



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

RE: ALL ASBESTOS CASES PRESENTLY PENDING BEFORE
AND ALL FUTURE CASES ASSIGNED TO THE HONORABLE
ROBERT J. COLOMBO, CIRCUIT COURT JUDGE

Plaintiffs,

JUDGE: Case No. «CASENO»
ROBERT J. COLOMBO, JR.

«DEFENDENT», et al.,

Defendants.

_____/
Attorneys for Plaintiffs

Attorneys for Defendant

TO: THE DEFENDANTS AND THEIR ATTORNEYS,

PLAINTIFFS' STANDARD INTERROGATORIES #31 TO DEFENDANT
*** and REQUEST FOR PRODUCTION OF DOCUMENTS-**

PLEASE TAKE NOTICE that pursuant to rules 2.309 and 2.310 of the Michigan Court Rules as well as this Court's Asbestos Case Management Order No. 14, dated November 21, 2003, Defendants are hereby directed to file answers to the following Interrogatories and Produce such documents as are identified in this Request for Production of Documents within one-hundred and eighty (182) days after the date complaint was filed. If Defendant was added by an amendment to the pleadings, Defendant shall answer within 63 days of the date Defendant was served with the amended complaint or within 182 days of the filing of the original complaint, whichever is later. Otherwise responses are due within 28 days pursuant to the Michigan Court Rules.

These Interrogatories and Request for Production of Documents are continuing so as to



require supplemental answers and responses promptly within a reasonable time prior to trial if additional information with respect to these Interrogatories and Requests is obtained by any Defendant or its counsel. Such supplemental responses must include the date upon and the manner in which such additional or different information or documents came to your attention.

INSTRUCTIONS

THESE INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS ARE TO BE ANSWERED SEPARATELY FOR EACH DEFENDANT YOU REPRESENT

A. Pursuant to the Courts Case Management Order Defendant is required to furnish all information in your possession and all information available to you. This includes, but is not limited to, information you know from personal knowledge, business records and all information and knowledge that is available to you, your employees, officers and agents, attorneys, investigators, etc., by reasonable inquiry including inquiry of their representatives.

B. If you are unable to answer any of the following Interrogatories completely, answer to the extent possible, specifically stating the reason for your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portion.

C. To the extent that a specific answer depends on a social security printout, the answer shall be filed and served within sixty (60) days from the receipt of such printout.

D. Unless otherwise specified, each of these Interrogatories and the Request for Production of Documents applies to the time period from 1920 until the present.

E. Should the Defendant assert a privilege with respect to any document requested to be identified herein, or any information responsive to an Interrogatory or the Request for Production, Defendant is requested to provide the following as to each such document or item of



information:

1. The type of document or information (e.g., letter, notebook, telephone conversation, etc.);
2. The date of the document or transaction involving the information;
3. Identification of the author and/or all participants with respect to the information;
4. Identification of the signatory or signatories of the document, if any;
5. Identification of the document's current custodian;
6. The present whereabouts of the document and/or the names of all persons with personal knowledge with respect to the information.;
7. A statement of the grounds on which the claim of privilege rests with respect to each such document or piece of information withheld. ;

F. The following Interrogatories and Request for Production are directed to and are to be answered by all predecessors, organizational units including divisions and subsidiaries of Defendant, and corporations or entities purchased, assumed or in any other manner acquired by the Defendant or any of its predecessors or subsidiaries at any time.

G. The answers must be signed and sworn to by the person making answer to the Interrogatories.

EXPLANATIONS AND DEFINITIONS

This document contains both Interrogatories and a Request for Production of Documents. The documents to be produced include those documents identified by responses to the Interrogatories contained herein and all other documents otherwise requested. For the convenience of the Defendant and to prevent the necessity for duplicative answers, the



Interrogatories and the Request for Production of Documents are being propounded concurrently.

As used in these Interrogatories and Requests for Production of Documents, the following words and terms shall mean and include the following:

A. "Plaintiff" means the named Plaintiff or the decedent if the action is one for wrongful death.

B. "Defendant" or any synonym thereof means the Defendant corporation answering these Interrogatories and Request for Production of Documents, as well as all predecessors-in-interest, divisions, subsidiaries, agents, servants and employees, officers, executives, directors, private investigators, attorneys, representatives or others who are in possession of or who may have obtained information or knowledge for or on behalf of the Defendant.

C. "You" or "Your" unless otherwise specified means the Defendant, Defendant's predecessors, divisions and subsidiaries. Present tense should be construed as also including past tense, and masculine terms encompass feminine.

D. "Representative" is meant to be liberally construed and shall include, but not be limited to, all agents, employees, officials, officers, executives, directors, attorneys, consultants and any others who directly or indirectly represent in any manner the Defendant.

E. "Corporation" means any division, subsidiary, company or business entity affiliated with Defendant.

F. "Predecessor" means any corporation, business entity, subsidiary, division or assets at any time acquired by the Defendant through any means including merger, consolidation, stock purchase, asset purchase, assumption, etc.

G. "Document" is an all inclusive term and means the original or any copy or



reproduction of a writing or other form of a record preserving information, whether or not in the possession, custody or control of Defendant and whether or not claimed to be privileged against discovery on any ground, including, but not limited to, reports, records, lists, memoranda, minutes of meetings, diaries, vouchers, correspondence, accounts, telegrams, communications, schedules, photographs, drawings, plans, charts, ledgers, computer printouts, invoices, purchase orders, checks, shipping and/or receiving, recordings, films or any other form of preserved information.

H. "Identify" as the term is used herein shall have the following meaning:

1. When identifying a person, to give such person's:
 - a. Full name;
 - b. Last known business address and last known residence address, if person is retired and receiving a pension the address where pension is sent;
 - c. Present or last known affiliation and position, and position and business affiliation at the time relevant to the request to identify and any professional degrees held;
 - d. Exact or approximate date and place of death, if deceased;
2. When identifying a document to:
 - a. State the author thereof, any and all parties thereto and, if the case, the name of the person who signed the document;
 - b. State its title, number, file designation, code or other identifying date (Litigation System Reference if one has been adopted by Defendant or its counsel);



- c. State the number of pages, if the document contains more than one page;
 - d. Describe any attachments or supplemental items incorporated with the document;
 - e. State the date on which the document was prepared or, if not known, the approximate date;
 - f. State the date appearing on the document;
 - g. State the transaction, act or occurrence to which each document relates and the substance of the document;
 - h. State general description of the document;
 - i. If the document was but no longer is, in the possession of the Defendant or subject to Defendant's control, state what disposition was made of it;
 - j. State the names of the recipients of the original and every copy known to Defendant;
 - k. Identify the present or last known custodian and location of the document;
3. When identifying an oral communication to:
- a. Identify the person who made the communication and person(s) to whom the communication was directed;
 - b. Give the date, time and place of the communication;
 - c. Give the contents of the communication in as verbatim a form as possible;



- d. Identify any other persons present when the communication was made;
- e. Identify any documents relating to the communication;
- 4. When identifying an organization or business entity to:
 - a. Give the formal title of the organization or entity;
 - b. State its business address.

I. "Produce" means attach, make available or authorize the obtaining of any materials or documents requested to be produced, said production or making available to be for the purpose of inspection and/or copying.

J. "Asbestos-containing products" means any and all components, materials, parts, products, supplies, goods, and or equipment which, contains or includes asbestos in whole or in any mixture with other products or materials, which have been distributed, fabricated, installed, manufactured, marketed, sold, supplied and/or used for any and all purposes. Asbestos containing products include but are not limited to fiber, blankets, block, board, brake lining or discs, cable/wire, caulking, cement, coating, cloth, compounds, clutch facings, dry wall products, fireproofing, friction products, component parts, curtains and/or blankets, electrical insulation or components, felt, fireproofing, gasket material, joint compounds, packing, paper, plaster products, rope, tape, thread, tubing, sheeting, sleeves, yarn, roping, protective safety clothing, pipes, pipe covering, ceiling and/or floor tiles, sprays, hot top materials, thin-set cement, refractories, castables and any other building construction materials, insulation, products, supplies, materials, goods and/or equipment containing asbestos.

K. The terms "installation" and "use" does not include Defendants installation and use of the above products in the construction and maintenance of Defendants own facilities.



INTERROGATORIES

1. Identify each person who has provided any information used in answering these Interrogatories on behalf of the Defendant.
2. Identify all documents used or referred to in connection with the preparation of or answers to these Interrogatories and state the number of the Interrogatory and its subpart as to each such document.
3. State whether or not Defendant is a corporation; if so, please state your correct corporate name, the state of your incorporation and the address of your principal place of business.
4. State whether or not Defendant or its predecessor(s), divisions or subsidiaries has ever held a certificate of authority to do business or is otherwise licensed to do business in the State of Michigan and/or has ever regularly conducted business in Michigan. If the answer is yes, please state the date or dates on which such certificate of authority and/or license was obtained and/or during which such business was regularly conducted in Michigan.
5. Describe in detail Defendant's complete corporate history including any mergers, consolidations, divisions, subsidiaries, predecessors, prior names, asset purchases, acquisitions or spin-offs having to do with the mining of asbestos fibers, distribution, fabrication, installation, manufacture, marketing, sale, supply, use or otherwise placing in the stream of commerce any asbestos-containing products. In addition:
 - A. If you have sold any asbestos product line or stock in a company dealing in asbestos-containing products, state the date of the sale and identify the purchaser;
 - B. Identify each document related to the history of any transaction(s) set



forth in answer to this Interrogatory.

6. Please state whether or not the Defendant or any of its predecessors, divisions or subsidiaries at any time purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity engaged in the mining of asbestos fibers, distribution, fabrication, installation, manufacture, marketing, sale, supply, use or otherwise placing into the stream of commerce asbestos-containing products. If so please identify each document governing the terms and conditions of any such transaction and/or acquisition, and state:

- A. The name of each corporation or entity acquired by Defendant and the name of Defendant at the time of acquisition;
- B. The manner in which each such corporation or entity, or interest therein, was acquired (e.g., assets purchased, merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);
- C. The date of each such acquisition;
- D. The state in which each such acquisition was effected;
- E. The state law governing each such acquisition if specified by contract;
- F. The state of incorporation and principal place of business of each corporation acquired or of each corporation in which an interest was acquired; and
- G. Whether Defendant became legally responsible for the past torts of each such corporation or entity.

7. Please state which of the following are encompassed by Defendant's answers to these Interrogatories:



- A. Organizational units of the Defendant;
- B. Predecessors of the Defendant;
- C. Subsidiaries of the Defendant;
- D. Corporations or entities purchased, assumed or in any other manner acquired by the Defendant or any of its predecessors or subsidiaries at any time.

8. If Defendant has declined to answer these Interrogatories with respect to any corporation, subsidiary, predecessor, assets and/or liabilities referenced in the preceding Answers to Interrogatory, state the basis for refusing to answer.

9. Please state whether or not Defendant, Defendant's predecessors, divisions or subsidiary companies at any time engaged in the distribution, marketing, mining, milling, producing, processing, supply, sale or otherwise placed in the stream of commerce asbestos fibers. If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area into which you claim the asbestos was sold.
- F. The type of asbestos fiber.
- G. The name of the business entity involved.

10. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, engaged in the fabrication, manufacture or production of asbestos-containing products. If so, please state;



- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why.
- E. The geographical area into which these activities took place.
- F. The name of business entity involved.

11. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, engaged in the distribution, marketing, supply, sale and/or otherwise placed in the stream of commerce asbestos-containing products? If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area which you claim the activities took place.
- F. The name of the business entity involved.

12. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, engaged in the installation and or use of asbestos-containing products? If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area which you claim the activities took place.



F. The name of business entity involved.

13. Please identify any goods, machinery, and/or equipment which Defendant ever manufactured, supplied, designed or constructed which contained any asbestos components or asbestos parts or which had engineering specifications which incorporated or called for the use of asbestos-containing products. As to each such product, please state the following:

- A. The identity and/or description of the goods, machinery and/or equipment;
- B. The identity of the asbestos-containing components or parts;
- C. The location on the goods, machinery and/or equipment where asbestos was used, applied and/or called for by the design or specifications.
- D. The identity and location of any documents concerning the design, construction, specifications, blueprints and/or work orders concerning the product, machinery and/or equipment discussed in this interrogatory.
- E. The name of the business entity involved.

14. If interrogatory number 13 above is not answered in the affirmative, has defendant ever acted as a supplier/distributor or placed in the stream of commerce pre-manufactured asbestos products, equipment, or goods? If so, please state:

- A. The date such activity began;
- B. The date when such activity was terminated;
- C. The geographical area such activity took place.
- D. The name of the business entity involved.

15. Has defendant ever utilized or incorporated pre-manufactured asbestos-



containing products on any jobs they have been involved with, either directly or indirectly, as a contractor, designer or engineering firm? If so, please state:

- A. The date such activity began;
- B. The date when such activity was terminated;
- C. The type(s) of asbestos-containing products utilized;
- D. The names and addresses of all suppliers of said asbestos-containing products.
- E. The reason for such use of these asbestos-containing products.
- F. The geographical location where such activity took place.
- G. The name of the business entity involved.

16. Has defendant ever designed, engineered, manufactured, built and/or supplied equipment that specified, incorporated and/or utilized in its design, construction, specifications and/or installation the use of any asbestos-containing products? If so, state:

- A. What type of equipment (i.e. boilers, cranes, furnaces, presses, pumps, turbines, etc.) and trade name of equipment;
- B. Was defendant the designer, engineer, manufacturer, installer or contractor of equipment;
- C. For each piece of equipment, what type of asbestos-containing products were specified, incorporated and/or utilized in this equipment?
- D. Who was the manufacturer and/or supplier of the asbestos-containing products.
- E. The name of business entity manufacturing the equipment.

17. For the period 1920 to date, state the addresses of each facility, building,



mine/mill or location which was used by you as a fabricating, mining, milling, manufacturing or processing facility of asbestos or asbestos-containing products; and further state the inclusive dates such facilities were in operation.

18. Please list each asbestos-containing product distributed, fabricated, installed, manufactured, marketed, mined, processed, produced, sold, supplied or otherwise placed in the stream of commerce by Defendant, Defendant's predecessors, and Defendant's divisions or subsidiaries at any time since 1930; and please state the following for each named product:

- A. The year it was first mined, manufactured, sold, marketed, distributed, and if discontinued, the year and the reason such mining, manufacture, sale, marketing or distribution stopped;
- B. The years during which the product was mined, manufactured, sold, marketed or distributed;
- C. Whether or not said product was ever manufactured, sold, marketed or distributed in the State of Michigan, and the time period during which such manufacture, sale, marketing or distributing took place;
- D. The name and address, per year, and per product, of each customer in the State of Michigan purchasing in excess of \$1,000.00 per year of a product during any year;
- E. The address(es) at which the product was mined or manufactured;
- F. Whether any documents of any kind indicating or reflecting such sale or supply exist (including, but not limited to, invoices, bid and specification sheets, purchase records, confirmations, bills of lading, accounts payable or accounts receivable records, etc.) and if so, please identify each such



document.

19. Please state the following for each asbestos-containing product distributed, fabricated, incorporated, installed, manufactured, marketed, mined, processed, sold, supplied, used and/or otherwise placed in the stream of commerce by Defendant, Defendant's predecessors, and Defendant's divisions or subsidiaries at any time since 1930:

- A. Its generic name, trade and/or brand name;
- B. Any common, popular or slang names by which the product was referred;
- C. Its chemical composition (including the specific asbestos fiber type(s) – e.g., amosite, chrysotile, or crocidolite – and percentage by weight of each asbestos fiber type contained in the product, as well as the identity and percentage by weight of all other ingredients of the product);
- D. The intended use of the product, including the temperature ranges for which the product was recommended;
- E. The form in which the product was shipped (i.e., burlap bags, paper bags, drums, cardboard boxes, wooden crates, etc.), including the size of the container(s);
- F. The name of the company distributing, fabricating, installing, incorporating, manufacturing, marketing, mining, processing, selling, supplying and/or placing product in stream of commerce said product(s), if not the Defendant;
- G. A detailed description of the Intended method of preparation and application of the product;
- H. A description of the physical appearance of the product, including color



and texture;

- I. A description of any logos, writing, impressions or identifying markings which appeared on the product, as well as describing the package used, the date that type of package was used, and any writings, trademarks, etc. which appeared on the package;
 - J. Identify each individual who participated in the design, preparation and approval of the company manufacturing specifications for the product;
 - K. Whether the product has been altered in chemical composition since first being made. If so, please state as to each such alteration:
 - (1) The date of alteration;
 - (2) The nature of the alteration;
 - (3) The reason for the alteration;
 - (4) Identify the person recommending or approving such alteration;
 - (5) Whether there were any studies, evaluations or tests made in connection with the alteration, and if so, identify each such study.
 - L. Whether the product could be used interchangeably with products of other manufacturers, distributors or sellers and if so, please identify each such product and its manufacturer.
 - M. Identify and produce any and all documents, catalogs, brochures, pamphlets, etc. which describe, depict and or mention the product and its uses.
20. Please state whether any of the asbestos-containing products in the preceding



Interrogatory was ever distributed, incorporated, installed, manufactured, marketed, sold, supplied or placed in the stream of commerce to any location within the State of Michigan, and if so, please state the following as to each such sale or occasion on which each product was provided:

- A. Date of sale or supply;
- B. Amount supplied;
- C. Purchaser or organization supplied, including location of shipment.
- D. Identify and produce any documents that exist or reflect such sale or supply.

21. Please identify each agent, distributor or wholesaler of your asbestos-containing equipment, components, products and/or asbestos-related services since 1930 in Michigan. For each agent, distributor or wholesaler, please state:

- A. Their last known address;
- B. The years of the relationship;
- C. Whether there was a written distributorship agreement;
- D. Whether the distributorship was exclusive;
- E. Identify and produce all documents pertaining to the distributor or wholesaler relationship.

22. Did you or do you have any sales offices in Michigan. If so, please state as to each such sales office:

- A. Its address and years of operation;
- B. Identify all managers from 1930 through 1985 and the years during which they served;



- C. Identify all sales personnel from 1930 through 1985 and the years during which they served.
- D. Provide last known addresses of the managers and sales personnel.

23. If the answer to the preceding Interrogatory is negative, identify which of your sales personnel were responsible for sales into Michigan from 1930 through 1985, during what years, their last known address and the identity and address of their last known employer and which if any are still your employees?

24. Please identify by location and product produced, each plant in which asbestos products, components and/or equipment listed in your answers to Interrogatory Nos. 8-20, have been manufactured and/or assembled and the dates said plants have been in operation.

25. Do any documents, including written memoranda, company specifications, product catalogs, parts manuals, blueprints or other written materials of any kind or character relating to the design, preparations, or chemical composition of the products, components listed in answer to Interrogatory Nos. 8-20 now exist? If so, please identify each such document.

26. Does a patent exist or did a patent exist for any of the products listed in answer to Interrogatory Nos. 8-20. If so, for each such product, please state:

- A. The number of the patent;
- B. The date same was issued;
- C. The number of each patent application that is pending,

27. Please state the name and address of each business entity from whom the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries have ever bought or received asbestos fiber and as to each such transaction please state the following:

- A. The date of each sale or providing of asbestos fiber as well as the amount



or quantity received;

- B. The seller or provider of the asbestos fiber;
- C. The type of asbestos fiber sold or provided (e.g., amosite, chrysotile, or crocidolite);
- D. The use made of each sale or supply of asbestos fiber.
- E. Within what time frame;
- F. What type and grade of asbestos and in what form;
- G. To which of your factories shipment was made;
- H. What was manufactured from the asbestos;
- I. Did the supplier etc., ever warn or otherwise caution or instruct regarding the dangerous propensities of their asbestos or the manner in which it should be used?
- J. If so, state when such warnings were received;
- K. In what form such warnings were received;
- L. To whom such warnings were addressed;
- M. Whether you presently have copies of such warnings.

28. Did Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever distribute, install, incorporate, fabricate, market, sell, supply or otherwise place in the stream of commerce any asbestos-containing products or goods manufactured by someone else? If so, please state the following for each such product:

- A. The name and address of the manufacturer;
- B. The fiber or product's trade and brand name;
- C. Date(s) beginning, ending and during which the marketing or distributing



took place;

- D. Whether the product was distributed through the same channels as those used for products manufactured by Defendant, and if not, please explain the exact channels of distribution;
- E. Identify all documents relating to the marketing or distribution.
- F. Identify the Defendant's business entity involved.

29. Regarding the products described in Interrogatory Nos. 8-20, 27 and 28, please describe in detail the packaging of this product, any writings, trademarks, warnings, etc., which appeared on it as well as the dates such packaging was used.

30. Did Defendant, Defendant's predecessors or Defendant's divisions or subsidiaries ever purchase or sell any asbestos-containing product and rebrand the product, or allow or cause it to be rebranded? If so, please state the following as to each such rebranded product:

- A. The original brand name, trade name and manufacturer of the product;
- B. Who performed the physical rebranding and where was it accomplished;
- C. Brand name and trade name used after the rebranding;
- D. User or seller of the product after rebranding;
- E. Dates beginning, ending and during which the rebranding of the product took place;
- F. Identify all documents reflecting any terms or conditions incident to the rebranding of a product;
- G. Summarize the financial consideration (including amounts) between the participants in the rebranding arrangement.

31. Regarding the products described in Interrogatory No. 30, please describe in



detail the packaging of the product before and after rebranding, with a description of any writings, trademarks, warnings, etc. which may have appeared on the package, together with dates of such packaging.

32. Did the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time distribute, fabricate, market, manufacture, sell, supply any asbestos-containing product, which was sold to another manufacturer or distributor/vendor of asbestos-containing products or goods? If so, please state the following for each such product:

- A. The name and address of the other manufacturer;
- B. The products trade name and brand name;
- C. Dates beginning, ending, and during which the sales took place;
- D. Identify all documents relating to the sales;
- E. Summarize the financial consideration (including amounts) between the participants in the sale.

33. Regarding the products described in Interrogatory No. 32, please describe in detail the packaging of the product before and after the sale, with a description of any writings, trademarks, warnings, etc. which may have appeared on the package, including dates of such packaging.

34. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever performed contracting, service work, maintenance or repairs within the State of Michigan, and if so, state the following as to each such business unit which performed contracting or service work within the State of Michigan:

- A. The name of the business and the years of its operation as a contractor in Michigan;



- B. All business addresses out of which it operated, and the function of each such address as well as its years in use;
- C. The counties in Michigan and/or specific portion of the State in which contracting or service work was done;
- D. The types of facilities in which contracting or service work was done (e.g., automobile, manufacturing, power/generating and chemical facilities, or small commercial buildings and schools, etc.);
- E. The nature of the type of work and/or any specialization applicable to the business (e.g., boiler installation, furnace conversions, mechanical equipment/piping, maintenance, repair, service and/or new installation), and the years of each specialization;
- F. The average number of employees on the payroll at a time in each year of operation of the business;
- G. On the average, the number of construction/contract projects requiring more than two employees running simultaneously in each year of operation;
- H. Identify all management personnel of the business in each year of its operation, from general foreman or superintendent (or their counterpart) up to chief executive officer, with their titles, as well as the years in which each such person held each management titles;
- I. Identify any and all manufacturers of asbestos-containing products from which you purchased materials from and state the years and products purchased from each such manufacturer;



- J. Identify any and all Michigan contractors, distributors, wholesalers and/or other businesses from which you purchased asbestos-containing products and state the years and products purchased from each such contractor, distributor, wholesaler and/or other business;
- K. Whether the Defendant's business ever served as a distributor of a particular manufacturer's products or materials{as defined in Explanations and Definitions, Paragraph (J), whether or not defendant knew the products contained asbestos}, and if so, state the years, terms and products encompassed by this distribution arrangement;
- L. What manufacturer(s) manufactured the largest portion of the asbestos-containing products used by or incorporated into a product by the Defendant's business in each year of its operation, and identify each such product;
- M. What distributor, supplier and/or seller supplied the largest portion of the asbestos-containing products used or incorporated into a product by the business in each year of its operation, and identify each such product;
- N. Identify the twenty (20) largest contracting and/or service jobs you performed in Michigan from 1945 to 1980, state the years and months during which your employees worked on each such job, describe in general the nature of the work on each such job performed, and state the average number of employees and trades of employees, employed at a time on each such job;
- O. Identify all contracting jobs or service work the business performed from



1945 to 1975 which lasted one month or longer, state the years and months for each such job, describe in general the nature of the work performed on each such job, and state the average number of employees at a time on each such job;

- P. Identify all contracting jobs or service work the business performed from 1945 to 1975 on which another contractor was also on site doing contracting work, identify the name of each such contractor, state the years and months during which both contractor were working at the same jobsite, and describe in general the nature of the work being done by each contractor;
- Q. When did the Defendant's business begin to phase out the use of asbestos-containing products in new applications, and when did your employees last apply asbestos-containing products on a job;
- R. Describe in general what records remain of your past purchases of asbestos-containing products and your past contracting/service jobs, state the time period encompassed by such records still in existence, and identify the current custodian and location of all such records;
- S. Were any records encompassed in the preceding subpart destroyed or disposed of within the last five (5) years, and if so, state by whom, and explain in detail the circumstances of each such destruction or other disposition;
- T. Did the business ever regularly sell asbestos-containing materials to other Michigan contractors, and if so, identify all such contractors who



purchased from the business, the years of such sales, the products sold, and identify all documents pertaining to such sales.

35. Did Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever enter into any multi-state distribution agreement with any miner or miller of asbestos fiber and/or manufacturer of asbestos-containing products or goods? If so, please state the following as to each such agreement:

- A. The party with whom the agreement was entered into;
- B. Effective dates and period of the agreement;
- C. Product(s) involved;
- D. Geographic areas where the product(s) were distributed;
- E. Identify all documents relating to the agreement.
- F. Identify the products Defendant agreed to distribute.

36. Regarding the products described in Interrogatory No. 35, please describe in detail the packaging of the product before and after rebranding, with a description of any writings, trademarks, warnings, etc. which may have appeared on the package, together with dates of such packaging.

37. Did Defendant, Defendant's predecessors or Defendant's divisions or subsidiaries ever enter into any licensing agreement with a manufacturer of asbestos-containing products? If so, please state the following as to each such agreement:

- A. Manufacturer with whom the licensing agreement was entered into;
- B. Description of the central terms and conditions of the agreement;
- C. Effective dates and period of the licensing agreement;
- D. Product(s) involved;



E. Identify all documents relating to the Agreement;

38. Regarding the products described in Interrogatory No. 37, please describe in detail the packaging of the product before and after the licensing agreement transactions, with a description of any writings, trademarks, warnings, etc. which may have appeared on the package, including dates of such packaging.

39. Please state the following as to each asbestos-containing product commonly used by workers (including, but not limited to bricks/blocks, cements, blankets, cloth, electrical products, felt, friction products, gaskets/packing, plasters, sheeting/boards, spray material, tape, safety clothing, yarn, etc.) at any time distributed, fabricated, installed, mined, manufactured, marketed, sold, supplied and/or used by Defendant, Defendant's predecessors and Defendant's divisions or subsidiaries:

- A. The recommended and prescribed method of and steps involved in preparing the product for use and/or application (mixing, shaping, cutting, sawing, shaving, etc.);
- B. The recommended and prescribed use of and/or application procedure for the product including the type of surface to which it was meant to be applied, as well as the manner of forming, installing, shaping or molding the product to the surface;
- C. The recommended and prescribed types of bonding materials, adhesive, and/or any other material used in the course of applying the product;
- D. The recommended and prescribed type of coatings, coverings, wrappings, or other materials that were applied in connection with the product, and describe whether or not said materials contained any logos or identifying



marks of any kind, together with the dates such were in use;

- E. The recommended and prescribed manner in which the asbestos-containing product once applied, can be distinguished from those manufactured by other companies.

40. Please state the following as to Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries for each calendar year from 1930 to the present:

- A. The total pound and/or volume of asbestos fiber mined;
- B. The total pound and/or volume of asbestos fiber or material purchased;
- C. The total pound and/or volume of asbestos fiber or material used in manufacturing processes;
- D. The total pound and/or volume of asbestos fiber or material, in unprocessed form, sold;
- E. The total pound and/or volume of asbestos fiber or material acquired in any manner other than by mining or purchase, and identify the manner of acquisition for each year.

41. Please furnish statistical information as to the following:

- A. Total yearly production of products containing asbestos fibers by amount from 1930 to the present;
- B. Broken down as to each product containing asbestos;
- C. Broken down as to yearly production in the overall and as to each such category;
- D. All of the foregoing so broken down as to:
 - (1) State of interstate marketing area;



(2) Regional marketing territory.

42. Please state if and when the Defendant, Defendant's predecessors and Defendant's subsidiary companies first determined that any other product could be used as a component in place of asbestos fiber for high temperature insulation and/or low temperature insulation or other asbestos-containing products and, if so, identify the chemical composition of the alternative product, the date when the above-referenced non-asbestos components placed in defendant's product and was first marketed, the name or trade name under which the product was marketed, and any patent covering the product.

43. Please identify each person employed by Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries, as well as his job title, dates of employment, and period of responsibility, at any time since 1920, principally in charge of:

- A. Asbestos mining activities and/or manufacturing asbestos-containing products;
- B. Plant operations at each facility mining asbestos or manufacturing asbestos-containing products;
- C. Importation of products containing asbestos wholly or in part;
- D. Formulation or repackaging of products containing asbestos wholly or in part;
- E. Purchase of products containing asbestos wholly or in part;
- F. Sale or marketing of asbestos-containing products;
- G. The safety of products or services marketed by the Defendant.

44. Has any person ever served as a consultant to Defendant Defendant's predecessors or Defendant's subsidiary companies in any manner regarding the potential



medical, toxicological, or industrial hygiene aspects of asbestos or any asbestos-containing product? (The term consultant is meant to include any specialist in the above areas who was at least in part retained for his expertise and opinions in other than a full-time, salaried position). If so please state the following as to each such person:

- A. Identify the person;
- B. The beginning date, ending date/ and period of service for the person;
- C. The job duties and/or responsibilities for the person, as well as a summary of work performed;
- D. The plant address/ office address, or duty assignment location for the person for each part of the consultancy;
- E. The reason for retaining the person;
- F. Identify the person responsible for retaining the consultant, as well as identify the persons with whom the consultant met during the period of the consultancy;
- G. Identify all documents relating to the consultancy in any way/ including contracts/ correspondence/ reports/ status reports/ studies/ etc.

45. Did the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever employ a full-time salaried basis an "industrial hygienist" or trained personnel to serve in an industrial hygiene capacity? If so please state for each such individual:

- A. The reasons for hiring or training the hygienist;
- B. The location where the hygienist was assigned;
- C. The duties and responsibilities of the hygienist;
- D. Identify the hygienist and the person hiring the hygienist;



- E. The date when the hygienist was hired as well as the period of employment;
- F. The certification, training or education received by the named hygienist;
- G. Identify the company officials or supervisors to which the hygienist reported;
- H. Identify all documents of any nature authored in whole or part by the hygienist during his employment pertaining to asbestos or asbestos dust.

46. Did the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever employ on a full-time salaried basis a "Toxicologist" or trained personnel to serve in a toxicology capacity? If so, please state for each such individual:

- A. The reasons for hiring or training the toxicologist;
- B. The location where the toxicologist was assigned;
- C. The duties and responsibilities of the toxicologist;
- D. Identify the toxicologist and the person hiring the toxicologist;
- E. The date when the toxicologist was hired as well as the period of employment;
- F. The certification, training or education received by the named toxicologist;
- G. Identify the company officials or supervisors to which the toxicologist reported;
- H. Identify all documents of any nature authored in whole or part by the toxicologist during his employment pertaining to asbestos or asbestos dust..



47. Did the Defendant, Defendant's predecessors or any of Defendant's subsidiaries ever have a full-time salaried safety director and/or occupational medical director, or any person, however titled, responsible for safety and/or occupational medical practices and procedures, or training and educating employees, customers or the public. If so, please state as to each such person:

- A. Identify the person, and state his period of employment and period of responsibility for safety and/or occupational medicine;
- B. State the person's job description, including any changes in the job description, the date that changes were made in the job description, and the reason for the changes;
- C. Identify the company officers or supervisors to which the person reported;
- D. If the person had responsibilities and duties in addition to those just mentioned, describe the additional responsibilities and duties;
- E. State the professional qualifications of the person, including, but not limited to, formal education, any degrees, special education or training, general education, prior experience, any professional contribution, including but not limited to publications or writing in the field, and membership in any research organizations, or participation in any professional organizations, institutes, foundations or other bodies which conducted or sponsored any asbestos-related research;
- F. Identify all documents of a professional nature or advisory nature dealing in any way with safety or occupational medicine authored (in whole or in part) by the person during his employment, and as to publications,



identify the journal, volume, pages, dates, article title, or other means of professional citation.

48. Please state whether or not Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever employed, engaged or retained any physician as a consultant, plant physicians or otherwise, in connection with your asbestos-related business activities. If so, please state the following as to each such physician:

- A. Identify the physician and give complete dates and places of employment or service;
- B. State the physician's duties and responsibilities;
- C. Identify the company person to which the physician reported;
- D. State the purposes for which the physician was employed, engaged or retained;
- E. Identify all documents pertaining to the physician's professional activities involving asbestos and/or individuals exposed to asbestos;

49. Please state whether or not any industrial hygienist, toxicologist, safety director, occupational medical director, physician or consultant in-any of the foregoing areas, previously identified, ever made at any time any recommendations and/or suggestions to the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries pertaining to the potential risks or health hazards to persons involved in the mining, manufacture and/or use of asbestos or asbestos-containing products. If so state the following as to each such occasion:

- A. Identify who made the recommendation and/or suggestion;
- B. State the date of the recommendation and/or suggestion;
- C. Identify all persons who received the recommendation and/or suggestion;



- D. State the substance of the recommendation and/or suggestion;
- E. Identify all documents and/or oral conversations embodying or pertaining to the recommendation and/or suggestion.

50. Give the name, address and job title of the Defendant official who has responsibility for assuring that you are in compliance with all applicable health and safety regulations that is with OSHA, MSHA, MIOSHA or any State, Provincial, or other governmental health or hygiene regulations.

51. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time maintained any office or department responsible for medical functions, including medical research. If so, please state the following as to each such office or department:

- A. The name of the office or department;
- B. The location of the office or department;
- C. The years during which the office or department operated;
- D. Identify each person who has been in charge of the office or department, and the years each person was in charge;
- E. The functions of the office or department, including the extent to which it was involved with asbestos-related issues;
- F. Identify all documents relating to the office or department.

52. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever conducted or caused to be conducted any tests on any of their or anyone else's asbestos-containing products to determine potential or likely asbestos exposure levels during conditions of intended use of the product. If so, please state the following as to each such



test:

- A. Identify the person who directed that the test be conducted;
- B. Identify the person or organization who conducted the test;
- C. Identify where and when the test was conducted, including the department of the plant or facility involved, as well as its owner and operator;
- D. State the product(s) tested and describe the conditions of the test, including the measurement methodology;
- E. Describe whatever efforts, if any, were used in the test to simulate the various conditions of possible or probable use of the product, such as in confined spaces or tunnels;
- F. State the asbestos exposure levels measured;
- G. Identify to whom the test results were reported;
- H. Identify all documents pertaining to the test.

53. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever went out in the field and actually measured, or caused someone else to measure the asbestos exposure levels encountered by workers using, handling, installing or applying one or more of your or someone else's asbestos-containing products. If so, please state the following for each such measurement:

- A. Identify the person who directed that the measurement be conducted;
- B. Identify the person or organization who conducted the measurement;
- C. Identify where and when the measurement was conducted, including the department of the plant or facility involved, as well as its owner and



operator;

- D. State the product(s) measured and describe the conditions of the measurement, including the measurement methodology;
- E. Describe whatever efforts, if any, were used in the test to simulate the various conditions of possible or probable use of the product, such as in confined spaces or tunnels;
- F. State the asbestos exposure levels measured;
- G. Identify to whom the test results were reported;
- H. Identify all documents pertaining to the test.

54. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever measured or caused someone else to measure the asbestos exposure levels encountered by workers in any of your plants or production facilities that manufactured or distributed any asbestos-containing product. If so, please state the following for each such measurement:

- A. Identify the person who directed that the measurement be conducted;
- B. Identify the person or organization who conducted the measurement;
- C. Identify where and when the measurement was conducted, including the department of the plant or facility involved;
- D. State the product(s) measured and describe the conditions of the measurement, including the measurement methodology;
- E. State the asbestos exposure levels measured;
- F. Identify to whom the test results were reported;
- G. Identify all documents pertaining to the test.



55. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever measured or tested or caused someone else to measure or test the asbestos exposure levels produced when your asbestos-containing products were removed or torn out from a prior installation. If so please state the following for each such test or measurement:

- A. Identify the person who directed that the measurement be conducted;
- B. Identify the person or organization who conducted the measurement;
- C. Identify where and when the measurement was conducted, including the department of the plant or facility involved;
- D. State the product(s) measured and describe the conditions of the measurement, including the measurement methodology;
- E. State the asbestos exposure levels measured;
- F. Identify to whom the test results were reported;
- G. Identify all documents pertaining to the test.

56. Please state whether any design changes were ever made as a result of the asbestos exposure level testing or measurements described in the preceding Interrogatories. If so, please state the following as to each such design change:

- A. Identify the product changed;
- B. State the exact nature of the change made, as well as when the change was made;
- C. Identify each person in charge of or involved in making the change;
- D. State the reason for making such a change;
- E. Identify all documents relating to the change.

57. Regardless of whether or not you ever conducted any asbestos exposure level



testing or measurements concerning your asbestos-containing products, please state whether Defendant's predecessors or Defendant's subsidiaries ever considered doing so. If so, please state the following as to each occasion on which such consideration was given:

- A. Describe the asbestos exposure level testing or measurement proposal at issue;
- B. Identify when and where the consideration took place;
- C. State the asbestos-containing product(s) which were the subject of the consideration;
- D. Identify all participants in the consideration;
- E. Identify all documents or oral conversations relating to the consideration;
- F. State whether the testing or measurements were ever performed, and if so, by whom;
- G. Describe the results of the consideration in terms of what follow-up action took place.

58. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever contacted any insulation contractor or product user and requested the opportunity to measure the asbestos exposure levels created by the contractor or product user's use of your asbestos-containing products. If so, please state the following as to each such request:

- A. Identify who made the request;
- B. Identify the means by which the request was made;
- C. Identify the insulation contractor, user, and/or contractor representative contacted;



- D. State the substance of the request presented;
- E. Identify all documents related to the request;
- F. State what, if anything resulted from that request.

59. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries or anyone on their behalf ever conducted or financially supported, wholly or in part, any epidemiological, toxicological, animal, medical, scientific tests, reviews, investigations, analyses or studies of any kind (hereafter termed "studies") to determine if the inhalation of asbestos fibers may be harmful to health? If so, please state as to each such study;

- A. Identify who directed or authorized that the study be done;
- B. Identify the person or organization that conducted the study;
- C. State the dates and over what time period the study was done;
- D. Describe the study design and protocol;
- E. State the complete results of the study including, any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the study;
- H. State whether the study was ever published, and if so state the study title and citation, and if not state why not.

60. Has Defendant/ Defendant's predecessors or Defendant's subsidiaries, or anyone on their behalf ever prepared any form of numerical and/or statistical analysis or study which compares a substantial number of your employees who have been exposed to asbestos dust and fibers for extended periods or beginning long ago and who have developed asbestosis,



mesothelioma, lung cancer, heart failure, laryngeal cancer, gastro-intestinal cancer and/or non-malignant lung disease or lung impairment? If so please state the following as to each such analysis:

- A. Identify who directed or authorized that the study be done;
- B. Identify the person or organization that conducted the study;
- C. State the dates and over what time period the study was done;
- D. Describe the study design and protocol;
- E. State the complete results of the study, including any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the study;
- H. State whether the study was ever published, and if so state the study title and citation, and if not state why not.

61. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever contributed any funds to any form of research concerning asbestos and its possible relation to disease in human beings? If so, please state for each year:

- A. The amount of money contributed;
- B. Identify to whom and by whom it was contributed;
- C. Identify all documents relating to the contribution and/or the research resulting in any way from the contributions.

62. Has Defendant, Defendant's predecessor's or Defendant's subsidiaries ever conducted, or financed, wholly or in part any efforts to monitor or review the professional



literature regarding the clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific aspects of asbestos and/or products containing asbestos? If so, please state the following as to each such effort:

- A. Identify who directed or authorized that the effort be done;
- B. Identify the person or organization that conducted the effort;
- C. State the dates and over what time period the effort was done;
- D. Describe the effort design and protocol;
- E. State the complete results of the effort, including any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the effort;
- H. State whether the effort was ever published, and if so state the effort title and citation, and if not state why not.

63. Has Defendant, Defendant's predecessor's or Defendant's subsidiaries ever conducted, participated in, financed or had conducted for you any tests, inquiries, research, investigations or analyses of any kind (hereinafter referred to collectively as "studies") to determine the possible effects on workers of working with any of your asbestos-containing products? If so, please state for each such study:

- A. Identify who directed or authorized that the study be done;
- B. Identify the person or organization that conducted the study;
- C. State the dates and over what time period the study was done;
- D. Describe the study design and protocol;



- E. State the complete results of the study, including any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the study;
- H. State whether the study was ever published, and if so state the study title and citation, and if not state why not.

64. Has Defendant, Defendant's predecessor's or Defendant's subsidiaries ever conducted, participated in, financed or had conducted for you any tests, inquiries, research, investigations or analyses of any kind (hereinafter referred to collectively as "studies") to determine the possible effects of inhalation of asbestos dust or fibers by anyone using or being exposed to asbestos-containing products. If so, state for each such study:

- A. Identify who directed or authorized that the study be done;
- B. Identify the person or organization that conducted the study;
- C. State the dates and over what time period the study was done;
- D. Describe the study design and protocol;
- E. State the complete results of the study, including any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the study;
- H. State whether the study was ever published, and if so state the study title and citation, and if not state why not.



65. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever conducted, participated in, financed or had conducted for you any tests, inquiries, research or analyses of any kind (hereinafter referred to collectively as "studies") investigating the prevention, minimization, or elimination of potential asbestos dust and fiber exposure via inhalation by those using or exposed to asbestos-containing products? If so, state for each study:

- A. Identify who directed or authorized that the study be done;
- B. Identify the person or organization that conducted the study;
- C. State the dates and over what time period the study was done;
- D. Describe the study design and protocol;
- E. State the complete results of the study, including any conclusions or recommendations contained therein;
- F. Identify the highest company official who received notice of the existence of the study and/or its results;
- G. Identify all documents relating to the study;
- H. State whether the study was ever published, and if so state the study title and citation, and if not state why not.

66. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever considered or taken any action as a result of any of the studies listed in answers to Interrogatory Nos. 58 through 65. If so, please state as to each such consideration or action:

- A. Describe the action considered and/or taken;
- B. Identify each person who authorized, directed or participated in the action considered or taken;
- C. When was the consideration given or action taken;



- D. Identify all documents discussing or relating to the action considered and/or the action taken.

67. Regardless of whether or not you ever contributed to, participated in or caused to be conducted any of the studies mentioned in Interrogatory Nos. 48 through 55, please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever discussed or considered doing so. If so, for each such discussion or consideration please state the following:

- A. Describe the nature of the potential study discussed or considered;
- B. Identify where and when the discussion or consideration took place;
- C. State any asbestos-containing product(s) which were the subject of the discussion or consideration;
- D. Identify all participants in the discussion or consideration;
- E. Identify all documents or oral conversations relating to the discussion or consideration;
- F. State whether the study contemplated was ever performed, and if so, by whom;
- G. Describe the results of the discussion or consideration in terms of what follow-up action took place.

68. Did Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time in any way assist or participate in any of Metropolitan Life Insurance Company's studies of asbestos conducted from 1929-1940, any Trudeau Foundation/Saranac Lake studies from 1929-1960, or any Industrial Hygiene Foundation studies from 1938-1968? If so identify each such study in which you were involved and state as to each:



- A. State what role or action you took in regard to the study;
- B. Identify all documents related to your involvement in the study;
- C. Identify each of your facilities in which any part of the study was conducted and reference your facility to the data reported in the study;
- D. Identify each of your officers, supervisors, managers or employees who assisted, participated in, or directed your involvement in the study.

69. Did Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time prior to 1972 receive, have notice of, acquire or possess any advice, publication, statement, warning, order, directive, letter, memorandum, recommendation or document, written or oral, which purported to state an opinion that there existed a possible harmful effect to humans of exposure to or inhalation of asbestos or dust from an asbestos-containing product. If so, state the following as to each such document and oral conversation, and each such occasion prior to 1972:

- A. Identify all documents pertaining to the advice, publication, statement, warning, order, directive, letter, memorandum, or recommendation;
- B. Identify all oral conversations pertaining to the opinion asbestos or asbestos-containing dust may be harmful;
- C. The nature and exact wording of the advice, warning, statement, etc., or if unknown, the substance thereof;
- D. Identify all employees, officers and directors who received notice of the existence of the document or oral conversation;
- E. What action, if any, was taken by you as a consequence of the document or oral conversation.



70. Please state whether there exists any letter, memoranda, or other documents dated prior to 1972, purportedly either authored by, addressed to, received by, or found in the possession of any past or present employee, officer or director of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries, which includes any statement, warning, or advice suggesting that asbestos or dust from an asbestos-containing product may be a potential hazard to health. If so, state the following as to each such document:

- A. Identify the document;
- B. Identify all persons currently in your employ with personal knowledge concerning recent discovery of the document's existence, or its chain of custody dating back to its creation;
- C. Whether you contest the authenticity of the document, and if so, state the basis for the objection to the authenticity.

71. Please state whether there exists any letters, memoranda, or other documents dated prior to 1972, purportedly either authored by, addressed to, received by, or found in the possession of any past or present employee, officer or director of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries, which includes any statement advise or recommendation as to a technique, method or equipment which could or would serve to reduce or guard against the potential health hazards of exposure to asbestos or dust from an asbestos-containing product. If so, state the following as to each such document:

- A. Identify the documents;
- B. Identify all persons currently in your employ with personal knowledge concerning recent discovery of the document's existence, or its chain of custody dating back to its creation;



C. Whether you contest the authenticity of the document, and if so, state the basis for the objection to authenticity.

72. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever obtained any knowledge concerning the potential health hazards of asbestos.

If so, please state:

- A. When any of this knowledge was first acquired, how it was acquired, identify by whom it was acquired, and state the substance of the knowledge acquired;
- B. As to each such occasion thereafter in which your knowledge as to the potential health hazards of asbestos increased:
 - (1) When was this additional knowledge acquired;
 - (2) How was this additional knowledge acquired;
 - (3) Identify by whom it was acquired;
 - (4) State the substance of the additional knowledge acquired;
- C. Identify all documents relevant to your acquisition of knowledge concerning the potential health hazards of asbestos;
- D. If any of the foregoing knowledge was acquired through an oral conversation, identify each such oral conversation.

73. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever obtained any knowledge concerning potential health hazards to users, fabricators, or bystanders exposed to dust from asbestos-containing products. If so, please state:

- A. When any of this knowledge was first acquired, how it was acquired, identify by whom it was acquired, and state the substance of the



knowledge acquired;

- B. As to each such occasion thereafter in which your knowledge as to the potential health hazards of asbestos increased:
 - (1) When was this additional knowledge acquired;
 - (2) How was this additional knowledge acquired;
 - (3) Identify by whom it was acquired;
 - (4) State the substance of the additional knowledge acquired;
- C. Identify all documents relevant to your acquisition of knowledge concerning the potential health hazards of asbestos;
- D. If any of the foregoing knowledge was acquired through an oral conversation, identify each such oral conversation.

74. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever obtained any knowledge concerning the association between inhalation of asbestos fibers and the contraction of cancer including, but not limited to, mesothelioma, lung cancer, laryngeal, esophageal and/or gastro-intestinal cancer. If so, please state:

- A. When any of this knowledge was first acquired, how it was acquired, identify by whom it was acquired, and state the substance of the knowledge acquired;
- B. As to each such occasion thereafter in which your knowledge as to the cancer hazards of asbestos increased:
 - (1) When was this additional knowledge acquired;
 - (2) How was this additional knowledge acquired;
 - (3) Identify by whom it was acquired;



- (4) State the substance of the additional knowledge acquired;
- C. Identify all documents relevant to your acquisition of knowledge concerning the cancer hazards of asbestos;
- D. If any of the foregoing knowledge was acquired through an oral conversation, identify each such oral conversation.

75. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever obtained any knowledge concerning the association between the inhalation of asbestos fibers and the contraction of a lung disease known as asbestosis. If so, please state:

- A. When any of this knowledge was first acquired, how it was acquired, identify by whom it was acquired, and state the substance of the knowledge acquired;
- B. As to each such occasion thereafter in which your knowledge as to asbestos is increased:
 - (1) When was this additional knowledge acquired;
 - (2) How was this additional knowledge acquired;
 - (3) Identify by whom it was acquired;
 - (4) State the substance of the additional knowledge acquired;
- C. Identify all documents relevant to your acquisition of knowledge concerning the disease asbestosis;
- D. If any of the foregoing knowledge was acquired through an oral conversation, identify each such oral conversation.

76. Is or has Defendant been aware of the American Conference of Government Industrial Hygienists (ACGIH) recommendations for the threshold limit value (TVL), or



industrial hygiene practices for asbestos? If so, state the date Defendant acquired such knowledge, identify all persons employed by Defendant who possessed such awareness, and state whether Defendant has been aware of any revisions of such recommendations.

77. Has Defendant, Defendant's predecessors or Defendant's subsidiaries ever implemented any industrial hygiene controls (e.g., exhaust ventilation, closed conveyor systems, etc.), recommended safe working practice (e.g., respiratory protection, spraying water on fiber, bagging scrap material, wet sweeping, etc.) or exposure monitoring program with respect to the exposure of any of its own employees to the hazards of asbestos fiber? If so, please state as to each such industrial hygiene control, recommended working practice or exposure monitoring program:

- A. The substance of the industrial hygiene control, safe working practice or exposure monitoring;
- B. The date the activity, program or practice was first implemented, and the years it was in force;
- C. The mining, milling, manufacturing, contracting or other business operations to which the activity, program or practice applied;
- D. The mining, milling, manufacturing, contracting or other plant or facilities in which the activity, program or practice was carried out;
- E. The means by which employee's were informed of the need for the activity, program or practice, and if by writing, identify all such documents;
- F. Identify all persons involved in the decisions to implement the activity, program or practice and in particular; identify the prime decision-maker;



G. Identify all documents relating to the activity, program or practice.

78. With regard to the industrial hygiene controls, safe working practices or exposure monitoring listed in Defendant's Answers to the preceding Interrogatory, has Defendant ever been compelled to institute any of these? If so, please describe in detail the date, place and circumstances of each such compulsion.

79. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever supplied any form of respirator or facemask to any of its employees to protect against the hazards of asbestos fiber? If so, please state as to each group of employees who were provided respirators or masks:

- A. Specifically what employees were provided respirators or masks (e.g., manufacturing employees, insulation applicators, installers warehousemen, miners, mill workers, etc.);
- B. When were the respirators or masks first provided and during which years;
- C. Describe the type of respirator or mask provided (e.g., disposable paper mask, disposable cloth filter type, half face piece cartridge respirator, full face piece cartridge respirator, airline supplied respirator, self-contained positive pressure breathing apparatus, etc.) as well as identify its manufacturer and model;
- D. Under what specific working conditions were employees recommended or required to use the mask or respirator;
- E. Was mask or respirator usage mandatory, or optional;
- F. The mining, milling, manufacturing, contracting and other plants or



facilities at which respirators or facemasks were provided;

- G. Identify all persons involved in the decisions to provide respirators or facemasks, and in particular identify the prime decision-maker;
- H. Identify all documents relating to the decision to provide or the use by your employees of respirators or facemasks.

80. Have any employees of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever been subject to some form of asbestos-related periodic medical examination? If so, please state:

- A. Specifically what types of workers were tested (e.g., plant workers with greater than ten years of employment);
- B. The years' and frequency during which medical examinations were conducted;
- C. Who performed the examinations and where were they conducted;
- D. What tests or procedures were performed;
- E. Identify all physicians and medical facilities that read the chest x-rays;
- F. How many employees were tested each year since 1930, and on the average, how many years of exposure to asbestos had these employees had prior to each year's testing;
- G. Identify each employee reassigned, terminated, pensioned or otherwise adversely affected as a result of a medical examination revealing a lung abnormality or cancer;
- H. State the number of diagnosed or suspected cases of asbestosis or lung fibrosis revealed per year from 1930 to present;



I. Identify all documents reflecting any abnormal results found by the medical examination.

81. Do you claim that respirators or other breathing devices existed between the years 1935 and 1985 that would fully prevent inhalation of the asbestos dust and fibers given off or released from asbestos-containing products? If so, please state:

- A. Identify the respirator by manufacturer, product name and model number;
- B. The years during which this respirator has been marketed;
- C. Describe this type of respirator or other breathing device (e.g., disposable cloths, half face piece cartridge, etc.);
- D. The basis of your claim that it will fully prevent the inhalation of asbestos dust and fibers;
- E. Identify all documents tending to support or refute your claim as to the efficacy of the respirator.

82. Have you undertaken or financed any tests or studies to determine what type of respirator and/or protective mask would either eliminate or afford maximum protection against the inhalation of asbestos fibers? If so, state as to each test or study:

- A. Who made the test or study;
- B. When and where was the test or study made;
- C. What was the result of the test or study;
- D. Identify all documents relating to the test or study.

83. Have you undertaken or financed any tests or studies to determine what type of ventilation or ventilating system would eliminate or substantially decrease the number of airborne asbestos fibers in the immediate area of workmen? If so, state as to each such test or



study:

- A. Who made the test or study;
- B. When and where was the test or study made;
- C. What was the result of the test or study;
- D. Identify all documents relating to the test of study.

84. Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to workers installing or handling same? If so, please explain.

85. Please list each asbestos-containing product ever manufactured, sold, distributed or used by you, your predecessors and your subsidiaries, and as to each of those products, state the first year in which you claim that some form of caution, warning, or hazard statement or explanation involving asbestos appeared on the product or its packaging.

86. Please provide the following information as to each caution, warning or hazard statement or explanation involving asbestos alleged to have been placed on the products or packaging in the preceding Interrogatory:

- A. What was its precise wording;
- B. Where was it located on the product or packaging, and what was the size and color of the lettering;
- C. Has the wording ever been altered, and if so, how and when;
- D. The years during which each version of a caution, warning or hazard statement appeared on the product;
- E. Identify all persons involved in the decisions to affix each version of the caution, warning or hazard statement to a product or its packaging, and in



particular, identify the prime decision-maker;

- F. Identify all documents related in any way to the decision to affix a caution, warning or hazard statement to a product or its packaging;
- G. State when you first gained knowledge that the product could be dangerous, and identify all sources of this knowledge.

87. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever placed any form of package insert or informative brochure in a container of an asbestos-containing product explaining the hazards of asbestos? If so, state as to each such insert or brochure:

- A. When was it first placed in containers and for what years thereafter;
- B. What products had the insert or brochure included;
- C. Describe the size, shape, color and text of the insert or brochure;
- D. Identify all persons involved in the decision to include the insert or brochure;
- E. Identify all documents related to the insert or brochure, including the insert or brochure itself.

88. State whether any of your distributors and/or customers were provided with any instructions in regard to the asbestos hazards presented by use of Defendant's asbestos-containing products. If so, please state:

- A. By whom and when were these instructions made;
- B. State the specific instructions provided;
- C. Identify all oral communications and documents related to these instructions.



89. If the Answer to the preceding Interrogatory is in the affirmative, please state whether you carried out follow-up inspections to ascertain whether or not such instructions were followed. If so, please state:

- A. When such inspections were made;
- B. Where they were carried out and by whom;
- C. The results of such inspection;
- D. Identify all documents relating to the inspections.

90. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever placed any form of disposable facemask or respirator in a container of an asbestos-containing product for later use by the worker who would handle the product? If so, please state:

- A. The products covered by the practice;
- B. The year this practice began and the years it was implemented;
- C. Describe the type of facemask or respirator included in the container;
- D. Identify all documents related to this practice,

91. Please state where any document exists that suggests or indicates that any officer, director, employee, representative or agent, of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time ever discussed, considered or recommended that:

- A. Some form of caution, warning or hazard statement or explanation involving asbestos be placed on an asbestos-containing product or its packaging;
- B. Some form of package insert or informative brochure be placed in a container of an asbestos-containing product explaining the hazards of asbestos;



- C. You implement some-form of industrial hygiene controls or recommended safe working practices for asbestos exposure;
- D. You supply respirators or face masks to your employees; and/or
- E. Disposable facemasks or respirators be placed in a container of an asbestos-containing product. If so, identify each such document (in particular its year) and briefly summarize the discussion, consideration or recommendation contained therein.

92. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries at any time ever discussed or considered the possible impact that warning users about asbestos hazards would or could have on sales as well as what impact greater public knowledge of asbestos hazards would or could have on sales. If so, please:

- A. Identify all documents pertaining to each such discussion or consideration;
- B. Identify all oral conversations pertaining to each such discussion or consideration.

93. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries, at any time, published and/or distributed any sales brochures, promotional pamphlets, product manuals, specification sheets or other written sales materials or documents of any kind or character that contain any warnings, cautions, hazard statements or explanations concerning the possibility of injury resulting from the use of any asbestos-containing product?

- A. If so, identify each such document.
- B. In addition, even if such document with any warnings, cautions, hazard statements or explanations concerning the possibility of injury resulting



from the use of any asbestos-containing product was not published or distributed, please state;

- (1) For what period of time you published and/or distributed sales brochures, promotional pamphlets, product manuals, specification sheets, or other written sales materials or documents without any form of warnings, cautions, hazard statements or explanations concerning asbestos;
- (2) Describe the types of sales brochures, etc. listed above that you published and/or distributed over the years, and state the years during which each such document was published or distributed;
- (3) Identify each such sales brochure, promotional pamphlet, product manual, specification sheet, or other written sales material or document,

94. Please state when Defendant, Defendant's predecessors or Defendant's divisions or subsidiaries first prepared, caused to be-prepared, received, provided or used any form of material safety data sheet (MSDS) or similar product information document concerning an asbestos-containing product. How often was the MSDS revised thereafter, and identify each and every MSDS that you have ever prepared, caused to be prepared, received, provided or used with respect to an asbestos-containing product.

95. If any of your asbestos-containing products were advertised by you in newspapers or magazines at any time from 1930 to the present, please state for each such advertisement:

- A. The name of the magazine or newspaper in which it appeared, including



the date and page number;

- B. A complete transcript of the advertisement and a description of any pictures accompanying it;
- C. The name and address of the person or agency that was responsible for approving each such advertisement;
- D. The name and address of whoever has current custody of the above-described advertising literature;
- E. Identify all documents relating to such advertisements.

96. Has any written material of any kind or character been prepared by Defendant or its agents indicating how Defendant's products should be used and maintained? If so, please state as follows:

- A. The name, address and job classification of each person who prepared same;
- B. The name, address and job classification of each person who presently has possession of same;
- C. The dates and manner in which said material was distributed to purchasers of Defendant's products.

97. Please identify all trade or industry associations, organizations, foundation, institutes, or other business groups of any nature in which Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries have ever belonged, and state the following as to each such group:

- A. The name and address of the group;
- B. The years during which you were a member;



- C. The names and addresses of other members during the years of your membership;
- D. The names or titles of any minutes, bulletins, publications or other documents published by or written by the group during the period of your membership, and the frequency of such publications or documents;
- E. State which of the foregoing publications, minutes, bulletins or other documents were sent to members during the period of your membership;
- F. Identify all documents in your possession relating in any way to the group, including documents before, during and after the period of your membership;
- G. Identify each of your employees who participated in any manner in the group as your representative and state the nature of the participation, the years of participation, the nature and date of each meeting attended, and the offices, if any, held by each employee in the group;
- H. How much money did you contribute to the group, or its activities, in each year of your membership or during the period of your membership?

98. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries has ever been a member of each of the following business groups (or group with similar name), and if so, answer subparts A through H of the preceding Interrogatory as to each such group:

- A. Industrial Health Foundation (or one of its predecessors);
- B. Asbestos Textile Institute;
- C. Asbestos Information Association of North America;



- D. National Mineral Wool Producers Association;
- E. Asbestos Cement Pipe Producers Association;
- F. Magnesite Insulation Manufacturers Association;
- G. American Industrial Hygiene Association;
- H. The Brake Lining Manufacturers Association;
- I. Friction Materials Standards Institute, Inc.;
- J. Asbestos Brake Lining Manufacturers Institute;
- K. Quebec Asbestos Mining Association;
- L. Institute of Occupational and Environmental Health of the Quebec
Asbestos Mining Association;
- M. American Society of Testing and Materials;
- N. Grinding Wheel Institute;
- O. Trudeau Foundation;
- P. National Safety Council;
- Q. National Insulation Manufacturers Association.
- R. American Iron and Steel Institute;
- S. American Welding Society;
- T. American Society of Mechanical Engineers;
- U. American Society for Testing Materials;
- V. American Standards Association;
- W. Welding Research Council;
- X. Industrial Hygiene Foundation;
- Y. Association of Wall and Ceiling;



- Z. Construction Specifications Institute;
- AA. Associated General Contractors of America;
- BB. Drywall and Interior Systems Contractors Association;
- CC. National Federation of Plastering Contractors;
- DD. Exterior Insulation Manufacturers Association;
- EE. Technical Institute of Plastering;
- FF. The Refractories Institute;
- GG. The Plasterers Institute;
- HH. Asphalt Roofing Manufacturers Association
- II. Asbestos Cement Products Association
- JJ. American Tile Institute
- KK. Tile Council of America

99. Please identify each past or present employee, officer or director of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries who before or during his employment or association with you was ever a member of, or active in, any of the groups listed in the preceding Interrogatory. As to each such employee, officer or director, please state, which groups in Interrogatory No. 98 membership was in and as to each, answer questions listed in preceding Interrogatories No. 97 subpart A through H.

100. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries, or any of their employees, officers or directors ever sponsored or attended any meeting, seminar, conference, convention or legislative hearing where the subject of a potential health hazard of asbestos was discussed. If so, please state the following as to each such meeting, seminar, conference, convention or legislative hearing:



- A. Identify the meeting, etc., when it was held and where;
- B. Identify each of your employees, officers or directors who attended, as well as their purpose for being there;
- C. Identify the other speakers or attendants at the meeting, etc.;
- D. Identify all documents relating in any manner to the meeting, etc.

101. Please identify each medical, scientific or technical periodical, journal or publication to which Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever subscribed. Please state the following as to each such periodical, journal or publication:

- A. The title of the publication, journal or periodical;
- B. The years during which you received it;
- C. The office, department and/or person who received it;

102. Please state whether Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever maintained any form of library or collection of books, publications and other written materials. If so, state the following as to each such library or collection of written materials:

- A. The original location of the library, including the building in which it was located;
- B. The years during which the library was in operation;
- C. The offices, plant facilities, departments or other organizational units serviced by the library;
- D. Identify each custodian of the library or librarian as well as the years of his service as librarian;



- E. The extent to which the library contained books or publications pertaining to occupational medicine, dust diseases, and/or lung diseases;
- F. The extent to which the library contained books or publications pertaining to industrial hygiene or toxicology;
- G. The extent to which the library contained books or publications pertaining to asbestos and health;
- H. Identify each card catalog, index of publications, or other form of listing of documents contained in the library, which still exists;
- I. The extent to which the library's collection of written materials still exists, and if so, identify the current custodian of these documents;
- J. State the title and date of issue of each book, publication, or other written material contained in the library pertaining to asbestos and health, as well as the year acquired by the library.
- K. State the title of any book, article or other publication dealing in any manner with occupational medicine, dust disease, lung disease and/or asbestos and health obtained by Defendant, Defendant's predecessors, subsidiaries, divisions at any time prior to 1972 and when and which department received it.

103. Please state whether the Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries was ever a member of, or directly or indirectly funded or contributed to any library containing medical literature, other than the libraries discussed in the preceding Interrogatory. If so, state the following as to each such library:

- A. The name of the library and its location;



- B. The years during which you were a member;
- C. The nature of the financial or other support provided by you to the library, and the years of this support;
- D. The services available to you as a consequence of your membership or support.

104. After Defendant became aware of the adverse health consequences of the inhalation of asbestos dust and/or asbestos fibers, what changes, if any, did Defendant make in its manufacturing processes, product composition, work rules, safety rules, hygiene practices, etc., to mitigate or eliminate the dangers from inhalation of asbestos dust and/or asbestos fibers to its employees. Please include in your description of such changes the following information:

- A. Identify the employees, officers and/or directors upon whose authority or directive the changes were made;
- B. Identify all management representatives who were consulted about, or involved in, the process of making such changes;
- C. Identify each study, recommendation, report or other document which affected the changes?
- D. The date of each and every change, and describe the substance of the change.

105. Did Defendant, Defendant's predecessors, or Defendant's subsidiaries receive notice prior to 1972 that any person was claiming injury as a result of using asbestos-containing products mined, manufactured, sold, and/or used by you? If so, please state as to each such claim:

- A. The name and address of the claimant;



- B. The date of notice of the claim;
- C. A description of the claim including the name of the asbestos-containing product and type of exposure experienced by the claimant (e.g., mining, milling, manufacturing, insulating, installing, etc.);
- D. The type of injuries allegedly sustained;
- E. The name and address of the attorney representing the individuals making the claim;
- F. The state and court or workers' compensation files number of the claim;
- G. The resolution of the claim;
- H. Identify all documents relating to the claim, which still exists.

106. Please state whether any employee of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries has ever made a claim for asbestosis, mesothelioma, bronchogenic carcinoma, and/or cancer of the colon or rectum under the Occupational Disease or Workmen's Compensation statute of any state. If so, state:

- A. The date that you first received notice of claims involving the above diseases;
- B. The date that Defendant first received notice of claims by an insulator and/or pipe coverer involving the above diseases;
- C. Identify all documents relating to these claims, which still exists.

107. State, on an annual basis since 1930, the total number of employees of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries who have received benefits under any Occupational Disease or Workers Compensation statute for each of the following diseases: asbestosis, mesothelioma, bronchogenic carcinoma, cancer of the colon or



rectum, any other gastrointestinal tract cancer, and other nonmalignant respiratory disease.

108. State, on an annual basis since 1930, the total dollar amount paid out by Defendant, Defendant's predecessors, and Defendant's subsidiaries and/or your insurance carriers as a result of claims under any occupational disease or Workers' Compensation statutes for asbestosis, mesothelioma, bronchogenic carcinoma, cancer of the colon or rectum, and/or other form of asbestos-related claim.

109. Has Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries ever had a division or business unit, which installed asbestos containing products on a contract-by-contract basis (hereinafter "contract, unit"). If so, state as to each such contract unit:

- A. Where the contract unit was based and the years of its operation;
- B. Identify the principal managers of the contract unit since 1930;
- C. What geographical area was serviced by the contract unit;
- D. What was the average number of employees employed by the contract unit in each year of its operation;
- E. Describe any established rules, regulations and/or work practices which were to be followed by employees in the contract unit;
- F. Were employees in these contract units ever required to wear respirators?

If so, please state:

- (1) Whether the requirement was by written regulation or oral direction;
- (2) The names of the people in your firm originating such a requirement and/or in charge of enforcing it;
- (3) The date the requirement was imposed for the first time.



G. Have former employees of your contract units ever filed Workmens' Compensation claims due to lung or coronary illness? If so, for each such claim, state:

- (1) The date, jurisdiction and docket number;
- (2) The illness or disease claimed;
- (3) The resolution of the claim;
- (4) The names of the co-respondents.

110. When did you learn for the first time of a diagnosed case of asbestosis, lung cancer, mesothelioma, and/or gastro-intestinal cancer associated with asbestos exposure in each of the following situations:

- A. Among your own present or former employees;
- B. Involving users of asbestos containing products;
- C. Involving users of asbestos products manufactured, sold or distributed by you;
- D. Involving members of the families of workers using your product;
- E. Involving members of the families of your employees or former employees.

111. Identify all insurance companies which have provided you Workmen's Compensation insurance and accident and disability insurance since 1930, state the dates and years for which each company provided such coverage, state the terms of each such policy, and identify all present or past employees of yours principally responsible for coordination with these carriers, as well as the specific years of this responsibility.

112. For every policy of liability insurance insuring you against losses as a result of



claims for bodily injury or death as a result of manufacture, sales, and/or use of your asbestos-containing or other products from 1930 to the present, please state:

- A. The name of the insurer;
- B. The policy number;
- C. The term of the policy;
- D. The amount of coverage, and the precise type of claims covered;
- E. Whether the policy provides for primary or excess coverage and if excess, the limits and conditions for triggering such excess coverage;
- F. The specific terms of any deductible for the policy;
- G. The basis of coverage for the policy - e.g. claims made, occurrence;
- H. The amount paid by the insurer to date, or alternatively, the amount of coverage still remaining as of a recent date certain;
- I. Identify all present or past employees of yours principally responsible for coordination with each insurer, as well as the specific years of this responsibility;
- J. Identify the current custodian of the policy.

113. State the names and addresses of all lay witnesses whom you presently intend to call to testify at trial, and briefly state what connection each such person has with matters relevant to this lawsuit (e.g., former co-workers of plaintiff, former plant manager of plant X, etc.). Supplement this list as you ascertain any additional witnesses.

114. State the name, address and business or professional title of each person whom you expect to call as an expert witness at trial as to any contention whether medical, cause and effect, activity of a Defendant, or any other matter for which you intend to have expert



testimony.

115. State separately as to each expert identified in the preceding Interrogatory the subject matter on which the expert is expected to testify, state whether the expert has prepared a written report on this case, state the substance of the facts and opinions to which the expert is expected to testify, and set forth a summary of the grounds of each such opinion. Supplement this answer as you ascertain any additional expert witnesses, or when written reports are subsequently prepared.

116. Please identify each present or past employee of Defendant, Defendant's predecessors, Defendant's divisions or subsidiaries who has ever testified under oath or been deposed in connection with any asbestos-related lawsuit or claim, and state the following as to each such employee:

- A. The specific dates of the testimony and/or depositions;
- B. The nature of each such occasion (e.g., trial testimony, discovery deposition, videotape deposition, etc.);
- C. The court or tribunal as well as full caption and docket or file number for each such occasion;
- D. Identify the court reporter or stenographer by name, firm and business address for each such occasion;
- E. State whether you possess a copy of a transcript as to each such occasion, and if so, identify the current custodian of the transcript;
- F. Which of these occasions was videotaped, and identify videotaper by name, firm and business address.

117. Please identify which of the lay or expert witnesses identified by you in the



preceding Interrogatory No. 113 and 114 or in your witness lists have ever testified under oath or been deposed in connection with any asbestos-related lawsuit or claim, and state the following for each:

- A. The specific dates of the testimony and/or depositions;
- B. The nature of each such occasion (e.g., trial testimony, discovery deposition, videotape deposition, etc.);
- C. The court or tribunal as well as full caption and docket or file number for each such occasion;
- D. Identify the court reporter or stenographer by name, firm and business address for each such occasion;
- E. State whether you possess a copy of a transcript as to each such occasion, and if so, identify the current custodian of the transcript;
- F. Which of these occasions was videotaped, and identify videotaper by name, firm and business address.

118. Please identify each document Defendant will offer in evidence and any other documents that any expert witness intends to rely upon or testify about at the trial of this case to support the defenses contained in Defendant's answer.

119. Does Defendant have a record or document retention or destruction policy, plan or program? If so, please describe such plan in detail. If the plan is different for separate categories of records, please describe the plan for each category. Please include in the descriptions the following:

- A. The name and title of the custodian of the records;
- B. The length of time for which records are retained;



- C. The titles and names of the personnel responsible for determining the policy or plan from 1930 to the present;
- D. The titles and names of the personnel responsible for the removal and destruction of any records, pursuant to any such plans from 1930 to the present?
- E. Identify the whereabouts of any repositories of records of your business activities more than ten years old.

120. Pursuant to your record destruction or retention policy or otherwise, have you destroyed any documents, records or writings pertaining to:

- A. Health hazards of asbestos;
- B. Workmens' Compensation claims arising out of asbestosis, lung cancer, mesothelioma, Cor pulmonale, pneumoconiosis, or pulmonary fibrosis;
- C. Placing warning labels on your products;
- D. Hazardous conditions in your plants or factories;
- E. Funding of studies about health hazards of asbestos;
- F. Lawsuits arising out of injuries alleged to have been caused by asbestos.

121. If your answer to Interrogatory No. 120 is affirmative, list every such document or type of documents destroyed, by author, date and subject matter.

122. Pursuant to your record destruction or retention policy or otherwise, have you destroyed any documents, records or writings pertaining to:

- A. Prolonged exposure to dust from asbestos-containing products can cause or contribute to various occupational diseases such as asbestosis, lung cancer and mesothelioma;



- B. That the handling and use of asbestos-containing products poses significant hazards to human health;
- C. The possibility of developing asbestos-related disease extends not only to workers handling and applying asbestos-containing products but also to others in the area where the asbestos-containing products are being used;
- D. The possibility of developing asbestos-related disease extends not only to workers handling asbestos-containing products but also to members of families of such workers who are exposed to asbestos dust brought into the home environs by the worker on his person or clothing.

123. If any part of the preceding Interrogatory is answered either in the affirmative or the negative, state for each such subpart:

- A. When you reached such conclusion;
- B. Upon what information and on the basis of whose opinions you relied in reaching that conclusion;
- C. What, if anything, you did to notify the public of the conclusion you reached;
- D. What, if anything, you did to notify the users of you asbestos-containing products of the conclusion.

124. Does Defendant contend that Plaintiff improperly used its products? If so, please set out in detail in what respect said products were improperly used.



Respectfully submitted,

By: _____

Attorney for Plaintiff
Address
City State Zip Code
Area Code and Telephone Number

Dated: October 27, 2003



REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Michigan Court Rule 2.310 as well as the Honorable Robert Colombo's case management order #14 In Re: All Personal Injury Asbestos Cases entered on the day of , 2003, Plaintiffs request that you produce for inspection and copying each of the documents, (including but not limited to articles of incorporation, certificate of authority, last annual reports, merger and purchase agreements, accounts receivable/payable, delivery receipts/orders, packing slips, sales invoices, shipping records, bills of lading, purchase orders, purchase records, product literature, product pamphlets, product parts lists, product price lists, product specifications, equipment manuals, equipment specifications and blueprints, material safety data sheets, customer lists/purchase records, distributor agreements/lists, sales literature & brochures, photographs, reports, evaluations, contract bids, contract agreements, construction records/orders, contract specifications, medical articles/literature, medical reports and any other documents) identified and/or relied upon in your answers to the preceding Interrogatories.

It is requested that the production be made within one hundred eighty (180) days of the date complaint was filed at the law firm of _____.

Respectfully submitted,

By: _____
Attorney for Plaintiff
Address
City State Zip Code
Area Code and Telephone Number

Dated: October 27, 2003