



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,

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

«DEFENDANT», et al.,

Defendants.

_____/_____
Attorneys for Plaintiffs

Attorneys for Defendant

**PLAINTIFF'S STANDARD INTERROGATORIES #32 AND REQUESTS FOR
PRODUCTION OF DOCUMENTS FOR PREMISES DEFENDANTS TO
DEFENDANT «Defendant»**

PLEASE TAKE NOTICE that pursuant to Michigan Court Rules and Case Management Order No. 14, dated November 21, 2003, Defendant, «Defendant» is required, within twenty-eight (28) days after service hereof, to serve upon the undersigned sworn answers to the following Interrogatories. The Defendant corporation or company shall designate an officer or agent to answer the Interrogatories who shall answer the Interrogatories by providing all of the information available to the organization whether the answering individual personally knows it or not. Each Interrogatory is to be answered fully and separately.

DEFINITIONS

As used in these Interrogatories:

- A. With respect to all questions, all information is to be divulged which is within the knowledge, possession or control of the corporation or company to whom these



Interrogatories are addressed, as well as the corporation or company's attorneys, investigators, agents, employees or other representatives.

If you cannot answer the following Interrogatories in full after exercising due diligence to secure the full information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

B. "Defendant" or "You" or "Your company" includes the named Defendant.

C. "Predecessors" as used herein means any corporation, company, joint venture, partnership, sole proprietorship or other entity which Defendant has ever acquired through purchase, reorganization or merger.

D. "Related companies" as used herein means any corporation, company, partnership, joint venture or other entity which at any time owned more than a 10% interest in Defendant. "Related companies" also means any company, corporation, partnership, joint venture or other entity in which Defendant at any time owned more than a 10% interest.

E. "Document" includes, without limitation, books, records, writings, notes, letters, correspondence with whomever, memoranda and recordings in possession or control of Defendant or Defendant's attorneys, investigators, agents, or employees. Such reference to documents includes originals and copies, microfilms and transcripts made, recorded, produced or reproduced by any means and every means. "Document" also includes the content of any applicable computer database.

F. Where used with respect to documents, "identify" means to give the date, title, origin, author and addressee (where appropriate) to enable Plaintiffs to retrieve it from a file;



and, further, "identify" means to give the name, address, position or title of the person who has custody of the document. Whenever identification is requested and Defendant is willing to produce the documents voluntarily for inspection and copying without the necessity of Plaintiffs' filing a motion to produce, Defendant may respond by stating when and where the document may be inspected, or by attaching a copy of the requested document to the answers to these Interrogatories.

G. "Asbestos-containing product" as used herein means any product which included any form of asbestos as any part of its composition or ingredients. The term "asbestos-containing product" as used herein shall also mean any equipment or machinery, including but not limited to, boilers, generators and turbines, in or on which an asbestos-containing product as defined above was incorporated, added, utilized or applied prior to being sold, distributed or installed.

H. Where appropriate, the singular includes the plural and vice-versa.

INTERROGATORIES

INTERROGATORY NO.1: As to the person(s) answering these Interrogatories, state:

- (a) Name;
- (b) Title or position with Defendant;
- (c) Business address;
- (d) Length of time employed by Defendant;
- (e) State year by year all other positions, titles or jobs you have held with the Defendant;



- (f) The years during which Defendant has been licensed to do business within the State of Michigan.

ANSWER:

INTERROGATORY NO. 2: Has the person answering these Interrogatories made reasonable inquiry of all available sources of information such that Plaintiffs may rely on these answers as the truthful and complete answers made on behalf of this answering Defendant?

ANSWER:

INTERROGATORY NO. 3: State the proper legal name and the present address of the principal place of business of each of Defendant's related companies. For each related company identified, please state:

- (a) Whether or not the company is licensed to do business in the State of Michigan;
- (b) The business relationship between the company and Defendant;
- (c) The nature of the products or services that Defendant sells to or purchases from the company;
- (d) The type of business the company conducts within the State of Michigan;
- (e) Whether or not the company advertises Defendant's products or services within the State of Michigan;



- (f) Whether or not the company sells Defendant's products or services within the State of Michigan; and, if so, the approximate value of those sales or services during 1930 to present;
- (g) Whether or not the company pays any type of taxes to the State of Michigan or any political body located within the State of Michigan;
- (h) Whether or not Defendant has any control, directly or indirectly, over the company's advertising of Defendant's products or services.

ANSWER:

INTERROGATORY NO. 4: State the following concerning this Defendant:

- (a) Full and correct name:
- (b) Principal place of business:
- (c) State of incorporation:
- (d) Date of incorporation, and name of corporation;
- (e) Is this Defendant authorized to transact business in the State of Michigan? If so, state the date such authority was first issued and last renewed:
- (f) Does this Defendant have an agent, representative, or place of business in Michigan? If so, state the name and address of such agent, representative or other place of business;
- (g) Does this Defendant have an agent for service in the State of Michigan? If so, state the name and address of the registered agent.

ANSWER:



INTERROGATORY NO. 5: Has this Defendant been sued under its correct name?

If not, state the correct legal name of the Defendant and provide the information requested in No. 4 above concerning the Defendant as correctly named.

ANSWER:

INTERROGATORY NO. 6: Has this Defendant ever acquired through purchase, reorganization or merger another corporation, company, or business which used or supplied asbestos-containing products for use in its facilities?

ANSWER:

INTERROGATORY NO.7 : If the answer to Interrogatory No. 6 is “Yes”, then state the following concerning such predecessor:

- (a) Full and correct name;
- (b) The principal place of business;
- (c) State of incorporation;
- (d) Date of acquisition by Defendant;
- (e) Was this business authorized to transact business in the State of Michigan?
- (f) Attach copies of all papers pertaining to the acquisition.

ANSWER:



INTERROGATORY NO. 8: List all current directors and officers of Defendant, and for each state the following:

- (a) Present position and date(s) position has been held; and
- (b) All prior positions with Defendant and date(s) held.

ANSWER:

INTERROGATORY NO. 9: Describe in detail Defendant's complete corporate/business history, including, but not limited to, date(s) of incorporation, and any and all mergers, consolidations, re-incorporations, predecessors, subsidiaries, prior names, name changes, asset purchases, acquisitions or spin-offs.

ANSWER:

INTERROGATORY NO. 10: As to any asbestos-containing product in any form, has this Defendant, or any predecessor(s):

- (a) Ever purchased asbestos-containing products?
- (b) Ever supplied asbestos-containing products for use at its facilities?
- (c) Ever sold any asbestos-containing products?
- (d) Ever specified asbestos-containing products for use by contractors or subcontractors?

ANSWER:

INTERROGATORY NO. 11 If your Answer to No. 10 (a), (b), (c), or (d) is "Yes", then give the trade name of the product, the year the Defendant or predecessor first purchased,



sold, provided or specified such product, and the year the Defendant last purchased, sold, provided or specified such product.

ANSWER:

INTERROGATORY NO. 12: What is the name, address, and the job title of each individual who participated in the decision to purchase each such product?

ANSWER:

INTERROGATORY NO. 13: Do any written memoranda, specifications, advertisements or other written materials of any kind or character relating to the decision to purchase said products now exist?

ANSWER:

INTERROGATORY NO. 14: If so, please state:

- (a) List each written material or document:
- (b) Who presently has possession of each such document;
- (c) Where is it located?

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS # 1: Please attach a copy of each document set forth in Answer 14a.

INTERROGATORY NO. 15: In what year did the Defendant first purchase, or provide, or specify for use in its facilities, any asbestos-containing products?



ANSWER:

INTERROGATORY NO.16: In what year did the Defendant last purchase, provide, or specify for use in its facilities any asbestos-containing products?

ANSWER:

INTERROGATORY NO. 17: As to the named Defendant or any predecessor(s) or related companies, state the various types of asbestos-containing products purchased or provided for use in your facilities, such as block, pipe covering, cements, tape, spray-on insulation, packing, gaskets, protective clothing, mastics, cloth or any other asbestos-containing products.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS #2: Please attach a copy of any and all documents listing or specifying asbestos-containing products for use in your facilities.

INTERROGATORY NO. 18: Is Defendant, as of the date of answering these Interrogatories, still purchasing or providing for use in its facilities any asbestos-containing products? If so, give the type and brand names of such products.

ANSWER:

INTERROGATORY NO. 19: Was it a foreseeable use of any of these asbestos-containing products which you purchased or provided for use in your facilities that they would be installed by someone such as the Plaintiff on the premises of your facilities?



(a) If you contend Plaintiff(s) misused any of these products, then state how and under what circumstances such product was misused.

ANSWER:

INTERROGATORY NO. 20.: Was it a foreseeable use of any of these asbestos-containing products which were purchased or provided for use in your facilities, that they may have to be removed, stripped or replace at any time after installation?

(a) If you contend the Plaintiff (s) misused any of the products, then state how and under what Circumstances the product was misused.

ANSWER:

INTERROGATORY NO. 21: Prior to providing, purchasing or specifying for use the asbestos-containing products to persons in your facilities, were any tests conducted on same to determine potential health hazards involved in the use of materials contained therein?

ANSWER:

INTERROGATORY NO. 22: If the answer to Interrogatory 21 is affirmative, please state:

- (a) The name, address, and job classification of each individual who conducted such tests;
- (b) The results of such tests;
- (c) The date of such tests.

ANSWER:



INTERROGATORY NO. 23: Do any written memoranda, specifications, blueprints or other written materials of any kind or character exist relating to the testing of said product?

ANSWER:

INTERROGATORY NO. 24: If the answer to Interrogatory 23 is affirmative, please state:

- (a) List each such written material or document;
- (b) Who presently has possession of each such document and where is it located.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS #3: Please attach a copy of any written material or Document listed in Interrogatory Answer 24-a above.

INTERROGATORY NO. 25: Did Defendant or any predecessor or related companies ever cause dust level counts or otherwise monitor the dust levels in areas where asbestos-containing products were being used, installed or removed. If so, state the procedure started, the duration of such procedure and the purpose of such procedure.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS #4: Please attach a copy of the result of any testing set forth in your response to Interrogatory 25.



INTERROGATORY NO. 26: Did Defendant take any action at any time based on dust level counts or monitoring.

ANSWER:

INTERROGATORY NO. 27: If the Answer to Interrogatory 26 is affirmative, please state:

- 1). What action was taken.
- 2). When was action taken.

ANSWER:

INTERROGATORY NO. 28: Did Defendant ever conduct any study concerning the effects of the inhalation of asbestos dust or fibers on one using or being exposed to any of the asbestos-containing products purchased or provided for use in your facilities?

ANSWER:

INTERROGATORY NO. 29: If the answer to Interrogatory No. 28 is affirmative, please state:

- a. The date of the study.
- b. The nature of the study.
- c. The purpose of the study.
- d. The names of all persons conducting the studies.



ANSWER:

INTERROGATORY NO. 30: Has Defendant ever conducted or caused to be conducted any studies, procedures or efforts designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of asbestos-containing products in your facilities?

ANSWER:

INTERROGATORY NO. 31: If the answer to Interrogatory No. 30 is affirmative, please state:

- (a) Name and address of the person or firm conducting such study, procedure or efforts.
- (b) The date that such began and the date completed;
- (c) Any publication or dissemination of the results of the study, procedure or efforts.
- (d) The nature of any action to eliminate or minimize inhalation of asbestos dust or fibers;

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 5: Please attach copies of any such studies or compilations or reports regarding the studies, procedures or efforts.



INTERROGATORY NO. 32: Does Defendant have, ever had, or has its' predecessor(s) or related companies ever had, a Research Department?

ANSWER:

INTERROGATORY NO. 33: If the answer to Interrogatory no. 32 is affirmative, state:

- a). The year such Research Department was established.
- b). Whether or not such Research Department has operated continuously since being established.
- c). How much was expended each year on research, etc.?
- d). What percentage of gross sales did Defendant or its predecessor(s) spend on research concerning the health effects of asbestos?

ANSWER:

INTERROGATORY NO. 34: Did Defendant ever give persons who would be applying or removing asbestos-containing products instructions concerning safety precautions to use in applying such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

ANSWER:

INTERROGATORY NO. 35: Did Defendant or predecessors or related companies ever place any warning signs on the containers of the asbestos-containing products utilized in your facility?



ANSWER:

INTERROGATORY NO. 36: If you have answered Interrogatory No. 35 in the affirmative, please state:

- (a) On what date did your company issue an order directing a warning be placed on the asbestos product containers?
- (b) On what date was such warning actually first placed on such product containers?
- (c) On what date did such products, accompanied by such warning, first reach the contractors?
- (d) State the exact wording of the first warning;
- (e) State the exact size of the warning printed on your such product containers;
- (f) Did your company dictate the exact size of the printed warning?
- (g) Why did your company or its predecessor(s) place such warning on the asbestos product containers?
- (h) Did your company place such warning on the asbestos product containers because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation governmental agency, committee, association, attorney or institute? If so, from whom and on what date did you receive such directive, command, suggestion, legal opinion, or other type of communication;



- (i) If the wording of the warning has ever been changed or altered, state when it was changed and the exact change in the wording.

ANSWER:

INTERROGATORY NO. 37: Did your company ever place any warning directly on any of the asbestos pipe covering, block, cloth, millboard or other asbestos-containing products it supplied to employees and/or contractors at its facilities?

ANSWER:

INTERROGATORY NO. 38: Were any material safety data sheets ever made available by Defendant, its' predecessors or related companies to employees of contractors at its facilities?

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 6: If the Answer to Interrogatory No. 38 is affirmative, please attach copies of all material safety data sheets.

INTERROGATORY NO. 39: Has your company ever directly advised any of its employees or contractors to whom you provided asbestos-containing products of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienists?

ANSWER:



REQUEST FOR PRODUCTION OF DOCUMENTS NO. 7: If you answered Interrogatory No. 39 affirmatively, state the date or dates that you so advised such employees or contractors, the manner in which you advised such employees or contractors, and the names of each employee or contractor so advised.

INTERROGATORY NO. 40: Did Defendant, its' predecessors or related companies ever contract with any contractor, subcontractor, or union to apply asbestos-containing products in any of its facilities?

ANSWER:

INTERROGATORY NO. 41: If the Answer to Interrogatory No. 40 was in the affirmative, state the site, the name of each contractor, subcontractor or union and the date each contractor, subcontractor or union was engaged to apply asbestos-containing products.

ANSWER:

INTERROGATORY NO. 42: Did Defendant, its predecessor or related companies or their worker's compensation insurance carrier(s) ever have any claims made against it for lung diseases or death from lung diseases, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or any exposure to asbestos-containing products prior to 1972?

ANSWER:



INTERROGATORY NO. 43: If the Answer to Interrogatory No. 42 is affirmative, state the name of each such employee.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 8: Attach copies of any such claims and copies of all documents relating to the disposition and handling of such claims as set forth in your Answer to Interrogatories No. 42 and 43.

INTERROGATORY NO. 44: State the location of the state industrial accident board handling each claim referenced in answer to No. 42 and 43, the disposition of such claims, and the amounts paid in worker's compensation benefits to each such employee, and the name of the compensation carrier.

ANSWER:

INTERROGATORY NO.45: Did your company ever make any industrial hygiene surveys concerning asbestos-containing products?

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 9: Attach a copy of any report or summary any surveys set forth in your answer to Interrogatory No. 45.

INTERROGATORY NO.46: State the year that this Defendant, its' predecessors or related companies was first advised of either threshold limit values or maximum allowable



concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, and state the name of the employee/official of the company receiving such advice.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 10: If Answer to Interrogatory No. 46 was affirmative, attach copies of any instrument or document communicating such advice as set forth in your Answer to Interrogatory No.46.

INTERROGATORY NO. 47: Did Defendant, its' predecessors or related companies ever make or cause to be made any test or study with regard to the quantity, quality or threshold limit values of asbestos dust or particles to which applicators/installers of asbestos-containing products were exposed while using such products.

ANSWER:

INTERROGATORY NO. 48: If answer to Interrogatory No. 47 is affirmative, state:

- a. The name or names of the person(s) conducting the tests.
- b. The date of the tests.
- c. The results of each test.

ANSWER:



REQUEST FOR PRODUCTION OF DOCUMENTS NO. 11: Attach copies of any reports, findings or memoranda concerning such tests or studies set forth in Response to Interrogatories 47 and 48.

INTERROGATORY NO.49: Please state on what date did any officer, director, supervisor or other official of Defendant, its' predecessors or related companies, first have knowledge, information or understanding that asbestos would, could or might produce the diseases of:

- (a) Asbestosis;
- (b) Mesothelioma;
- (c) Lung Cancer;
- (d) Any other diseases;
- (e) State the name or names of each such official.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 12: Attach a copy of any documents, records or memorandums of any kind concerning the knowledge set forth in your Answer to Interrogatories #49.

INTERROGATORY NO. 50: List by brand name every asbestos-containing product which Defendant has purchased or provided for use to employees at its facilities since 1910. As to each such product, please state the following:

- (a) The type of product (e.g., acoustical plaster, fireproofing, concrete, etc.);



- (b) The date the product was purchased or provided;
- (c) The date the use of the product was discontinued;
- (d) The last date the product was purchased;
- (e) The identity of the plant manager(s), managing agent(s), buyer(s), clerk(s), and purchasing agent(s) of Defendant who has knowledge of the products purchased by or used by Defendant.
- (f) Identify if person(s) is alive or deceased in response to subpart (e).
- (g) Identify last known address and telephone number of person(s) named in response to subpart (e).

ANSWER:

INTERROGATORY NO. 51: Did any manufacturer of asbestos-containing products ever inform or advise Defendant or any of Defendant's employees, officers or directors that their products could cause asbestosis, and/or other serious diseases.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 13: If Answer to Interrogatory No. 51 is affirmative, please state:

- a). Date or dates information was provided.
- b). The name and address of each person who received the information.
- c). The nature of the information provided.



INTERROGATORY NO.52: Identify the distributors, vendors, and/or suppliers of asbestos-containing insulation, asbestos cement, refractories and other asbestos-containing products with which Defendant, its' predecessors or related companies had business contact.

ANSWER:

INTERROGATORY NO. 53: Is Defendant now aware or does any of its' officers, directors or employees possess knowledge concerning the reported causal connection between exposure to asbestos or asbestos-containing products and:

- (a) Asbestosis?
- (b) Lung Cancer?
- (c) Mesothelioma?
- (d) Other types of cancer?

ANSWER:

INTERROGATORY NO.54: If your answer to the preceding Interrogatory as to any or all of its subparts is in the affirmative, identify:

- (a) When and how Defendant or any of its officers, directors or employees first learned of such connection;
- (b) If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of persons attending and documents obtained;
- (c) If knowledge was obtained from medical or scientific studies, or any other published work, identify same;



- (d) If otherwise obtained, identify manner of receipt of document or communication.

ANSWER:

INTERROGATORY NO. 55: With regard to any knowledge obtained subsequent to that identified in your answer to Interrogatory 53 and 54 above, identify:

- (a) All documents or communications, oral or written, concerning the causal connection between exposure to asbestos or asbestos-containing products and disease, and identity of persons so communicating;
- (b) Did answering Defendant obtain from or transmit any such information to other Defendants in this case? If so, identify:
- (1) Manner of receipt or communication for each contact;
- (2) All documents and persons involved.

ANSWER:

INTERROGATORY NO. 56: As to any knowledge possessed by Defendant at any time referred to in your answer to Interrogatory 53, 54 and 55, did you educate your employees, contractors, subcontractors or unions of the hazards known to you and the safety precautions necessary to guard against cancer and other diseases arising from the use and handling of asbestos products?

ANSWER:

INTERROGATORY NO. 57: If Answer to Interrogatory No. 56 is affirmative, please identify:



- (a) When and in what manner employees, contractors, subcontractors or unions were so informed;
- (b) Documents communicating or otherwise disseminating such information;
- (c) Programs initiated or sponsored to establish or promote safety procedures, methods or usage of asbestos products;
- (d) Published articles or reports by employees (present or prior) including those of medical directors, scientists, engineers or other professionals;
- (e) Symposia or lectures sponsored for the benefit of asbestos workers.

ANSWER:

INTERROGATORY NO. 58: If you have knowledge or information concerning the following, answer in the affirmative or negative, whether:

- (a) Early detection of mesothelioma results in an appreciable rate of cure or arrest;
- (b) A single exposure to asbestos may cause mesothelioma;
- (c) Cumulative or multiple exposures to asbestos result in a greater risk of harm to the exposed person;
- (d) Stripping or removing old asbestos creates a greater risk of harm than installation of asbestos or asbestos-containing products;
- (e) Cancer resulting from exposure to asbestos develops generally after:



- (1) 1 - 5 years;
 - (2) 6 - 10 years;
 - (3) 11 - 20 years.
- (f) There is any known relationship between smoking and mesothelioma;
- (g) There is any reported cause of mesothelioma other than exposure to asbestos.

ANSWER:

INTERROGATORY NO. 59: As to each answer to Interrogatory 58, identify at least one person or document upon which answering Defendant relies.

ANSWER:

INTERROGATORY NO. 60: Did Defendant, its' predecessors or related companies perform, direct to be performed, finance, sponsor, or receive the results of any studies or tests concerning the relationship between asbestos exposure and asbestosis and/or cancer? If so, identify:

- (a) When, where and at what intervals such studies were performed;
- (b) Were such studies in writing or reported at a later date in writing;
- (c) Were the results of such studies published or otherwise disseminated? If so, state to whom and when;
- (d) Who performed such studies;



- (e) Produce the results of such studies at this time or state where the results are maintained.

ANSWER:

INTERROGATORY NO. 61: Identify the scientific or medical periodicals to which Defendant, its' predecessors or related companies medical department or industrial hygiene division subscribed from 1925 to the present, and the dates of such subscriptions.

ANSWER:

INTERROGATORY NO. 62: Did Defendant, its predecessors or related companies' medical department or industrial hygiene division maintain a medical and/or scientific library at any time from 1925 to the present? If so, state:

- (a) Where such library is maintained;
- (b) The dates such library existed;
- (c) The number of volumes maintained therein;
- (d) The number of employees, part-time or full-time, assigned to maintenance of said library, and to whom in the corporate structure those employees report(ed).

ANSWER:

INTERROGATORY NO. 63: Identify all trade organizations, associations or other entities, including but not limited to AISI, ATI, IHF, NIMA, AIA, NICA, TIMA, QAMA,



PICA, API or QAPA, to which Defendant has belonged or in which you have participated since 1925, stating the applicable dates of such membership or participation.

ANSWER:

INTERROGATORY NO. 64: Identify all persons attending on Defendant's behalf any meetings held by trade organizations, associations or other entities identified in answer to Interrogatory No. 63.

ANSWER:

INTERROGATORY NO. 65: Identify the names or nature of all notes, reports, studies, or other writings submitted by you or received by you at meetings held by organizations described in answer to Interrogatory No. 63 wherein asbestos was raised.

ANSWER:

INTERROGATORY NO. 66: Identify any documents received by you from or submitted by you to those trade organizations, associations or other entities identified in answer to Interrogatory No. 63 relating to the relationship between asbestos exposure and disease.

ANSWER:

INTERROGATORY NO. 67: Did you direct to be performed, sponsor, finance, receive the results of or were you aware of any studies or tests performed by the Saranac Lake



Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human life? If so, identify:

- (a) All documents summarizing findings or results of those studies or tests which you have in your possession or control;
- (b) All communications, oral or written, between answering Defendant and Saranac personnel, including but not limited to Gerrit W. H. Schepers, M.D.;
- (c) All documents relating to Saranac studies received or submitted by you either directly, through associated or predecessor companies, through other companies, or through any trade associations, organizations, or other entities;
- (d) All recommendations or findings of such studies relating to:
 - (1) Adequacy or inadequacy of threshold limit values;
 - (2) Substitution of materials other than asbestos to be used in the insulation process.
- (e) Where documents and/or communications identified in answers to (a)-(d) of this Interrogatory are maintained.

ANSWER:

INTERROGATORY NO. 68: How many employees of answering Defendant are known by Defendant to be suffering from, have suffered from or whose deaths have been caused by asbestosis? State the date such disease of any employee was first known by Defendant.



ANSWER:

INTERROGATORY NO. 69: How many employees of answering Defendant are known by Defendant to be suffering from, have suffered from or whose deaths have been caused by lung cancer? State the date such disease of any employees was first known by Defendant.

ANSWER:

INTERROGATORY NO. 70: How many employees of answering Defendant are known by Defendant to be suffering from, have suffered from or whose deaths have been caused by mesothelioma? State the date such disease of any employee was first known by Defendant.

ANSWER:

INTERROGATORY NO. 71: Identify all expert witnesses who have testified in other cases, pending or otherwise on behalf of answering Defendant.

ANSWER:

INTERROGATORY NO. 72: Identify all present or former employees of answering Defendant, other than Plaintiffs, who have testified against this Defendant in a litigation matter or before a governmental agency or unit.

ANSWER:



INTERROGATORY NO. 73: With respect to your answers to Interrogatories 71 and 72, identify all documents, including but not limited to transcripts or notes of testimony employed by or resulting from the testimony of such expert witnesses or employees.

ANSWER:

INTERROGATORY NO. 74: Identify:

- (a) Any expert whom you intend to call as a witness or otherwise utilize in connection with this litigation;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify;
- (d) A summary of the grounds of each opinion;
- (e) The address of such person and his field or expertise;
- (f) Identify and produce each treatise, article or text upon which the expert will rely in his testimony.

ANSWER:

INTERROGATORY NO. 75: Identify and produce all board meeting minutes at which asbestos, the hazards of asbestos exposure, and/or the possible application of warning labels on asbestos-containing products was discussed by the Board of Directors of your company.

ANSWER:



INTERROGATORY NO. 76: Please identify by name, address and phone number each person who has provided this answering party with statements in connection with this litigation.

ANSWER:

INTERROGATORY NO. 77: Please identify each person who has been interviewed in the course of preparing for the trial of this matter.

ANSWER:

INTERROGATORY NO. 78: Have you ever purchased any asbestos-containing products from any of the Defendants named in this action and, if so:

- (a) List all individuals, corporations partnerships, or other business entities from which you have purchased asbestos-containing products;
- (b) State all dates when asbestos-containing products were purchased from these entities;
- (c) State what asbestos-containing products were purchased from these entities and identify by brand name;
- (d) State what quantity of asbestos-containing products were purchased from these entities;
- (e) Provide copies of all purchase orders, specifications, contracts or correspondence with the entities identified in (a) above or otherwise identify all documents relating to the sale.



ANSWER:

INTERROGATORY NO. 79: Has this Defendant ever had any correspondence with any of the following companies or facilities concerning asbestos-containing products or health hazards relating thereto:

- A. Daimler Chrysler Corporation
- B. General Motors Corporation
- C. Ford Motor Company
- D. J & L Steel Corporation
- E. Rouge Steel Corporation
- F. National Steel/Great Lakes Steel Corporation
- G. McLouth Steel Corporation
- H. Detroit Edison
- I. Consumers Power Company
- J. Michigan Consolidated Gas Company
- K. Shell Oil Company
- L. Total Petroleum Corporation
- M. Mobil Oil Corporation
- N. Exxon Corporation
- O. Marathon Oil Company
- P. Monsanto Chemical Company
- Q. BASF Corporation
- R. Wyandotte Chemical Corporation



- S. Pennsalt Chemical Company
- T. Hooker Chemical Corporation
- U. DuPont Chemical Corporation
- V. Dow Chemical Corporation
- W. Dow Corning Corporation

If so, provide copies of any such correspondence with any of the above companies.

ANSWER:

INTERROGATORY NO. 80: Are there any policies of insurance which provide, or might provide, coverage on behalf of Defendant, any predecessor or any related company for the injuries alleged in Plaintiffs' complaints?

ANSWER:

INTERROGATORY NO. 81: If your answer to Interrogatory No. 80 is "Yes," identify each such policy of insurance as follows:

- (a) Identify the insurer(s);
- (b) Identify the insured(s);
- (c) State the date on which the policy was first purchased and the date on which the policy expired or was terminated;



- (d) Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and
- (e) State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.

ANSWER:

INTERROGATORY NO. 82: With respect to each policy described in response to Interrogatory No. 81, state:

- (a) the dollar amount of coverage which remains unexpended; and
- (b) whether any dispute exists between insurer and insured with respect to coverage.

ANSWER:

INTERROGATORY NO. 83: Other than the policies of insurance described in response to Interrogatory No. 81, do there exist any agreements providing for the benefit of Defendant, any predecessor or any related company, complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees?

ANSWER:

INTERROGATORY NO. 84: If your answer to Interrogatory No. 83 is "Yes," for each such agreement:



- (a) Identify all parties to the agreement and state the capacity of each such party (ie. indemnitor, indemnitee, etc.);
- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

ANSWER:

INTERROGATORY NO. 85: State the total number of asbestos-related personal injury cases pending against Defendant as of this date.

ANSWER:

Respectfully Submitted,

BY: _____

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

Dated:

Request to Produce



Defendant is hereby requested to produce the following items, documents, records, and other tangible things for inspection and copying at its own offices on October 25, 2001.

1. All purchasing records including, but not limited to, vendor lists, invoices, bills, receipts, statements, accounts, histories, logs, ledgers and registers for the years 1950 through 1980 for any facility, warehouse or other building, located within the state of Michigan, regarding purchases for the following materials, supplies, and equipment:

- a. All insulation materials, including but not limited to block insulation, pipecovering, asbestos cement, asbestos board, asbestos paper, asbestos cloth and fireproofing spray.
- b. All refractory materials including, but not limited to, castables, cement, insulating firebrick, and gunnite.
- c. All possible insulating and/or asbestos-containing building materials including, but not limited to, roofing, siding, plaster, and fireproofing materials.
- d. All insulated electrical materials and equipment including, but not limited to, control or switching panels, cables, wires, and turbines.
- e. All gaskets, packing, rope and seals.
- f. All brakes and clutches used for cranes.
- g. All heat-proof protective clothing, including but not limited to gloves, blankets, vests, coats, hats, leggings and cloth.
- h. All other possible asbestos-containing equipment, specifically industrial furnaces/ovens, kilns, boilers, turbines and pumps.
- i. Any and all other asbestos containing products including but not limited to asbestos fiber.

2. All names and last known addresses of any and all outside contractors who were hired from 1950 through 1980, to perform work within the state of Michigan, for the following jobs (please include the year and a brief descriptive listing of each job the



contractor was hired to do as well as each contractor's contracts, all material specification sheets and blueprints for each job:

- a. New construction on any building, plant, process, pipeline, storage tank, furnace, oven, kiln, boiler, pump, turbine and electrical equipment.
 - b. Maintenance on any building, plant, process, pipeline, storage tank, furnace, oven, kiln, boiler, pump, turbine and electrical equipment.
 - c. Renovation and repairs of any building, plant, process, pipeline, storage tank, furnace, oven, kiln, boiler, pump, turbine and electrical equipment.
 - d. Insulation and refractory installation.
3. All names and last known addresses of any and all purchasing personnel who from 1950 through 1980 for any Michigan facility ordered the following:
- a. All insulation materials, including but not limited to block insulation, pipecovering, asbestos cement, asbestos board, asbestos paper, asbestos cloth and fireproofing spray.
 - b. All refractory materials and equipment, including but not limited to castables, cement, insulating firebrick, and gunnite.
 - c. All insulating and/or asbestos-containing building materials, including but not limited to roofing, siding, plaster, and fireproofing materials.
 - d. All insulated electrical materials and equipment, including but not limited to control or switching panels, cables, and wires.
 - e. All gaskets, packing, rope and seals.
 - f. All brakes and clutches used for cranes.
 - g. All heat-proof protective clothing, including but not limited to gloves, blankets, vests, coats, hats, leggings and cloth.
 - h. Insulation and refractory installation.

i.



- j. Any other asbestos containing product, including, but not limited to asbestos fiber.
4. All names and last known addresses of any and all stores personnel who from 1950 through 1980 for any Michigan facility were responsible for handling, controlling, and storing the following:
- a. All insulation materials, including but not limited to block insulation, pipecovering, asbestos cement, asbestos board, asbestos paper, asbestos cloth and fireproofing spray.
 - b. All refractory materials and equipment, including but not limited to castables, cement, insulating firebrick, and gunnite.
 - c. All insulating and/or asbestos-containing building materials, including but not limited to roofing, siding, plaster, and fireproofing materials.
 - d. All insulated electrical materials and equipment, including but not limited to control or switching panels, cables, and wires.
 - e. All gaskets, packing, rope and seals.
 - f. All brakes and clutches used for cranes.
 - g. All heat-proof protective clothing, including but not limited to gloves, blankets, vests, coats, hats, leggings and cloth.
 - j. All other possible asbestos-containing equipment, specifically industrial furnaces/ovens/kilns and core ovens.
 - k. Any and all other asbestos containing products including but not limited to asbestos fiber.

Plaintiffs request the opportunity to inspect all documents listed above in the possession of defendant or its predecessors by having representatives of the undersigned law firm visit the Defendant's document repository centers at a time and place mutually agreed upon.



The plaintiff will pay reasonable costs associated with the copying of records.

Respectfully submitted,

BY: _____

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

Dated: