See NSI's response to Interrogatory No. 3.

INTERROGATORY NO. 6:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Fulton County asbestos litigation.

RESPONSE TO INTERROGATORY NO. 6:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products mined, milled and manufactured by other companies.

INTERROGATORY NO. 7:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured, distributed, installed, or sold.

RESPONSE TO INTERROGATORY NO. 7:

NSI was incorporated in Delaware on August 20, 1928. In 1966, NSI acquired North Brothers, and subsequently, North Brothers became an unincorporated division of NSI. Prior to and after this acquisition, North Brothers sold and installed both insulation products containing asbestos and products free of asbestos. On August 31, 1996, North Brothers Company was incorporated as North Brothers, Inc., a Delaware corporation. In 1997, NSI sold the business conducted by, and the related assets of, North Brothers to Performance Contracting Group ("PCG"). All products containing asbestos installed or sold by North Brothers were purchased from other companies. North Brothers had no distributors of asbestos-containing products in any state. North Brothers was the only division of NSI to ever sell or install products containing asbestos. Neither NSI nor its

North Brothers division ever mined, milled or manufactured asbestos or any product containing asbestos.

NSI's investigation into any existing sales records for asbestos-containing products sold by its North Brothers division is ongoing. Based on the review of documents in its possession, NSI has determined that over the years it may have purchased certain products from the following designated entities. However, the following list is non-exhaustive. Due to the passage of time, it is presently impracticable for NSI to determine all asbestos-containing products purchased by North Brothers and/or all manufacturers from which North Brothers purchased asbestos-containing products. It is also impracticable to determine the first and last dates of sale of any of those products. Based on its review to date, however, NSI has determined that over the years North Brothers may have purchased insulating (either non-asbestos or asbestos-containing) products from the following entities (the product thought to have been purchased is indicated where known):

- (1) Johns-Manville (asbestos shorts);
- (2) Pabco (insulating cement, calcium silicate-type covering, block insulation, 85% magnesia pipe covering);
- (3) Nicolet;
- (4) Pittsburgh Corning (Unibestos, foam glass);
- (5) RockWool;
- (6) National Gypsum;
- (7) Owens Illinois (Kaylo);
- (8) Unarco;
- (9) Philip Carey Co. (calcium silicates, insulating cement);
- (10) Raybestos-Manhattan (asbestos cloth, including tape and wick);
- (11) Celotex;
- (12) Southern Asbestos (cloth, tapes);
- (13) U.S. Mineral Products Co. (Cafeco spray);
- (14) H. K. Porter Co.;
- (15) Eagle-Picher (mineral wool, insulating cement);
- (16) U.S. Gypsum;

- (17) Owens Corning (Kaytherm, Kaylite, Kaylo, blankets, boards, calcium silicates, fiberglass pipe covering);
- (18) Flintkote Company;
- (19) Forty-Eight Insulation Co. (insulating cements, mineral wool, boards);
- (20) Ruberoid (thermal insulation);
- (21) Armstrong Cork (flexible tubing, sheet insulation, rubber, cork pipe covering, cork insulation board, Armaflex, adhesives and coatings);
- (22) Upjohn;
- (23) Techalloy Inc.;
- (24) Fibreboard Corp. (high temperature or heat insulation, calcium silicates);
- (25) Keasbey & Mattison Co. (air cell, wool felt, 85% magnesia);
- (26) National Cellulose Corp. (spray insulation);
- (27) Baldwin Ehret Hill Co. (85% magnesia);
- (28) Empire Ace Insulation Manufacturing Co. (air cell, wool);
- (29) H. B. Foster (Foster CI mastic, mastics);
- (30) A. J. Gerard;
- (31) Standard Insulation (air cell, one-coat cement);
- (32) Keene Corp.;
- (33) Bingham Insulation (Armorfex, foam glass, pipe covering);
- (34) Ehret Magnesia Co.;
- (35) Mundet Cork; and
- (36) Lion Oil and Tosco Corporation (Seal Kote, AL-Kote, Low Temp, Seal Perm, K-Kote, Seam & Backing Cement, 124A, 723FR, Pipe Coating #3, Waterproofing Compound, 705M).

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the

exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 8:

If the answer to one or more of the last three Interrogatories is in the affirmative or lists any products, state as to each named product the following:

- (a) As to each product, state whether such product was mined, manufactured, marketed, distributed, installed, and/or sold;
- (b) The names of the companies mining, manufacturing, marketing, distributing, installing, and/or selling each product mined, manufactured, marketed, distributed, installed and/or sold;
- (c) The trade or brand name of each of those products mined, manufactured, marketed, distributed, installed, and/or sold;
- (d) The date each of the named products was placed on the market;
- (e) A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product;
- (f) The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor;
- (g) The date asbestos was removed from such products, if ever, and the reasons therefor;
- (h) A description of the physical appearance of each of the named products;
- (i) A detailed description of the intended uses of the named products; and
- (j) Identify the last year that you sold each asbestos-containing product.

RESPONSE TO INTERROGATORY NO. 8:

See NSI's response to Interrogatory No. 7.

INTERROGATORY NO 9:

Please list by brand name and model number (including the type of product) each and every respiratory protection product which was manufactured, sold, designed, supplied, marketed, distributed, relabeled, and/or resold by you or for you by others. As to each product, state the following:

- (a) The inclusive dates of production and sale of the product;
- (b) All manufacturing locations and the inclusive dates of manufacture at each location;
- (c) The physical characteristics, color, material composition, and appearance of the product, along with a full and precise description of the package in which the product was sold, including, but not limited to, the type of package, size, color, and writings thereon;
- (d) The identity of each and every known person and/or entity who distributed the product to job sites in the years during which the product was distributed by such persons and/or entities, and the geographic distribution range of each product;
- (e) If production, assembly, advertisement, sale or distribution of the product was ever temporarily ceased or discontinued, or if the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of the replacement product, if any, and the date the replacement product, if any, first went into production; and
- (f) The identity of all sales and marketing literature, including brochures, catalogues, advertisements, owners' manuals, pamphlets or other material describing the product.

RESPONSE TO INTERROGATORY NO. 9:

Neither NSI nor its North Brothers division ever manufactured, sold, designed, marketed, distributed, relabeled or resold respiratory protection products. North Brothers complied with any state or federal regulations requiring employers to supply respiratory

protection products to its employees when installing asbestos-containing materials and may have otherwise provided respiratory protection products for use by its employees installing asbestos-containing materials.

INTERROGATORY NO. 10:

For each product identified in your response to the previous Interrogatory, please state whether the product, at any time, contained any instructions, warning labels, and/or inserts, and with respect to each such instruction, warning label, and/or insert, state:

- (a) The inclusive dates it accompanied the product;
- (b) The exact physical size and wording of the instruction, warning label and/or
- (c) Whether the instruction, warning label, and/or insert was placed directly on the product and/or packaging and, if so, where the instruction, warning label, and/or insert was located on the product and/or packaging;
- (d) All reasons why you provided the instruction, warning label, and/or insert with the product, and all the reasons for any changes or alterations in the instruction, warning label, and/or insert; and
- (e) The identity of the person responsible for the design, configuration, placement or wording of the instruction, warning label and/or insert.

RESPONSE TO INTERROGATORY NO. 10:

See NSI's response to Interrogatory No. 9.

INTERROGATORY NO. 11:

For each product identified in your answer to the previous Interrogatory, please state the upper limit of respirable asbestos dust concentration under which you contend your respiratory protection products can be safely utilized, and identify all tests, studies and/or other information upon which you rely to support your answer.

RESPONSE TO INTERROGATORY NO. 11:

See NSI's response to Interrogatory Nos. 9 and 10.

INTERROGATORY NO. 12:

If you distributed and/or installed asbestos-containing products, please identify all job sites in Georgia as well as in those states in which Plaintiffs worked identified on Plaintiffs' Work History Sheets to which you distributed and/or installed such asbestos-containing products. With respect to each job site identified in your answer to this Interrogatory, please identify the type(s) of asbestos-containing product(s) distributed and/or installed by you at such job site, the brand name(s) of each type of asbestos-containing product distributed and/or installed by you at such job site, and the dates during which the asbestos-containing product(s) distributed and/or installed by you is or was present at such job site.

RESPONSE TO INTERROGATORY NO. 12:

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has either found documents showing, or has independent information that, over the years, North Brothers sold or installed asbestos-containing and asbestos-free products to numerous customers in Georgia and other states. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the

grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 13:

For each and every job site identified by Plaintiffs on their Work History Sheets, please identify all job sites to which you distributed and/or installed asbestos-containing products. With respect to each job site identified in your answer to this Interrogatory, please identify the type(s) of asbestos-containing product(s) distributed and/or installed by you at such job site, the brand name(s) of each type of asbestos-containing product distributed and/or installed by you at such job site, and the dates during which the asbestos-containing product(s) distributed and/or installed by you is or was present at such job site.

RESPONSE TO INTERROGATORY NO. 13:

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad,

unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 14:

If you marketed, distributed, sold, installed, and/or maintained boilers, turbines, steam pressure vessels, condensers, vapor pressure units, high pressure vessels, or any other heat exchange system, including any adjacent and/or peripheral equipment necessary for the function of a vapor pressure unit, including, but not limited to, pipes, water tubes, air tanks, and cooling towers, please identify all job sites in Georgia as well as in those states identified on Plaintiffs' Work History Sheets to which you distributed and/or installed such asbestos-containing products. With respect to each job site identified in your answer to this Interrogatory, please identify the product(s) marketed, distributed, sold, installed, and/or maintained by you at such job site, including, but not limited to, the model of the product, the model number of the product, and the serial number of the product, the dates during which each such product was marketed, distributed, sold, installed, and/or maintained by you at such job site, the type(s) of asbestos-containing product(s) each such product contained, and the type(s) of asbestos-containing products installed, marketed, distributed, and/or sold in order to maintain each such product, the brand name(s) of each type of asbestos-containing product identified which was installed, marketed, distributed, and/or sold in order to maintain each such product.

RESPONSE TO INTERROGATORY NO. 14:

Neither NSI nor its North Brothers division ever marketed, distributed or sold boilers, turbines, steam pressure vessels, condensers, vapor pressure units, high pressure vessels or any other heat exchange system.

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has

reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 15:

For each and every job site identified by Plaintiffs on their Work History Sheets, please identify all job sites to which you marketed, distributed, sold, installed, and/or maintained boilers, turbines, steam pressure vessels, condensers, vapor pressure units, high pressure vessels, or any other heat exchange system, including any adjacent and/or peripheral equipment necessary for the function of a vapor pressure unit, including, but not limited to, pipes, water tubes, air tanks, and cooling towers. With respect to each job site identified in your answer to this Interrogatory, please identify the type(s) of asbestos-containing product(s) distributed and/or installed by you at such job site, the brand name(s) of each type of asbestos-containing product distributed and/or installed by you at such job site, and the dates during which the asbestos-containing product(s) distributed and/or installed by you is or was present at such job site.

RESPONSE TO INTERROGATORY NO. 15:

See NSI's response to Interrogatory No. 14.

INTERROGATORY NO. 16:

If you manufactured, marketed, distributed, and/or sold friction products, including, but not limited to, brakes and clutches, please state:

- (a) The type of product manufactured, marketed, distributed, and/or sold by you;
- (b) The date the product first went into production;

- (c) The last date that the product was produced;
- (d) The last date that the product was sold;
- (e) All manufacturing locations of the product;
- (f) The asbestos-containing component and/or part contained in the product;
- (g) The percentage of asbestos in each asbestos-containing component and/or part; and
- (h) The type of asbestos fiber in each asbestos-containing component and/or part.

RESPONSE TO INTERROGATORY NO. 16:

Neither NSI nor its North Brothers division ever manufactured, marketed, sold or distributed friction products.

INTERROGATORY NO. 17:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products identified in your answers to these Interrogatories still exist? If so, state:

- (a) A description of each such document;
- (b) The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

RESPONSE TO INTERROGATORY NO. 17:

Neither NSI nor its North Brothers division mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold asbestos-containing products manufactured by other companies and had no part in the design, preparation or introduction of these products into the market, as those terms are customarily used.

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business

records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation and, to date, has identified some documents that were prepared by other companies that relate to the introduction by those manufacturers of products into the marketplace. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 18:

Before distributing, selling, or placing the products identified in your answers to these Interrogatories into the stream of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- (a) The names of the products tested and the date of each test;
- (b) The name, address, and job title of each person conducting the tests or involved with conducting the tests; and
- (c) The results of the tests.

RESPONSE TO INTERROGATORY NO. 18:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing product. North Brothers sold and installed asbestos-containing products manufactured by other companies. North Brothers did not test any of these products prior to sale or installation. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 19:

Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products identified in your answers to these Interrogatories now exist? If so, state:

- (a) A description of each such document;
- (b) The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

RESPONSE TO INTERROGATORY NO. 19:

See NSI's response to Interrogatory No. 18.

INTERROGATORY NO. 20:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests identified in your answers to these Interrogatories? If the answer is affirmative, state:

- (a) The trade names of the products changed;
- (b) The nature of the changes made and the date of such changes or modifications;
- (c) The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

RESPONSE TO INTERROGATORY NO. 20:

See NSI's response to Interrogatory No. 18.

INTERROGATORY NO. 21:

After releasing the products identified in your answers to these Interrogatories to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- (a) The names of the products tested and the dates of such tests;
- (b) The name, address, and job title of each person who conducted those tests;
- (c) The results of those tests;
- (d) Whether, as a result of the tests, any products were removed from the market;
- (e) The names of all products removed from the market as a result of these tests.

RESPONSE TO INTERROGATORY NO. 21:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing product. North Brothers sold and installed asbestos-containing products manufactured by other companies. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege

or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 22:

Do any documents, including, but not limited to, written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products identified in your answers to these Interrogatories now exist? If so, state:

- (a) The name of each product;
- (b) A description of each document and how it relates to each product; and
- (c) The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

RESPONSE TO INTERROGATORY NO. 22:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing product. North Brothers sold and installed asbestos-containing products manufactured by other companies. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to

by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 23:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests identified in your answers to these Interrogatories? If the answer is affirmative, state:

- (a) The names of the products changed or modified;
- (b) The name, address, and job title of each person responsible for having made a change or modification;
- (c) The nature of the hazard or defect which resulted in such change or modification.

RESPONSE TO INTERROGATORY NO. 23:

See NSI's response to Interrogatory No. 18.

INTERROGATORY NO. 24:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material of any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products identified in your answers to these Interrogatories? If so, state:

- (a) The names of each relevant product;
- (b) The exact wording of each warning statement on each printed material;
- (c) A description of the printed material other than the warning statement;
- (d) The method used to distribute the warning to persons likely to use the

product;

- (e) The date each warning was first issued, distributed, or placed on packaging;
- (f) The name, address, and job title of each person responsible for having drafted or issued the warning;
- (g) The current location of any such printed material and the custodian thereof;
- (h) The form in which such literature or printed materials can be accessed, *i.e.*, the manner in which such literature is indexed or stored.

RESPONSE TO INTERROGATORY NO. 24:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold products containing asbestos manufactured by other companies and the packaging of those products may have included written information about asbestos or instructions and/or warnings regarding its use prepared by those manufacturers. Any warnings related to asbestos-containing products sold by North Brothers were provided by the manufacturers of those products and if the product contained such a warning when the manufacturer sent the product to North Brothers it would have been passed on to North Brothers' customers. NSI believes that the product information plaintiffs are seeking would be in the possession, custody or control of those manufacturers.

INTERROGATORY NO. 25:

Before 1970, had you received notice that any individual or individuals claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;

- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney who represents each individual making a claim;
- (f) The style and court number of each claim;
- (g) The disposition of each claim that has been settled or taken to judgment.

RESPONSE TO INTERROGATORY NO. 25:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has identified some documents related to worker's compensation claims alleging injury due to exposure to asbestos. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 26:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

RESPONSE TO INTERROGATORY NO. 26:

NSI objects to the language "your asbestos products" in regard to NSI or its North Brothers division. Neither NSI nor North Brothers mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured and packaged by other companies. See NSI's response to Interrogatory No. 7. To the extent plaintiffs are requesting more, NSI objects to such request as overly broad and unduly burdensome.

INTERROGATORY NO. 27:

Did you or any of your predecessor, successors, or subsidiaries have any distributors or sales representatives of asbestos products in Georgia as well as in those states identified on Plaintiffs' Work History Sheets? If so, state:

- (a) The name and address of each such distributor or sales representatives;
- (b) The years in which such company or person distributed, marketed, or sold your products; and
- (c) What products were distributed, marketed, or sold and in what years.

RESPONSE TO INTERROGATORY NO. 27:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any product containing asbestos. North Brothers sold and installed products containing asbestos manufactured by other companies. North Brothers had no distributors in any state.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI

located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 28:

List each employee who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number, and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

RESPONSE TO INTERROGATORY NO. 28:

Neither NSI nor its North Brothers division ever employed anyone in a medical advisory capacity.

INTERROGATORY NO. 29:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- (a) The name of each such publication;
- (b) The date of publication and the names of the author and publisher (if any);

- (c) The date received by Defendant, if known; and
- (d) The name, job title, and address of each person who currently has possession of each publication and its present location.

RESPONSE TO INTERROGATORY NO. 29:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 30:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- (a) The name and address of each such association or organization;
- (b) The dates during which Defendant or any of its subsidiaries or predecessors were members;

- (c) The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations; and
- (d) Whether any of those publications are still in your possession, and if so:
 - (i) A description of the publications, including the date;
 - (ii) The current location of such publications;
 - (iii) The custodian of such publications; and
 - (iv) The method or manner in which such publications are maintained.

RESPONSE TO INTERROGATORY NO. 30:

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has found documents indicating that it was a member of the following trade associations: National Insulators Contracting Association (NICA) and Southeastern Insulators Contracting Association (SEICA). Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the

grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 31:

Identify by name and location each plant or manufacturing facility in which the products identified in your answers to these Interrogatories were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

RESPONSE TO INTERROGATORY NO. 31:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies. North Brothers had no plants or manufacturing facilities in which asbestos-containing products were manufactured, assembled, or prepared for sale or marketing. To the extent plaintiffs are asking for more, NSI objects to such request on the grounds it is overly broad and unduly burdensome.

INTERROGATORY NO. 32:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- (i) The name, address, and job title of each person or entity who prepared such materials;
- (j) The name, address, and job title of each person who currently has possession of such materials and their present location;
- (k) The date the materials were prepared; and
- (l) The media used to disseminate the sales materials.

RESPONSE TO INTERROGATORY NO. 32:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers did prepare sales materials for asbestos-containing products manufactured by other companies and sold by North Brothers.

INTERROGATORY NO. 33:

Did Defendant or its predecessors or subsidiaries provide any information to the United States Patent Office regarding any asbestos-containing products identified by Defendant in the answers to these Interrogatories. If so, please identify:

- (a) The information provided;
- (b) All documents and other material provided; and
- (c) Any and all communications Defendant had with any employee and/or representative of the United States Patent Office.

RESPONSE TO INTERROGATORY NO. 33:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has not found any documents showing that information was provided to the United States Patent Office for the asbestos-containing

products sold or installed by North Brothers. Moreover, NSI has no independent knowledge that the United States Patent Office was ever provided information by it or its North Brothers division regarding the asbestos-containing products sold or installed by North Brothers. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 34:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- (a) The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation;
- (b) The name, address and job title of each person who currently has possession of such materials or instructions and their present location;
- (c) The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors; and
- (d) The year each such written material or instruction was prepared and disclosed to potential customers.

RESPONSE TO INTERROGATORY NO. 34:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing products. North Brothers sold products containing asbestos manufactured by other companies and the packaging of those products may have included written information about asbestos or instructions and/or warnings regarding its use prepared by those manufacturers. Any warnings related to asbestos-containing products sold by North Brothers were provided by the manufacturers of those products and if the product contained such a warning when the manufacturer sent the product to North Brothers it would have been passed on to North Brothers' customers. NSI believes that the product information plaintiffs are seeking would be in the possession, custody or control of those manufacturers.

INTERROGATORY NO. 35:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

RESPONSE TO INTERROGATORY NO. 35:

NSI will provide a schedule of its liability insurance coverage currently paying claims against NSI alleging that personal injury resulted from exposure to asbestos or asbestos-containing products. To the extent plaintiffs are requesting more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 36:

As to the disease asbestosis, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans;
- (b) How Defendant became aware of the existence of the disease;
- (c) Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure;
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects;
- (e) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form;
- (f) Who is the custodian of such information; and
- (g) The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

RESPONSE TO INTERROGATORY NO. 36:

NSI cannot designate the specific day, month or year North Brothers learned of the potential risks associated with the inhalation of asbestos fibers, including any alleged risks relating to asbestosis. Moreover, NSI cannot specify when North Brothers learned of these risks with respect to the different types of asbestos fiber, specific kinds of products, individual job classifications, or different industrial settings. Because the body of knowledge within the asbestos industry was developed from a variety of sources, including asbestos manufacturers, unions and the government, North Brothers' understanding of the relationship between the inhalation of asbestos fibers and the development of asbestos-related diseases evolved over a period of years.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 37:

As to the disease lung cancer, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans;
- (b) How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure;
- (c) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure;
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects;
- (e) Whether any such information is still maintained by Defendant or its

subsidiaries or predecessors in any written form;

- (f) Who is the custodian of such information; and
- (g) The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

RESPONSE TO INTERROGATORY NO. 37:

NSI cannot designate the specific day, month or year North Brothers learned of the potential risks associated with the inhalation of asbestos fibers, including any alleged risks relating to lung cancer. Moreover, NSI cannot specify when North Brothers learned of these risks with respect to the different types of asbestos fiber, specific kinds of products, individual job classifications, or different industrial settings. Because the body of knowledge within the asbestos industry was developed from a variety of sources, including asbestos manufacturers, unions and the government, North Brothers' understanding of the relationship between the inhalation of asbestos fibers and the development of asbestos-related diseases evolved over a period of years.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional

documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 38:

As to the disease pleural thickening or pleural plaques, state:

- (a) The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans;
- (b) How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos;
- (c) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure;
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects;
- (e) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form;
- (f) Who is the custodian of such information; and
- (g) The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

RESPONSE TO INTERROGATORY NO. 38:

NSI cannot designate the specific day, month or year North Brothers learned of the potential risks associated with the inhalation of asbestos fibers, including any alleged risks relating to pleural thickening or pleural plaques. Moreover, NSI cannot specify when North Brothers learned of these risks with respect to the different types of asbestos fiber, specific kinds of products, individual job classifications, or different industrial

settings. Because the body of knowledge within the asbestos industry was developed from a variety of sources, including asbestos manufacturers, unions and the government, North Brothers' understanding of the relationship between the inhalation of asbestos fibers and the development of asbestos-related diseases evolved over a period of years.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 39:

As to the disease mesothelioma, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans;
- (b) The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers;

- (c) How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos;
- (d) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects asbestos exposure;
- (e) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects;
- (f) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form;
- (g) Who is the custodian of such information; and
- (h) Whether Defendant agrees that there is no known medical cure for mesothelioma.

RESPONSE TO INTERROGATORY NO. 39:

NSI cannot designate the specific day, month or year North Brothers learned of the potential risks associated with the inhalation of asbestos fibers, including any alleged risks relating to mesothelioma. Moreover, NSI cannot specify when North Brothers learned of these risks with respect to the different types of asbestos fiber, specific kinds of products, individual job classifications, or different industrial settings. Because the body of knowledge within the asbestos industry was developed from a variety of sources, including asbestos manufacturers, unions and the government, North Brothers' understanding of the relationship between the inhalation of asbestos fibers and the development of asbestos-related diseases evolved over a period of years.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are

potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 40:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- (a) The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans;
- (b) What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers;
- (c) The date on which Defendant first suspected other cancers were caused by asbestos inhalation;
- (d) Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure;
- (e) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects;
- (f) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form;
- (g) Who is the custodian of such information; and

- (h) The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

RESPONSE TO INTERROGATORY NO. 40:

NSI cannot designate the specific day, month or year North Brothers learned of the potential risks associated with the inhalation of asbestos fibers, including any alleged risks relating to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer. Moreover, NSI cannot specify when North Brothers learned of these risks with respect to the different types of asbestos fiber, specific kinds of products, individual job classifications, or different industrial settings. Because the body of knowledge within the asbestos industry was developed from a variety of sources, including asbestos manufacturers, unions and the government, North Brothers' understanding of the relationship between the inhalation of asbestos fibers and the development of asbestos-related diseases evolved over a period of years.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review.

Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 41:

Does Defendant believe that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys upon which this answer is based.

RESPONSE TO INTERROGATORY NO. 41:

NSI objects to Interrogatory No. 41 on the grounds it calls for speculation and requires a medical opinion.

INTERROGATORY NO. 42:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

RESPONSE TO INTERROGATORY NO. 42:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing products. North Brothers sold or installed products containing asbestos manufactured by other companies. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for

responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 43:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- (a) The name of the company manufacturing the asbestos products;
- (b) The trade name affixed to those products;
- (c) The periods of time covered by such agreement;
- (d) The volume, in dollar amount, of each transaction; and
- (e) The initial purchaser of the products.

RESPONSE TO INTERROGATORY NO. 43:

North Brothers never entered into any rebranding agreements.

INTERROGATORY NO. 44:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

RESPONSE TO INTERROGATORY NO. 44:

See NSI's response to Interrogatory No. 7.

INTERROGATORY NO. 45:

Does Defendant or any of its subsidiary or predecessor companies currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 43? If the answer is affirmative, state:

- (a) The name, address, and job title of each person having custody of each of those documents and their current location; and
- (b) A brief description of each such document, including the dates and the parties signatory.

RESPONSE TO INTERROGATORY NO. 45:

See NSI's response to Interrogatory No. 43.

INTERROGATORY NO. 46:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- (a) A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim;
- (b) The disease alleged in each such claim;
- (c) A brief summary of the disposition of each such claim; and
- (d) The name, address and title of the person having custody of the records pertaining to each such claim.

RESPONSE TO INTERROGATORY NO. 46:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing products. North Brothers sold or installed products containing asbestos manufactured by other companies.

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has identified documents related to a 1967 worker's compensation claim alleging injury due to exposure to asbestos. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 47:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- (a) The dates of each such meeting;
- (b) The general subject matter discussed at each meeting;
- (c) Who was in attendance at each meeting;

- (d) Where and by whom the written minutes are presently maintained;
- (e) By whom the minutes were taken and put into final format; and
- (f) Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

RESPONSE TO INTERROGATORY NO. 47:

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 48:

Do you or any of your subsidiaries, including foreign business entities, currently

manufacture any products containing asbestos? If so, state:

- (a) As to each product, whether such product is mined, manufactured, and/or marketed or sold;
- (b) The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products;
- (c) The trade or brand name of each of those products mined, manufactured, marketed and/or sold;
- (d) The date each of the named products was placed on the market;
- (e) A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product;
- (f) A description of the physical appearance of each product and its packaging;
- (g) A detailed description of the intended uses of each of the named products; and
- (h) Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

RESPONSE TO INTERROGATORY NO. 48:

No.

INTERROGATORY NO. 49:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- (a) The location of such documents;
- (b) The name and address of the custodian of the documents; and
- (c) The format in which the documents are kept, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

RESPONSE TO INTERROGATORY NO. 49:

Neither NSI nor its North Brothers division ever mined, milled or manufactured asbestos or any asbestos-containing products. North Brothers sold or installed products containing asbestos manufactured by other companies.

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has found some documents related to the sale and installation of asbestos-containing products by North Brothers. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 50:

Will you call company representatives as witnesses at the trial of any of these

cases: If so, list:

- (a) The name, address, and job title of each company representative who may be called;
- (b) A summary of the testimony expected to be given by each such witness; and
- (c) List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

RESPONSE TO INTERROGATORY NO. 50:

NSI has not yet determined who it may call as a witness at trial. NSI reserves the right to supplement this response as appropriate.

INTERROGATORY NO. 51:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- (a) Full and correct name;
- (b) Principal place of business;
- (c) State of incorporation;
- (d) Date of acquisition by Defendant; and
- (e) Whether or not the business entity was ever authorized to transact business in this state.

RESPONSE TO INTERROGATORY NO. 51:

NSI was incorporated in Delaware on August 20, 1928. In 1966, NSI acquired North Brothers, and subsequently, North Brothers became an unincorporated division of NSI. Prior to and after this acquisition, North Brothers sold and installed both insulation

products containing asbestos and products free of asbestos. On September 27, 1967, North Brothers purchased the business and all assets of Mid-South Insulation Co. located in Mississippi. On May 9, 1975, North Brothers purchased certain business assets from Webco Insulating Co. located in Florida. On August 4, 1976, North Brothers purchased the business and all assets of Western State Insulation Co., Inc. and H.L. Hales Insulation, Inc. located in Virginia, West Virginia, Tennessee, and North Carolina. On October 14, 1977, North Brothers purchased the real property and other assets of Southeastern Insulation Co., located in Ohio, Mississippi, and Florida. On February 16, 1978, North Brothers purchased the assets of The South Insulation Co., Inc. located in Alabama. On August 14, 1978, North Brothers purchased certain business assets of Covil Corp. located in Georgia and North Carolina. On August 31, 1996, North Brothers Company was incorporated as North Brothers, Inc., a Delaware corporation. In 1997, NSI sold the business conducted by, and the related assets of, North Brothers to PCG.

Throughout North Brothers' history, branch offices existed in various cities, primarily in the southeast United States. Each branch office maintained the business records of that particular branch. When North Brothers was sold to PCG in 1997, PCG took possession of any existing North Brothers' business records. With PCG's assistance, NSI has located documents that are potentially relevant to asbestos personal-injury litigation. NSI is currently in the process of reviewing those documents for responsiveness and privilege. Some of the documents under review by NSI are available for inspection and copying by plaintiff (additional documents will be made available throughout the process of completing the review) at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege

or the work product doctrine. NSI reserves the right to supplement this response as appropriate. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 52:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

RESPONSE TO INTERROGATORY NO. 52:

NSI objects to use of the language "your asbestos products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, manufactured or packaged asbestos or asbestos-containing products. North Brothers sold and installed products containing asbestos manufactured by other companies. Those products were generally expected to reach North Brothers' customers without substantial changes to the condition of the product.

INTERROGATORY NO. 53:

For each asbestos-containing product identified in your answers to these Interrogatories, identify all foreseeable users, such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

RESPONSE TO INTERROGATORY NO. 53:

NSI objects to the use of the language "Defendant's asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers

sold and installed asbestos-containing products manufactured by other companies. NSI further objects to Interrogatory No. 53 on the grounds it is overly broad and unreasonably burdensome.

INTERROGATORY NO. 54:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- (a) If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name;
- (b) If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

RESPONSE TO INTERROGATORY NO. 54:

NSI objects to the use of the language "your asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies. NSI further objects to Interrogatory No. 54 on the grounds it seeks information that is the subject of expert opinion. NSI has not yet retained an expert witness in this lawsuit, but will respond at an appropriate time.

INTERROGATORY NO. 55:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

RESPONSE TO INTERROGATORY NO. 55:

NSI objects to the terminology "your asbestos-containing products" with respect

to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed products containing asbestos manufactured by other companies. While both North Brothers and its customers intended that the insulation products sold or installed by North Brothers remain permanently affixed to the object(s) requiring insulation, it was foreseeable that the insulation products might be removed, stripped or replaced.

INTERROGATORY NO. 56:

Before 1970, did you or your subsidiaries or predecessors ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

RESPONSE TO INTERROGATORY NO. 56:

NSI objects to use of the terminology "your products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies. Without waiving its objection, NSI states that prior to 1970 neither it nor its North Brothers division arranged for a labor or insurance inspector or company representative to go to any job site to make or take dust level counts.

INTERROGATORY NO. 57:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

RESPONSE TO INTERROGATORY NO. 57:

See NSI's response to Interrogatory No. 56.

INTERROGATORY NO. 58:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- (a) Name of the person or firm conducting such studies;
- (b) The date the studies began and the date they were completed;
- (c) Any publication or other written dissemination of the results of the studies; and
- (d) The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers.

RESPONSE TO INTERROGATORY NO. 58:

NSI objects to use of the terminology "your company's products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has not found any documents indicating that North Brothers ever conducted or caused to be conducted any studies of the type described in Interrogatory No. 58. Moreover, NSI has no independent knowledge that any such studies were ever conducted by North Brothers.

Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 59:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- (a) The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- (b) What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- (c) State in detail the purposes, duties, and responsibilities of such Research Department.

RESPONSE TO INTERROGATORY NO. 59:

North Brothers division never maintained a Research Department as identified in Interrogatory No. 59.

INTERROGATORY NO. 60:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- (a) The year such Medical Department was established;

- (b) Whether or not such Medical Department has operated continuously since being established;
- (c) The name of each director, chief, or head of your Medical Department by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each; and
- (d) State the duties and responsibilities of such Medical Department.

RESPONSE TO INTERROGATORY NO. 60:

North Brothers division never maintained a Medical Department as identified in Interrogatory No. 60.

INTERROGATORY NO. 60:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing products or on their packaging? If so, identify the product(s) and year said warning was first applied.

RESPONSE TO INTERROGATORY NO. 61:

NSI objects to use of the language "its asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, manufactured or packaged asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured and packaged by other companies. The packaging of those products may have included written information about asbestos or instructions and/or warnings regarding its use prepared by those manufacturers. Any warnings related to asbestos-containing products sold by North Brothers were provided by the manufacturers of those products and if the product contained such a warning when the manufacturer sent the product to North Brothers it would have been passed on to North Brothers' customers. NSI believes that the product

information plaintiffs are seeking would be in the possession, custody or control of those manufacturers.

INTERROGATORY NO. 62:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

RESPONSE TO INTERROGATORY NO. 62:

NSI objects to the use of the language "its asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, manufactured or packaged asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured and packaged by other companies. Those manufacturers may have placed their logo on their products' packaging.

INTERROGATORY NO. 63:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

RESPONSE TO INTERROGATORY NO. 63:

NSI objects to the use of the language "your asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies. Without waiving this objection, neither NSI nor North Brothers devised a research plan or

product of the type described in Interrogatory No. 63, as North Brothers was not in the business of developing asbestos-containing products or asbestos-free substitutes, for these products.

INTERROGATORY NO. 64:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- (a) All details of such recall;
- (b) The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- (c) The dates of the recall; and
- (d) The purpose for the recall.

RESPONSE TO INTERROGATORY NO. 64:

No.

INTERROGATORY NO. 65:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

RESPONSE TO INTERROGATORY NO. 65:

NSI objects to the use of the language "your asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, or manufactured asbestos or asbestos-containing products. Prior to 1970, North Brothers sold and installed asbestos-containing products and asbestos-free products manufactured by other companies. In the vast majority of situations, the asbestos-containing products and asbestos-free products could not be substituted for one another.

INTERROGATORY NO. 66:

Have any products you identified in your answers to these Interrogatories not performed as intended? Please list all such products that have not performed as intended.

RESPONSE TO INTERROGATORY NO. 66:

To date, NSI is not aware of the failure of any products listed herein to perform as intended.

INTERROGATORY NO. 67:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

RESPONSE TO INTERROGATORY NO. 67:

Yes. When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has found documents related to air sampling tests performed by Floyd B. Parsons, an employee of The Hartford Insurance Group, on March 21-22, 1972. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to

supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 68:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- (a) The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- (b) The name of the employee or official of the company receiving such advice; and
- (c) How Defendant received notice of such limits or concentrations.

RESPONSE TO INTERROGATORY NO. 68:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has not found any documents showing when or who at NSI or North Brothers first learned either the threshold limit values or maximum allowable concentrations of asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists. Moreover, NSI does not have any independent information when or who may have learned this information. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by

the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 69:

Were the threshold limit values or maximum allowable concentrations inquired about in the previous Interrogatory for total dust, and not asbestos dust alone?

RESPONSE TO INTERROGATORY NO. 69:

See NSI's response to Interrogatory No. 68.

INTERROGATORY NO. 70:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

RESPONSE TO INTERROGATORY NO. 70:

NSI objects to the use of the language "your asbestos-containing products" with respect to NSI or its North Brothers division. Neither NSI nor North Brothers ever mined, milled, or manufactured asbestos or asbestos-containing products. North Brothers sold and installed asbestos-containing products manufactured by other companies.

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-

injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has found documents related to air sampling tests performed by Floyd B. Parsons, an employee of The Hartford Insurance Group, on March 21-22, 1972. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 71:

Please state the following with respect to each expert witness that you may call during trial of these cases. Please designate with specificity the expert witnesses that you may call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;
- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify and produce each such document or report;
- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above; and

- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

RESPONSE TO INTERROGATORY NO. 71:

NSI's investigation is ongoing. NSI has not yet determined who it may call as an expert witness at trial. NSI reserves the right to supplement this response as appropriate.

INTERROGATORY NO. 72:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendants agents, having knowledge of facts relevant to these cases including but not limited to:

- (a) Identification of asbestos-containing products to which each and every individual Plaintiff separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case;
- (b) Each and every individual Plaintiffs, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiffs alleged damages and/or injuries;
- (c) The negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiffs, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages; and
- (d) Each of Defendant's defenses enumerated in Defendant's last filed Answer in each of those cases.

RESPONSE TO INTERROGATORY NO. 72:

NSI's investigation is ongoing. NSI does not currently know the identity of each and every person having knowledge of the facts relevant to these cases. NSI reserves the right to supplement this response as appropriate.

INTERROGATORY NO. 73:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels", published in January, 1946 in the Journal of Industrial Hygiene & Toxicology, and authored by W. Fleischer and P. Drinker, et al ("the Fleischer-Drinker Report")?

- (a) Identify the name and position of the employee or officer who received same;
- (b) Please produce all documents generated by Defendant which discuss or in any way reference the "Fleischer-Drinker" study prior to 1968;
- (c) Please produce all documents upon which your responses above are based;
- (d) Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- (e) Did Defendant ever rely on the Fleischer-Drinker Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- (f) If so, please produce every document which evidences in any way, that Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in Interrogatory No. 73(e) above; and
- (g) If your answer to 73(e) is yes, when was the first date Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in 64(e) above?

RESPONSE TO INTERROGATORY NO. 73:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has not found a

copy of, or documents showing that it or its North Brothers division ever received a copy of the article *A Health Survey of Pipe Covering Operations in Constructing Naval Vessels* ("The Fleischer-Drinker Report") by W. Fleischer and P. Drinker, et al. Moreover, NSI does not have any independent information that NSI or North Brothers ever received a copy of this article. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 74:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W. C. Dreessen ("the Dreessen Report")?

- (a) Identify the name and position of the employee or officer who received same;
- (b) Please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;
- (c) Please produce all documents upon which your responses above are based;
- (d) Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- (e) Did Defendant ever rely on the Dreessen Report in whole or in part as a

basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;

- (f) If so, please produce every document which evidences in any way, that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory No. 74(e) above;
- (g) If your answer to 74(e) is yes, when was the first date Defendant relied on the Dreessen Report in whole or in part for the proposition stated in 64(e) above?

RESPONSE TO INTERROGATORY NO. 74:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege and, to date, has not found a copy of, or documents showing that it or its North Brothers division ever received a copy of, the article *A Study of Asbestos in the Asbestos Textile Industry* ("The Dreessen Report") by W. C. Dreessen. Moreover, NSI does not have any independent information that NSI or North Brothers ever received a copy of this article. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for

more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 75:

Please identify all documents and other tangible things, including, but not limited to, exhibits, video tapes, audio tapes, materials and/or demonstrative aids, which support or refute any of Plaintiffs' claims in these actions.

RESPONSE TO INTERROGATORY NO. 75:

See NSI's responses to these Interrogatories and Request for Production of Documents. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 76:

Please identify all documents and other tangible things, including, but not limited to, exhibits, video tapes, audio tapes, materials, and/or demonstrative aids, which support or refute any of Defendant's defenses, including, but not limited to, affirmative.

RESPONSE TO INTERROGATORY NO. 76:

See NSI's responses to these Interrogatories and Request for Production of Documents.

II. REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answers to Plaintiffs' Interrogatories.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI

located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 2:

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined in your answer to Interrogatory No. 2.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a

time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 3:

All documents which support, contradict, or are otherwise relevant to Plaintiffs claims of exposure to Defendant's products at any jobsite identified in Plaintiffs responses to discovery.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

When North Brothers was sold to PCG in 1997, PCG took possession of all North Brothers' business records at North Brothers' offices. With PCG's assistance, NSI located documents from those offices that are potentially relevant to asbestos personal-injury litigation. NSI has also located and identified some NSI documents that are potentially relevant to asbestos personal injury litigation. NSI has reviewed (and continues to review) those documents for responsiveness and privilege. Those documents of which NSI has completed its review are available for inspection and copying by plaintiffs at a time and place mutually agreed to by the parties, with the exception of documents protected by the attorney-client privilege or the work product doctrine. Additional documents will be made available throughout the process of completing the review. Those documents that are currently available have been reviewed by plaintiffs. NSI reserves the right to supplement this response. To the extent plaintiffs are asking for

more, NSI objects on the grounds such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 4:

All documents identified in your answers to Plaintiffs' Interrogatories.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

See NSI's responses to plaintiffs' Interrogatories.

REQUEST FOR PRODUCTION NO. 5:

All documents supporting your answer to Interrogatory No. 3.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

See NSI's response to Interrogatory No. 3.

REQUEST FOR PRODUCTION NO. 6:

All documents supporting your answer to Interrogatory No. 5.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

See NSI's response to Interrogatory No. 5.

REQUEST FOR PRODUCTION NO. 7:

All documents supporting your answer to Interrogatory No. 9.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

See NSI's response to Interrogatory No. 9.

REQUEST FOR PRODUCTION NO. 8:

All documents supporting your answer to Interrogatory No. 12.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

See NSI's response to Interrogatory No. 12.

REQUEST FOR PRODUCTION NO. 9:

All documents supporting your answer to Interrogatory No. 13.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

See NSI's response to Interrogatory No. 13.

REQUEST FOR PRODUCTION NO. 10:

The current curriculum vitae and/or resume of all testifying experts identified by you in your answers to Plaintiffs' Interrogatories or in your Witness List served pursuant to Standing Order Number.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

See NSI's response to Interrogatory No. 71.

REQUEST FOR PRODUCTION NO. 11:

All documents and other tangible things identified by you in your answer to Interrogatory No. 75.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

See NSI's response to Interrogatory No. 75.

This the 23rd day of August, 2002.

HAWKINS & PARNELL, LLP

/s/ David C. Marshall

David C. Marshall

Georgia Bar No. 471512

William T. Wood, III

Georgia Bar No. 774901

ATTORNEYS FOR NATIONAL SERVICE
INDUSTRIES, INC.

4000 Sun Trust Plaza
303 Peachtree Street, N.E.
Atlanta, GA 30308-3243

IN RE: ALL ASBESTOS-RELATED	§	IN THE SUPERIOR COURT
PERSONAL INJURY OR DEATH CASES	§	
FILED BY BARON & BUDD, P.C. IN	§	OF
FULTON COUNTY, GEORGIA	§	
	§	FULTON COUNTY, GEORGIA

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of **DEFENDANT NATIONAL SERVICE INDUSTRIES, INC.'S RESPONSES TO PLAINTIFFS' MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO ALL DEFENDANTS** on all counsel of record via Justice Link.

This 23rd day of August, 2002.

HAWKINS & PARNELL, LLP

/s/ David C. Marshall
David C. Marshall
William T. Wood, III

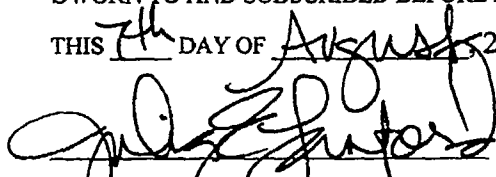
VERIFICATION

STATE OF GEORGIA)
)
COUNTY OF FULTON)

COMES NOW S. CLARK EVANS, WHO AFTER FIRST BEING DULY SWORN, SAYS THAT HE IS DULY DESIGNATED AND AUTHORIZED AS AN AGENT OF NATIONAL SERVICE INDUSTRIES, INC. FOR THE PURPOSE OF VERIFYING NATIONAL SERVICE INDUSTRIES, INC.'S RESPONSES TO PLAINTIFFS' INTERROGATORIES AND THAT HE HAS VERIFIED THEM IN ACCORD WITH APPLICABLE LAW AND RULES.


S. CLARK EVANS

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 7th DAY OF August, 2002.


NOTARY PUBLIC

JULIA E. LANFORD
Notary Public, Fulton County, Georgia
My Commission Expires Sept. 27, 2003