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Add to Exhibit 600

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

| | | |
|---|---|---|
| FREDERICK LE GRANDE | : | |
| Plaintiff, | : | CIVIL NO. 741-57 |
| -vs- | : | INTERROGATORIES |
| JOHNS MANVILLE PRODUCTS CORPORATION, a corporation of the State of Delaware | : | |
| Defendant. | : | |

TO: STRYKER, TAMS & HORNER, ESQS.,
Attorneys for Defendant

SIRS:

PLEASE TAKE NOTICE that the plaintiff demands of the defendant, answers to the following Interrogatories, under oath, within the time prescribed by law:

1. List products containing asbestos and diatomite by name and by description which defendant sold to H. W. Porter & Co. or its controlled subsidiaries, listing which ones were sold during of the following years, 1952, 1953, 1954, 1955 and 1956, and state the name, address and registered agent of entity making the sale.

2. For each of the foregoing products, and for the type and form sold to H. W. Porter and Co., state, by weight or such other definible standard as may be used, the content of asbestos per unit and for for each state the range of size of the asbestos particles contained and the form in which asbestos particles (fibres, dust, etc.) may be present.

3. For each of the foregoing products, and for the type and form sold to H. W. Porter and Co. state, by weight or such other definible standard as may be used, the content of diatomite per unit and for each state the range of size of the diatomite particles contained and the form in which diatomite particles (figres, dust, etc.) may be present.

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CRMC-Motley1000-Subj-001980

4. State whether there is any financial or stock relationship as common or interlocking ownership between H. W. Porter & Co. and Johns-Manville Products Corporation and state:

(a) Whether H. W. Porter & Co. is a subsidiary controlled by defendant.

(b) Which company owns stock in the other

(c) Percentage of stock thus held of total stock issued and whether the same represents a controlling interest.

(d) Class of stock held and voting rights of that class.

(e) Names of individuals who are employed or serve either as directors, officers, or common employees of both H. W. Porter & Co. and Johns-Manville Products Corporation.

Note: Sequence of 5 & 6 is reversed.

5. For each of the products recited in Interrogatory 1, not contained in this list, state whether the same was supplied to H. W. Porter Co. during the years set forth in Interrogatory 1 by any other supplier than Johns-Manville and if so, state the name and address of the supplier, the type of material supplied, how that material compared with similar product supplied by Johns-Manville, the name or designation of the material supplied by each supplier for each year, dates when such materials were supplied and estimated quantity of material supplied by such supplier.

6. For each of the following materials:

(a) Magnesia

(b) Wool-felt

(c) Asbestos cement

(d) Hi-Temp Block

(e) Rock wool

(f) Spintex

(g) Rock Cork

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(h) Fibrocel

(i) 450 Cement

(k) 352 Cement

(l) One-Cote cement

state:

(a) The materials and substances of which each were made and the percentage of each such material and substance.

(b) Percentage by weight of absestos in any form, describing form of and size range of asbestos particles.

(c) Percentage by weight of diatomite and others, in any form, describing form of and size range of diatomite particles.

(d) Percentage by weight of silica in any form, and form of, and size of silica particles.

(e) Period by years during which each product has been manufactured by Defendant.

(f) Period by years during which each product has been sold by Defendant to H. W. Porter & Co.

(g) Whether the content and make-up of each has remained unchanged during the last five years (1952 to date) and if there has been any such change, specify and describe the same for each product.

7. With reference to the Defendant corporation, state:

(a) The net worth of defendant corporation at the end of the last fiscal year.

(b) The annual appropriations for research into improving products manufactured by defendant for each year from 1940 to date.

(c) The appropriations for research into means of improving or enhancing the safety of products containing asbestos for those regularly exposed to said products.

(d) Year when such research as in (c) was commenced and years during which such research was commenced and years during

CRMC-Motley1000-Subj-001982


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which such research was continued and names of persons engaged in such research.

(e) Description by years of nature and extent of such research as in (c) and what such research accomplished or yielded.

8. List any and all publications, reports, memoranda articles, or other writings known to Defendant, describing discussing or analyzing the effect of, risk of, or consequences of exposure to asbestos particles or to silico dust of the type contained in Defendant's products, and for each such writing, etc., state:

(a) Date of publication and publication in which contained.

(b) Whether a copy of the same is known by Defendant to be available and if so where.

(c) The name, status and responsibilities of the author or authors at the time of the writing.

(d) The title of the said article.

(e) Date when Defendant, through its staff, became aware of the existence of each such publication.

9. Recite the names and addresses of any person or persons known to Defendant, or its research staff to have made investigations or studies of any of the products set forth in Interrogatory one as to the contents or effect of asbestos in such products and if same was written, answer (a), (b), (c), (d) as set forth in the previous interrogatory.

10. For any experimentation, study or inquiry as to the effect of asbestos or silicosis in products manufactured and sold by Defendant directly or through its subsidiaries, state:

(a) The dates when such studies, etc. were commenced

CRMC-Motley1000-Subj-001983


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and periods during which same continued.

(b) Names and addresses of person or persons and department making the same,

(c) Place where same were made.

(d) For each such person set forth in (b) the present whereabouts (address) of such person and present employer, if known.

(e) Whether any records, journals, experiment books were kept of the studies, etc. and present location of each such record, journal, etc. and information contained in such record, journal, etc.

11. State whether Defendant, its subsidiaries, or its other staff or employees have been or are aware of any instance of asbestosis contracted by asbestos workers who had sustained exposure to any of the products listed in interrogatories 1 or comparable products containing asbestos, and, if so, state:

(a) Name and address of each such person or persons

(b) Whether Defendant was advised or received any report relating causally the sustained exposure to products containing asbestos to the contracting of asbestosis.

(c) If the answer to (b) is affirmative, state the name and address of the person or persons making the report, date of report, whether the same was in writing, if so where published or where is a copy of such report at this time.

(d) For each such worker, the conditions under which each worker was exposed to asbestos, period of time and where.

(e) The name of the manufacturers of the product or products containing asbestos particles to which said worker was exposed.

12. State whether Defendant, or its subsidiaries, in behalf of its or other employees, provided any safety or protective devices to those who by reason of their employment

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are exposed to asbestos particles and if so, state:

(a) Each such safety or protective device or measure utilized by Defendant, its subsidiaries, employees, or agents.

(b) Period of time when each such device or measure was utilized (stating year when commenced and year when terminated, if it was terminated).

(c) Place and circumstances under which device or measure was utilized

(d) Facts and circumstances which caused Defendant to employ or utilize such device or measure.

(e) Date or year when Defendant first became aware of the facts or circumstances which caused it to resort to device or measure as in (d) above.

(f) With reference to defendant's own employees, state the date as nearly as is possible when Defendant first learned that any of its own employees had contracted the disease commonly called asbestosis.

13. With reference to the products named in (1) state which products are known to Defendant, or Defendant has reason to believe contains particles or dust which may cause fibrosis if inhaled in sufficient quantity and for each such state:

(a) Facts or information on which Defendant's knowledge or belief are based.

(b) Time when these facts or information were first available to Defendant.

(c) The year when Defendant first had the knowledge or belief that the said product or products contained particles or dust which may cause fibrosis if inhaled in sufficient quantity.

CRMC-Motley1000-Subj-001985


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14. Did Defendant or its subsidiaries provide instructions or warnings to any of its employees to minimize the likelihood of contracting disease from sustained exposure to asbestos particles and if so, date:

(a) When the said instructions were first given, where and under what circumstances, by whom and to whom.

(b) Whether there were any such instructions, precautions, warnings or the like issued by Defendant, its subsiduaries or in its behalf in writing and if so, when, where, by whom, to whom and where a copy of such writing is presently available.

15. Did Defendant at any time issue any instructions, warnings or precaution with respect to the use or handling or risk of use or handling of any of its products containing asbestos particles to anyone other than its employees and if so, state:

(a) Was such warning, caution or instruction submitted to H. W. Porter & Co., its agents, or employees, and if so, when, where, in what form and to whom.

(b) Whether any such writing was contained in any package or as part of any label and if so, when, and for what material.

(c) Whether any instruction or warning sheets were ever published or composed and if so, when, where, by whom and how were the same utilized, and what was the substance or text of the same.

16. In any of the jurisdictions in which Defendant or its subsidiaries operate,have there been any investigation or inquiry by any public agency as to the production, manufacture, use, application, or effect of any product of defendant's or its subsidiary containing asbestos as to the possible toxic affect of the absestos particles contained therein and if so, state what jurisdiction, date, nature of

CRMC-Motley1000-Subj-001986

inquiry, agency making same, scope of inquiry, names and addresses of person or persons participating in the same, and consequences of the inquiry.

17. State whether any private agency, organization or group known to Defendant conducted any investigation or inquiry as to the production, manufacture, use, application or effect as set forth in the previous interrogatory and if so, state the name and location of such agency, date of inquiry, nature and scope of same, any and all writings or data accumulated therefrom, where the same is presently obtainable and the contents of the same.

18. With reference to masks utilized to limit or minimize exposure to asbestos dust, state whether the same have ever been utilized or made available by Defendant or its subsidiaries in any part of its operation and if so, state:

(a) When first used or made available, where, when, by whom and under what circumstances.

(b) Extent of use by Defendant or its subsidiaries during each year from 1940 through 1956, stating approximate number of such masks, where used, by how many employees and under what circumstances (as to exposure to asbestos particles).

(c) Describe in detail type or types of mask used and relate whether same was designed by Defendant specifically for u use by persons exposed to asbestos dusts and features of mask making the mask specifically applicable for that purpose.

(d) Contents or substance of any instructions, stating when and how to use said mask and form of such instructions.

19. State whether Defendant has, between 1940 and 1956 taken any steps to minimize or reduce the contents of potentially toxic or noxious asbestos dust or particles con-

CRMC-Motley1000-Subj-001987


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tained in any of its products and if so state:

(a) What steps taken were research or experimental in character describing the dates, nature of the problem to which research directed, location and persons involved in such research or experimentation.

(b) What steps actually resulted in changes in the final product or its packaging, content or form, means of manufacture.

(c) If there were steps outlined in (b) above, compare the changes effected by Defendant, dates when effected, reasons for such changes and the results observed or ascertainable from such changes.

20. State the names and address of all persons having knowledge of facts relevant to this cause.

21. For each person named in 20 above, state the matters to which such person has knowledge.

22. State the names and addresses of all expert witnesses who may testify on behalf of Defendant and state:

(a) Matters on or fields in which they will be qualified as expert.

(b) All publications or writings on these matters which the said expert has participated in preparing.

(c) Matters on which said expert will testify.

(d) Qualifications of such expert.

23. With respect to the second defense of the First Count of Defendant's Answer, specify the nature and source of the danger which Defendant alleges plaintiff assumed.

24. With respect to the second defense, state the facts on which Defendant bases its allegation that the danger was "open, obvious and apparent".

(a) To plaintiff

(b) To Defendant

CRMC-Motley1000-Subj-001988


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25. State the precautionary measures which Defendant asserts plaintiff should have utilized in the use of Defendant's products and state:

(a) Instances known to Defendant that establish these measures as standard in plaintiff's trade, giving location, date and particulars of each such instance.

(b) The facts on which Defendant bases its allegation that plaintiff did not exercise or utilize such precautionary measures.

(c) Steps taken by Defendant to publicize or recommend any such measures to persons in the same status or class as plaintiff, i.e. asbestos workers.

26. For the products sold to H. W. Porter & Co. recited in Interrogatory 1, state the names and addresses of registered agent or principals of all entities involved in the mining, manufacture, packaging, distribution, sale or research on products sold to H. W. Porter & Co.

27. With reference to plaintiff's employment from 1946 to date, state:

(a) The name and address of each employer known to Defendant

(b) Name, address and location of each job

(c) The dates (initial and permanent) when plaintiff worked on that job

(d) The nature of the work undertaken

(d) The nature of plaintiff's job

(f) Name and description of all materials containing asbestos utilized on the job and sold by Defendant

(g) Name and description of all materials containing asbestos utilized on the job sold by a supplier other than Johns Manville Products Corporation.

I hereby certify that this is a TRUE COPY of the original on file in my office.
ANGELO W. LOCASCIO, Clerk
By Melvin Jackson Deputy

William L. Brach
William L. Brach,
Attorney for Plaintiff

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600

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FREDERICK LE GRANDE, )
Plaintiff, )
-vs- )
JOHNS MANVILLE PRODUCTS CORPORATION, a corporation of the State of Delaware, )
Defendant. )

Civil No. 741-57

ANSWERS TO INTERROGATORIES

The defendant, Johns Manville Products Corporati answering the interrogatories propounded by the plaintiff, states on information and belief the following:

1. This defendant has no controlled subsidiaries nor did it sell any products to H. W. Porter & Co. This deponent has been informed that the following products manufactured by this defendant have been sold to H. W. Porter & Co by Johns-Manville Sales Corporation during the years 1952 to 1956, inclusive:

Superex
Moulded pipe covering and blocks and cement calcined diatomaceous silicate combined with asbestos fiber.

Thermobestos
Moulded pipe covering and blocks
hydrous calcium silicate combined with asbestos fiber.

Magnesia Pipe covering
Moulded pipe covering and blocks and cement hydrated basic carbonate of magnesia bonded with asbestos fiber.

Asbesto-Sponge Felted
Pipe insulation, sheets and blocks
laminated asbestos fiber felts.

Asbestocel
Pipe insulation sheets and blocks and flexible roll form
laminated asbestos felts.

CRMC-Motley1000-Subj-001990


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Millboard
Fire Felt
D. C. Flexstone
Firetard
Bonded asbestos fibers.

Insulating Cements 301, 302
Asbestos fiber with various bonding materials.

2 & 3. The foregoing products have the percentage of asbestos fibers and diatomite as follows:

| | Asbestos | Diatomite |
|---|---|---|
| Magnesia Pipe covering | 5- 10 | |
| Superex | 5- 10 | 60-70 |
| Thermobestos | 10- 15 | 40-50 |
| Asbestos Sponge Felt | 85- 95 | |
| Asbestocel | 85- 95 | |
| D. C. Flexstone | 60- 70 | |
| Fire Felt | 90-100 | |
| Millboard | 85- 95 | |
| Firetard | 60- 70 | |
| Insulating Cements | | |
| 301 | 10- 15 | 10-15 |
| 302 | 40- 50 | 20-30 |

4. No.

5. Stricken by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958.

6. Stricken by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958.

7. (a), (b), (c), (e) stricken by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958.

(d) No such research was conducted by this defendant.



CRMC-Motley1000-Subj-001991

8. Stricken by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958.

9. Stricken by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958.

10. (As modified by order of Hon. Reynier J. Wortendyke Jr. dated January 17, 1958) See answer to No. 7 (d).

11. (As modified by order of Hon. Reynier J. Wortendyke Jr. dated January 17, 1958) It was not.

12. (As modified by order of Hon. Reynier J. Wortendyke Jr. dated January 17, 1958)

(a) This defendant supplies respirators to such of its employees as are engaged in manufacturing operations in which asbestos particles are used. The respirators are not limited to a particular brand, but any brand may be used which has the approval of the U. S. Bureau of Mines for use for pneumoconiosis producing dusts.

(b) Respirators have been used intermittently for approximately 25 years.

(c) See (a). The respirators have been used a various plants of this defendant.

(d) The use of respirators was adopted as a result of various Industrial Hygiene Foundation surveys.

(e) Approximately 25 years ago.

(f) This deponent has no knowledge of any case asbestosis ever being contracted by an applicator. Asbestosis was first contracted by an employee of this defendant at one of its plants in 1946.

13. This deponent has been informed that the products named in the answer to interrogatory No. 1 which may contain particles or dust which may cause fibrosis if the particles



CRMC-Motley1000-Subj-001992

are of the requisite size and are inhaled in sufficient quan
are: Magnesia Pipe covering, Superex Block Insulation, Superex M Block Insulation and Superex Combination Pipe Insulation. We have no knowledge of any case of disease ever being developed by an applicator of the products listed above We know from experience in our plants that workmen engaged in the formation of these products have developed such a disease See answer to No. 12 (f).

14. Stricken by order of Hon. Reynier J. Wortendyke Jr. dated January 17, 1958.

15. Since this defendant never received notice of any claim of asbestosis resulting to any persons other than our employees who were engaged in the manufacture of the products, we had no reason to issue any warnings, instructions or preventions to any other persons.

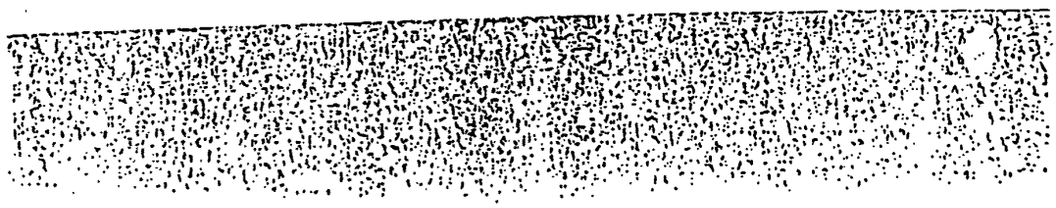
16, 17 and 18. Stricken by order of Hon. Reynier J Wortendyke, Jr. dated January 17, 1958.

19. See answer to No. 15. Since this defendant never had any reason to believe its products were toxic or noxious, it has not taken any action to reduce or minimize such supposed hazards in its products.

20 and 21. This deponent does not know what facts may be regarded as relevant to this cause; however, the only persons now known to this deponent who have any knowledge concerning the matters set forth in the complaint or in these answers, in addition to himself, are:

Kenneth W. Smith, M.D., A. M. Schmidt, Frank Deeg, 22 East 40th Street, New York City; Wilbur H. Morris and Alton Stevens, H. W. Porter Co., Newark, New Jersey.





CRMC-Motley1000-Subj-001993

22. (As modified by order of Hon. Reynier J. Wortendyke, Jr. dated January 17, 1958)

The name and address of persons, expert or otherwise, who may have knowledge of any facts in the case, in addition to those listed in the answer to the foregoing interrogatory No. 20 and No. 21, will be submitted to the plaintiff's attorney before trial.

23. To establish this defense this defendant will rely upon the nature of the products, the work performed, th knowledge and experience of the plaintiff and such facts as be developed upon further discovery procedures and upon the trial of the case.

24. See No. 23.

25. See No. 23.

26. Stricken by order of Hon. Reynier J. Wortendy Jr. dated January 17, 1958.

27. (a - e) This deponent has been told that the plaintiff worked for H. W. Porter & Co., but none of the oth details of his employment is known.

(f) See answer to No. 1.

(g) See answer to No. 1.

Whether H. W. Porter purchased products other than those which this defendant manufactured this deponent does not know, but since the business of this defendant is highly competitive, it is quite probable that H. W. Porter used products of other manufacturers as well.



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