



CAUSE NO. 96-333

IN RE: ASBESTOS LITIGATION

IN THE DISTRICT COURTS AND
COUNTY COURTS AT LAW
OF EL PASO COUNTY, TEXAS

**DEFENDANT DANA CORPORATION'S ANSWERS TO
PLAINTIFFS' MASTER INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS**

PRELIMINARY STATEMENT

These interrogatories and requests for production seek information about events that occurred many years ago. These responses are based upon a reasonable investigation into the relevant facts and information currently known to Dana.

Because the pending litigation against Defendant appears to involve an allegation of exposure to Victor Products Division gaskets, Defendant responds to these interrogatories and requests for production at this time for the Victor Products Division (now the Victor Reinz Division), excluding Reinz Wisconsin Gasket Co., for the period 1967 to date. Dana is not able to respond to questions that relate to Victor Manufacturing and Gasket Company in all circumstances. In those instances where Dana has information for Victor Manufacturing and Gasket Company that it believes to be accurate, Dana will attempt to provide that information. If plaintiffs provide information of alleged exposure to specific Dana products not encompassed by these responses, Dana will investigate further and may supplement these responses.

In 1966 Dana Corporation acquired 100% of the stock an Illinois corporation known as Victor Manufacturing & Gasket Company, incorporated in Chicago, Illinois. In 1967, Victor Manufacturing & Gasket Company was dissolved pursuant to and in conformity with relevant

provisions of the Illinois Business Corporation Act of 1933, contained at Ill. Rev. Stat. Ch. 32 §§ 74-81(1967). The Act was in effect in Illinois at the time of the voluntary dissolution of Victor Manufacturing & Gasket Company. Other provisions of the Act governed merger and consolidation. See Ill. Rev. Stat. Ch. 32 § § 61-70 (1967). No attempt was made to merge Victor Manufacturing & Gasket Company with Dana. Dana formed the Victor Division of Dana Corporation in approximately 1967 (now known as the Victor Reinz Division).¹ Dana rejects any liability for products manufactured by the dissolved company known as Victor Manufacturing & Gasket Company.

These responses are provided with the above qualifications and Dana's answers are expressly limited as noted above. To the extent these interrogatories and requests for production attempt to impose an obligation upon Dana to respond on behalf of or with documents in the possession of persons, businesses or entities that are not parties to this lawsuit, Dana objects to such interrogatories and requests for production.

These responses are based upon a reasonable investigation into the relevant facts and are as accurate as possible understanding that in the intervening years persons who may have had knowledge of the relevant facts may have died, left the employ of the company or simply forgotten events of so long ago. Further, if the plaintiffs provide more specific information, for example, time periods of exposure to particular products, it may be possible that more specific responses can be provided to these interrogatories and requests for production.

Because many of the matters inquired about in these interrogatories and requests for production took place decades ago, information furnished in the responses that follow may be incomplete. As discovery in this action is not complete, Dana cannot exclude the possibility that its continuing investigations of the allegations made in this case may reveal more complete information.

¹ Victor Products Division (now Victor Reinz Division), excluding Reinz Wisconsin Gasket Co. is hereinafter referred to as "Victor Products Division."

Dana specifically reserves the right to amend, supplement, modify or otherwise change these responses in the event that it acquires additional information responsive to these interrogatories and requests for production, or if it appears that administrative or inadvertent omissions or errors have been made.

GENERAL OBJECTIONS

1. Defendant objects to each interrogatory and request for production and part thereof to the extent that plaintiff may assert that plaintiff's definition for words is binding on defendant.

2. Defendant objects to each interrogatory and request for production and part thereof to the extent it calls for information protected by (a) the attorney-client privilege, (b) attorney-work-product doctrine, (c) any applicable privilege relating to communications between counsel for Dana and counsel for other defendants regarding this or similar litigation, (d) any applicable privilege relating to communications between defendant's employees or counsel and Dana's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets or confidential communications, (f) the right of privacy, or (g) any other privilege.

3. Defendant objects to each interrogatory and request for production and part thereof to the extent that information sought is not relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence as it relates to defendant.

4. Defendant objects to each interrogatory and request for production and part thereof to the extent it seeks information or documents not within the custody and control of defendant.

5. Defendant objects to each interrogatory and request for production and part thereof to the extent that it seeks information or imposes obligations, beyond those permitted by the applicable Rules of Civil Procedure and local rules of court.

6. Defendant objects to each interrogatory and request for production and part thereof to the extent that it seeks information or documents in a form different from that maintained by defendant in the ordinary course of its business.

7. Defendant objects to each interrogatory and request for production and part thereof to the extent that it seeks to impose on defendant a discovery obligation to respond for defendant's businesses and entities not parties to this litigation.

8. Defendant objects to each interrogatory and request for production and part thereof that seeks to determine the knowledge, familiarity, or awareness of a corporation. It is not possible to state precisely if or when a corporation can be said to have such knowledge; that is a mixed question of fact and law. Defendant objects to imputing knowledge, familiarity or awareness to a corporation based upon the knowledge, familiarity or awareness of an employee or agent of a corporation.

9. Dana objects to each interrogatory and part thereof calling for opinions rather than facts.

10. Defendant objects to any request that it respond for separate corporate entities.

11. The objections stated above are incorporated by reference in each answer herein, as if fully set forth below. No such objection is waived by answering an interrogatory or responding to a request for production in whole or in part.

Any answer or response provided herein is subject to and limited by all objections raised and all objections as to admissibility and all such objections are hereby expressly reserved and may be interposed at the time of trial or in response to any motion.

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, much of the information sought by these interrogatories has been accumulated over time but not necessarily for purposes of responding to these interrogatories. It is not possible to now identify each person who, at some time, may have provided information that is now being used to answer these interrogatories. No single employee, officer or agent of the company has direct knowledge of the documents and information necessary to supply each and every answer. Gary Austin, Plant Manager, Victor Reinz Division, verified the answers to these interrogatories.

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 Texas.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana Corporation was incorporated in the State of Virginia in 1916 under the name Spicer Manufacturing Corporation. In 1946, the corporation changed its name to Dana Corporation. Its principal place of business is in Toledo, Ohio. C.T. Corporation is authorized to accept service of process on Dana's behalf. Dana has held a Certificate of Authority to do business in the State of Texas.

INTERROGATORY NO. 3:

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 other Defendants in this case.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, no.

INTERROGATORY NO. 4:

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

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Without the identification of a specific gasket product, defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, defendant will provide available information requested about the product. Victor Products Division made thousands of different gaskets that varied in many ways, to include: size, shape, physical characteristics according to type of engine, size of engine, number of cylinders, make of engine, year and model of engine. Brand names for Victor Products Division gasket materials included Victor, Victopac, Victocor, Victoprene, Asbestopac, Asbestoprene, Bestocork, Solicor, Corpac, Corbestos, and Victor.

INTERROGATORY NO. 5:

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

ANSWER:

See Response to Interrogatory No. 4, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 6:

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 and/or sold.
- (b) The names of the companies mining, manufacturing, marketing, and/or selling each product mines, manufactured, marketed, and/or sold.
- (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 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.
- (j) Identify the last year that you sold each asbestos-containing product.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Without the identification of a specific gasket product, defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, defendant will provide available information requested about the product. Subject to and without waiving objections, Dana states as follows:

- (a) Victor Products Division products were manufactured, marketed, distributed, and sold;
- (b) See (a) above;
- (c) See Answer to Interrogatory No. 7, which is incorporated herein as if fully rewritten;
- (d) Victor Products Division has manufactured gaskets with and without asbestos since its inception in 1967;
- (e) Dana used chrysotile asbestos in manufacturing its gaskets. In those gaskets that contained asbestos, the percentage by weight of asbestos varied widely, depending on the specifications of the gasket. Without the identification of a specific gasket product, Defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, Defendant will provide available information requested about the product. Victor Products Division has manufactured gaskets without asbestos since its inception in 1967;
- (f) Without the identification of a specific gasket product, Defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, Defendant will provide available information requested about the product;
- (g) Victor Products Division started the process of removing asbestos from the gaskets that did contain asbestos no later than the early 1980s. Raw asbestos was no longer used as an added component in the manufacture of gaskets after June 1988;
- (h) Without the identification of a specific gasket product, Defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, Defendant will provide available information requested about the product;
- (i) Victor Products Division makes gasket products for passenger cars, trucks, tractors, and industrial engine applications; and
- (j) See section (g) above.

INTERROGATORY NO. 7:

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 listed in Interrogatory No. 6 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana's Victor Products Division documents, which include documents relating to the design, preparation, or introduction into the market of its products, are available for inspection and copying at the office of Cooper & Walinski in Toledo, Ohio at a mutually convenient time, and have been inspected by Plaintiffs' counsel.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams 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.
- (c) The results of the tests.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that before distributing, selling, or placing the products identified in answers to these Interrogatories into the stream of commerce, Victor Products Division ever conducted such tests.

INTERROGATORY NO. 9:

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 referred to in Interrogatory No. 6 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana's Victor Products Division documents, which may include documents relating to testing of the products identified in its answers to these Interrogatories, are available for inspection and copying at the office of Cooper & Walinski in Toledo, Ohio at a mutually convenient time, and have been inspected by Plaintiffs' counsel.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? 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.

ANSWER:

See Answer to Interrogatory No. 8, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein by reference. This question inappropriately assumes that there was a health hazard associated with the use of gaskets by the Victor Products Division. The gaskets by Victor Products Division did not require testing for several reasons. First, the products did not all contain asbestos. For those products that did contain asbestos, the fibers were locked into the gasket with an elastomeric binder.

Second, the amount of time that a person spent using a gasket was small compared to the overall time required to replace a gasket. Third, gaskets that were manufactured by the Victor Products Division did not release significant levels of biologically active asbestos fibers under normal and ordinary condition of usage. Fourth, gaskets manufactured by the Victor Products Division used only short-fiber chrysotile asbestos. Fifth, medical and scientific literature shows that gaskets such as the type manufactured by Victor Products Division do not present a significant risk of harm to human beings.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

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

ANSWER:

See Answer to Interrogatory No. 6, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 10 or 12? 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.

ANSWER:

See Answers to Interrogatory Nos. 10 and 12, which are incorporated herein as if fully rewritten.

INTERROGATORY NO. 14:

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 listed in Interrogatory No. 6? 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 material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Defendant is not aware of any credible scientific or medical data that supports the conclusion that the ordinary and foreseeable use of the products manufactured by Dana could cause diseases. Defendant denies that its products required

a warning. In approximately January of 1985, because of a heightened public interest and concern about the use of products that contained asbestos, Victor Products Division began inserting a caution label with certain gaskets and gasket materials. The label for finished gaskets read substantially as follows: "CAUTION. CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM." The label for certain gasket materials read substantially as follows: "WARNING. This material contains asbestos fibers. Avoid creating air-borne fibers or dust. Follow OSHA work practices, including the use of appropriate dust control equipment. Inhalation of air-born asbestos fibers may cause asbestosis or other serious bodily harm. Smoking greatly increases this risk of serious bodily harm." The language used in warnings may have changed over time.

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Texas State Courts is or are claiming or has or have 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that Victor Products Division ever received notice that any individual or individuals claimed an injury as a result of using asbestos products manufactured and/or sold by Victor Products Division before 1970.

INTERROGATORY NO. 16:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, in approximately the 1980s, Defendant sold Victor Products Division gasket material through a sales representative agency named Distribution Management Associates or Joyce-Roger, Inc., which in turn sold Victor Products Division gasket material.

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Mississippi, Oregon, Washington, Texas, Massachusetts, Oklahoma, Louisiana, Indiana, Kentucky and Montana? 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.
- (c) What products were distributed, marketed, or sold and in what years.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. In approximately the 1980s, Defendant sold Victor Products Division gasket material through a sales representative agency named Distribution Management Associates or Joyce-Roger, Inc., which in turn sold Victor Products Division gasket material in Texas through sales representative Ken Kubecka, who was located in or near Houston, Texas.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant did not have a medical department or an industrial hygiene department as such. Individual plants did have access to medical services. Dana has a research department whose responsibility it is and was to perform research and testing to verify performance characteristics of its products and compliance with customer specifications. It also had employees whose responsibility it was to promote employee safety and industrial hygiene. In addition, it had employees who were responsible for administering respirator programs and ensuring that the plants were properly maintained to minimize dust levels. Dana's investigation of this matter continues.

INTERROGATORY NO. 19:

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.
- (d) The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. See General Objection No. 8. Subject to and without waiving objections, Dana's Victor Products Division documents are available for inspection and copying at the office of Cooper & Walinski in Toledo, Ohio at a mutually convenient time, and have been inspected by Plaintiffs' counsel.

INTERROGATORY NO. 20:

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.

- (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.
 - (iv) The method or manner in which such publications are maintained.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Victor Products Division became an associate member of the Asbestos Information Association in 1985. In the late 1980's or early 1990's, Victor Products Division joined the Gasket Fabricators Association and the Asbestos Free Group and received publications from some of these associations.

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Victor Products Division manufactured asbestos-containing products in Chicago and Robinson, Illinois from 1967 until 1988, and Havana, Illinois from 1974 to 1980.

INTERROGATORY NO. 22:

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:

- (a) The name, address, and job title of each person or entity who prepared such materials.
- (b) The name, address, and job title of each person who currently has possession of such materials and their present location.
- (c) The date the materials were prepared.
- (d) The media used to disseminate the sales materials.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, sales material has been prepared by Dana. The sales material covers a broad range of years. Sales material is available for review by Plaintiffs at the offices of Cooper & Walinski in Toledo, Ohio at a mutually convenient time, and have been inspected by Plaintiffs' counsel.

INTERROGATORY NO. 23:

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.

- (d) The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

See Answer to Interrogatory No. 14, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 24:

Identify all document retention programs you have instituted between 1950 and 1985, and all proposals to destroy any industrial hygiene related documents, including the date of the plan or proposal and the author.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Investigation is ongoing. Subject to and without waiving objections, Dana reserves the right to amend or supplement this answer, subject to all objections now raised or that can be raised if Plaintiffs provide product exposure information.

INTERROGATORY NO. 25:

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.

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

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Objection: When the corporation had knowledge of a matter is a mixed question of law and fact that depends upon whether the knowledge of a number of individuals is imputable to the corporation. Dana is not aware of any credible scientific or medical data that supports the conclusion that the ordinary and foreseeable use of the products manufactured by defendant could cause these diseases. Dana understands that most experts do not believe that there is a causative link between exposure to asbestos and colon cancer, stomach cancer, kidney cancer, esophageal cancer, or other gastrointestinal cancers. Dana also is informed that exposure to asbestos does not cause any pneumoconiosis other than asbestosis and that asbestos exposure is not thought to contribute to laryngeal cancer or lung cancer in the absence of smoking, or exposure to very high levels of asbestos for many years. Dana also is informed that not all fiber types have been established as a cause of mesothelioma. Dana believes that it first became aware that exposure to asbestos was associated with an increased risk for the development of asbestosis in connection with its manufacturing facilities where raw asbestos fiber was used. Dana reserves the right to amend or supplement this answer.

INTERROGATORY NO. 26:

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 became aware of the existence of the disease.
- (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.
- (g) The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos fibers.

ANSWER:

See Answer to Interrogatory No. 25, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 27:

As to pleural 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 a written form.
- (f) Who is the custodian of such information.

ANSWER:

See Answer to Interrogatory No. 25, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 28:

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 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 a written form.
- (g) Who is the custodian of such information.
- (h) Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

See Answer to Interrogatory No. 25, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 29:

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 diseases were 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 with 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 a written form.
- (g) Who is the custodian of such information.

ANSWER:

See Answer to Interrogatory No. 25, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 30

Does Defendant contend 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 on which this answer is based.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Further objecting, Dana cannot properly respond to this interrogatory because Plaintiffs have not specified a product to which Plaintiffs were exposed and for which Dana is responsible. Subject to and without waiving objections, Dana reserves the right to amend or supplement this answer, subject to all objections now raised or that can be raised if Plaintiffs provide product exposure information.

INTERROGATORY NO. 31:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana cannot reasonably respond to all portions

of this interrogatory because Victor Products Division made thousands of different gaskets. If plaintiffs identify an asbestos-containing Victor gasket to which they claim exposure, Dana will investigate further and may be able to provide information requested about the product. Subject to and without waiving objections, gaskets were generally sold in cardboard or corrugated boxes or plastic-wrapped packages.

INTERROGATORY NO. 32:

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 each such agreement.
- (d) The volume, in dollar amount, of each transaction.
- (e) The initial purchaser of the products.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana is not presently aware of any such agreement.

INTERROGATORY NO. 33:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Victor Products Division purchased asbestos-containing gasketing material for manufacturing gaskets from Johns-Manville Co., Philip Carey Manufacturing, Armstrong World Industries, Inc., The Hollingsworth & Vose Co., Boise Cascade, Donit Kemigna Industrija Medvode, F.D. Farnam Co., Federal Mogul Corp., National Seal Division, Goodyear Tire & Rubber Co., Grant Wilson, Inc., Nicolet Industries, Inc., Panacon Corp. (or Celotex Corp.), Quin-T Corp. (or GAF Corp., Industrial Products Division), Raybestos-Manhattan, Inc; Packing Division, Richard Klinger, Inc., Rogers Corp., Smith & Kanzler Co., Unarco Industries, Inc., and Vellumoide. Victor Products Division purchased raw asbestos fiber for the manufacture of gaskets Johns-Manville Sales Corp. and Lake Asbestos of Quebec, Ltd.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32?

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.
- (b) A brief description of each such document, including the dates and the parties signatory.

ANSWER:

See Answer to Interrogatory No. 32, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 35:

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 such 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.
- (d) The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that, prior to 1968, any person filed a claim against a Worker's Compensation carrier covering Victor Products Division alleging that he/she contracted a disease from inhaling asbestos fibers.

INTERROGATORY NO. 36:

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.

- (f) Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana reserves the right to supplement or amend this answer.

INTERROGATORY NO. 37:

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.
- (h) Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, no.

INTERROGATORY NO. 38:

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.
- (c) The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- (d) In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana's Victor Products Division documents are available for inspection and copying at the office of Cooper & Walinski in Toledo, Ohio at a mutually convenient time, and have been inspected by Plaintiffs' counsel.

INTERROGATORY NO. 39:

May 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.
- (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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Dana has not yet determined who it will call as witnesses at the trial this case. A witness list will be provided later as required by rule or order of the court.

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, 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;
- (e) Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Dana objects to the characterization of any of the businesses described below as predecessors to Dana.

In 1966, Dana Corporation acquired 100% of the stock of an Illinois corporation named Victor Manufacturing & Gasket Company. In 1967, Victor Manufacturing & Gasket Company was dissolved pursuant to and in conformity with relevant provisions of the Illinois Business Corporation Act of 1933, contained at Ill. Rev. Stat. Ch. 32 §§74-81(1967). Victor Manufacturing & Gasket

Company was not merged with Dana. Defendant denies that it is liable for products manufactured by the dissolved company.

In 1967, Defendant formed the Victor Gasket Division, which manufactured and marketed gaskets and gasket materials. In 1985, Victor Gasket Division became Victor Products Division. In 1993, the name of this division was changed to the Victor Reinz Division.

In 1993, Defendant acquired a wholly-owned subsidiary named Reinz Wisconsin Gasket Co., which manufactured and marketed gaskets from gasket materials made by others.

INTERROGATORY NO. 41:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Victor Products Division gaskets were generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which they were sold.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Further objecting, Dana never manufactured, marketed, distributed, sold, nor has been held responsible for asbestos-containing building materials. Dana reserves the right to supplement or amend this answer.

INTERROGATORY NO. 43:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Gaskets manufactured by the Victor Products Division, did not release significant levels of asbestos for several reasons. First, the products did not always contain asbestos. For many products that did contain asbestos, the fibers were locked into the gasket with an elastomeric binder. Second, the amount of time that a person spent using a gasket was small compared to the overall time required to replace a gasket. Third, use of gaskets that were manufactured by the Victor Products Division did not release significant levels of biologically active asbestos fibers.

INTERROGATORY NO. 44:

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

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Defendant anticipated that its products had various useful lives, depending on the type of product. Maintenance, therefore, was contemplated and would involve some removal and/or replacement. Investigation of this matter continues.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that, before 1970, Victor Products Division ever arranged for any labor inspectors, insurance company inspectors or anyone from Victor Products Division to go to job sites where Victor Products Division products were being used or installed to make or take dust level counts.

INTERROGATORY NO. 46:

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

ANSWER:

See Answer to Interrogatory No. 46, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminated 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;
- (d) The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that Victor Products Division ever conducted or caused to be conducted any such studies.

INTERROGATORY NO. 48:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant had research departments whose responsibility it was to perform research and testing to verify the performance characteristics of its products and compliance with customer specifications.

INTERROGATORY NO. 49:

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 year 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;
- (d) State the duties and responsibilities of such Medical Department.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, see Answer to Interrogatory No. 28, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 50:

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

ANSWER:

See Answer to Interrogatory No. , which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 51:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. If plaintiffs identify an asbestos-containing Victor gasket to which they claim exposure, Dana may be able to provide information requested about that product.

INTERROGATORY NO. 52:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Without the identification of a specific gasket product, defendant is not able to reasonably respond to the entirety of this interrogatory. If plaintiffs identify an asbestos-containing product to which they claim exposure, defendant will provide available information requested about the product. Subject to and without waiving objections, Victor Products Division has manufactured gaskets without asbestos since its inception in 1967. Victor Products Division started the process

of removing asbestos from the gaskets that did contain asbestos no later than the early 1980s. Raw asbestos was no longer used as an added component in the manufacture of gaskets after June 1988.

INTERROGATORY NO. 53:

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 recall;
- (d) The purpose for the recall.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently know whether Victor Products Division ever recalled any products containing asbestos from the market or stream of commerce.

INTERROGATORY NO. 54:

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.

ANSWER:

See Answer to Interrogatory No. 52, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

See Answers to Interrogatory Nos. 52 and 54, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana reserves the right to supplement or amend this answer.

INTERROGATORY NO. 56:

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Further objecting, to the extent that plaintiffs have not alleged exposure in a manufacturing setting and manufacturing operations, any safety precautions or tests undertaken therein whether in compliance with OSHA or otherwise are irrelevant, inasmuch as the occupational level exposures of asbestos manufacturing workers are different from the occupational level exposures of automobile mechanics working with finished asbestos-containing products. Subject to and without waiving objections, industrial hygiene surveys were conducted at defendant's facilities.

INTERROGATORY NO. 57:

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;
- (c) How Defendant received notice of such limits or concentrations.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant is not presently aware of the date it was first advised of either threshold limit values or maximum allowable concentrations. Defendant's investigation into this matter is ongoing. Defendant reserves the right to supplement or amend this answer.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 57 for total dust, and not asbestos dust alone?

ANSWER:

See Answer to Interrogatory No. 57, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 59

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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Investigation of this matter continues. Dana reserves the right to supplement or amend this answer.

INTERROGATORY NO. 60:

Please state the following with respect to each consulting expert whose mental impressions and opinions have been reviewed by a testifying expert, 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 facts known by the expert that relate to or form the basis of the expert's mental impressions and opinions formed or made in connection with the case;
- (d) The expert's mental impressions and opinions formed or made in connection with the case;
- (e) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;
- (f) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;
- (g) 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.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, this defendant has not identified persons it expects to call as expert witnesses at the trial of this cause. If expert witnesses are identified, expert information required by rule or order of the court will be provided. Dana reserves the right to rely on the testimony of other defendants' expert witnesses.

INTERROGATORY NO. 61:

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 Defendant's agents, having knowledge of facts relevant to these cases involving, 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 Plaintiff's 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 Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) Each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Defendant objects to the request to name "each and every person" with knowledge concerning these subjects in that such a list would include hundreds and possibly thousands of individuals. Defendant reserves the right to call witnesses who may testify as to these subjects as they may apply to individual cases. Defendant will identify witnesses in individual cases in accordance with the Court's Order. Defendant reserves the right to amend or supplement this answer.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, this defendant has not identified exhibits it intends to use at the trial of this case. Dana reserves the right to rely on the exhibits of other defendants in this case.

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not know when, if ever, Victor Products Division first received 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").

INTERROGATORY NO. 64:

With regard to your Respirators, identify each and every claim, advertisement, or announcement you made in writing concerning the ability to the respirator to protect against inhalation of dust/fibers or disease, including, date of claim, wording of claim, individual making making claim, form of claim and publication of claim.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Subject to and without waiving objections, Dana does not presently believe that Victor

Products Division ever manufactured, sold, designed, supplied, marketed, distributed, relabeled, and/or resold any respiratory protection product.

INTERROGATORY NO. 65:

Identify any studies, reports, communications or knowledge you have concerning the effectiveness of Defendant's respirators marketed as appropriate for usage in the presence of asbestos fiber, including the date, title, entity received from and opinions or conclusions.

ANSWER:

See Answer to Interrogatory No. 64, which is incorporated herein as if fully rewritten.

INTERROGATORY NO. 66:

Identify all health or safety related journals, periodicals, magazines and other publications to which you or your Environmental, Industrial Hygiene, Safety, Research & Development or Medical Departments or equivalents subscribed to or received from 1920 until the present time, listing as to each the respective time periods each such publication was subscribed to or received and whether you maintained a medical and/or scientific library at any time.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Further objecting, Dana cannot properly respond to this interrogatory because Plaintiffs have not specified a product to which Plaintiffs were exposed and for which Dana is responsible. Subject to and without waiving objections, Dana reserves the right to amend or supplement this answer, subject to all objections now raised or that can be raised if Plaintiffs provide product exposure information.

INTERROGATORY NO. 67:

Identify all persons who have testified on your behalf and all documents presented at or utilized for preparation of testimony at O.S.H.A., N.I.O.S.H., Congressional and/or other governmental hearings or investigative proceedings on the subjects of: 1) biological effects on human life of exposure to asbestos; 2) the setting, modification, feasibility and acceptance of allegedly safe or proper levels of such exposure to asbestos or asbestos containing products; or 3) the usage of respirators to limit inhalation of asbestos dusts or fibers. For all such testimony identify:

- (a) Dates, citations and descriptions of proceedings.
- (b) Relationship between persons testifying and answering Defendant, i.e., employee or consultant.
- (c) All studies, test results, or other scientific or medical documents relied upon by said persons as a basis for any recommendations made or testimony given.
- (d) Whether, at any time prior to or following such testimony, you were possessed of knowledge or documents suggesting that existing or proposed threshold limit values were not safe or proper, or that lower threshold limit values were necessary in order to prevent disease. If your answer is in the affirmative, identify origin of knowledge and all documents relating thereto.

ANSWER:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Documents responsive to this request are available for review.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs,

brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

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 on Page 1 of these Interrogatories and Request for Production.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 3:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

Produce all correspondence regarding airborne asbestos fiber, Respirator effectiveness, or protection against inhalation of airborne dust and fibers, between Defendant and the following: its subsidiaries; trade associations; federal, state and local government; insurance carriers; suppliers; product testers; customers/contractors.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 4:

Produce each index and/or sales documents set forth in your answer to Interrogatory No. 38 above, in any way touching upon or relating to sales of your asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 5:

Produce each document reflecting or related to product information set forth in answer to Interrogatory Nos. 3-6 above.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 6:

Produce a copy of any and all contracts or written agreements between you and any entities described in answer to Interrogatory No. 16 above.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 7:

Produce all sales brochures, advertisements or documentation, including, but limited to those identified in Interrogatory Nos. 22-23 above, prepared by or for Defendant or provided by Defendant

to sales people, customers, or trade associations regarding any and all of Defendant's asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 8:

Produce any and all handbooks, usage manuals, training manuals, or similar documents which relate to your asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 9:

Produce any and all rebranding agreements identified in answer to Interrogatory No. 32, above.

RESPONSE:

See Answer to Interrogatory No. 32, which is incorporated herein as if fully rewritten.

REQUEST FOR PRODUCTION NO. 10:

Produce each document reflecting or relating to sources, tests conducted, packaging used, trademark purchases, and/or usage of products identified an answer to Interrogatory Nos. 3-6 above.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 11:

Produce each document reflecting or relating to the information requested in Interrogatory Nos. 22-23 above. Also produce each document which was made available to potential purchasers of Defendant's asbestos-containing or respiratory products during any periods between 1945-1984 or which was used in any manner as a marketing tool for Defendant's asbestos-containing or respiratory products between 1945-1985.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division.

These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 12:

Produce each document reflecting or related to rebrand information set forth in your answers to Interrogatory Nos. 32-34 above, including any documents relating to asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 13:

Produce a copy of all material safety data sheets on any and all of Defendant's asbestos-containing products. ..

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 14:

Produce all product specification sheets for any and all of Defendant's asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 15:

As appropriate, produce all batch or mix sheets or any documentation required in the production of any of Defendant's asbestos-containing products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 16:

Produce all minutes of Defendant's board meetings during which asbestos, limitations to Respirator effectiveness, or Defendant's asbestos-containing or respiratory products were discussed.

RESPONSE:

See Answer to Interrogatory No. 36, which is incorporated herein as if fully rewritten.

REQUEST FOR PRODUCTION NO. 17:

Produce copies of any and all corporate memoranda regarding the decision to warn caution, caveat or describe precautions or limitations regarding usage of Defendant's asbestos-containing or respiratory products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 18:

Produce any and all communication and correspondence between Defendant and its employees, customers, distributors, rebranders, trade associations, and end users regarding any warning, caution, caveat, direction or information given or proposed concerning the potential hazards of, or precautions to take with asbestos or limitations to Respirator effectiveness.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These

documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 19:

Produce each document reflected or related to warnings, cautions, caveats or directions concerning any possibility of injury, limitations of Respirator effectiveness, or inhalation of airborne dust/fiber, resulting from the use of Defendant's asbestos-containing or respiratory products set forth in your answers to Interrogatory Nos. 12 and 14 above. This request specifically includes any and all warnings or precaution information sheets, other than MSDS's, that the Defendant provided to its customers, or were provided to it.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 20:

Produce all documents regarding Defendant's decision to discontinue the sale of asbestos containing products, or for Respirators to discontinue its designation as appropriate for asbestos fiber or dust protection.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs,

brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 21:

Produce any and all corporate memoranda regarding the decision to remove asbestos from the products manufactured or sold by Defendant.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 22:

Produce copies of any and all health and safety meeting minutes during which the health effects of airborne asbestos fibers, or limitations of the effectiveness of any Respirators above certain levels of dust /fibers or size of fibers, were discussed, including all internal Defendant meetings, meetings with other entities, and meetings attended by representative(s) of Defendant.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning

manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 23:

Produce copies of any and all plant procedure, plant operations, health, or safety manuals for all periods in which asbestos or Defendant's asbestos-containing products were used, manufactured or handled at the plant.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 24:

Produce all industrial hygiene, safety, health or personnel department studies, reports, documents or memoranda on products and industrial hygiene, safety or health programs or test results of plant areas where asbestos or Defendant's asbestos-containing products were manufactured.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These

documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 25:

Produce any and all Industrial Hygiene or Medical Library indices and all medical or industrial hygiene articles maintained by the Defendant with regard to asbestos or Defendant's asbestos-containing products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 26:

Produce any and all corporate memoranda regarding in-house safety programs dealing with asbestos or Defendant's asbestos-containing products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 27:

Produce all corporate memoranda or industrial hygiene, safety, health, medical or personnel department documents regarding responses to government regulations or proposed regulations on asbestos or Defendant's asbestos-containing products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 28:

Produce all records relating to employer-sponsored lung, respiratory or cancer medical examinations, x-rays and reports from company doctors or doctors paid by you.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 29:

Produce all documentation of studies performed by Defendant and/or by an independent laboratory concerning the usage installation or removal of Defendant's asbestos-containing products.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 30:

Produce each document and/or index reflecting or relating to any personal injury claim set forth in answer to Interrogatory Nos. 15 or 35 above.

RESPONSE:

See Answers to Interrogatory Nos. 15 and 35, which are incorporated herein as if fully rewritten.

REQUEST FOR PRODUCTION NO. 31:

Produce all documents including, but not limited to, internal correspondence indicating Defendant's reaction to articles written by Dr. Selikoff and his associates at Mount Sinai Hospital.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These

documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 34:

Produce all communications and correspondence between you and your insurer or any agent

documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 32:

Produce each document reflected or related to your participation in trade associations or organizations, as set forth in your answer to Interrogatory No. 20, including, but not limited to, minutes of meetings, studies conducted by trade association and all trade association publications relating to asbestos or Defendant's asbestos-containing products or its hazards which was received from trade associations, whether or not Defendant was a formal member of said organization .

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs, brochures, and sales literature that provide pictures, diagrams, and information concerning manufacturing and sales of thousands of products made and/or sold by Victor Products Division. These documents are available for Plaintiffs' counsel's review at the offices of Cooper & Walinski in Toledo, Ohio.

REQUEST FOR PRODUCTION NO. 33:

Produce each document reflected or related to asbestos or silica content testing as set forth in your answer to Interrogatory No. 46 above.

RESPONSE:

See Preliminary Statement and General Objections, which are incorporated herein as if fully rewritten. Defendant's document repository contains many documents, including numerous catalogs,