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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL ACTION # 76-1482

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-CAMDEN COUNTY
DOCKET NO. L-45534-75

FOSTER C. ERGOOD, ESQUIRE
ASBELL, AMBROSE, ERGOOD & ASBELL, P.A.
A PROFESSIONAL CORPORATION
76 Euclid Avenue
Haddonfield, N.J. 08033
(609) 795-1580

MORTON J. AUSTIN,

Plaintiff,

vs.

JOHNS MANVILLE CORPORATION, LAKE ASBESTOS CO., INC. NORTH AMERICAN ASBESTOS CO., INC., PHILIP CAREY COMPANY, A Division of Panacon Corporation (a/k/a CAREY CANADIAN, A Subsidiary of JIM WATERS, INC.) ILLINOIS MINERAL & SILICIA CO., INC. and JOHN DOE (S),

Defendants.

INTERROGATORIES

TO: Defendant, NORTH AMERICAN ASBESTOS CO., INC.

PLEASE TAKE NOTICE that plaintiff requires Answers to the following Interrogatories in accordance with the rules provided.

ASBELL, AMBROSE, ERGOOD & ASBELL

By /s/ Foster C. Ergood
Foster C. Ergood, Attorneys
for Plaintiff

CRMC-Motley1000-Subj-001742

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. Please identify yourself by stating your name, present address, ne position you occupy in the defendant company and describe your usual ties in that position.

NSWER: C.G. Morgan, 150 N. Wacker Drive, Chicago, Illinois 60606. President and Chief Executive Officer. ***

***During the course of the preparation of the Answers to these Interrogatories , North American Asbestos Co., Inc. was disolved as of May, 1978. May E. Meyer, whose signature is annexed to the Certification is the Liquidating Trustee and has custody of all North American Asbestos' records. He has reviewed and assisted in providing information with respect to these Answers to Interrogatories. His address is in care of Lord, Bissell & Brook, 115 South LaSalle Street, Chicago, Illinois 60603.

. Before answering the remainder of these interrogatories, kindly make nquiry of all agents, servants, and employees of the defendant and make eference to all records and written materials in the possession of the efendant as will enable you to make full and true answers to these nterrogatories. Have you first done so ?

ANSWER: Yes, to the extent possible. North American Asbestos Corporation was disolved as of May 19, 1978 and is now in liquidation.

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.. With respect to the defendant: (a) State its State of incorporation, b) The address of its principal place of business, (c) the date of its incorporation.

ANSWER: (a) Illinois;
(b) 150 N. Wacker Drive, Chicago, Illinois 60606, until May 19, 1978.
(c) October 14, 1953.

.. On and before January, 1973, was the defendant engaged in the mining nd/or producing and/or manufacturing and/or processing, and/or upplying and/or distributing of raw asbestos, and/or asbestos products nd compounds ?

ANSWER: Distribution of raw asbestos fibres and certain asbestos products such as yarn and rope.

. State the names and present addresses of all companies which mined, oduced, manufactured, processed, supplied, and/or distributed raw bestos and/or asbestos products on behalf of the defendant to the ens Corning Fiberglas plant in Berlin, New Jersey on and before January, 973.

ANSWER: From 1956 to 1967, Owens Corning purchased raw asbestos fibres from EGNEP (Pty.) Limited on an FOB South Africa basis. From 1968 to October 10, 1972, this Defendant sold directly raw asbestos fibres to Owens Corning on an FOB Philadelphia, Pennsylvania basis.

CRMC-Motley1000-Subj-001744

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. For each company listed in answer # 5 above state: (a) the inclusive ates during which it mined, produced, manufactured, processed, supplied, d/or distributed raw asbestos and/or asbestos products and compounds n behalf of the defendant to the Owens Corning Fiberglas plant, Berlin, ew Jersey, (b) the exact terms and contents of any and all contracts agreements between defendant in each said company concerning the ining, producing, manufacturing, processing, supplying and/or distributing he raw asbestos and/or asbestos products and compounds to the Owens rning Fiberglas plant, Berlin, New Jersey, (c) the name, company position d present address of the person who negotiated said contract or agree-ent on defendant's behalf.

ANSWER: (a) See answer to #5.
(b) See answer to #5.
(c) From 1956 to 1970, Robert Cryor (now deceased) and from December 1, 1971 to October, 1972, C.G. Morgan.

List the generic names and trade names of all types of raw asbestos /or asbestos products and compounds mined, produced, manufactured, plied and/or distributed by you, or your contractual agents and sold the Owens Corning Fiberglas plant, Berlin, New Jersey, giving the date t you began to mine, produce, manufacture, process, supply, and/or tribute such materials (including your contractual agents), starting 1936, a description of the materials and what they contained.

ANSWER: Amosite asbestos in the form of raw asbestos fibres during the period 1956 to October, 1972.

CRMC-Motley1000-Subj-001745

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. For each ingredient listed in answer # 7 above de
usefulness, purpose and/or function was.

ANSWER: As insulation and re-enforcement of ash

. For each ingredient listed in answer # 7:

(a) State whether your company produced said ingr
it was supplied by another company.

ANSWER: (a) Raw asbestos fibres were mined by EGNE

(b) If it were suppled by another company, list t
addresses of all companies which supplied each such
1936 to 1972.

(b) EGNEP (Pty.) Limited, Burlington House, 22 Ris
2000, South Africa.

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. For each ingredient listed in answer # 7 above describe what its usefulness, purpose and/or function was.

ANSWER: As insulation and re-enforcement of asbestos cement products.

. For each ingredient listed in answer # 7:

(a) State whether your company produced said ingredient or whether it was supplied by another company.

ANSWER: (a) Raw asbestos fibres were mined by EGNEP (Pty.) Limited;

(b) If it were suppled by another company, list the names and addresses of all companies which supplied each such ingredient from 1936 to 1972.

(b) EGNEP (Pty.) Limited, Burlington House, 22 Rissik Street, Johannesburg 2000, South Africa.

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(c) State the inclusive dates during which each supplied each such ingredient.

1956 to October 1, 1972;

(d) State the exact terms and contents of any and all contracts and agreements between defendant and each such company concerning production and supply of each such ingredient.

See answer to question 5.

(e) State the name, present address and company position of the person who negotiated each such contract or agreement on defendant's behalf.

See answer to question 6(c);

(f) State the physical form (including size, shape, color and any other pertinent descriptive characteristics) in which defendant and/or its contractual agents shipped and/or supplied and/or distributed its raw asbestos and/or asbestos products and compounds to Owens Corning Fiberglas Plant, Berlin, New Jersey, furnishing the dates thereof.

Raw asbestos fibres were shipped in bags during the period 1956 to October, 1972.

CRMC-Motley1000-Subj-001748

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. Describe in full and complete detail the intended uses or purposes
defendant's raw asbestos and/or asbestos products and compounds which
re sold through the marketing process to Owens Corning Fiberglas plant,
rlin, New Jersey.

ANSWER: Upon information and brlief, as insulation and re-enforcement for asbestos cement products.

1. Did you ever at any time from 1936 to 1973 give warnings to workers
ours as well as others) of the dangerous nature or propensity of your
w asbestos and/or asbestos products mined, produced, manufactured,
ocessed, supplied and/or distributed ? If so, describe your warnings,
ve the dates such warning were issued and to whom such warnings were
ven and how they were published or made known.

ANSWER: Since June 19, 1972, on acknowledgments of purchase orders and on bags containing raw asbestos fibres the following is stated: "CAUTION Precautions should be taken when handling asbestos to avoid creating dust. Breathing asbestos dust may cause serious bodily harm."

2. What studies have you made to determine the effect of your raw
sbestos and/or asbestos products on the lungs, and/or physical condition
persons whose employment exposes them to your raw asbestos and/or
sbestos products and compounds ?

ANSWER: This Defendant at one time furnished samples of asbestos fibres to Dr. Irving Selikoff in connection with his studies. This Defendant also is a member of the Asbestos Information Association and has access to its studies.

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13. Who made such studies, when were they made, and attach copies of reports of such studies.

ANSWER: See answer to #12.

14. Did you package and/or sell any raw asbestos and/or asbestos products from the years 1936 to 1972 ? If so, how was the raw asbestos and/or asbestos products sold (by and through whom), how was the raw asbestos and/or asbestos products packaged, and was the raw asbestos and/or asbestos products universally used through out the United States, including the Owens Corning Fiberglas plant, Berlin, New Jersey.

ANSWER: This Defendant during the period 1954 to 1972 acted as a sales representative and also bought and sold raw asbestos and certain asbestos products such as rope and yarn. The raw asbestos was shipped in bags from South Africa. Such raw material was used by various manufacturers of asbestos products in the United States, such as the Owens Corning Fiberglass plant, Berlin, New Jersey.

15. If your raw asbestos and/or asbestos products were used primarily in any specific location or area, state where such raw asbestos and/or asbestos products were primarily used.

ANSWER: See answer #14.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 9 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/9

802734

6. Do you recognize that prolonged exposure and/or use of raw asbestos and/or asbestos products which are either mined, produced, manufactured, processed, distributed and/or supplied by you can cause or contribute to cause various occupational diseases, including but not limited to, asbestosis, silicosis, emphysema, dermatitis and/or cancer ?

ANSWER: No. Although asbestosis is a disease associated with the inhalatic of high concentrations of asbestos fibres over many years, hygiene standard have been established for asbestos dust which are designed to virtually eliminate the risk of developing the earliest recognizable clinical signs .

7. Has your company performed any studies or has your company ordered (see any studies by others concerning the effects of inhalation of asbestos attac dust or fibers by one using or being exposed to any of the asbestos , (includ materials manufactured by your company ? In answer to this question raw) please give the date and nature of such studies, if any, the name or names of the persons conducting the studies and their addresses, what the purpose of the studies was, and attach a copy of any report based upon such studies, showing to whom such report was given and when.

ANSWER: See answer #12.

13. Have you or any of your employees conducted studies designed to prevent, minimize and/or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of your company's raw asbestos and/ or asbestos products compounds ? If so, give the name or names of such persons conducting such studies, attach copies of such studies, by whom they were made, and to whom they were given, and when, and state

CRMC-Motley1000-Subj-001751

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CONTINUATION OF #16:

. . . .of asbestosis. The minimization of asbestosis at the same time minimizes any associated risk of silicosis, emphysema, dermatitis and cancer.

CRMC-Motley1000-Subj-001752

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19. Did you or do you or your company have any inspection of areas where workers are using raw asbestos and/or asbestos products mined, produced, manufactured, processed, supplied and/or distributed by your company as to the dust count ? If you do not, then please explain why this has or is not done, and if you do, please explain what action, has been and/or is taken by your company following the taking of dust counts in any of the locations referred to above. Also, please give the dates and places, if any, that your company first started making such dust counts, and set forth in detail the dates and places that this has been done since.

ANSWER: No. This Defendant is a sales representative and distributor and its customers are well known manufacturers in the asbestos products industry.

20. Does your company recognize that as early as 1900 Dr. H. Montague Murray, a physician in London's Charing Cross Hospital, found spicules of asbestos in lung tissue ? If the answer is yes, then state what action, if any, your company has taken since 1900 to prevent, reduce and/or eliminate the dangers to those using your raw asbestos and/or asbestos products from inhaling the dust and fibers.

ANSWER: This information has not been made available to this Defendant.

CRMC-Motley1000-Subj-001753

11. Does yourcompany recognize that in 1924 Dr. W.E. Cook, also of England found clear evidence of asbestosis and that such discovery was published in British Medical Journal of July 26, 1924 and republished in 1927 ? If the answer is yes, then please state what action, if any, was taken by your company based upon these studies to prevent, reduce or eliminate asbestosis in those using your raw asbestos and/or asbestos products. If your answer is that you do not recognize the truth of such statement, then please state what your company has done in an effort to keep abreast of medical literature concerning the disease and/or diseases produced from the raw asbestos and/or asbestos products which you mine, produce, manufacture, process, distribute and/or supply, if in truth you have.

ANSWER: This information has not been made available to this Defendant.

12. Does your company recognize that in 1931, the English Parliament passed legislation making asbestosis a compensable disease and requesting improved methods of exhaust ventilation and dust suppression in asbestos-textile factories, and also instituted periodical medical examinations for workers engaged in particularly dusty processes in the asbestos-textile industry ? If you do recognize the truth of the statement above, please state what action, if any, your company took in response to such knowledge in an effort to prevent, reduce and/or eliminate the effects of asbestos to those using your raw asbestos and/or asbestos products. If you do not recognize the truth of such statement please state why your company did not keep in touch with legislation and/or programs adopted endeavoring to reduce or eliminate the disease of asbestosis in those using raw asbestos and/or asbestos products. Do you agree that once asbestos fibers or dust are inhaled into the lungs, there is no way for the body to naturally eliminate such dust or fibers from the lungs for the balance of such person's life ?

ANSWER: Yes. See answer #12. This Defendant does not agree with the statement that there is no way for the body to naturally eliminate dust or fibres from the lungs.

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. What technique, if any, does your company use to make dust samplings, plaining the technique and when it was commenced and what the purpose was d what action has been taken in response to the findings as to the dust mples?

ANSWER: This defendant did not make dust samplings; North American Asbestos Corporation was a sales representative and a distributor of raw asbestos fibers and certain asbestos products. It did not mine, manufacture or process asbestos products.

. Does your company recognize that asbestos causes asbestos-induced ng cancer ? If you answer is "Yes", when did you come to such alization and what action did you take in response thereto ? If your nswer is "No" then please explain why no studies were made by your mpany to ascertain that this fact was indeed true and thereafter to take ction to advise those exposed to your raw asbestos and/or asbestos products their dangerous nature or propensity?

ANSWER: No. See answers #12 and 16.

. Does your company recognize that there is a direct connection between e inhalation of asbestos dust and fibers and the disease of mesothelioma ? f your answer is "yes" , to this question then please advise what notices re given to those exposed to your raw asbestos and/or asbestos products f this fact, the date of such notices and the methods of dissemination r publication of same.

ANSWER: See answer #16.

CRMC-Motley1000-Subj-001755

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. Does your company place any warning signs on its raw asbestos and/or estos products? If so, please state exactly what the warning is, where is used and when its use was first begun. If your answer to this stion is "Yes" then please explain why your company uses such warning ices.

ANSWER: See answer #11.

. Do you agree that asbestos has been directly associated medically h the disease of cor pulmonale ?

ANSWER: No.

. Does your company recognize the physical characteristics of and mical properties of asbestos fibers persist unimparied beyond the gevity of humans ? In other words, unlike some dangerous products, it s not eventually dissipate or reduce itself in danger to those who might exposed to it ?

ANSWER: No.

. Does your company recognize that year by year, more asbestos is used the United States, and therefore the public is thereby exposed to a eater and greater extent to the inhalation of asbestos dust and fiber ? your answer is "Yes" then please state what action your company has ken to prevent, reduce or eliminate this danger and what action, if y, you have taken to notify the public at large of this danger.

ANSWER: No. The use of amosite fibres has been decreasing. Furthermore, tests in the urban atmosphere have recorded the presence of asbestos in amounts at least 1,000 times below those regarded as the standard for asbestos dust in occupational situations. There is no evidence that this trace amount of asbestos in the urban environment can cause damage to the lungs of the general public. See report of the Advisory Committee on Asbestos Cancers to the Director of the International Agency.

.. Has your company consulted wiht Dr. Irving J. Selikoff, of New York, (see w York, concerning asbestosis,and if so, please state when and under below t circumstances and what information, if any, was furnished by your mpany to him, giving dates of such information.

ANSWER: Yes. See answer #12.

CONTINUATION OF #29:

. . .for Research on Cancer (Worth Health Organization), Lyon, October 1972.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978) Published by AsbestosClaims.Law
ACL Doc 12957 · Page 15 of 37 asbestosclaims.law/library/12957/15

802/40

. Do you have any labor inspectors or anyone from your company whose
:b it is to go to areas where raw asbestos and/or asbestos products
re being used to make a dust level count, and if so, please state
:han your company started such procedure, the purpose of it, and what
:tion, if any, was taken in response to your findings.

ANSWER: No. This Defendant is a sales representative and distributor of raw asbestos fibres and certain asbestos products. It does not manufacture asbestos products itself.

3. Is your company familiar with the hearing conducted in March, 1967, :fore the House of Representatives of the United States Congress Sub-:ommittee on Labor?

ANSWER: No.

4. Do you agree that the problem of asbestos dust extends further than : those merely handling your raw asbestos and/or asbestos products but :at the exposure is shared with other construction workers using same :s well ?

ANSWER: No. See answer to question #29.

3. If your answer to the preceeding interrogatory is "No", then please :ate whether or not you have familiarized yourself with the testimony of :. William H. Stewart, Surgeon General of the United States before the :ommittee mentioned above that probably three and one-half million :onstruction workers or more are being exposed to asbestos dust and in :ddition to those workers actually handling the materials containing :sbestos ?

ANSWER: No. See answer to question #29

CRMC-Motley1000-Subj-001757

t consists of.

ANSWER: No. See answer #29.

. Is it possible to distinguish your raw asbestos and/or asbestos roducts from those mined, manufactured, produced, processed, distributed d/or supplied from those of a competitor ? If your answer is "Yes" lease describe how you contend your raw asbestos and/or asbestos products all instances can be distinguished from those of a competitor, ie, rely by names or package or by appearance of the products themselves. there are asbestos products and/or raw asbestos which cannot be, in our opinion, distinguished from raw asbestos and/or asbestos products a similar kind mined, produced, manufactured, processed, supplied and/ distributed by a competitor, please state the name of such raw asbestos d/or asbestos product, who mines, produces, manufacturers, processes, pplies and/or distributes it, as well as the trade name of the asbestos roduct and/or raw asbestos mined, produced, manufactured, processed, pplied and/or distributed by your competitor.

ANSWER: Amosite fibres differ in color, length of fibre and are less powdery in consistency. Johns Manville and many other corporations have mined raw asbestos fibres in many parts of the United States and Canada which products are sold in competition with the raw asbestos fibres distributed and sold by this Defendant.

3. It is true, is it not, that most of the products manufactured by ur company containing asbestos will in most instances have to be cut, wed, scribed, shaved or mixed by the ultimate user and his employees ?

ANSWER: This defendant did not manufacture any product.

. It is true, is it not, that a majority of your product is raw bestos ?

ANSWER: Yes, the majority of product <u>sold</u> by this defendant was raw asbestos.

. Please provide the names of the states and countries where your aw asbestos and/or asbestos products are used, giving the beginning d ending dates (if applicable).

ANSWER: 1954 to date throughout the United States, Canada and Mexico.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978) Published by AsbestosClaims.Law
ACL Doc 12957 · Page 17 of 37 asbestosclaims.law/library/12957/17

802742

. How many years has your company been engaged in the mining, oducing, manufacturing, processing, shipping and/or distributing raw asbestos and/or asbestos products and which are commonly used insulators and asbestos workers, etc.?

ANSWER: 1954 to date.

. If you, your company, or your company's attorneys, contend that any spirators or other breathing device is currently on the market that ll prevent the inhalation of asbestos dust and fibers, give a detailed scription of such respirator or other breathing device , together with w you know that this will prevent the inhalation of such dust and bers, what tests were conducted, by whom and where, with sufficient tail to enable us to obtain the results of such tests, also the dates en said respirators were first marketed.

ANSWER: Employees of customers of this Defendant have used respirators or other breathing devices to prevent the inhalation of asbestos dust. This Defendant has no knowledge as to what testing has been done with respect to the manufacture and distribution of such devices and refers to the general literature of the manufacturers of such devices.

. It is true, is it not, that your company has for many years mined, oduced, manufactured, processed, supplied and or distributed raw bestos and/or asbestos insulating materials and that such products ve been placed upon the open market to be purchased and used by the blic ?

ANSWER: Yes, to the extent that such raw material has been sold to manufacturers of asbestos products.

. Do you or your company recognize that raw asbestos and/or asbestos insulating materials are dangerous and harmful to human beings and to e health of man ? If your answer to this question is "Yes", then lease explain when you came to this conclusion; what, if anything, you ave done about it to notify the public. If your answer is that your raw bestos and/or asbestos products are not harmful then explain what tests re made upon which you base such conclusion.

ANSWER: No. See answer #29.

CRMC-Motley1000-Subj-001759

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6. Do you have any statistical figures available showing the number employees employed by your company who are exposed to asbestos dust d fibers and who have worked for your company 10 years or longer who ve lung disease ? If so, please give such figures.

ANSWER: No. Defendant is a distributor and sales representative.

7. Do you have any information derived from medical experiments or her sources or information of your own knowledge, concerning the st common cause of death of one having asbestosis; if so, describe what the most frequent cause of death from one suffering from ch disease is.

ANSWER: No.

8. State:

CRMC-Motley1000-Subj-001760

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(c) The total dollar volume of sales of raw asbestos and/or asbestos products mined, produced, manufactured, processed, distributed and/or supplied by your company for each of the years since 1936.

. Give the name and address of the president of your company.

ANSWER: C.G. Morgan, 150 N. Wacker Drive, Chicago, Illinois 60606. was formerly President of North American Asbestos Corporation.

. If your company has been unable to answer any of the foregoing interrogatories herein propounded, please state the name and address the person in your company having knowledge of the matters inquired out in these interrogatories.

ANSWER: n/a

. Does your company recognize that Dr. Irving J. Selikoff of New York, an outstanding authority in the field of asbestosis, particularly ong workers exposed to asbestos dust and fibers, including but not mited to insulation workers and handlers of raw asbestos ?

ANSWER: Yes. However, Dr. Selikoff's findings are not wholly accepted by other equally qualified authorities.

. Do you agree that the following states have a Workmen's Compensation covering the occupational disease of asbestosis beginning in theyears t opposite their respective names:

CRMC-Motley1000-Subj-001761

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52. Does your company recognize that asbestos causes asbestosis ? If your answer is "Yes" when did you come to such realization, and what action did you take in response thereto ? If your answer is "No", then please explain why no studies were made by your company to ascertain that this fact was indeed true and thereafter to take action to advise those exposed to your raw asbestos and/or asbestos products of their dangerous nature and/or propensity ?

ANSWER: See answer #16;

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53. Is or has F.J. Solon, Jr., been Vice President for Environmental Affairs of Johns-Manville Corporation, the parent corporation of Johns Manville Products Corporation and if so, since what date and what other capacities has F.J. Solon, Jr., been affiliated with Johns-Manville Corporation since 1952 ?

ANSWER: n/a to this Defendant;

54. Did F.J. Solon, Jr. while Vice President for Environmental Affairs of Johns-Manville Corporation or at any time while an officer or employee of said company, oppose publicizing the hazards that workers who had been exposed to asbestos dust and fibers were subject to because of such exposure and if so, when and where did he make his statement opposing such publication?

ANSWER: n/a to this Defendant.

55. Did any officers of the Johns-Manville Corporation or its subsidiaries refuse to permit Dr. Selikoff to obtain a list of their personnel records ?

ANSWER: n/a to this Defendant.

56. Was Johns-Manville Corporation and/or any of its subsidiaries the owner and/or operator of the Union Asbestos and Rubber Company plant of Patterson, New Jersey at any time from 1940 to the present time ?

ANSWER: n/a to this Defendant.

57. Did Johns-Manville Corporation's officers or its subsidiary officers at Manville, New Jersey refuse to cooperate with Dr. Irving J. Selikoff regarding the incidents of exposure of the employees at said Union Asbestos and Rubber Company plant when Dr. Selikoff first approached them for this information some time prior to January 1, 1959?

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 22 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/22

802747

59. When did defendant first install machines for asbestos ?

ANSWER: n/a to this Defendant.

60. Has defendant set a policy of hiring only non-plants up to the present time ? If so, when?

ANSWER: n/a to this Defendant.

61. Did defendant, notify its stockholders that th Labor Secretary, James Hodgson, early in 1972 refu standard of two fibers per c.c. only and permittir of five fibers per c.c. was to the advantage of t and earnings?

ANSWER: n/a to this Defendant.

62. List the addresses of all manufacturing, packa production plants of the defendant used in the mi of raw asbestos and/or asbestos products from 19

ANSWER: None

63. Of the physical properties and/or ingredients raw asbestos describe for each such property or in extent of defendant's knowledge, on and before Jan the effect of said properties and/or ingredients c because of breathing it into the lungs.

ANSWER:

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59. When did defendant first install machines for the bagging of asbestos ?

ANSWER: n/a to this Defendant.

60. Has defendant set a policy of hiring only non-smokers in its plants up to the present time ? If so, when?

ANSWER: n/a to this Defendant.

61. Did defendant, notify its stockholders that the ruling by the Labor Secretary, James Hodgson, early in 1972 refusing to adopt the standard of two fibers per c.c. only and permitting the standard of five fibers per c.c. was to the advantage of the company's sales and earnings?

ANSWER: n/a to this Defendant.

62. List the addresses of all manufacturing, packaging and/or production plants of the defendant used in the mining and producing of raw asbestos and/or asbestos products from 1940 to 1973.

ANSWER: None

63. Of the physical properties and/or ingredients contained in your raw asbestos describe for each such property or ingredient the full extent of defendant's knowledge, on and before January, 1973, as to the effect of said properties and/or ingredients on the human body because of breathing it into the lungs.

ANSWER: See answers #12, 16 and 29.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 24 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/24

64. List the author, title, publication date, and identify the volume and page number, if any, of all literature known to the defendant before January, 1973, concerning the effects described in answer # 63 above.

ANSWER: See answers #12, 16 and 29.

65. Describe in sequential detail how raw asbestos is mined, produced, processed, manufactured, and/or marketed, and/or supplied and distributed, starting from the raw materials and continuing until the raw asbestos and/or asbestos product in its finished state leaves the defendant's possession or the possession of any companies acting on defendant's behalf.

ANSWER: Raw asbestos is extracted by mining processes from the earth, is bagged and shipped to various customers for use in the manufacture of asbestos products.

66. Describe in sequential detail how raw asbestos is mined, produced, processed, manufactured and/or marketed, and/or supplied and distributed, starting from the raw materials and continuing until the raw asbestos and/or asbestos product in its finished state leaves the defendant's possession or the possession of any companies acting on defendant's behalf and in what state said raw material and/or asbestos product is in when it would reach Owens Corning Fiberglas plant, Berlin, New Jersey.

ANSWER: See answer 65.

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67. List any and all safety regulations in force for employees of the defendant at any of its mines, production and/or processing plants, concerning the handling, manufacturing, transporting, packaging, and/or storing of its raw asbestos and/or asbestos products from 1940 to 1973.

ANSWER: From the time of its incorporation until 1973, this defendant was a sales representative and/or a distributor of asbestos. It did not mine, manufacture or process asbestos. It therefore had no mines, production and/or processing plants as referred to in Interrogatory #67. The request that safety regulations in force for employees of such plants be listed is therefore not applicable to this defendant.

68. Describe in detail the clothing and/or equipment worn by defendant's employees engaged in the mining, manufacturing, producing, processing, packaging, storing, and/or transporting of its raw asbestos and/or asbestos products.

ANSWER: See #67

69. State the full and complete purpose for each piece of equipment and/or clothing.

ANSWER: See #67

70. State the name, company position and present address of the person or persons:

(a) In charge of formulating safety regulations,

See #67

(b) Designing clothing or equipment worn by employees in plants which mined, produced, manufactured, processed, and/or

802751

71. For each such person state:

See #67

(a) His educational and technical background and training period.

(b) Any and all information utilized by said person or persons in formulating safety regulations and/or designing employees clothing or equipment.

(c) In chronological order what each person did or decided and when the act took place.

72. Describe in full and complete detail any and all safety precautions and procedures designed to prevent or minimize the possibility of asbestosis and/or other serious lung diseases to defendant's employees engaged in the mining, producing, manufacturing, processing, and/or handling of raw asbestos and/or asbestos products.

ANSWER: See #67

73. State the purpose of each physical plant accomodation described

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 27 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/27

74. Did your company receive any communications, complaints or correspondence concerning personal injuries associated with the use of your raw asbestos and/or asbestos products prior to 1970 and subsequent to 1950?

ANSWER: No.

75. If your answer to the above interrogatory is affirmative state separately for each communication, correspondence or complaint:

(a) to (f) n/a.

(a) The name and address of the person making each such communication.

(b) The date your company received each such communication

(c) The verbatim contents of each such communication.

(d) The events or the injury described in each such communication.

(e) Your company's response to each such communication.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 28 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/28

76. Were any legal actions brought against your company for personal injuries by any purchaser's or purchasers' employees claiming personal injuries as a result of exposure to your raw asbestos and/or asbestos products ? If so, please provide the name and address of the parties in each such action; the caption, jurisdiction and docket number of each such action, when each such action was filed, the disposition and present status of each such action, the name and address of the plaintiff's counsel in each such action, the manner in which injury was alleged to occurred in each such action, the names and addresses of all expert witnesses or employees of your company who will testify or who have testified for the defendant, either at trial or during discovery, in each such action.

ANSWER: Answering Defendant is advised by counsel that this Interrogatory is improper.

802754

77. State the name and present address of each person whom the defendant expects may be called by the defendant as an expert witness at trial of this action.

ANSWER: Investigation still continuing.

78. Describe in detail the subject matter on which each expert may be expected to testify.

ANSWER: Investigation still continuing.

79. State in detail the substance of all facts about which each such expert may be expected to testify.

ANSWER: Investigation still continuing.

80. State in detail the contents of all opinions to which each expert may be expected to testify at trial.

ANSWER: Investigation still continuing.

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 30 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/30

802755

82. State whether there exists any policy of liability insurance which insures the defendant for liability for personal injury damages arising from circumstances alleged in plaintiff's complaint.

ANSWER: See attached letter dated June 24, 1977 from Rollins Burdick Hunter Co. to Stephen A. Milwid, Esq.

83. If the answer to the preceding interrogatory is in the arrirmative state: See answer #82.

(a) The name and address of the insurance company issuing said policy.

(b) The number of said policy.

(c) The effective date and expiration date thereof.

(d) The limits of liability insurance coverage afforded by said policy for injury to any one person.

(e) The limits of total liability insurance coverage afforded by said policy for injuries sustained in any one occurrance by more than one person.

(f) The name, address and company position of the employee who has supervisory responsibility for the disposition of plaintiff's claim.

CRMC-Motley1000-Subj-001772

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State whether there exists any policy of liability insurance
verage to the defendant (for personal injury damages arising from
e circumstances alleged in plaintiff's Complaint) in excess of the
mits described in your answer to interrogatory # 83 above.

ANSWER: See answer 82.

. If the answer to the preceding interrogatory is in the affirmativ
ate:

See answer 82.

(a) The name, address of the insurance issuing each such policy.

(b) The number of said policy.

(c) The effective date and expiration date thereof.

(d) The limits of liability insurance coverage afforded by said
licy for injury to any one person.

(e) The limits of liability insurance coverage afforded by said
licy for injuries sustained in any one occurance by more than one
rson.

(f) The name and address of the emlovee of the insurer who has

State whether there exists any policy of liability insurance
verage to the defendant (for personal injury damages arising from
e circumstances alleged in plaintiff's Complaint) in excess of the
mits described in your answer to interrogatory # 83 above.

ANSWER: See answer 82.

. If the answer to the preceding interrogatory is in the affirmative,
ate:

See answer 82.

(a) The name, address of the insurance issuing each such policy.

(b) The number of said policy.

(c) The effective date and expiration date thereof.

(d) The limits of liability insurance coverage afforded by said
olicy for injury to any one person.

(e) The limits of liability insurance coverage afforded by said
olicy for injuries sustained in any one occurance by more than one
erson.

(f) The name and address of the emloyee of the insurer who has
pervisory responsibility for the disposition of plaintiff's claim

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 33 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/33

802758

. Do you have copies of your current sales literature available? so, will you furnish plaintiff copies of such sales literature c inspection and copying?

ANSWER: This Defendant uses a pamphlet entitled "Amphibole Asbestos." A copy will be made available at the offices of the attorneys for this Defendant.

. Do you have copies of your sales literature for the years 1950 1960 available ? If so, will you furnish plaintiff with copies of ch sales literature for inspection and copying as it relates to its w asbestos product or products ?

ANSWER: See answer 87.

. Do you have copies of your sales literature for the years 1950 to 0 available ? If so, kindly furnish plaintiff copies of such sales erature for inspection and copying as it pertains to raw asbestos duct or products.

ANSWER: See answer 87.

. Has your company been named as a defendant or been made a party to y law suit in the United States in which your company is being sued damages for breach of warranties or under the doctrine of strict bility growing out of the use of your raw asbestos and/or asbestos sulation products ? If so, state the style and number of such cases, e place where it is pending, and disposition, if any, which has been de of such case or cases.

ANSWER: Answering Defendant is advised by counsel that this Interrogatory is improper.

CRMC-Motley1000-Subj-001775

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21. Does your company have, or has it ever had, a Research Department? If so, give the name and address of the present head of such department, the year that such Research Department was established and whether or not such Research Department has operated continuously since being established.

ANSWER: No.

22. Please state in detail the duties and responsibilities of such Research Department.

ANSWER: n/a

23. Does your company have, or has it ever had, a Medical Department? If so, give the name and address of the present head of such department, give the year that such Medical Department was established and whether or not such Medical Department has operated continuously since being established.

ANSWER: No.

24. State in detail the duties and responsibilities of such Medical Department.

ANSWER: n/a

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 35 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/35

7. Give the full name and address of any andall companies, firms, or persons who have distributed your products from the year 1940 to the present date in the State of New Jersey and specifically to Owens Corning Fiberglas Plant, Berlin, New Jersey.

ANSWER: n/a

8. Please state the full name and address of any and all insulation contractors or industries in New Jersey who have purchased your raw asbestos product and/or asbestos insulation products from the year 1940 to the present date.

ANSWER: Owens Corning Fiberglass plant at Berlin, New Jersey, and Johns-Manville Corporation, Mansville, New Jersey.

9. Does your sales literature which is distributed to contractors, industries, and/or perspective purchasers, of your raw asbestos and/or asbestos insulation products contain any type of warning, such as:

ANSWER: See answer 11.

"THIS PRODUCT CONTAINS ASBESTOS FIBERS

"IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST

"IF ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR RESPIRATOR

Austin v. Johns-Manville, North American Asbestos Company's Answers to Interrogatories (1978)
ACL Doc 12957 · Page 36 of 37
Published by AsbestosClaims.Law
asbestosclaims.law/library/12957/36

9. Set forth the facts on which you intend to rely to support your cross-claim and each and every one of the separate defense asserted in your answer.

ANSWER: Investigation still continuing.

10. Attach a copy of any and all statements made by plaintiff or plaintiffs concerning this action or its subject matter which you or any of your agents possess.

ANSWER: This Defendant has no statements made by any Plaintiff concerning this action.