

1 LOUIS F. SCHOFIELD
2 BURNHILL, MOREHOUSE, BURFORD,
3 SCHOFIELD & BLUNDEN, INC.
4 1220 Oakland Boulevard, Suite 200
5 P. O. Box 5168
6 Walnut Creek, CA 94596
7 415/937-4950

8 Attorneys for Defendant
9 KELLY MOORE PAINT COMPANY



RAYTON & ASSOC

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PICT

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

12 IN RE: SHIPYARD AND APPLICATOR
13 CASES (CLAPPER & BRAYTON)
14 CONSOLIDATED FOR DISCOVERY

NO: 804416

DEFENDANT KELLY MOORE'S
RESPONSES TO INTERROGATORIES
PROPOUNDED BY PLAINTIFFS

15 PROPOUNDING PARTY: PLAINTIFFS
16 RESPONDING PARTY: DEFENDANT KELLY MOORE PAINT COMPANY
17 SET NUMBER: TWENTY-EIGHT

18 NEAL BAKER,
19 Plaintiff,

NO: 821066

20 v.
21 ABEX CORPORATION, et al.,
22 Defendants.

23 LOUIS BLEILY,
24 Plaintiff,

NO: 804981

25 v.
26 ABEX CORPORATION, et al.,
27 Defendants.

28 FRANK BOLDUC,
Plaintiff,

NO: 823025

v.
ABEX CORPORATION, et al.,
Defendants.

1	JAMES O. DAVIS,	NO: 799977
	Plaintiff,	
2	v.	
	ABEX CORPORATION, et al.,	
3	Defendants.	
	_____ /	
4	ESTER DICKENS,	NO: 800999
	Plaintiff,	
5	v.	
	ABEX CORPORATION, et al.,	
6	Defendants.	
	_____ /	
7	ROBERT EPPERSON,	
8	Plaintiff,	NO: 811399
	v.	
9	ABEX CORPORATION, et al.,	
	Defendants.	
10	_____ /	
	JAY WAYNE HARRIS,	NO: 804985
11	Plaintiff,	
	v.	
12	ABEX CORPORATION, et al.,	
	Defendants.	
13	_____ /	
	ELMOND JOHNSON,	NO: 800948
14	Plaintiff,	
	v.	
15	ABEX CORPORATION, et al.,	
	Defendants.	
16	_____ /	
	R. H. JOHNSON,	NO: 803139
17	Plaintiff,	
	v.	
18	ABEX CORPORATION, et al.,	
	Defendants.	
19	_____ /	
	JOHNNIE MEACHAM,	NO: 814472
20	Plaintiff,	
	v.	
21	ABEX CORPORATION, et al.,	
	Defendants.	
22	_____ /	
	HERBERT THOMPSON,	NO: 804476
23	Plaintiff,	
	v.	
24	ABEX CORPORATION, et al.,	
	Defendants.	
25	_____ /	
26		
27		
28		

1 PENI TUFONO,
Plaintiff,
2 v.
3 ABEX CORPORATION, et al.,
Defendants.

NO: 818696

4 CLARENCE TRULL,
Plaintiff,
5 v.
6 ABEX CORPORATION, et al.,
Defendants.

NO: 800945

7 MOSES PARKER,
Plaintiff,
8 v.
9 ABEX CORPORATION, et al.,
Defendants.

NO: 802061

10 CLINTON DICKSON,
Plaintiff,
11 v.
12 ABEX CORPORATION, et al.,
Defendants.

NO: 805014

13
14 COMES NOW, Defendant KELLY-MOORE in response to
15 Interrogatories propounded by Plaintiffs to Defendants, Set
16 Number 28 as follows:
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DEFINITIONS

"Bay area"- this term shall refer to the counties of San Francisoc, Alameda, Contra Costa, Solano, Marin, San Mateo, Napa and Santa Clara.

"You", "Your" - hese terms shall all refer to defendant, its employees, its agents, its predecessors and successors in interest.

"Identify" - wherever you are requested to "identify" any writing or other item, please do so with terms sufficient to describe it within a request for production pursuant to Code of Civil Procedure, Section 2031 or subpoena duces tecum, including, but not limited to, the date of each such writing, the addressee and addressor of each such writing, and the identity of each copy of each writing. A request to "identify" a product shall mean a request to describe the product, the material or compound by the following means: (1) by nickname or slang name used in your industry and/or occupation; (2) by the name under which it is sold in the marketplace (tradename); and (3) by its generic name.

"Writing", "document" - in these interrogatories means printing, photostating, photographing, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof.

"The GSA" - this term shall refer to the General Services Administration of the United States Government.

1 "Navy" - this term shall refer to the Department of the
2 Navy of the United States Government and where the interrogatory
3 inquires of use of a product within the United States Navy, it
4 refers to the use of that product for use at Naval Shipyards and
5 for high temperature insulation uses generally by the United
6 States Navy.

7 "Raw asbestos" - means asbestos fiber mined or milled,
8 either packaged or in bulk, not compounded with other substances
9 and essentially pure with the exception of naturally occurring
10 trace amounts of other substances.

11 "Product" - includes any product, materials, supplies or
12 equipment containing or including asbestos in whole or in mix-
13 ture with other products or minerals. Specifically, "product"
14 shall include component parts, such as brake linings, clutch
15 facings, heat shields, or any other asbestos-containing subpart
16 of any product.

17 "Business Activities" - shall mean all activities in which
18 this defendant engaged during the period of time states. Such
19 activities, for example, may including, but are not limited to,
20 the mining, supply, sale, labelling, distribution, importing,
21 processing or manufacutre of products, for example.

22 A request to describe the "Nature" of such products means
23 to describe the: (a) color, (b) texture, (c) form (i.e., powder,
24 liquid, paste, solid, board, cloth, blanket, wire, insulation,
25 etc.), (d) physical dimensions if solid (length, width, and
26

1 height), (e) the type of shipping package and shipping package
2 dimensions if not solid, (f) type of asbestos fiber used in the
3 composition of the product (e.g., chrysotile, amosite,
4 crocidolite), (g) the intended use or function of such product
5 as recommended by this defendant as the miner, producer,
6 supplier, manufacturer, distributor or reseller, and (h) the
7 work site in which it was intended to be used (e.g.: shipyard,
8 refinery, commercial building construction, manufacturing plant,
9 home, power generating plant).

10 A request to "Identify" an Oral Communication shall mean a
11 request to describe the communication with particularity, and
12 shall include, without limitation, the following information:
13 (a) the identity of all parties to the communication; (b) the
14 identity of the person whom you contend initiated the com-
15 munication; (and (d) the time, date, and place of the com-
16 munication.

17 "Company" - means any profit making private enterprise,
18 including, but not necessarily limited to: corporation, part-
19 nerships, joint ventures, and sole proprietorships and/or uti-
20 lity company.

21 "Product" or "asbestos-containing product" shall mean a
22 product which this defendant knows or believes to contain any
23 amount or percentage of the mineral asbestos.

24 You are requested to furnish all non-privileged infor-
25 mation in your possession and all information available to you.
26

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1 not merely such information as you know of your own personal
2 knowledge, but also all knowledge that is available to you, your
3 employees, officers and agents, by reason of inquiry including
4 inquiry of their representatives.

5 If you are unable to answer the following interrogatories
6 completely, answer to the extent possible, specifically stating
7 the reason for your inability to answer the remainder and
8 stating whatever information or knowledge you have concerning
9 the unanswered portion.

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1 INTERROGATORIES

2 INTERROGATORY NO. 1: Please state the name, place of
3 employment, present address and job title of each person who has
4 supplied information used in answering these interrogatories.
5 Jim Barry, 987 Commercial St., San Carlos, CA 94070, Assistant
6 Treasurer; Durward Berry, 987 Commercial St., San Carlos, CA
94070, Corporate Insurance Manager; Douglas Merrill, 1015 Com-
mercial Street, San Carlos, CA 94070, Plant Manager

7 INTERROGATORY NO. 2: Please state whether or not this
8 defendant is a corporation. If so, please state:

9 (a) This defendant's correct corporate name;
10 Kelly-Moore Paint Company, Inc.

11 (b) The state of incorporation;
12 California, December 4, 1952

13 (c) The address of this defendant's principal place of
14 business;
15 987 Commercial Street, San Carlos, CA 94070

16 (d) Whether or not defendant has ever held a Certificate
17 of Authority to do business in the State of
18 California and the dates thereof;
No, Defendant has never held a Certificate of
Authority in California.

19 (e) Whether the ownership is publicly or privately held.
20 Ownership is held privately.

21 INTERROGATORY NO. 3: If this defendant has ever been
22 identified, known or done business under any other name during
23 any period of its existence please state such name or names and
24 the time period during which this defendant was so known or
25 identified.

26 None

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1
2 INTERROGATORY NO. 4: If any parent corporation, prede-
3 cessor corporation, predecessor business entity, successor in
4 interest, or subsidiary of this defendant, or any corporation in
5 which this defendant holds, or held a controlling interest, has
6 mined, manufactured, sold, distributed, imported or supplied any
7 asbestos-containing product(s), please state the name(s) of such
8 entity(ies), corporation(s), predecessor(s) or successor(s).

9 Kelly-Moore Paint Company, Incorporated of Colorado
10 (Professional Paints, Inc., unit August 11, 1975;
merged into parent July 5, 1983)

Paco Textures Corporation

11 INTERROGATORY NO. 5: If this defendant has purchased,
12 acquired or merged at any time with any business entity, or any
13 preexisting or established operating division of any other com-
14 pany or business entity, which mined, manufactured, labelled,
15 sold, distributed, imported or supplied any asbestos-containing
16 product(s), please state the name of such business entity(ies)
17 or operating division(s).

18 Same answer as No. 4

19
20
21 INTERROGATORY NO. 6: Does, or at any time did, this
22 defendant own any shares of stock, or otherwise have any
23 interest in a company that either mines, produces, distributes,
24 imports, sells or supplies raw asbestos fiber? If the answer
25 is in the affirmative, state the following:

26 (a) The name of such corporation or entity;

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- 1 (b) The date of incorporation or charter;
- 2
- 3 (c) The state or country of incorporation;
- 4
- 5 (d) Each ownership interest owned in such corporation,
- 6 setting forth any change in such interest;
- 7
- 8 (e) The date each such interest was acquired;
- 9
- 10 (f) The date of formation of such corporation or entity;
- 11
- 12 (g) The names of all shareholders owning more than 5% of
- 13 the shares of stock of such corporation;
- 14
- 15 (h) The date each such interest changed or terminated,
- 16 if applicable;
- 17
- 18 (i) The name and location of each asbestos mine so
- 19 owned; and
- 20
- 21 (j) The grade and type of asbestos mined at each mine.
- 22 None

21 INTERROGATORY NO. 7: Please state whether this defen-

22 dant has organizational charts for the period 1945 to present.

23 If so, state whether you will produce copies of this defendant's

24 different organizational charts for this period without a

25 requests to produce.

26

The defendant has never had, at present nor in the past,
an organization chart.

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1
2
3 INTERROGATORY NO. 8: Please state the following:

- 4
5 (a) The address where the corporate records of this
6 defendant (including but not limited to minutes from
7 Board of Directors meetings and corporation annual
8 reports), are currently located.
9
10 (b) The name, job title and current address of the
11 custodian for this defendant's corporate records.
12
13 (c) Whether this defendant would produce such records
14 for inspection and copying without a formal request
15 for production of documents.

16 SEE ATTACHED

17 INTERROGATORY NO. 9: Please state whether this defen-
18 dant, between 1945 and the present, has ever engaged in the
19 following activities with regard to raw asbestos fiber, and if
20 so, please state the inclusive dates of each such activity:

- 21 (a) Mining;
22 (b) Milling;
23 (c) Supplying;
24 (d) Importing;
25 (e) Processing;
26 (f) Distributing;

INTERROGATORY NO. 8:

- (a) 987 Commercial Street, San Carlos, CA 94070
- (b) John Bacigalupo, Secretary-Treasurer
987 Commercial Street
San Carlos, CA 94070
- (c) Defendant will not produce such records for inspection
without a formal request.

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1 (g) Marketing;

2 (h) Selling;

3 (i) Mixing and/or compounding.

4
5 (a) No (e) No (i) Yes 12/60 to
6 (b) No (f) No 3/9/78
7 (c) No (g) No
(d) Yes 12/60 - 12/77 (h) No

8 INTERROGATORY NO. 10: Please state whether this defen-
9 dant, between 1945 and the present, has ever engaged in the
10 following activities with regard to asbestos-containing
11 products(s) and/or materials, and if so, please state the inclu-
12 sive dates of each such activity:

13 (a) Manufacturing;

14 (b) Supplying;

15 (c) Importing;

16 (d) Processing;

17 (e) Distributing;

18 (f) Marketing;

19 (g) Selling;

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1 .(h) Mixing and/or compounding.

- 2 (a) Yes 12/60 to 3/78 (e) No
3 (b) No (f) No See (g)
4 (c) No (g) Yes 12/60 to 1978
(d) No (h) Yes 12/60 to 3/78

5 INTERROGATORY NO. 11: If the answer to either of the
6 preceding two questions regarding the mining, supply, importing,
7 processing, distribution, labelling, manufacture, marketing
8 and/or sale of asbestos-containing products and/or materials by
9 this defendant is affirmative, please state the following as to
10 such raw asbestos fibers and/or as to each such asbestos-
11 containing product and/or material;

12 (a) The trade, brand and/or generic name of each and
13 every such product and/or material mined, supplied,
14 distributed, processed, imported, labelled, manufac-
15 tured and/or marketed in any form or quantity bet-
16 ween 1945 and the present time.

17 (b) The date(s) each such product and/or material was
18 first placed on the market, including the date(s)
19 each such product or material was first marketed:

20 (i) on an experimental basis;

21 (ii) on a test basis;

22 (iii) for sale.

23 (c) The date(s) each such product and/or material was
24 withdrawn from the market;

25 (d) A description of the physical (the chemical) com-
26 position of each such product and/or material,
including the type and/or grade of asbestos and/or

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1 asbestos fiber contained in each such product and/or
2 material and the quantitative percentage of asbestos
3 or asbestos fiber in each such product and/or
4 material;

5 (e) A description of the physical appearance and nature
6 of each such product and/or material, including any
7 color coding, distinctive marking and/or logo;

8 (f) A detailed description of the intended uses of each
9 such product and/or material, including any tem-
10 perature limits of each such use;

11 (g) The method of manufacture and production, for each
12 such product and/or material;

13 (h) The name of the manufacturer of each such product
14 and/or material;

15 (i) The volume and weight of each such product and/or
16 material;

17
18 (j) The name and location of each asbestos mine which
19 this defendant presently operates, operated in the
20 past, and/or in which defendant has or had an
21 ownership interest, the inclusive dates of such
22 ownership, and the grade and type of asbestos fiber
23 mined;

24 (k) The name and address of the suppliers of the
25 asbestos fiber used in each such product and/or
26 material;

(l) Whether any of this defendant's products and/or
materials containing asbestos fibers have, at any
time, been sold to any companies in California. If
so, please state:

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- 1 (i) The names of each such company;
- 2
- 3 (ii) The inclusive dates of each such sale, and
- 4 the amount (volume) and the trade or brand
- 5 name of each product and/or kind of material
- 6 sold;
- 7 (iii) Whether you have any records indicating any
- 8 such sale and, if so, the name, address and
- 9 job classification of each individual who
- 10 currently has possession of such records.
- 11 (m) Whether any of this defendant's asbestos fibers
- 12 have, at any time, been sold to any companies,
- 13 suppliers, and/or manufacturers in the San Francisco
- 14 Bay Area. If so, please state:
- 15 (i) Whether you have any records indicating any
- 16 such sale and, if so, the name, address and
- 17 job classification of each individual who
- 18 currently has possession of such records;
- 19 (ii) The names and addresses of each such company;
- 20
- 21 (iii) The dates of each such sale and the amount
- 22 (volume) and the grade and type of asbestos
- 23 fiber sold.
- 24 (n) Whether any of your asbestos-containing products
- 25 and/or materials have at any time, been distri-
- 26 buted, marketed and/or sold in California by com-
- panies other than your own. If so, please list the
- name and address of each such company and the name
- of each product and/or material so distributed,
- marketed and sold, and the inclusive dates of such
- marketing, distribution and selling.

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1 (o) Whether any of the products and/or materials set
2 forth above ever ceased to contain asbestos. If so,
3 for each product set forth the date asbestos ceased
4 to be used.

5 (p) Describe all records, sufficiently to identify them
6 for discovery purposes, which set forth any of the
7 foregoing information and the custodian (giving name
8 and address) of each such records.

9 SEE ATTACHED

10 INTERROGATORY NO. 12: For the period beginning 1945 to
11 present, identify each distributor of defendant's asbestos-
12 containing products and/or materials, in the San Francisco Bay
13 Area and/or California including the beginning dates of such
14 distribution and ending dates where applicable and the products
15 and/or materials so distributed. If any was an exclusive
16 distributorship for a time, please so state and identify the
17 relevant time period.

18 NONE

19 INTERROGATORY NO. 13: Describe in detail the records
20 this defendant has maintained over the period 1945 to present
21 regarding sales of its asbestos-containing products and/or
22 materials to distributors in:

23 (a) California;

24 (b) The San Francisco Bay Area; and

25
26 (c) Provide the name and address of the person having
custody of any existing records and the location of
such records.

(a) None (b) None (c) None

INTERROGATORY NO. 11

- (a) through (f) See attached
- (g) Mixing
- (h) Kelly-Moore Paint Company, Inc./Paco Textures Corp.
- (i) See attached
- (j) None
- (k) Johns-Manville, Carey Canadian, Union Carbide
- (l) Complete sales records on these products are not available.
- (m) No
- (n) Only as answered in Interrogatory No. 14
- (o) See attached
- (p) All records available are at San Carlos, CA.

INTERROGATORY NO. 11

(a)	(b,1) (b,11) (c)	(d)	(e)	(f)	(g)
Bedding Cement	Unknown Unknown 12/60 Not Withdrawn	Dry Powder Grayish-white Chrysotile Powder 0-8.02	1970 Not Withdrawn	Embedding tape over interior syrum board joints between 50"7 and 100"7	25 lb. bag 1970
Taping Compound	Unknown Unknown 1970	Dry Powder Grayish-white Chrysotile Powder 0-8.32	Not Withdrawn	Embedding tape over interior syrum board joints. Between 50"7 and 100"7	25 lb. bag 12/15/77
Finishing Compound	Unknown Unknown 12/60	Dry Powder Yellow or Chrysotile Gray Powder 0-7.52	1982	To conceal joints and wall holes with inter- ior syrum board. Between 50"7 and 100"7	25 lb. bag 12/20/77
Quick-Set Joint Compound	Unknown Unknown 1963	Dry Powder Off-white Chrysotile Powder 0-6.02	Not Withdrawn	Past Setting Joint Cement Between 45"7 and 80"7	25 lb. bag 1/8/78
All Purpose (Triple Duty)	Unknown Unknown 12/60	Dry Powder Grayish-white Chrysotile Powder 0-8.32	1982	For taping, tapping and texturing. Be- tween 30"7 and 100"7	25 lb. bag 1/10/78
Ready Mix Taping	Unknown Unknown Unknown	Pre-Mix Off-white Chrysotile Paste 2.0 to 2.62	Unknown	Embedding tape over interior syrum board joints. Between 50"7 and 100"7	30 lb. etc. Unknown
Ready Mix All Purpose	Unknown Unknown 12/60	Pre-Mix Off-white Chrysotile Paste 0-2.62	Not Withdrawn	For taping, tapping and texturing inter- iors. Between 50"7 and 100"7	1 gal. pail 1/15/78 48 lb. etc. 50 lb. etc. 63 lb. pail
Ready Mix Topping	Unknown Unknown 1963	Pre-Mix Off-white Chrysotile Paste 0-2.62	Not Withdrawn	To conceal joints and wall holes for inter- ior syrum board. Between 30"7 and 100"7	30 lb. etc. 1/16/78 63 lb. pail

INTERROGATORY NO. 11 (Continued)

(a)	(b,1)	(b,11)	(b,111)	(c)	(d)	(e)	(f)	(g)
Wall Texture (Section A) (Not in California)	Unknown	Unknown	12/60	Not Withdrawn	Dry Powder Chrysotile 0-8.8%	Off-white Powder	Wall texture on interior. Be- tween 50°F and 100°F	25 lb. bag 30 lb. bag 2/11/78
Texture Paint (Not in California)	Unknown	Unknown	Unknown	Not Withdrawn	Dry Powder Chrysotile 0-6.7%	Off-white Powder	Texture between 50°F and 100°F	25 lb. bag 2/11/78
Splatter Texture (Not in California)	Unknown	Unknown	Unknown	1980	Dry Powder Chrysotile 0-6.0%	Off-white Powder	Texture between 50°F and 100°F	25 lb. bag 1/12/78
Sand Finish (Not in California)	Unknown	Unknown	Unknown	Not Withdrawn	Dry Powder Chrysotile 0-7.7%	Off-white Powder	Texture between 50°F and 100°F	25 lb. bag 1/3/78
Ceiling Texture (Section D)	Unknown	Unknown	1964	Not Withdrawn	Dry Powder Chrysotile 0-10.0%	Off-white or white Powder	Texture for interior cell- ings. between 50°F and 100°F	31 lb. bag 32 lb. bag 40 lb. bag 3/9/78
Product 223	Unknown	Unknown	1963	Not Withdrawn	Paint Chrysotile 0-6.1%	Paint	Surface Conditioner	1 gal. pail 3 gal. pail 1968
Product 233	Unknown	Unknown	1972	Not Withdrawn	Paint Chrysotile 0-7.3%	Paint	Tex-Bond	1 gal. pail 3 gal. pail 1978
Product 321	Unknown	Unknown	1974	Not Withdrawn	Paint Chrysotile 0-3.9%	Paint	Block Filler	1 gal. pail 3 gal. pail 1978
Radiant Heat Fill	Unknown	Unknown	1974	Unknown	Dry Powder Chrysotile	Powder	Radiant Heat Fill	Bag Unknown

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1 INTERROGATORY NO. 14: If this defendant entered into
2 any agreements for the rebranding of any asbestos-containing
3 products and/or materials mined, imported, manufactured, sold,
4 distributed and/or supplied by this defendant for resale or
5 distribution by another company, describe each agreements's
6 terms and the parties to said agreement, the duration of the
7 agreement, and name of each product and/or material covered by
8 each such agreement.
9 Agreement between Kelly-Moore Paint Company, Inc. and Georgia
10 Pacific for Kelly-Moore to supply some of its products with the
11 Georgia Pacific label. The agreement was from December 27, 1968
12 to October 12, 1971. Products were: Bedding Cement, Topping
13 Cement, All Purpose Joint Cement, Triple Duty, Bestex D,
14 Bestex A, Ready Mix

15 INTERROGATORY NO. 15: If this defendant entered into
16 any agreements for the rebranding of asbestos-containing pro-
17 ducts and/or materials mined, imported, manufactured, sold,
18 distributed and/or supplied by another company for resale or
19 distribution by your company, describe each of the agreements
20 and the parties to said agreement, the terms, duration and names
21 of each product and/or material covered by each such agreement.

22 NONE

23 INTERROGATORY NO. 16: Please state the date this defen-
24 dant first purchased or otherwise obtained asbestos, asbestos
25 fibers and/or asbestos-containing materials.

26 On or about December 1960

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1 INTERROGATORY NO. 17: Between the years 1945 to the
2 present, did this defendant purchase any products and/or
3 materials containing asbestos from any other miner, manufacturer
4 and/or producer of such products and/or materials with the pur-
5 pose of selling such under defendant's own name? If so, state
6 the name of such miner, manufacturer and/or producer, date or
7 approximate dates of such purchase or purchases and the brand
8 or trade names of each such product and/or material, and iden-
9 tify any names under which such product was sold.

10 NONE

11
12 INTERROGATORY NO. 18: State whether any asbestos used,
13 processed, mined, manufactured, imported, supplied, distributed,
14 labeled and/or sold by this defendant was purchased from or
15 acquired from the General Service Administration or any branch
16 or agency of the United States government during the period 1930
17 to the present date. If the answer is in the affirmative,
18 state:

19 NO

20 (a) The name and address of the agency which supplied
21 the asbestos;

22
23 (b) The grade and types of asbestos purchased or
24 acquired.

25 (c) The quantities of each type of asbestos purchased or
26 acquired annually during the period 1930 to the
present date;

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1 (d) The means of packaging;

2
3 (e) The health warnings, if any, which accompanied each
4 shipment of asbestos and indicate when said warnings
5 were first made part of the shipments.

6 NO.

7 INTERROGATORY NO. 19: Please describe in detail the
8 type of containers or packaging in which defendant has sold or
9 distributed asbestos-containing products and/or materials,
10 listing the dates each type of package was used, a physical
11 description thereof, and a description of any printed materials,
12 logo or trademarks that appeared thereon.

13 One gallon pail
Box with plastic liner (4 gallons, 48 lbs., 50 lbs.)
Five gallon pail (62 lb.)
25 lb. bag 35 lb. bag
31 lb. bag 40 lb. bag
32 lb. bag 50 lb. bag

15 INTERROGATORY NO. 20: As to each of the asbestos-
16 containing products and/or materials listed in your preceding
17 answers to interrogatories, does this defendant have in its
18 possession a picture, model, sample or brochure illustrating the
19 color and general description of the various packaging or con-
20 tainers you have used to contain these products and/or materials
21 from 1945 to present date? If so, identify what item, where
22 each such item is located, and state when and where defendant
23 can make such illustrative material available for inspection.

24 YES. A picture or sample of most products has been
25 retained at San Carlos, California.
26

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1 INTERROGATORY NO. 21: As to each product and/or
2 material listed in defendant's preceding answers to interroga-
3 tories, did defendant put on such products and/or materials or
4 their containers any warning of their hazards to health by vir-
5 tue of the asbestos content of such products and/or materials?
6 If so, state for each such warning:

7 SEE ATTACHED

- 8
- 9 (a) Each such warning with particularity, with regard to
10 size, color and location of the warning; whether
11 the warning was contained on the material or on the
12 container; whether warning was printed, stamped,
13 and/or placed on a tag; and the nature and wording
14 or other content.
- 15 (b) Whether you have any photographs thereof;
- 16 (c) The inclusive dates on which you began using each
17 such warning on each of your asbestos products
18 and/or materials;
- 19 (d) All of the facts, circumstances and considerations
20 which motivated you to use such warning;
- 21 (e) All changes you made in such warnings, the dates of
22 such changes and the reasons for such changes;
- 23
- 24 (f) The names, present addresses and titles of all per-
25 sons on whose opinions you relied in determining to
26 put such warnings on your products and/or materials
or their containers;

INTERROGATORY No. 21:

- (a) Warnings were printed on container to read:
Caution - Read Before Using
Contains asbestos fibers
Avoid Creating Dust
Breathing Asbestos Dust May Cause Bodily Harm
Warning Size: 1-1/2" X 3-1/2" or Larger
- (b) November 1972
- (c) Result of O.S.H.A. Publications
- (d) No changes
- (e) Robert Miller, 1007 - 41st St., Oakland, CA 94608, former V.P.

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1 (g) The names, present addresses and titles of all per-
2 sons on whose opinions you relied in determining to
3 put such warnings on your products and/or materials
4 or their containers;

5 (h) The name, address and job classification of each per-
6 son who presently has possession of the above-
7 described documents.

8 INTERROGATORY NO. 22: As to any of the bags of raw
9 asbestos referred to in defendant's preceding answers to
10 interrogatories, did defendant put on such bags any warning of
11 the hazards to health by virtue of the asbestos contained
12 therein? If so, state for each such warning:

13 (a) Such warning with particularity, with regard to
14 size, color, location; whether the warning was con-
15 tained on the material or on the container; whether
16 the warning was printed, stamped, and/or placed on a
17 tag; and the nature and wording or other content.
18 State whether you have any photographs thereof;

19 (b) The inclusive date on which you began using each
20 such warning on each of your asbestos products
21 and/or materials;

22 (c) All of the facts, circumstances and considerations
23 which motivated you to use such warning;

24 (d) All changes you made in such warnings, the dates of
25 such changes and the reasons for such changes;

26 (e) The names, present addresses and titles of all per-
sons on whose opinions you relied in determining to
put such warnings on your products and/or materials
or their containers.

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1 (f) The names, present addresses and titles of all per-
2 sons on whose opinions you relied in determining to
3 put such warnings on your products and/or materials
4 or their containers.

3 (a) Defendant did not sell raw asbestos (d) Not applicable
4 (b) Not applicable (e) Not applicable
5 (c) Not applicable (f) Not applicable

5 INTERROGATORY NO. 23: With respect to each of your
6 asbestos-containing products, state whether this defendant's
7 name, a trade mark, logos, color coding or other identifying
8 markings ever appeared on the actual product itself. If so,
9 identify each such product, state when the practice of placing
10 such identifying markings upon the product was begun, when it
11 ended, if applicable, and describe in detail the pertinent
12 markings and the purpose, if any, of such markings.

13 NO

16 INTERROGATORY NO. 24: Were any efforts made by this
17 defendant to alert users, consumers and/or other persons likely
18 to be exposed to said products or materials of the raw asbestos
19 or asbestos-containing products or materials set forth in your
20 answers above to the risks and health hazards of exposure to
21 such materials by virtue of their asbestos content? If so, set
22 forth in detail each and every such effort made by defendant.

23 Yes. By placing a warning on the container of each product.

25 INTERROGATORY NO. 25: Have any written materials of any
26 kind or character been prepared by this defendant or its agen-

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1 cies-indicating how defendant's asbestos-containing products
2 and/or materials should be used, handled, fabricated and/or
3 maintained? If so, for each such document please state:

4
5 (a) The name, address and job classification of each
6 person who prepared each such material;

7
8 (b) The name, address and job classification of each
9 person who presently has possession of same;

10 (c) The dates and manner in which said material was
11 distributed to purchasers of defendant's products
12 and/or materials;

13 (d) Identify any documents which reflect such;

14
15 (e) Describe the instructions for use, handling, fabri-
16 cation and/or maintenance given in each such docu-
17 ment.

18 SEE ATTACHED

19 INTERROGATORY NO. 26: After the initial placement of
20 warning labels regarding the hazards of exposure to asbestos on
21 any of your asbestos-containing products and/or materials, did
22 this defendant recall or make any attempt to recall those pro-
23 ducts and/or materials which had been sold in containers without
24 such labels? If so, state when and under what specific cir-
cumstances such was done.

25 NO.
26

INTERROGATORY 25 :

Yes.

- (a) Unknown
- (b) Douglas Merrill, 1015 Commercial St., San Carlos, CA
Plant Manager
- (c) Directions for use were included on each and every container.
- (d) Samples and/or pictures
- (e) Instructions included mixing procedures, cautions and applications

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1 INTERROGATORY NO. 27: To the extent this defendant ever
2 placed warnings on its asbestos-containing products and/or
3 materials regarding the hazards of exposure to asbestos dust,
4 identify each person who participated in the process of drafting
5 each warning and otherwise determining its shape, description,
6 color and location on packaging. If the warning first placed on
7 this defendant's products and/or materials was changed in any of
8 these particulars, also identify each participant in each such
9 change.

10 Douglas Merrill
11 Robert Miller

12 INTERROGATORY NO. 28: Did defendant ever recommend to
13 purchasers or users of the asbestos-containing products that
14 respirators, protective masks and/or protective clothing be worn
15 when using, applying or working around the product? If so,
16 state:

- 17 (a) The date or dates when such recommendation was made;
18
19 (b) The date or dates when each such recommendation was
20 made to each user;
21
22 (c) Who made the recommendation;
23
24 (d) Who received the recommendation;
25
26 (e) If oral, the manner and substance of the recommen-
 dation;
 (f) If written, identify the document by title, date,
 file designation and author of each such recommen-

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1 dation and the location and present custodian of
2 each such recommendation.

3 Recommendations were oral and respirators were made available
4 at the Defendants' outlets.

5 INTERROGATORY NO. 29: Please state whether sales
6 materials were prepared by this defendant or its agents for pur-
7 poses of marketing or advertising this defendant's asbestos-
8 containing products and/or materials from 1945 to present. If
9 so, please state for each such sales materials;

10 (a) The name and address, job title and relationship to
11 defendant of each person or entity who prepared
12 them;

13 (b) The name, address, job title of each person or
14 entity who presently has possession of them;

15 (c) The date each such sales material was prepared;

16 (d) The first date such material was used, distributed,
17 or otherwise disseminated;

18 (e) Briefly describe such material;

19 (f) The manner and media used to disseminate the sales
20 materials, including but not limited to all trade
21 journals and/or publications.

22 (g) The present location of sales materials

23 (a) Unknown

24 (b) Douglas-Merrill, 1015 Commercial St., San Carlos, CA 94070

25 (c) Unknown (f) Mailed on request

26 (d) Unknown (g) San Carlos, California

(e) Brochures

INTERROGATORY NO. 30: Have you undertaken or financed

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1 any studies to determine what types of respirator and/or protec-
2 tive mask would either eliminate the hazards of asbestos inhala-
3 tion or afford maximum protection against the inhalation of
4 asbestos fibers? If so, state:

5 (a) Who made the study;

6 (b) When the study was made;

7 (c) What was the result of the study;

8 (d) If the result was written, identify the document by
9 title, date, file designation and author of each
10 such study, and the location and present custodian
11 thereof;

12 (e) The name, address and job title of the individual in
13 your organization or consulted by your organization
14 who is most knowledgeable about said studies.

15 NO.

16
17 INTERROGATORY NO. 31: Have you undertaken or financed
18 any tests or studies to determine what type of ventilator or
19 ventilating system would eliminate or decrease the number of
20 airborne asbestos fibers in confined spaces? If so state:

21
22 (a) Who made the test or study;

23 (b) When was the test or study made;

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1 (c) What was the result of the study or test;

2
3 (d) If the result was written, identify the document by
4 title, date, file designation and author of each
5 such test or study, and the location and present
custodian thereof.

6 No. However, an engineer or engineers from dust collector equip-
ment suppliers conducted studies which led to the purchase of
dust collectors for our manufacturing facilities.

7 INTERROGATORY NO. 32: Identify all present or former
8 executives, officers or other supervisory officials of defendant
9 whose depositions have been taken by plaintiffs, other than
10 those herein, in cases involving workers or their heirs who are
11 suing this defendant or who have sued this defendant for
12 illnesses or injuries allegedly caused, in whole or in part, by
13 exposure to asbestos dust allegedly created by defendant's
14 asbestos-containing products and/or materials. Also identify
15 the style of each case involved, court of filing, the name and
16 address of plaintiff's counsel who took each deposition, the
17 date of the deposition, number of pages of the deposition, and
18 whether defendant will make available said deposition(s) without
19 a motion to produce.
20 The defendant is aware that Tom Smith and Don Marquardt, both
former employees, have given depositions in the Denver Carey suit,
21 file no. C62330 in the Superior Court of the State of California
for the County of Merced. You have been provided with copies.

22 INTERROGATORY NO. 33: Has this defendant ever operated
23 contract insulation installation units and/or has any company in
24 any way affiliated with defendant ever been involved in the
25 installation of insulation? If so, for each corporation, cor-

26

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1 porate division and/or company affiliated with defendant,

2 state:

- 3 (a) The applicable period of time during which said
4 entity was involved in insulation installation;
- 5 (b) In detail, the relationship between the entity and
6 your corporation (including but not limited to, the
7 details of any relationship of ownership or
8 control);
- 9 (c) Each job site and/or company, refinery, shipyard,
10 power plant and/or manufacturer with which each cor-
11 poration, corporate division and/or affiliate entity
12 had a contract, the inclusive dates of such
13 contract, and the present location and custodian of
14 such contract(s).

15 NO.

16 INTERROGATORY NO. 34: Has this defendant, at any time,
17 been a member of any "trade organization" or "association" com-
18 posed of other manufacturers, miners, distributors, importers,
19 labellers, suppliers and/or sellers of asbestos-containing pro-
20 ducts and/or materials? If so, please state for each such orga-
21 nization or association.

- 22 (a) The name and address of each such association or
23 organization;
- 24 (b) The inclusive dates during which this defendant was
25 a member;
- 26 (c) The names of any committee or sub-committee of which
this defendant was a member or on which this defen-

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1 dant had a representative and the inclusive dates of
2 such representation and the name of this defendant's
3 representative(s);

4 (d) The name of any committees or sub-committees of
5 which this defendant was a member or on which this
6 defendant had a representation and the name of this
7 defendant's representative(s);

8 (e) The names of each committee and sub-committee of
9 which this defendant received minutes and the inclu-
10 sive date of such reception and the dates of those
11 minutes received.

12 NO.

13 INTERROGATORY NO. 35: Has this defendant ever been a
14 member of the Asbestos Textile Institute ("A.T.I.")? If so,
15 please state:

16 (a) The inclusive dates during which this defendant was
17 member;

18 (b) The names of any publication published by or written
19 by such association or organization;

20 (c) The name of any committee or sub-committee of which
21 this defendant was a member or on which this defe-
22 nant had a representative, the inclusive dates of
23 such representation and the name of this defendant's
24 representative(s);

25 (d) The names of each such committee and sub-committee
26 of which this defendant received minutes and the
inclusive dates of such reception and the dates of
those minutes received.

NO.

INTERROGATORY NO. 36: Has this defendant ever been a

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1 member of the National Insulation Manufacturers Association

2 ("N.I.M.A.")? If so, please state:

3 (a) The inclusive dates during which this defendant was
4 a member;

5 (b) The names of any publication published by or written
6 by such association or organization;

7 (c) The name of any committees or sub-committees of
8 which this defendant was a member or on which this
9 defendant had a representative, the inclusive dates
10 of such representation and the name of this defen-
11 dant's representative;

12 (d) The names of each such committee and sub-committee
13 of which this defendant received minutes and the
14 inclusive date of such reception and the dates of
15 those minute received.

16 NO.

17 INTERROGATORY NO. 37: Has this defendant ever been a
18 member of the Quebec Asbestos Mining Association ("Q.A.M.A.")?

19 If so, please state:

20 (a) The inclusive dates during which this defendant was
21 a member;

22 (b) The names of any publication published by or written
23 by such association or organization;

24 (c) The name of any committees or sub-committee of which
25 this defendant received minutes and the inclusive
26 date of such reception and the dates of those
minutes.

NO.

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1 INTERROGATORY NO. 38: Has this defendant ever been a
2 member of the Industrial Health Foundation? If so, please
3 state:

- 4 (a) The inclusive dates during which this defendant was
5 a member;
- 6 (b) The names of any publication published by or written
7 by such association or organization;
- 8 (c) The name of any committees or sub-committees of
9 which this defendant was a member or on which this
10 defendant had a representative and the inclusive
11 dates of such representation;
- 12 (d) The names of each such committee and sub-committee
13 of which this defendant received minutes and the
14 inclusive date of such reception and the dates of
15 those minutes received.

16 NO.

17 INTERROGATORY NO. 39: Please state:

- 18 (1) Whether any of the following methods has been used
19 to transport either raw asbestos or asbestos-
20 containing products and/or materials of this defen-
21 dant to the San Francisco Bay Area;
- 22 (a) Ship
- 23 (b) Train
- 24 (c) Truck
- 25 (d) Other, and if so, please specify what method;
- 26 (2) The inclusive dates each such method was used by
this defendant;

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(3) The types of asbestos or asbestos-containing products and/or materials transported by each such method.

(1) (a) No (b) Yes (c) Yes

(2) December 1960 to December 1978

(3) Crysotile, Joint Compound, Textures and Paint

INTERROGATORY NO. 40: Identify all brochures, pamphlets, catalogs or other descriptions or listings of asbestos-containing products and/or materials which this defendant manufactured, sold, distributed or supplied from the year 1930 to the present. For each such document please state:

(a) The title of such document;

(b) The year it was printed;

(c) The years in which it was used;

(d) The purpose of such document;

(e) Whether the document(s), or copy(ies) of said document(s), presently exist;

(f) If said document(s) or copy(ies) still exist, where they are located;

(g) The name, job title, and current address of the present custodian of such document(s);

(h) Whether defendant would produce such document(s) for inspection and copying without a formal request for production of documents.

See answer to Interrogatory No. 30

INTERROGATORY NO. 41: State whether any raw asbestos or

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1 asbestos-containing products and/or material mined, manufac-
2 tured, sold, processed, imported, supplied, distributed and/or
3 labelled by this defendant was sold or provided to the General
4 Service Administration and/or any other governmental agency
5 during the period 1930 to the present date. If the answer is
6 in the affirmative, please state for each such agency:

- 7 (a) The name and address of the agency to which the raw
8 asbestos or asbestos-containing products and/or
9 materials was sold and/or provided, and the inclu-
10 sive dates of such sale or provision;
11
12 (b) The grade and type of raw asbestos sold; and the
13 quantity sold or supplied per each calendar year;
14
15 (c) The trade, brand name, and/or generic name of
16 each asbestos-containing product(s) and/or
17 materials(s) sold or supplied and the quantity sold
18 or supplied during each calendar year;
19
20 (d) The means of packaging of each product set forth
21 above;
22
23 (e) The health warning, if any, which accompanied each
24 shipment of raw asbestos or asbestos-containing pro-
25 ducts and/or materials. Please indicate the date
26 when said warnings were first made part of the ship-
ments.

There is no information available that indicates that products of
this defendant containing asbestos were ever sold or provided to
G.S.A. or any other governmental agency.

INTERROGATORY NO. 42: Between the years 1930 to pre-
sent, did this defendant purchase or otherwise acquire any
asbestos-containing product, asbestos material or product line
from another company? If so, please state for each such purcha-
se:

NO.

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1 (1) Date of contract of sale;

2
3 (2) Terms of purchase and sale agreement, or if you will
4 do so without a motion to produce, attach a copy of
said agreement(s) to your answers;

5 (3) Trade, brand and/or generic name of each asbestos-
6 containing product, asbestos material or product
7 line so acquired;

8 (4) Name of company from whom you purchased each such
9 asbestos-containing product, asbestos material or
product line;

10
11 (5) Location of any manufacturing facilities so
12 acquired, and the type of asbestos products or
13 materials manufactured therein.

14 INTERROGATORY NO. 43: Do you have in effect one or more
15 policies of insurance or co-insurance by or through which you
16 are or were insured in any manner or to any extent, whether pri-
17 mary or excess coverage, with respect to any of the claims,
18 causes of action, injuries or damages alleged or claimed against
19 you in the complaint herein?

20 YES.

21 INTERROGATORY NO. 44: If your answer to the preceding
22 interrogatory is in the affirmative, state:
23

24 (a) The total number of such policies;

25 (b) The name, address and telephone number of the com-
26 pany issuing each policy;

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1 (c) The name, address and telephone number of the
2 insurance agent issuing each policy;

3 (d) The policy number;

4 (e) The complete wording of all named insureds on each
5 policy;

6 (f) The limits of bodily injury or public liability
7 coverage of each policy;

8 (g) The effective dates of each policy.

9 See attached.

10 INTERROGATORY NO. 45: Do you or did you have in effect
11 one or more policies of insurance or co-insurance, where a
12 question or controversy exists as to whether such policy or
13 policies afford you any bodily injury or public liability
14 coverage, whether primary or excess, in connection with the
15 asbestos litigation?

16 Most insurance companies have reserved their rights under their
17 policies and Home Insurance Company is presently in dispute.

18 INTERROGATORY NO. 46: If your answer to the preceding
19 interrogatory is in the affirmative state:

20 (a) The total number of such policies;

21 (b) The name, address and telephone number of the com-
22 pany issuing each policy;

23 (c) The name, address and telephone number of the
24 insurance agency issuing each policy;

25 (d) The policy number;

26 (e) The complete wording of all named insureds on each

INTERROGATORY NO. 44

(a.) (d.) (f.) (g.) See attached

(b.) Not available

(c.) Not available

(e.) Kelly-Moore Paint Company, Inc. et al. and Subsidiaries

KELLY-MOORE PAINT COMPANY, INC.
Summary of Liability Policies
January 1, 1956 - October 1, 1984

Insurer	Policy Number	Type of Liability Coverage	Amount of Coverage	Remarks
1/1/56 - 1/1/57 Zurich Insurance Company ^A	87-25-771	Auto & Gen. Liability	Unverified	
1/1/57 - 1/1/58 Zurich Insurance Company ^A	88-32-064	Auto & Gen. Liability	Unverified	
1/1/58 - 1/1/59 Zurich Insurance Company ^A	80-34-546	Auto & Gen. Liability	Unverified	
1/1/59 - 1/1/60 Zurich Insurance Company ^A	80-39-250	Auto & Gen. Liability	Unverified	
1/1/60 - 1/1/61 Zurich Insurance Company ^A	81-01-368	Auto & Gen. Liability	Unverified	
1/1/61 - 1/1/62 Zurich Insurance Company ^A	82-55-990	Auto & Gen. Liability	Unverified	
1/1/62 - 1/1/63 Zurich Insurance Company ^A	83-26-627	Auto & Gen. Liability	Unverified	
1/1/63 - 1/1/64 Zurich Insurance Company	84-24-080	Auto & Gen. Liability	M.I. 500,000/1,000,000 P.D. Auto 50,000 P.H. Other 50,000/100,000	
1/1/64 - 1/1/65 Zurich Insurance Company	84-27-219	Auto & Gen. Liability	M.I. 25,000/100,000** P.D. Auto 50,000 P.H. Other 50,000	

^APolicy unavailable at present time. A copy has been requested from the carrier. **We believe there is an umbrella policy for this year, but we have been unable to locate it at present.

KELLY-MOORE PAINT COMPANY, INC.

Summary of Liability Policies
January 1, 1956 - October 1, 1984

Insurer	Policy Number	Type of Liability Coverage	Amount of Coverage	Remarks
1/1/65 - 1/1/66 Insurance Company of North America	HLP 08-94-90	Auto & Gen. Liability	Unverified	Assumed to be for \$0,000/100,000 - \$0,000
1/1/66 - 1/1/67 Insurance Company of North America	HLP 10-47-38 XBC 5650	Auto & Gen. Liability Umbrella	\$0,000/100,000 - \$0,000 1,000,000	
1/1/67 - 1/1/68 Insurance Company of North America	GAL 3-13-56 XBC 5650	Auto & Gen. Liability Umbrella	\$0,000/100,000 - \$0,000 1,000,000	
1/1/68 - 1/1/69 Insurance Company of North America	GAL 4-85-71 XBC 5650	Auto & Gen. Liability Umbrella	\$0,000/100,000 - \$0,000 1,000,000	
1/1/69 - 1/1/70 Insurance Company of North America	GAL 4-85-71 XBC 22366	Auto & Gen. Liability Umbrella	100,000/300,000 - \$0,000 1,000,000	
1/1/70 - 1/15/71 Hartford Insurance Company Hartford Insurance Company	SSC 308925 SSC 308925	Auto & Gen. Liability Umbrella	100,000/300,000 - \$0,000 1,000,000	Cancelled 1/15/71 According to note in file to be added to primary policy by audit - cancelled 12/1/70 Cancelled 1/15/71
12/1/70 - 1/15/71 American Home	RE 267-42-74	Umbrella	1,000,000	
1/15/71 - 1/15/72 U.S. Fire Insurance Company North River Insurance Company	GA 28 30 99 DCL 917542	Auto & Gen. Liability Umbrella	\$00,000 \$000,000	1,000 deductible on products
1/15/72 - 1/15/73 U.S. Fire Insurance Company North River Insurance Company	GA 62 01 87 DCL 917542	Auto & Gen. Liability Umbrella	\$00,000 - 100,000 \$000,000 10,000,000 1/26/72	1,000 deductible on products

*Policy unavailable at present time. A
copy has been requested from the carrier.

KELLY-MOORE PAINT COMPANY, INC.
Summary of Liability Policies
January 1, 1956 - October 1, 1984

Insurer	Policy Number	Type of Liability Coverage	Amount of Coverage	Remarks
1/15/73 - 1/14/74 Liberty Mutual Insurance Company North River Insurance Company	LC1-161-015355-043 NCL 917542 AFL-161-015355-087	General Liability Umbrella Auto	500,000 - 100,000 10,000,000 500,000 - 100,000	8/1/73 250,000 8/1/73 250,000 Replaced by Liberty Mutual 1/1/74
1/1/74 - 5/1/74 Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company	LC1-161-015355-044 AFL-161-015355-034 LE1-161-015355-054	General Liability Auto Umbrella	500,000 - 250,000 500,000 - 250,000 10,000,000	
5/1/74 - 5/1/75 Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company	LC1-161-015355-094 LC1-161-015355-084 LE1-161-015355-104	General Liability Auto Umbrella	500,000 - 250,000 500,000 - 250,000 10,000,000	
5/1/75 - 5/1/76 Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company	LC1-161-015355-095 LC1-161-015355-085 LC1-161-015355-105 LO1-161-015355-115	General Liability Auto Umbrella O&B	500,000 - 250,000 500,000 - 250,000 10,000,000 500,000 - 250,000	
5/1/76 - 5/1/77 Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company Liberty Mutual Insurance Company	LC1-161-015355-096 LC1-161-015355-086 LO1-161-015355-116 LE1-161-015355-106	General Liability Auto O&B Umbrella	500,000 - 250,000 500,000 - 250,000 500,000 - 250,000 10,000,000	1,000 deductible on Products-Completed Operations 5,000 deductible per batch, annual
5/1/77 - 5/1/78 Liberty Mutual Insurance Company Liberty Mutual Insurance Company	LC1-161-015355-097 LC1-161-015355-087	General Liability Auto		No reference to deductible for Products

KELLY-MOORE PAINT COMPANY, INC.
Summary of Liability Policies
January 1, 1956 - October 1, 1984

Insurer	Policy Number	Type of Liability Coverage	Amount of Coverage	Remarks
5/1/77 - 5/1/78 Liberty Mutual Insurance Company Liberty Mutual Insurance Company Federal Insurance First State	LE1-161-015355-111 LE1-161-015355-107 7922 0443 923027	OLAT Umbrella Excess Excess	500,000 - 250,000 10,000,000 5,000,000 - Effective 6/24/77 to 5/1/78 5,000,000 - Effective 6/24/77 to 5/1/78	No reference to deductible for Products. Effective 6/24/77 to 5/1/78
5/1/78 - 5/1/79 Truck Insurance Exchange Liberty Mutual Insurance Company U.S. Fire Insurance Company Federal Insurance Pine Top Insurance Company Interstate Fire & Casualty First State	5120 00 19 LE1-161-015355-108 521-000169-2 7922 7956 UP 50 10 29 155-B 027332 926755	Auto & Gen Liability Umbrella Excess Excess Umbrella Excess Excess	1,000,000 S.L. 10,000,000 5,000,000 5,000,000 10,000,000 2-5,000,000 3-5,000,000	10,000 deductible per occurrence 150,000 annual aggregate Cancelled 5/22/78 Cancelled 5/23/78 Cancelled 5/23/78 Effective 5/23/78 - expiring 5/1/79 Effective 6/5/78 - expiring 5/1/79 Effective 6/5/78 - expiring 5/1/79
5/1/79 - 5/1/80 Truck Insurance Exchange Mission Insurance Company	5120 00 19 M 849015	Auto & Gen Liability Umbrella	1,000,000 20,000,000	Same deductible
5/1/80 - 5/1/81 Truck Insurance Exchange Continental Insurance Continental Casualty American Excess Insurance	5120 00 19 SRU 215 56 23 RDX 178 76 08 EUL 507 3250	Auto & Gen Liability Umbrella Excess Excess	1,000,000 20,000,000 20,000,000 10,000,000	Same deductible
5/1/81 - 10/1/82 Truck Insurance Exchange Continental Insurance Company Continental Casualty	5128 00 19 SRU 215 56 65 RDX 171 61 13	Auto & Gen Liability Umbrella Excess	1,000,000 20,000,000 30,000,000	Same deductible
10/1/82 - 10/1/83 Truck Insurance Exchange Continental Insurance Company Continental Casualty	WOS03 00 21 SRU 215 56 23 RDX 177 68 51	Auto & Gen Liability Umbrella Excess	1,000,000 20,000,000 30,000,000	25,000 deductible 150,000 annual aggregate

Page 4 of 5

4/1/83
Trench Bros Exch.

all per pd 100%

KELLY-MOORE PAINT COMPANY, INC.

Summary of Liability Policies
January 1, 1956 - October 1, 1984

Insurer	Policy Number	Type of Liability Coverage	Amount of Coverage	Remarks
10/1/83 - 10/1/84 The Home Insurance Company	GL 1438601 BA 2959579 GA 1386361	General Liability Auto Liability Auto Liability - Texas		25,000 deductible 150,000 annual aggregate
Centaur Insurance Company Continental Casualty Company	CUL 10 09 20 MX 062-135-809	Umbrella Excess-	500,000 20,000,000 20,000,000	
2/14/84 - 10/1/84 INA	KCP 156102	Excess		
Transport Indemnity Transit Casualty Integrity Ins. Co.	TEL 00810C SCU 956708 XL 200247	Excess Excess Excess Excess	20,000,000	
Fireman's Fund	XLX 14823 63	Excess	10,000,000	Excludes autos & OS.

CLAPIE, BRAYTON
ATTORNEYS AT LAW
CREEKWOOD PROFESSIONAL CENTER
250 BEL MARWAYNE BOULEVARD
NOVATO, CALIFORNIA 94047
(415) 883-3236

1 policy;

2 (f) The limits of bodily injury or public liability
3 coverage of each policy;

4 (g) The effective dates of each policy.
5 NOT APPLICABLE.

6 INTERROGATORY NO. 47: State whether, between 1945 and
7 the present, any of your asbestos-containing products were
8 placed in containers bearing the name of an entity other than
9 your own; that is, state whether your products were relabeled or
10 rebranded to reflect that they were manufactured or distributed
11 by another company, and identify each such other company, the
12 product and the inclusive dates thereof of each product.

13 SEE ANSWER TO INTERROGATORY No. 14
14

15 INTERROGATORY NO. 48: State whether, between 1945 and
16 the present, you placed your label or brand, or that of your
17 subsidiaries or companies in which you held an ownership
18 interest, on any asbestos-containing product, or raw asbestos,
19 manufactured or mined by an entity other than yourself; that is,
20 state whether you relabeled or rebranded products manufactured
21 or mined by companies other than your own to reflect that they

22 ///

23 ///

1 were yours, and identify each such product, the original manufac-
2 turers or miners and the inclusive dates thereof for each product.

3 NO

4
5 Dated: August 31, 1984

BURNHILL, MOREHOUSE, BURFORD,
SCHOFIELD & BLUNDEN, INC.

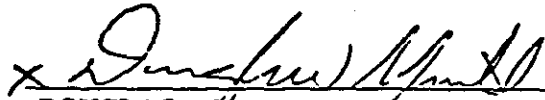
6
7
8 By


LOUIS F. SCHOFIELD
Attorney for Defendant,
Kelly Moore Paint Company

VERIFICATION

1
2
3 I hereby declare under penalty of perjury that I am a
4 party in the above-entitled action; that I have read the foregoing
5 document(s) and know the contents thereof, and the same is true of
6 my own knowledge, except as to the matters which are therein stated
7 upon my information and belief, and as to those matters I believe
8 it to be true.

9 Executed at San Carlos, California, this
10 4th day of September, 1984.

11
12 
13 DOUGLAS W. MERRILL
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PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that:

I am employed in the County of Contra Costa, I am over the age of eighteen years and not a party to the within cause; my business address is 1220 Oakland Boulevard, Suite 200, Walnut Creek, California 94596. On September 20, 1984, I served the within

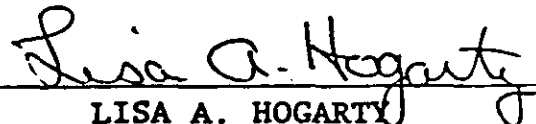
Answers to Interrogatories - Set #28
Solano County & San Francisco County Consolidated Actions

in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Walnut Creek, California, addressed as follows:

(See Attached)

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

Executed on September 20, 1984, at Walnut Creek, CA 94596.


LISA A. HOGARTY