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(iii) Identify each individual who participated in such determination and/or obtained such knowledge;

(iv) Identify each document that refers, reflects, or relates to any information pertaining to the properties of each of the ingredients and/or how the harmful effects are produced as well as your determination of those toxic effects and the manner by which they are produced;

(v) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(vi) Which products or ingredients were mined, which were manufactured and which were distributed by answering defendants.

1. Answer: Defendant sold asbestos fiber and paper products.

- (a) Unknown.
- (b) As the purchasers desired.
- (c) (i) Unknown
- (ii) 1975
- (iii) Gabe Marx, President
- Charles M. Thomson, Secretary
- (iv) None
- (v) OSHA representative
- (vi) Asbestos fiber and paper products

2. If any product identified in answer to interrogatory No. 1 and was produced, manufactured and/or sold under a trade name, identify that trade name(s) and state the time period that each such product was sold under such trade name.

2. Answer: N/A

3. For each product identified in answer to Interrogatory No. 1, state:

(a) The address of each plant where it was manufactured, processed or packaged;

(b) Whether you were the sole producer, manufacturer, and/or distributor of the product and, if not:

(i) The name and address of each other person, firm or other entity engaged in the production, manufacture and/or distribution of the product;

(ii) Whether any other manufacturer produced the product by virtue of a franchise or license from you;

(iii) The persons or firms who produced the product for distribution in the United States;

(iv) The person or firms who produced the product for distribution in the State of Delaware.

3. Answer:	(a)	York Industries 6 Hoffman Place Hillside, NJ Until Feb. 1979	York Industries 360 Hurst Street Linden, N.J. From April 1979 - Approximately April 1980
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The location of all manufacturing facilities is unknown to answering defendant.

(b) Answering defendant was not the sole distributor. Names and addresses of other distributors is unknown.

4. For each product identified in answer to Interrogatory No. 1 state:

(a) How the product was sold and/or distributed for use in the United States and/or the State of Delaware;

(b) Identify all persons, firms or other entities to whom these products were sold or through whom they were distributed during the period 1936-1980;

(c) For each such person, firm or other entity identified in answer to subpart (b) above, state the following:

(1) The specific product sold and/or distributed;

(2) The quantity of the product sold and/or distributed

(3) The dates which these products were sold, shipped and delivered to each entity;

(d) Identify each individual who has any knowledge of these sales and/or distribution and state with specificity and particularity the substance of each individual's knowledge;

(e) Identify and produce all documents which refer, reflect or relate to all sales and/or distribution of each such product to each such entity identified above.

4. Answer: (a) Defendant sold and distributed products in bags, rolls of wrapping paper and cartons.
(b,c,e) Objected to as being unduly burdensome, irrelevant and not designed to lead to any discoverable evidence which would be admissible at trial.
(d) Gabe Marx, President
(e) Already produced in companion litigation

5. For each product identified in answer to Interrogatory No. 1 state whether you engaged in any advertising program to promote the sale of that product and, if so state:

(a) The name or description of each advertising media that you have used to promote the product during the period 1936-1980

(b) The name of each national magazine or periodical in which you have advertised the product during the period 1936-1980;

(c) The date of each issue of such magazine or periodical in which such advertisement appeared;

(d) The name and address of each newspaper in which it advertised the product during the period 1936 through 1980;

(e) The date of each publication of each newspaper in which the advertisement appeared;

(f) Identify and produce each document which refers, reflects or pertains to each such advertisement which was published in each such magazine, periodical and/or newspaper;

(g) State whether the advertising of the product was handled by an agency and, if so, state the name and address of each advertising agency that handled any portion of the advertising of the product during the period 1936 - 1980.

5. Answer: Defendant has distributed a catalogue to plumbing and heating supply houses since 1974.

6. For each product identified in answer to Interrogatory 1 which was distributed to a company that used said products in Delaware or was a distributor of said products for an area including Delaware, state:

(a) The name and address of the company;

(b) Whether the asbestos contained was tremolite, crocidolite, amosite and or anthophyllite asbestos and state the amount in terms of the percentage of the total asbestos contained in the product.

(c) The total amount of asbestos contained in the product

(d) The exact formulation of the product including the other non-asbestos ingredients thereof;

(e) The name and address of each individual who participated in the formulation of such product;

(f) The identity of each document which refers, reflects, or relates to any information provided in the answer to this interrogatory;

(g) The names and addresses of the persons usually communicated with when dealing with said company;

(h) Identify the living individual most knowledgeable about the answers given in above 6(b), (c) and (d);

(i) Identify the living individual most knowledgeable about distribution of the above products in Delaware and in an area of which Delaware is a part.

6. Answer: a) Haveg, Marshallton Plant (b)-(e) Unknown (f) already produced (g) unknown (h)-(i) Gabe Marx, President.

7. With regard to each form of asbestos fibers identified in the answer to Interrogatory 6 state:

(a) Where it was purchased, if it was not purchased, where it was obtained;

(b) From whom it was purchased;

(c) The manner in which it was received, stored and used in the production of the product.

7. Answer: Unknown.

8. If you manufacture any insulation products which are commonly used by insulators and which contain asbestos;

(a) Describe how the products listed in (b) are cut, shaped, mixed and applied on the jobs giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste;

(b) State if there is any way known to you that the products listed below can be used and applied without the worker inhaling any of the asbestos dust or fibers:

(1) Asbestos cement; Asbestos Finishes;

(2) Asbestos pipe covering;

(3) Asbestos bricks or block;

(4) Asbestos sheeting;

(5) Asbestos insulation used to cover extremes of heat as well as cold;

(6) Asbestos insulation in loose form which may be blown into homes or buildings;

(7) Asbestos in spray form;

(8) Asbestos mineral in fiber form or particulate form

(9) Asbestos Millboard, rope, gaskets, paper gloves or blanket.

(c) Did your company buy any products listed in (b) above from other manufacturers and relabel it or have it labeled for your company?

(1) If yes, which products and from whom.

(d) Did your company produce any products within the list in (b) above for other companies?

(1) If yes, which products and for whom.

(e) Whether prior to distributing the product you altered it in any manner from the form in which you received it from the source and if so what type of alterations or modifications were made by you;

(f) Whether prior to distributing the product you re-packaged or in any altered the packaging or labelling of the product after receiving it from the source, and if so what alterations were made by you.

8. Answer: Defendant does not manufacture insulation products.

9. For each product listed in answer to Interrogatory 1, describe each end use for which each such product was intended to be used by the general industry and for each such use:

(a) Describe the form of the product when so used;

(b) Describe the process and/or method by which the product would be applied for each such use;

(c) Describe the equipment to be used to apply the product for each such use;

(d) Identify each document that refers, reflects or relates to any information and state the full substance of the information supplied;

(e) As to any information received orally in answer to any interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

9. Answer: Unknown to this defendant. The intended and actual uses of the products sold by this defendant are solely within the knowledge and control of the purchaser.

10. State whether any of the equipment identified in answer to Interrogatory 9(c) was manufactured by you or any parent or subsidiary company or related company.

10. Answer: N/A

11. If any piece of equipment identified in answer to interrogatory no. 9(c) was invented, developed or first made by you or any person associated with you or any related company or association, state:

(a) When it was invented, developed or made;

(b) The identity of each individual who participated therein and describe in detail the extent of his participation;

(c) The identity of each document which reflects, refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

11. Answer: N/A

12. State whether you or any person associated with you or any related company or association invented, developed or made any change and/or improvement in any piece of equipment identified in answer to Interrogatory no. 9(c) and if so:

(a) Describe the change and/or improvement made;

(b) State when it was made;

(c) Identify each individual who participated therein and describe in detail the extent of his participation;

(d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory

(e) As to any information received orally in answer to this interrogatory, identify each person who has supplied such information and state the full substance of the information supplied.

12. Answer: N/A

13. For each process and/or method identified in answer to Interrogatory 9(b) state whether it was developed by you or a parent or subsidiary or related company.

13. Answer: N/A

14. For each process and/or method identified in answer to interrogatory no. 9(b) developed or first made by you or any person associated with you or any related company or association state:

(a) When and where it was developed;

(b) The identity of each individual who participated therein and describe in detail the extent of his participation;

(c) The identity of each document which reflects, refers, or related to any information set forth in answer to this interrogatory

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

14. Answer: N/A

15. State whether you or any person associated with you or any related company or association developed or made any change and/or improvement in any process and/or method identified in answer to interrogatory no. 9(b), and if so:

- (a) Describe the change and/or improvement made;
- (b) State when and where it was made;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory.
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.
- (f) Identify the living person who has the most knowledge of matters discussed herein.

15. Answer: N/A

16. For each product identified in the answer to interrogatory no. 1 describe what, if any, tests were made to determine the safety of said product and:

- (a) State when and where each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

16. Answer: Defendant did not make any tests. It is unknown to this defendant what tests, if any, were performed by other

17. For each process or method identified in answer to interrogatory no. 2 (a) describe what, if any, tests were

determine the safety of said process or method and:

- (a) State when and where each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

17. Answer: N/A

18. For each piece of equipment identified in answer to interrogatory no. 9(c), describe what, if any tests were made to determine the safety of said equipment and:

- (a) State when and where each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

18. Answer: N/A

19. For each label, brochure, or other written material describing or relating to the use of each product identified in answer to interrogatory no. 1, produced by you or any person associated with you or any related company or association:

- (a) Describe its contents;
- (b) State when, where, how and to whom it was distributed
- (c) State the manner in which it was placed on or in the product container or whether it was separate from the product container or whether it was separate from the product container;
- (d) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If s state:
 - (i) Whether a signal word, i.e. "danger," "warning", or "caution" was present;
 - (ii) Whether the signal word was printed in boldface capital letters or different colored inks. Which?
 - (iii) The wording of the statements describing any hazard;
 - (iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard;
- (e) Identify each individual who participated in the writing of the label, brochure or other written materials and describe in detail the extent of his participation;
- (f) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information
- (g) As to any information received orally in answer to an interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

19. Answer: Standard OSHA warning label was printed on all packaging. Product line catalogue contained written descriptions and drawings of products; Catalogue was given to plumbing and heating

supply houses and any potential customer who requested it.

20. For each product identified in answer to interrogatory 1 state whether warnings of any harmful or potentially harmful effect the product were printed on the cartons or packing cases in which individual containers were packed and, if so:

- (a) State the printed warning's contents;
- (b) State when the warning was used;
- (c) Describe the manner in which it was placed on or in the product container;
- (d) Identify each individual who participated in writing of the label or brochure and describe in detail the extent of his participation;
- (e) Identify each document which reflects, refers or relates to the information contained on the cartons or packing cases and the decision to include that information;
- (f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

20. Answer: (a) Standard OSHA warning

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID BREATHING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

- (b) Warnings appeared on each package of asbestos containing material.
- (c) Warning was printed or glued to packages
- (d) Unknown.
- (e) None known.
- (f) Not applicable.

21. For each label, brochure, or other written material describing or relating to each process or method identified in answer to interrogatory no. 9(b) produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material:

- (a) Describe its contents;
- (b) State when, where, how, and to whom it was distributed;
- (c) State whether any written, printed or graphic matter was present to warn of any harmful ingredients it might contain. If so, state:
 - (i) Whether a signal word, i.e. "danger", "warning", or "caution" was present;
 - (ii) Whether the signal word was printed in boldface, capital letters or different colored inks, and if so, which one;
 - (iii) The wording of the statements describing any hazard;
 - (iv) The wording of all directions and/or instruction pertaining to any method of use to avoid any hazard.
- (d) Identify each individual who participated in the writing of the label, brochure or other written materials and describe in detail the extent of his participation;
- (e) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;
- (f) As to any information received orally in answer to this interrogatory, identify each person who supplied information and state the full substance of the information supplied.

21. Answer: N/A

22. For each label, brochure, or other written material describing or relating to equipment identified in answer to interrogatory no. 9(c), produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material;

(a) Describe its contents;

(b) State when, where, how and to whom it was distributed;

(c) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:

(i) Whether a signal word, i.e. "danger", "warning", or "caution" was present;

(ii) Whether the signal word was printed in boldface, capital letters or different colored inks, and if so, which one;

(iii) The wording of the statements describing any hazard;

(iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(d) The identity of each individual who participated in writing of the label, brochure, or other written materials and describe in detail the extent of his participation;

(e) The identity of each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied information and state the full substance of the information supplied.

22. Answer: N/A

23. With regard to the production, distribution, and/or sale of each product identified in answer to interrogatory 1 state whether you have ever been accused of violating any of the provisions of the Federal Labeling of Hazardous Substances Act, and, if so, state:

(a) The date of each indictment, complaint or information that accused you of such violation;

(b) The court in which the proceedings were instituted;

(c) The plea you entered;

(d) The verdict and/or judgment in each such case;

(e) The date set for trial of any pending case;

(f) Identify each document which reflects, refers or relates to information pertaining to such accusation;

(g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

23. Answer: No.

24. For each product identified in answer to interrogatory 1, state whether you contend it is a "hazardous substance" as defined 15 United States Code, Section 1261(f) and, if so, state with specificity and particularity the facts which you rely on to support that content.

24. Answer: Objected to as being overly broad and calling for legal conclusions on the part of this defendant.

25. With regard to each product identified in answer to interrogatory 1 state whether any quantity of that product has ever been seized by any agency of any government; and if so:

(a) State the date of each such occurrence;

(b) State the name or description of the violations of

which you were accused;

(c) State the court in which the action was filed;

(d) Describe the judgment that was rendered;

(e) State the date that has been set for trial of any pending case;

(f) Identify each document which reflects, refers or relates to information pertaining to such seizure;

(g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

25. Answer: No.

26. State whether you have ever been the subject of any investigation or accusation by any Governmental Agency concerning the provisions of the Occupational Safety and Health Act of 1970 (P.L. 91-596, 29 U.S.C. §651 et seq.). If so state:

(a) The date of such investigation, accusation, or other administrative or judicial procedure or action;

(b) The administrative agency or court in which any proceedings arising from such investigation or accusation were heard or instituted.

(c) The determination and results of any such accusation or action;

(d) The identity of each document which refers or relates to information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

26. Answer: (a) 1975 OSHA inspection

(b) OSHA

(c) OSHA recommended a few modifications to update defendant's facility, which modifications were effected and subsequently approved.

(d) To the best of his knowledge, defendant is not presently in possession of any written materials pertaining to this matter.

(e) The contents of the conversations with the OSHA representative and his name are presently unknown.

27. State what action, if any, you have taken since 1935 to reduce or eliminate any risk of occupational disease or personal injury to those engaged in the manufacture of your asbestos products or to those using your asbestos products which arises from the inhalation of dust and fibers.

27. Answer: N/A

28. Describe in full and complete detail each of the activities which you have undertaken with the intention of warning the public of the effects of any product identified in answer to interrogatory 1 as to the health of the user or general public and give the inclusive dates of each such activity, and:

(a) Identify each individual who participated therein and describe the nature of his participation;

(b) Identify each document which reflects, refers or relates to information pertaining to such warning;

(c) As to any information received orally in answer to interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

28. Answer: Defendant sold products which contained OSHA warning labels.

29. Have you or any of your companies conducted any studies concerning the effects of inhalation of asbestos dust or fibers by one using or being exposed to any of the asbestos materials manufactured by you and/or any of your companies? In answer to this question, please state:

- (a) The date, nature and location of your studies;
- (b) The name or names of the persons conducting the studies and their address and describe in detail the extent of their participation;
- (c) The purpose of the studies;
- (d) The identity of each document which refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

29. Answer: No.

30. Have you or any of your companies conducted any studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of any of the products containing asbestos materials manufactured by you or any of your companies? If

- (a) The date, nature and location of your studies;
- (b) The name or names of the persons conducting such studies and their address and describe in detail the extent of this participation;
- (c) State what action, if any, was taken based upon such

studies in an effort to minimize or eliminate the effects of inhalation of asbestos dust or fibers upon those using or being exposed to the dust and fibers contained in such products as manufactured by your company;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

30. Answer: No.

31. What technique, if any, did and/or do you use to make dust samplings in the manufacturing and packaging production environment or at job sites where your materials are used?

(a) Set forth in detail the technique used, when it was commenced and when, if ever, it was concluded;

(b) State the purpose for administering such samplings;

(c) State the results of such samplings;

(d) State what action, if any, has been taken in response to the findings as to the dust samples;

(e) Identify each document which refers or relates to such sampling;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

(g) Identify the living person who has the most knowledge of matters discussed herein.

31. Answer: N/A

32. State what, if any safety measures were taken by you as to your employees, during the processing, manufacturing and packaging of products containing asbestos including but not limited to products that have been distributed to the duPont Company. If any such safety measures were taken, state:

(a) The reason for the use of such measures, equipment and clothing;

(b) Identify each document relating to safety procedures taken by employees or plant personnel in the manufacture, processing and packaging of such products;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information.

32. Answer: Defendant made respirators available and their use was mandatory for their employees any time they had contact with born asbestos fibers.

(a) to comply with OSHA regulations.

(b) None known

(c) N/A

33. State:

(a) Knowledge as to any respirator or other breathing device which was on the market during the relevant period which would prevent the inhalation of asbestos dust and fibers;

(b) A detailed description of such respirator or other breathing device, together with all information as to how such device prevents the inhalation of asbestos dust and fibers.

(c) What tests, if any, were conducted, by whom and where with regard to the effectiveness of any such device;

(d) Identify each document in any defendant's possession which refers or relates to the subject matter of this interrogatory.

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

33. Answer: (a) Defendant uses Dust FOE #77 manufactured by Mine Safety Appliance Co., approved by NIOSH and Bureau of Mines.

(b) Rubber mask with elastic strap and cloth filter

(c) Unknown. This defendant performed no tests

(d) None known

(e) N/A

34. Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to interrogatory 1 and the contraction by humans or animals of cancer including but not limited to mesothelioma. If so:

(a) Identify each person participating in such investigation and describe in detail the extent of this participation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information

34. Answer: No.

35. Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to interrogatory 1 and the contraction by humans of pulmonary asbestosis? If so:

(a) Identify each person participating in such investigation and describe in detail the extent of his participation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

35. Answer: No.

36. Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to interrogatory 1, including doctors, and employees and agents of the defendants concerning any relationship between the use of these products and the development of pulmonary asbestosis in humans or animals;

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(C) Identify each document which refers or relates to any information set forth in answer to this interrogatory.

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

36. Answer: No written or oral reports are in this defendant's possession.

37. Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to Interrogatory 1, including doctors, employees and agents of the defendants concerning any relationship between the use of any of those products and the development of cancer including but not limited to mesothelioma in humans or animals:

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

37. Answer: See answer to #36.

38. For each product identified in answer to Interrogatory 1 state whether the production and/or sale of the product has been discontinued and, if so:

(a) State when it was discontinued;

(b) State with specificity and particularity all the reasons for the discontinuance.

(c) Identify each individual who participated in the decision to discontinue production and/or sale and describe in detail the extent of his participation;

(d) Identify all documents which reflect, refer or relate to each such discontinuance;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

38. Answer: a) fiber sales discontinued at end of 1978.
Paper sales discontinued in April 1980;

b) sales fell off;

c) Gabe Marx, President
Charles M. Thomson, Secretary

d) none.

e) N/A.

39. For each product identified in answer to Interrogatory 1, state whether the production and/or sale of that product has been limited and/or curtailed or reduced and, if so:

(a) Describe how it was so limited or curtailed or reduced;

(b) State when it was so limited, curtailed or reduced;

(c) State with specificity and particularity all of the reasons for the limitation, curtailment, or reduction;

(d) Identify each individual who participated and the extent of his participation in the decision to so limit, curtail or reduce production and/or sale;

(e) Identify each document which reflects, refers or relates to the limitation, curtailment or reduction and/or the decision to implement the limitation, curtailment or reduction;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

39. Answer: See answer to #38.

40. Do you contend that each of the products identified in Interrogatory 1 do not or did not create any risk to one who applies or uses the produce?

(a) If so, state the factual basis for each such contention;

(b) If not, state:

(i) The degree and kind of risk which is created by such use;

(ii) The conditions under which such risk is created, increased or decreased;

(iii) Identify each document which reflects, refers or relates to your answers to this interrogatory;

(iv) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

40. Answer: Yes.

- a) no risk if used properly.
- b) n/a.

41. Do you contend that it was not your responsibility to warn workers of the risk of harm arising from the use of your product or of the danger of asbestos to their health?

- (a) State the factual basis for such response;
- (b) Identify each document which reflects, refers or relates to your answers to this interrogatory;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

41. Answer: This defendant has put warning labels on all of its products. See answer to #20.

42. Do you contend that it was only the responsibility of the employing company involved, or others, to so warn the workers of the risk of harm arising from the use of your products or of the danger of asbestos to their health?

- (a) State the basis for such contention;
- (b) Identify which others were so responsible;
- (c) Identify each document which reflects, refers or relates to your answer to this interrogatory;
- (d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

42. Answer: Yes. Warnings to the workers was the responsibility of their employers.

43. Do you contend that the danger to any plaintiff was not foreseeable at the time the products alleged to have caused his injuries were sold? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

43. Answer: Unknown at the present time. Discovery has not been completed in this area.

44. Do you contend that the danger from the use by plaintiffs of products containing asbestos was obvious? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify all documents relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

44. Answer: Yes.

- a) warning labels were attached to the various asbestos containing products;
- b) none.
- c) n/a.

45. Do you contend that plaintiffs knew, understood and appreciated the danger arising from their contact with asbestos which you mined or distributed or products containing asbestos which you manufactured or distributed? If so, as to each

plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

45. Answer: Yes. See the answer to #44.

46. Do you contend that plaintiffs voluntarily and unreasonably exposed themselves to the danger arising from their contact with asbestos which you mined or distributed or products containing asbestos which you manufactured or distributed? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

46. Answer: Yes. See the answer to #44.

47. Do you contend that plaintiffs used any asbestos which you mined or distributed or any products containing asbestos which you manufactured or distributed in other than their usual, customary and expected manner? If so, as to each plaintiff:

(a) State the name and chemical composition of the product claimed to have been used in other than its usual, customary and expected manner;

(b) State in detail the manner in which plaintiffs used said product in other than its usual, customary and expected manner;

(c) Identify each document relied upon in support of such contention;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

47. Answer: It is presently unknown whether the plaintiffs used any of the products sold by this defendant in any fashion other than in their usual, customary or expected manner. Further discovery in this regard is contemplated.

48. With regard to each product identified in answer to Interrogatory 1 or 8, state whether you have ever been named as a defendant in any other civil action, including Workmen's Compensation Actions, filing of Workmen's Compensation consent agreements, or other proceedings, to recover damages for injuries resulting from asbestosis and asbestos related pleural disease received as a result of using that product and, if so, for each proceeding;

(a) State the name and address of each plaintiff;

(b) State the name and address of each co-defendant;

(c) State the date it was filed;

(d) State the name of the Court in which it was filed;

- (e) Describe the judgment rendered;
- (f) State the date that has been set for trial of any case still pending;
- (g) Describe the terms of any settlement reached before or during trial;
- (h) State whether any appeal is pending from any judgment that has been rendered;
- (i) State the exact nature of the condition alleged in such action to have resulted from the plaintiffs' use of or contact with said product and identify the product involved;
- (j) Identify each document which reflects, refers or relates to any information pertaining to that complaint.

48. Answer: I. (a) William Karl and June Alisaukas, Firetower Road, Milford, PA.

(b) York Industries Corp., 360 Hurst Street, Linden, NJ; Johns-Manville Sales Corp.

(c) November 28, 1979.

(d) Superior Court of New Jersey Law Division:
Somerset County.

(e) No judgment rendered to date.

(f) No date established to date.

(g) None to date.

(h) None.

(i) Plaintiff alleges he developed pneumoconiosis asbestosis with pulmonary fibrosis and emphysema with severe chronic bronchitis and pleural involvement as a result of alleged exposure to asbestos fiber and/or paper.

(j) Documentation is in the possession of the plaintiffs and is not presently known to this Defendant. All documents filed with the courts are available for inspection during normal court hours. Defendant's pertinent business records are available for inspection at Defendant's office at a mutually convenient time.

II. (a) Everett J. and Joan Fagan, 139 Main Street, Gladstone, NJ.

(b) York Industries Corp., 360 Hurst Street, Linden, NJ; Johns-Manville Sales Corp., successor to and in lieu of Johns-Manville Products Corp.; Johns-Manville Canada Inc., formerly known as Canadian Johns-Manville Co., Ltd.; Canadian Johns-Manville Amiante Ltd., formerly Canadian Johns-Manville Asbestos Ltd.; Johns-Manville Corp.; John Doe Corp.; Hugh Jackson; Estate Kenneth Smith, M.D.; Estate Wilbur Ruff; Clifford Scheckler; Edwin Davis Merrill, M.D.; John Doe; Chase & Co.; Smith & Kanzler Corp.; Richard H. Jaffer and Nick Aracich; and Empire Asbestos Products Inc.

(c) April 23, 1982.

(d) Superior Court of New Jersey, Law Division; Middlesex County.

(e) No judgment rendered to date.

(f) No date established as yet.

(g) None to date.

(h) None.

(i) Plaintiff alleges he was caused to contract chronic asbestosis and/or pulmonary disease and/or cancer and/or

cardiovascular disease as a result of alleged exposure to finished and unfinished asbestos products.

(j) See the Answer to I (j) above.

III. (a) Frank J. Jarusewicz, 45 Virginia Street, South River, NJ, et als. and Quigley Co. Inc., a subsidiary of Pfizer Inc. a Third-Party Plaintiff.

(b) Johns-Manville Products Corp., et als Defendant and the following Third-Party Defendants: Asbestos Corp. of America, Inc.; Rubberoid Co., subsidiary of GAF Corp.; Whitaker, Clark and Daniels, Inc.; Asbestos Corp., Ltd., subsidiary of General Dynamics Corp.; The Celotex Corp., successor in interest to Philip Carey; Flintkote Mines, subsidiary of Genstar, Ltd.; York Insulation Co., 360 Hurst Street, Linden, NJ; Canadian Asbestos Corp., address no known.

(c) July 30, 1981.

(d) Superior Court of New Jersey, Law Division: Middlesex County.

(e) No judgment rendered.

(f) No date established yet.

(g) None to date.

(h) None.

(i) Plaintiffs allege they developed various pulmonary, internal, neurological and neuropsychiatric disorders as a result to alleged exposure to asbestos fiber.

(j) See the Answer to I (j) above.

IV. (a) John J. Hoinski, 19 St. Mary Street, Plains, PA.

(b) Johns-Manville Products Corp. and Johns-Manville Sales Corp.; and the following Third-Party Defendants: Nicolet Industries Inc.; Armstrong World Industries, Inc.; Empire Ace Insulation Manufacturing Corp., One Cozine Ave., Brooklyn, NY; and York Insulation Co., Inc., 360 Hurst Street, Linden, NJ.

(c) May 1, 1981.

(d) United States District Court for the Middle District of Pennsylvania.

VI. (a) Robert F. O'Neal, address not known.

(b) Huxley Development Corp., 1133 Avenue of the Americas, New York, NY; and Third-Party Defendants: Oy Partek Ab, t/a Paraisten Kalkki Oy, Parainen, Helsinki, Finland 21600 and Asbestos Corp. of America, inc., c/o Addison C. Ely, Snevily, Ely and Williams, 308 East Broad Street, Westfield, NJ 08090 and Asbestos Corp. of America, Inc., c/o Clayton Hagen, Royal Globe Ins. Co., Arlington Building, 201 North Charles Street, Baltimore, MD 21201 and Asbestos Corp. of America, Inc., c/o William E. Willinghamby, P.O. Box 26, Bloomsbury, NJ 08804; Hercules, Inc., Hercules Tower, 910 Market Tower, Wilmington, DE 19801; Haveg Industries, Inc. a/k/a Champlain Cable Corp., c/o Champlain Cable Corp., 910 Market Tower, Wilmington, DE 19801; Pacor, Inc., 1900 North 6th Street, Philadelphia, PA 19122; Associated Mineral Corp., A.G., a/k/a/ North America Asbestos Corp., c/o Max E. Meier, Lord, Bissell & Brook as liquidating trustees, 115 South LaSalle Street, Chicago, IL; Lukens Chemical Co., 725 Rear Concord Avenue, Cambridge, MA 02138; Special

Materials, Inc., 3628 West Pierce Street, Milwaukee, WI 53215;
York Industries, P.O. Box 233, Linden, NJ 07036; Ametek, Inc.,
c/o Corporation Trust Co., 100 West 10th, NJ 07036; Ametek,
Inc., c/o Corporation Trust Co., 100 West 10th Street, Wilmington,
DE 19801.

(c) November 3, 1981.

(d) United States District Court for the Eastern
District of Pennsylvania, transferred to District of Delaware.

(e) No judgment rendered.

(f) No date established yet.

(g) None to date.

(h) None.

(i) Plaintiff alleges that he contracted diseases
and injuries to his body system, the full extent of which is
not yet determined, including but not limited to asbestosis,
scarred lungs, respiratory disorders, and risk of mesothelioma
and other cancer.

(j) See the Answer to I (j) above.

VII (a) Randolph W. Pannell, address unknown.

(b) Asbestos Corp. of America, Inc.; Hercules, Inc.;
Haveg Industries, Inc., a/k/a Champlain Cable Corp.; Ametek,
successor in interest to Haveg; Huxley Development Co.;
Powhattan Mining Co., and Oy Partek AB, previously trading as
Paraisten Kalkki Oy and Suomi Mineral Oy; Associated
Mineral Corp., A.G., a/k/a North American Asbestos Corp.;
Lukens Chemical; York Industries, 360 Hurst Street, Linden, NJ;
Pacor, Inc. and Special Materials, Inc.

(c) October 22, 1981.

(d) Superior Court State of Delaware in and for New Castle County.

(e) No judgment rendered.

(f) No date established yet.

(g) None to date.

(h) None.

(i) Plaintiff alleges that as a result to exposure to asbestos fiber, he has developed asbestosis and is in the high-risk class for mesothelioma, lung and intestinal cancer and pulmonary disease.

(j) See the Answer to I (j) above.

VIII. (a) Edna Sylvester, executrix of the estate of Charles A. Sylvester and Edna Sylvester, individually, address unknown.

(b) Jersey Central Power & Light Co.; Third-Party Defendants: Asbestos Corp. of America, Inc.; GAF Corp., successor in interest to Rubberoid Co.; Whitaker, Clark & Daniels, Inc.; Asbestos Corp. Ltd., subsidiary of General Dynamics Corp.; The Celotex Corp., successor in interest to Philip-Carey (Cary Canadian Mines, Ltd.); Flintkote Mines, subsidiary to Genstar, Ltd.; and York Insulation Co., 360 Hurst Street, Linden, NJ and Canadian Asbestos Corp.

(c) October 27, 1981.

(d) Superior Court of New Jersey, Law Division, Middlesex County.

(e) No judgment rendered.

(f) No date established yet.

- (g) None to date.
- (h) None.
- (i) Unknown.
- (J) See the Answer to I (j).

IX (a) Jeremiah Weber, address unknown, Petitioner.

(b) General Motors Corp., New Departure-Hyatt Bearings Division, Respondent and Co-Respondents; York Insulation Co. and/or York Industries Corp., 360 Hurst Street, Linden, NJ.

(c) April 18, 1989.

(d) New Jersey Department of Labor and Industry Division of Workers Compensation.

- (e) No judgment rendered.
- (f) No date established yet.
- (g) None to date.
- (h) None.
- (i) Not known.
- (j) None available

X. (a) Mary Penza, executrix of the estate of Carmine Penza and Mary Penza, in her own right, 232 W. Clements Ridge Road, Runnemede, NJ 08078.

(b) Hajoca Company, 127 Colter Avenue, Ardmore, PA 19003; Owens Corning Fiberglass Co., Inc., c/o John Patrick Kelly, Esq., Krusen, Evans and Byrne, 5th Floor, Public Ledger Building, Philadelphia, PA 19106; Owens-Illinois Glass Co., 460 N. Gulph Road, King of Prussia, PA; AC&S Co., 120 N. Lime Street, Lancaster, PA 19763; Asten Hill Manufacturing, 999 West Hill Road, P.O. Box 100, Pottsville, PA 19380; John-Maryville

Corporation, Greenwood Plaza, Denver, CO; GAF Corp., 140 W. 51st Street, Philadelphia, PA 10020, Original Defendants, and Celotex Corp., G&WH Corson Co., York Industries Corp., 360 Hurst Street, Linden, NJ 07036; Keene Corp.; Pacor, Inc., Additional Defendants.

(c) February 17, 1981.

(d) Philadelphia Court of Common Pleas, Civil Div.

(e) No judgment rendered to date.

(f) No date established as yet.

(g) None to date.

(h) None

(i) Plaintiff alleges that Carmine Penza was caused to contract diseases and injuries to his body systems, lungs, respiratory system, heart, and other organs of his body due to exposure to asbestos products, which ultimately caused his demise.

(j) See the Answer to I (j) above.

XI. (a) Leo Smith and Lucille Smith, 271 South Harrison Street, Apt. C, East Orange, NJ.

(b) Johns-Manville Corp.; Johns-Manville Products Corp.; Johns-Manville Sales Corp.; Canadian Johns-Manville Asbestos, Ltd.; Johns-Manville Canada, Inc.; Manville Corp.; Clifford Sheckler; York Insulation and/or their successors and assigns; and John Doe 1 through John Doe 30.

(c) March 30, 1982.

(d) Superior Court of New Jersey Law Division:
Essex County.

(e) No judgment rendered to date.

(f) No date established as yet.

(g) None to date.

(h) None.

(i) Plaintiff alleges he sustained severe, permanent and disabling injuries, including asbestosis and other injuries, including but not limited to diseases of the heart and the respiratory system and actual or potential lung cancer, mesothelioma, other cancers and/or other diseases as a result of alleged exposure to asbestos fiber and paper.

(j) See the Answer to I (j) above.

49. With regard to each product identified in answer to Interrogatory 1 or 8, state whether you have ever received a notice of injury to any other person as a consequence of a condition of asbestosis, asbestos related pleural disease and cancer resulting from the use of that product and, if so:

(a) State the date it was received;

(b) State the name and address of injured person;

(c) Describe in detail the complaint;

(d) Identify each document which reflects, refers or relates to any information pertaining to that complaint;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

49. Answer:

I.(a) February 26, 1982.

(b) York is on notice as a possible Third-Party Defendant by Arthur C. Brett, P.O. Box 298, Boykins, VA.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) All documentation is in the possession of the plaintiff and is not presently known to this Defendant. All documents filed with the courts are available for inspection during normal court hours. Defendants' pertinent business records are available for inspection at Defendant's office at a mutually convenient time.

(e) No oral information received.

II.(a) June 28, 1981.

(b) York is on notice as a possible Third-Party Defendant by Stephen Capoferri, P.O. Box 95, Hammondton, NJ.

(c) The complaint alleges the existence of asbestosis, scarred lungs and pleura, shortness of breath, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both

physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) No oral information received.

III.(a) May 30, 1981.

(b) York is on notice as a possible Third-Party Defendant by Donald S. Foltz, 1021 Salem Road, Cherry Hill, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) No oral information received.

IV.(a) Unknown.

(b) York is on notice as a possible Third-Party Defendant by Theodore P. Gogol, 2516 4th Street, Woodlynne, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities,

expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) No oral information received.

V.(a) March 26, 1982.

(b) York is on notice as a possible Third-Party Defendant by Bernard J. Gurick, 831 Monmouth Street, Gloucester, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) No oral information received.

VI.(a) March 25, 1981.

(b) York is on notice as a possible Third-Party Defendant by Wilbur C. Horan, 9 "B" Road, Audubon Park, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale,

future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or had developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) No oral information received.

VII.(a) May 20, 1981.

(b) York is on notice as a possible Third-Party Defendant by Harry P. Mackin, 406 Lafayette Avenue, Cliffside Park, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) See the Answer to I (e).

VIII.(a) June 8, 1981.

(b) York is on notice as a possible Third-Party Defendant by Nicholas F. Manarevic, 54 Grand Avenue, Ridgefield Park, NJ.

(c) The complaint alleges the existence of asbestosis and cancer, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) See the Answer to I (e).

IX.(a) June 1, 1981.

(b) York is on notice as a possible Third-Party Defendant by Charles Marshall, 218 Middlesex Avenue, Gloucester, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) See the Answer to I (e).

X.(a) May 30, 1981.

(b) York is on notice as a possible Third-Party Defendant by John Joseph Vukich, 111 Elm Avenue, Woodlynne, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) See the Answer to I (e).

XI.(a) June 6, 1981.

(b) York is on notice as a possible Third-Party Defendant by Robert J. Semple, 275 S. Fellowship Road, Maple Shade, NJ.

(c) The complaint alleges the existence of asbestosis, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprivation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to I (d).

(e) See the Answer to I (e).

50. With regard to each product identified in answer to Interrogatory 1 or 8 state whether you have ever been named as a defendant in any other action to recover damages for injuries resulting from cancer including but not limited to mesothelioma received as a result of using that product and, if so:

- (a) State the name and address of each plaintiff;
- (b) State the name and address of each co-defendant;
- (c) State the date it was filed;
- (d) State the name of the court in which it was filed;
- (e) Describe the judgment rendered;
- (f) State the date that has been set for trial of any case still pending;
- (g) Describe the terms of any settlement reached before or during trial;
- (h) State whether any appeal is pending from any judgment that has been rendered.

50. Answer:

I.(a) November 6, 1980.

(b) York is on notice as a possible Third-Party Defendant by Marian Carden, Executrix of the estate of Stern Carden, deceased; and Marian Carden, individually, 1104 West 6th Street, Plainfield, NJ.

(c) The complaint alleges that Stern Carden developed cancer which caused his death, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to Interrogatory 53 I (d).

(e) See the Answer to Interrogatory 53 I (e).

II.(a) November 7, 1981.

(b) York is on notice as a possible Third-Party Defendant by Emma Keilman, executrix of the estate of Kenneth Keilman, deceased; and Emma Keilman, individually, and Kenneth Keilman, Jr., 1021 Colby Avenue, Somerset, NJ.

(c) The complaint alleges that Kenneth Keilman developed mesotheioma which caused his death, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to Interrogatory 53 I (d).

(e) See the Answer to Interrogatory 53 I (e).

(f) To be supplied.

(g) To be supplied.

(h) To be supplied.

III. (a) June 8, 1981.

(b) York is on notice as a possible Third-Party Defendant by Nicholas F. Manarevic, 54 Grand Avenue, Ridgefield Park, NJ.

(c) The complaint alleges the existence of asbestosis and cancer, with increasing risk of developing cancer or corpulmanale, future inability to pursue normal employment and activities, expenditure of monies for medical care and treatment, severe pain and suffering, both physical and psychological, severe anxiety, hysteria or fear, any and all of which may or has developed into a traumatic neurosis, deprevation of the ordinary enjoyment of life, as a result of alleged exposure to asbestos fiber or paper.

(d) See the Answer to Interrogatory 53 I (d).

(e) See the Answer to Interrogatory 53-I (d).

51. With respect to the period from 1950 through 1980, state the names, addresses and company title or position of each person who at any time during that period was in charge of the following activities with regard to each of the products identified in answer to Interrogatory 1 or 8:

- (a) Production;
- (b) Marketing;
- (c) Labeling;
- (d) Advertising;
- (e) Product evaluation;
- (f) Research and development;
- (g) Distribution.

51. Answer: a) Nick Aracich, Secretary until April, 1974
2037 High Street, Union, NJ 07083

Charles M. Thomson, Secretary from 1974 to present. 360 Hurst Street, Linden, NJ 07036

b) Richard H. Jaffer, President until April, 1974
100 Sands Point Road, Apt. 215, Longboat Key, Sarasota, FL 33548

Gabe Marx, President from April 1974 to present
360 Hurst Street, Linden, NJ 07036

- c) See above answers.
- d) n/a.
- e) n/a.
- f) n/a.

52. Identify the living parties or persons who are the most knowledgeable about asbestos mined and products containing asbestos sold and/or distributed by you from 1936 to present. Identify all documents which relate to such sales and/or distribution.

52. Answer: Gabe Marx; purchase orders and sales invoices.

53. Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium dealing with the hazards of using any product identified in answer to Interrogatory 1 or 8 or of asbestos in general and, if so, state:

(a) The date and place of such conference, seminar, lecture or symposium;

(b) The person or persons conducting such conference, seminar, lecture or symposium;

(c) The person or persons who attended on your behalf;

(d) The subject matter of such conference, seminar, lecture or symposium;

(e) The speakers and/or moderators at such conference, seminar, lecture or symposium;

(f) Whether any reports or memoranda were made concerning the subject matter of such conference, seminar, lecture or symposium; identifying each such report or memorandum.

53. Answer: No.

54. Are you familiar with the hearing concerning the dangers of asbestos conducted in March, 1967 before the House of Representatives of the United State Congress Sub-Committee on Labor? If so, identify those persons who are or were associated with you that were familiar with that hearing.

54. Answer: No.

55. State when, if at all, you received knowledge of the following publications or matters discussed therein, who received such knowledge and identify all documents relating to such knowledge:

(a) Fleischer, Viles, Gade and Drinker, "A Health Survey of Pipe-Covering Operations in Construction Naval Vessels," 28 J. Indus. Hyg. 9-16.

(b) Selikoff, et al., "Asbestosis and Neoplasia," 42 Am. J. Med. (1967);

(c) Selikoff, Churg and Hammon, "The Occurrence of Asbestosis Among Industrial Insulation Workers," 132 Ann. New York Acad. Sc. 139 (1965);

(d) "Documentation of the Threshold Limit Values for substances in Workroom Air," A.C.G.I.H. (3rd 1971);

(e) "Threshold Limit Values for 1961," A.C.G.I.H. (1961).

(f) 1906 report by Dr. H. Montague Murray.

(g) 1934 study by Dr. Anthony J. Lanza, Assistant Medical Director of Metropolitan Life Insurance Company.

55. Answer: Never.

56. Identify each publication contained in your research library or otherwise in your custody, including but not by way of limitation, your Research and Development Center, all medical journals, industrial medical journals, industrial hygiene journals, technical literature in the area of asbestos mining, manufacture, application and use, and Governmental

publications, dealing with occupational diseases arising from the manufacture and use of asbestos-containing products. As to all such publications, state the volumes which are in your custody and control, when each such volume was received and the present location of such publications.

56. Answer: None.

57. As to any threshold limit values published by the American Conference of Governmental Industrial Hygienists, state whether you have brought such information to the attention of those using your products. If you have not done so, state the reasons why you have not done so.

57. Answer: Such limits were unknown to this defendant so they were not brought to the attention of those using products sold by this defendant.

58. Have you been: (a) a member of or (b) affiliated in any manner with or (c) received reports or (d) subscribed for reports or publication to the Industrial Hygiene Foundation of Pittsburgh?

58. Answer: No.

59. With regard to Interrogatory 58, what years did you participate under (a), (b), (c) or (d)?

59. Answer: N/A.

60. With regard to Interrogatory 58, do you have any documents obtained from the Industrial Hygiene Foundation? If so:

(a) List all such documents;

(b) Who currently has them in their possession?

(c) When was each received?

(d) State the name of the individuals who received such documents or information contained in such documents.

60. Answer: N/A.

61. Have you received any reports or documents prepared by Metropolitan Life Insurance Company from 1929 to about 1960, concerning statistical and other studies of asbestos workers for Johns-Manville? If so, state:

(a) The documents received;

(b) Who received them and when;

(c) The current location of the documents.

61. Answer: No.

62. State all chemical, industrial, medical or trade associations to which you have belonged since 1936.

62. Answer: None.

63. With regard to the associations enumerated in the answer to Interrogatory 62, state:

(a) The names of each individual associated with the answering defendant since that date who have had dealings with each said association;

(b) Describe the nature of their dealings with each such association;

(c) State their last known address;

(d) If still employed, their current job and title.

63. Answer: N/A.

64. Name each corporate officer and/or member of corporate management who attended any meeting and/or conference

concerning the health and medical aspects of asbestos and/or the use of products containing asbestos, and for each person identified, state the nature of his participation in each such meeting or conference.

64. Answer: None.

65. State the sources of all products containing asbestos which have been incorporated in any product manufactured by you which have been distributed, sold and/or utilized from 1936 to 1980.

(a) State the names of all individuals associated with the above stated sources who dealt with or handled your account;

(b) Identify any such document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

65. Answer: Defendant did not manufacture any product.

66. For each product identified in the answer to Interrogatory 1 or 8, which you distributed, identify the source from which you obtained the product.

(a) State the names of all individuals associated with the above stated sources who dealt with or handled your account and specify who handled your account for products distributed to Delaware;

(b) Identify any such documents which refer, reflect or relate to any information provided in answer to this interrogatory

66. Answer: Unknown but dealt with John-Mansville and Philip Carey. (a) John-Mansville, Anthony Boisclair, Philip Carey- no particular individual names are known. (b) In our office available for inspection.

67. State the names of all individuals associated with you who had any dealings with the requisition and/or procurement of asbestos or products containing asbestos as indicated in answer to Interrogatories 65 and 66 and for each such person:

(a) Identify the nature of his association(s), the locations and the dates of their occurrence;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

67. Answer: N/A.

68. State the names of all individuals who dealt with or handled the account with and/or made any sales to the employer of the Plaintiff of asbestos and/or products containing asbestos.

(a) Describe in detail the nature and dates of each such association with the said accounts;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

68. Answer: Haveg dealt with defendant's personnel over

(b) Identify any such documents which refer, reflect or relate to any information provided in answer to this interrogatory.

66. Answer:

67. State the names of all individuals associated with you who had any dealings with the requisition and/or procurement of asbestos or products containing asbestos as indicated in answer to interrogatories 65 and 66 and for each such person:

(a) Identify the nature of his association(s), the locations and the dates of their occurrence;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

67. Answer: N/A.

68. State the names of all individuals who dealt with or handled the account with and/or made any sales to the employer of the Plaintiff of asbestos and/or products containing asbestos.

(a) Describe in detail the nature and dates of each such association with the said accounts;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

68. Answer: Haveq dealt with defendant's personnel over

the phone and placed orders from 1975-1978. Names of specific personnel are unknown.

69. Identify each individual whom you expect to call as an expert witness at the trial of this litigation, and for each person identified:

(a) The subject on which the expert is expected to testify and the substance of the facts and opinions to which he or she is expected to testify and a summary of the grounds for each opinion;

(b) Identify each document referring, relating or containing any such facts and/or opinions and identify each individual having custody of each document identified.

69. Answer: Not determined at this time.

70. Identify each individual who you have retained or employed or anticipate retaining or employing in any way in preparation of or anticipation of trial in this litigation who is not expected to be called as a witness at trial, and for each such individual:

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or containing such facts and/or opinions, and identify each person having custody of each document identified.

70. Answer: Not determined at this time.

71. State the names, last known addresses and telephone numbers of each and every person whom you intend to call as a witness at the trial of this litigation.

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or containing such facts and/or opinions, and identify each person having custody of each document identified.

(c) Specify witnesses you intend to use at the trial of this case with respect to the occurrences and/or cause of plaintiffs' illnesses or with respect to the claimed damages or with respect to your liability.

71. Answer: Not determined at this time.

72. State:

(a) Whether your corporation is insured;

(b) If so, the limits of coverage;

(c) The name of the insurance company;

(d) Whether this claim has been accepted or whether a letter of intent to deny coverage has been received.

72. Answer: a) Yes.
b) \$500,000
c) 1974 - Hartford
1975-1976 - INA
1976-1978 - American Home
d) Claim is behind defended under a reservation of rights.

73. In whose possession are your and your predecessors' annual reports from 1936 to the present? Produce such reports.

73. Answer: This defendant does not have annual reports.

74. Describe in detail your policy with respect to the destruction of records pertaining to each of the products identified in answer to Interrogatory 1.

(a) Identify all documents pertaining to your policy, if any, regarding the destruction of such records;

(b) Identify the person or persons having custody of such policy documents;

(c) Identify the person or persons in charge of destroying records pertaining to each such products;

(d) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

(e) Describe what steps, if any, you have taken since the institution of this action or other actions involving asbestos to prevent the destruction of any documents relating to asbestos.

74. Answer: Defendant's records are destroyed in accordance with the law concerning limitations of contracts and negligence actions.

75. State the names of all individuals who aided in the preparation of these answers, and for each such person, state:

(a) Which interrogatories they helped prepare or the particular subject area for which they supplied information.

- (b) Their current position with the company;
- (c) Their current or last known home and business address and phone numbers.

75. Answer: Gabe Marx, President, 360 Hurst St. Linden, NJ
Charles M. Thomson, Secretary, 360 Hurst St.,
Linden, NJ. Max Glassman, Esq. Corporate Counsel,
225 Millburn Avenue, P. O. Box 723, Millburn, NJ
07041.

76. State all processes used by plaintiff's employer,
known to any defendant where asbestos was an ingredient.

76. Answer: Unknown.

77. State all use of asbestos insulation by plaintiff's
employer, known to any defendant.

- (a) Types of asbestos insulation used;
- (b) Manufacturer and/or brand names;
- (c) Locations in said plants where said insulation
was used;
- (d) The person most knowledgeable in said corporation
about the purchasing of insulation by distributors that covered
the states of New Jersey, Delaware, Pennsylvania and Maryland.

77. Answer: Unknown.

78. If you have insurance including secondary or tertiary
coverage, state:

- (a) Policy number and amount;
- (b) Company underwriting said insurance;
- (c) The name of your contact in said company concerning
asbestos claims.

78. Answer: To be supplied.

79. State whether you have entered into any agreement, either oral or written with any other defendant in this action regarding

(1) Settlement or non-settlement and/or

(2) Allocation of damages, should the plaintiffs prevail on liability. If the answer is yes to either of the above, state the substance of each such agreement and such parties who have entered into this agreement:

(a) Identify those persons who participated in the preparation of each such agreement and describe in detail the nature and extent of his participation; and

(b) Identify each document which contains, refers or relates to each such agreement.

79. Answer: No.

80. Do you or your attorneys know of any person or persons not listed in the preceding answers having knowledge of facts relevant to the allegations in this lawsuit including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you, the present whereabouts of all such persons, and which of said persons you intend to produce as witnesses in the trial of this action.

80. Answer: Not other than has been disclosed by discovery.

81. Do you or your attorneys have any written statements which you have not previously produced in this suite from any persons having knowledge of facts relevant to the subject

matter of this lawsuit, including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you and the present whereabouts of all such persons.

81. Answer: No.

82. State whether you were a member of the Asbestos Information Association (A.I.A.) or in any manner received information or participated in any of the association's activities.

82. Answer: No.

83. If your answer to any part of Interrogatory 82 is in the affirmative, please state:

(a) The date, times and places of any A.I.A. meetings attended.

(b) The date and time period during which you received any publication of the A.I.A.

(c) The name, address and telephone number of each and every person who attended such meetings and to whom any such publications were sent.

(d) The nature of the information that was furnished at meetings or in such publications.

(e) Name, address and telephone number of the present or last known custodian of any copies of A.I.A. newsletters, correspondence or publications.

83. Answer: N/A.

84. State whether you received a publication known as the "Asbestos Magazine".

84. Answer: Yes.

85. If your answer to Interrogatory 84 is in the affirmative, please state:

(a) The date and time periods during which you received such publication.

(b) The frequency of receipt, e.g., regularly, occasionally, rarely, etc.

(c) The terms, circumstances or requirements of receipt of such publication, e.g., free, by subscription, distributed at meetings, etc.

(d) Name, address and telephone number of the present or last known custodian of any copies of such magazine.

85. Answer: (a) Approx. 1974-1976. (b) Believes quarterly.
(c) Subscription. (d) Unknown whether any copies remain in defendant's possession.

86. Does the answering defendant have in its possession any medical records, not previously produced in this case relating to any of the plaintiffs, including, but not limited to, charts, x-rays, physical examination reports, summaries, tape recordings of interviews and any and all other records pertaining to the medical condition of the plaintiffs? If so, plaintiffs request that such records be produced in accordance with Rule 34.

86. Answer: No.

87. With respect to each contention contained in your response to the Complaint, state the following:

(a) Identify which defense it relates to;

(b) Each fact upon which your contention is based;

(c) The names and present or last known addresses and present or last known employer of all persons having knowledge of any of the facts set out in answer to subparagraph (b) hereof;

(d) The description or designation of each document which in any way reflects, relates or refers to any of the facts set out in answer to subparagraph (b) hereof.

87. Answer: Objected to as unduly burdensome, irrelevant and not designed to lead to any discoverable evidence admissible at trial.

88. Other than annual reports produced pursuant to No. 73 above, identify documents which accurately reflect the following information as to the answering defendant for each calendar year since 1940:

(a) Total net worth;

(b) Profits;

(c) Total earnings;

(d) Specific earnings attributed to the manufacture and/or distribution of any products containing asbestos.

88. Answer: Company books.

AUG 18 1983

A F F I D A V I T

STATE OF NEW JERSEY

:

SS

COUNTY OF UNION

:

I, GABE MARX

being

duly sworn do depose and say that the attached answers
to interrogatories are true and correct to the best of
my information, knowledge and belief.

Gabe Marx

SWORN TO AND SUBSCRIBED before me, a Notary
Public, this 16TH day of AUGUST , 19 83

Filomena Iardi
NOTARY PUBLIC

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 8, 1985



AFFIDAVIT OF MAILING
LOGAN

The undersigned, an employee of Tybout, Redfearn, Casarino & Pell, hereby swears that she deposited in the mailbox at 300 Delaware Avenue, Wilmington, DE on *August 18, 1983* the attached document addressed to:

James Kipp, Esq.
P.O. Box 429
Wilmington, DE 19899

Mary Pat Trostle, Esq.
P.O. Box 1489
Wilmington, DE 19899

Walter Pepperman, Esq.
P.O. Box 1347
Wilmington, DE 19899

Warren Burt, Esq.
700 Market Tower
Wilmington, DE 19899

Roger Akin, Esq.
P.O. Box 112
Wilmington, DE 19899

Douglas Catts, Esq.
P.O. Box 497
Dover, DE 19901

Richard Hannum, Esq.
P.O. Box 1328
Wilmington, DE 19899

J. R. Julian, Esq.
P.O. Box 2171
Wilmington, DE 19899

Stuart Young, Esq.
P.O. Box 391
Wilmington, DE 19899

James McKinstry, Esq.
P.O. Box 551
Wilmington, DE 19899

Robert Jacobs, Esq.
P.O. Box 2223
Wilmington, DE 19899

Thomas Herlihy, III, Esq.
805 Market Tower
Wilmington, DE 19801

James W. Semple, Esq.
264 Delaware Trust Building
Wilmington, DE 19801

Deborah J. Rusbach

SWORN AND DEPOSED BEFORE ME THIS

18th DAY OF August, 19

Marion F. Lindberg
NOTARY PUBLIC