SEP. 97* 26:09

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANTHONY MARIO GRECO et al.,	:	CASE NOS. 323629-323678 (HANNA, J.)
Plaintiffs,	:	
VS.	:	**IN RE: ALL BARON & BUDD ASBESTOS CASES**
A-BEST PRODUCTS COMPANY, et al.,	:	
Defendants.	:	

DEFENDANT OWENS CORNING'S RESPONSES TO
PLAINTIFFS' MASTER SET OF INTERROGATORIES

Defendant Owens Corning ("OC"), by counsel, responds to Plaintiffs' Master Set of Interrogatories, dated June 12, 1997, as follows:

INTRODUCTORY STATEMENT AND OBJECTIONS

Plaintiffs seek information which in many instances is contained in numerous files and records. Further, certain of these interrogatories may call for the collection of information from OC offices located in various parts of the United States. Therefore, OC has responded on the basis of the best information now available to it. Subsequent investigation may reveal additional information relevant to these interrogatories and lead to a supplemental response. It is also noted that persons who are not now officers, directors or managing agents of OC may have information relevant to the subject matter of these interrogatories, and OC does not purport, in the following responses, to give the response of any such persons.

OC's responses are made without in any way waiving: (1) the right to object, on the grounds of competency, relevancy, materiality, hearsay or any other proper ground, to the use of any such



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information for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action; or (2) the right to object on any and all grounds, at any time, to any other discovery procedure relating to the subject matter of these interrogatories.

Furthermore, to the extent that these interrogatories seek information concerning injury or disease other than those allegedly experienced by plaintiffs herein or concerning asbestos-containing products other than those to which plaintiffs allegedly were exposed, OC objects on the grounds that such information is beyond the proper scope of discovery and is not reasonably calculated to lead to the discovery of admissible evidence. To the extent that these interrogatories are not limited in time to the years that OC manufactured and/or sold asbestos-containing products, OC objects on the grounds that these interrogatories are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

OC also objects to these interrogatories to the extent that they seek: (1) information which is protected from discovery as attorney work product and/or attorney-client communications, protected by the right to privacy, or protected by any other applicable privilege; or (2) material which is considered to be proprietary and trade secret.

OC Exhibits A through F and I through TTT are available for inspection upon request by plaintiffs at OC's document library in Richmond, Virginia, as described in Response No. 3. Any copying costs will be borne by the plaintiffs.

Incorporating the above objections into each response, OC responds as follows:

INTERROGATORY NO. 1:

For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include job title,

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length of time employed by Defendant and a year by year list of all other positions, titles, or jobs held when working for Defendant.

RESPONSE NO. 1:

Responses to these interrogatories were prepared with the assistance of counsel and are based upon information obtained from presently existing corporate files and records and from interviews of various employees of OC. No single officer, employee or agent of OC has the personal knowledge to supply each and every answer required. The person signing these responses is informed that the files, documents and interviews referred to above do support the responses. If information is later obtained which modifies any of the responses herein, such information will be conveyed to the parties submitting these interrogatories. These responses are signed by Robert C. Mitchell, Senior Counsel for Owens Corning , Fiberglas Tower, Toledo, Ohio 43659.

INTERROGATORY NO. 1.1:

Please identify all documents used, related to, or referred to in connection with the preparation of or answers to these Interrogatories and state the number of the Interrogatory and its subpart to each such document.

RESPONSE NO. 1.1:

OC objects to this interrogatory on the grounds that it is overly broad and burdensome, and to the extent that it seeks information which is protected from discovery as attorney work product and/or attorney-client communications. Without waiving its objections, OC refers plaintiffs to the Introductory Statement to these responses, Response No. 1, and Response No. 3, which describes OC's document library and the materials contained therein. OC also refers plaintiffs to Exhibits A through TTT, referenced throughout this pleading.

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INTERROGATORY NO. 2:

Please state whether or not Defendant is a corporation. If so, please state:

(a) Your correct corporate name;

(b) The state of your incorporation;

(c) The address of your principal place of business;

(d) Your registered agent for service in the state of Ohio;

(e) For each Defendant claiming that this Court lacks personal jurisdiction, list year by year the total amount of income received by the Defendant from entities in Ohio, any and all years that Defendant, as defined, has been licensed to do business in Ohio, and any real property owned at any time by Defendant or its present or past subsidiaries.

RESPONSE NO. 2:

Owens Corning ("OC") was incorporated under the laws of the state of Delaware on October 31, 1938. From 1938 to 1996 OC conducted business under the name of Owens-Corning Fiberglas Corporation. Its principal place of business is in the state of Ohio, and its current address is Fiberglas Tower, Toledo, Ohio 43659. OC has been authorized to transact business in the state of Ohio since November 1, 1938.

OC refers plaintiffs to Exhibit A, an excerpt from OC's articles of incorporation, which indicates the company's corporate purposes.

OC also refers plaintiffs to Exhibit B, a copy of its most recent annual report.

C. T. Corporation serves as OC's registered agent for purposes of service of process in the state of Ohio. Its current address is C. C. Corporation System, 815 Superior Avenue, N. E., Cleveland, Ohio 44114.

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INTERROGATORY NO. 3:

State Defendant's complete corporate or business history, including dates of incorporation, mergers, consolidations, reincorporations, and the like. Also provide historical information regarding all predecessors, prior names, asset purchases, acquisitions or spin-offs. In addition:

a. if defendant or any of its predecessors or subsidiaries at any time purchased, assumed, or in any other manner acquired ANY of the assets and/or liabilities of any corporation or entity at any prior time engaged in any aspect of the placing of asbestos containing products into the stream of commerce or the insuring of asbestos related risks, then please state the following as to each acquisition;

b. the name or description of each corporation, entity or assets acquired by Defendant, that entity's state of incorporation and principal place of business, its date of in/corporation, and the name of Defendant at the time of acquisition;

c. the manner by which each such corporation, entity or interest therein, was acquired (e.g., merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);

d. the date of each such acquisition;

e. the state in which each such acquisition was effected;

f. the state law governing each such acquisition if specified by contract;

g. whether Defendant became legally responsible for the past torts of each such corporation or entity;

h. identify each document reflecting or related to the history and/or transaction(s) set forth in answer to this Interrogatory.

RESPONSE NO. 3:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that Owens-Corning Fiberglas Corporation ("OC") was incorporated under the laws of the state of Delaware on October 31, 1938. Its principal place of business is in the state of Ohio, and its current address is Owens Corning World Headquarters, One Owens Corning Parkway, Toledo, Ohio 43659.

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From 1938 to 1996 it conducted business under the name of Owens-Corning Fiberglas Corporation (OCF). In 1996 it changed its name to "Owens Corning".

OC refers plaintiffs to Exhibit C, an excerpt from OC's articles of incorporation, which indicates the company's corporate purposes.

OC also refers plaintiffs to Exhibit B , a copy of its most recent annual report.

OC does not have a predecessor as OC understands the definition of the term "predecessor."

OC purchased the assets of the Kaylo division of Owens-Illinois, specifically the Berlin, New Jersey, manufacturing plant, in May 1958. No successor or predecessor relationship was created and OC did not assume the liabilities of Owens-Illinois in that asset acquisition. See Exhibit D, a copy of the contract of purchase and sale between OC and Owens-Illinois dated May 9, 1958. OC first distributed asbestos-containing Kaylo insulation in April 1953 and began to manufacture asbestos-containing Kaylo when it purchased the Berlin plant in May 1958.

OC purchased the assets of the Chembest Division of Unarco, specifically the Bloomington, Illinois, manufacturing plant in April 1970. In that purchase, no successor or predecessor relationship was created and OC did not assume the liabilities of Unarco. See Exhibit E, a copy of the contract of purchase and sale between OC and Unarco dated April 15, 1970. OC began to manufacture and distribute asbestos-containing Unarcoboard (Fyrcor) insulation at the time that it acquired the Bloomington plant.

In 1952, Fiberglas Engineering and Supply Company, then a subsidiary of OC, acquired certain assets of the Marine Engineering and Supply Company. Neither Fiberglas Engineering and Supply nor OC assumed the liabilities of Marine Engineering Company in this asset acquisition. See Exhibit F, copies of the contract between Fiberglas Engineering and Supply Company and certain shareholders of

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Marine Engineering, dated July 10, 1952 and the articles of dissolution of Marine Engineering, dated September 17, 1952. Fiberglas Engineering and Supply Company (which later became the Contracting and Supply Division and eventually the Contracting Division of OC) was engaged in the business of distributing insulation products of OC and others as well as in the contract application of these products.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described below.

OC has collected numerous records and documents relating to asbestos generally. These documents are stored in OC's document library located in Richmond, Virginia.

The document library contains existing documents generated and/or received at OC's corporate headquarters in Toledo, Ohio; its technical center in Granville, Ohio; and its manufacturing facilities in Berlin, New Jersey; Bloomington, Illinois; Newark, Ohio; and Santa Clara, California. Documents relating to Fiberglas Engineering and Supply Company of San Francisco are maintained by the law firm of Tilly & Graves in San Francisco, California pursuant to the August 25, 1995 Stipulation and Order Re Transfer of Existing Owens-Corning Fiberglas South San Francisco Contracting Records in Abate v. Fibreboard Corp., et al.; Koppen v. Fibreboard Corp., et al.; Moak v. Fibreboard Corp., et al.; and All Other Ahnfeldt Asbestos-Related Actions. These files were previously maintained by the law firm of Popelka, Allard, McCowan & Bondonno in San Jose, California, pursuant to an agreement contained in Defendant OC's response to Plaintiffs' Request for Production in Heley, et al. v. Fibreboard, et al., June 10, 1989. Documents and jobfiles relating to work performed by OC's other Supply & Contracting units are located at OC's Granville, Ohio, facility. Indices to these jobfile collections are available upon request.

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The library contains responsive, non-privileged materials generated before and during the time that OC manufactured asbestos-containing Kaylo insulation.

At a mutually convenient time, OC will make available for inspection by plaintiffs' counsel the non-privileged documents stored in its document library. Counsel for OC will provide an index, which sets forth the file titles of those files contained in each box, and personnel to assist plaintiffs' counsel in locating documents responsive to the discovery requests in this matter. OC will also make arrangements for copying documents which plaintiffs' counsel may select. Copying and shipping costs will be borne by plaintiff, unless otherwise ordered by the Court.

OC's library includes documents that contain information which is considered to be proprietary and trade secret. Therefore, such documents will be produced only after the entry of an appropriate protective order.

OC has removed from the library any existing materials which it contends are protected from discovery as privileged attorney-client communications, attorney work product materials, or otherwise beyond the scope of permissible discovery. Each document removed as privileged has been substituted with an easily identifiable marker which describes the privileged document by document type, (e.g., memo, letter, note), date, author, recipient, subject matter, and basis for objection. These markers may be designated for copying in the same manner as non-privileged documents. OC refers plaintiffs to attached Exhibit G, a copy of an index of those documents generated and/or received by OC prior to 1973 which OC claims are protected from discovery as attorney-client communications and/or attorney work product, and to attached Exhibit H, a copy of an index of those documents generated and/or received by OC after 1972 which OC claims are protected from discovery as attorney-client communications and/or attorney work product.

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Visits to the library may be scheduled through OC's local counsel.

INTERROGATORY NO. 4:

Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

a. the name or description of each corporation, entity or assets acquired by Defendant, its state of incorporation and principal place of business, its date of incorporation, and the name of Defendant at the time of acquisition.

b. the manner by which each such corporation, entity, or interest therein, was acquired (e.g. merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);

c. the date of such acquisition;

d. the state in which each such acquisition was effected;

e. the state law governing each such acquisition if specified by contract;

f. whether Defendant became legally responsible for the past torts of each such corporation or entity;

g. whether the acquisition concerned asbestos-containing products.

RESPONSE NO. 4:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad, burdensome and repetitive. Without waiving its objections, OC refers Plaintiffs to its Interrogatory Response No. 3 and the exhibits referenced therein.

INTERROGATORY NO. 4.1:

For each corporation, other than the answering defendant ("the entity"), that has at any time in the past been involved in the placing of asbestos containing products in the stream of commerce for which officers of the answering defendant's corporation have also served as officers, directors or served in any managerial position while employed by the answering defendant, state:

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a. the name of the entity involved in the placing of asbestos products into the stream of commerce;

b. the manner in which the entity was involved in the placing of asbestos containing products into the stream of commerce (i.e., mining, milling, manufacturing, distributing, installing, rebranding, etc.);

c. the specific products placed into the stream of commerce by the entity year by year and by brand or trade name;

d. the name, positions and a brief description of the responsibilities of the person or persons serving the answering defendant and the entity simultaneously including the positions held with the entity and with the answering defendant.

RESPONSE NO. 4.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that does not have a compilation of the information requested herein.

To the extent that it exists, information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos, as described in Response No. 3.

INTERROGATORY NO. 5:

Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

(a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);

(b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:

1. The trade or brand name.

2. Its identification number (model, serial number, etc.)

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3. The time period it was manufactured, mined, marketed, distributed or sold.

4. Its physical description including color, general composition, and form.

5. A detailed description of its intended use and purpose.

6. A detailed description of the type package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.

7. The percent of asbestos which it contained.

8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).

(c) The time period during which each of these products were on the market;

(d) The material components/ingredients of each such product, giving specific or approximate percentage both by weight and by volume of each material component/ingredient (this interrogatory is not limited to the asbestos component of the product but seeks information as to the nature, weight and volume of non-asbestos ingredients, as well) of each such product;

(e) How each of these asbestos-containing product can be distinguished from those of competitors;

(f) A description of the physical appearance o such product;

(g) A detailed description of the intended uses.

RESPONSE NO. 5:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it manufactured asbestos-containing Kaylo insulation products from May 1958 to November 1972. OC distributed such products from April 1953 to April 1973, as indicated by a review of OC's collection of invoices for asbestos-

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containing Kaylo insulation products. OC also had limited involvement in the manufacture and/or distribution of other asbestos-containing products. See Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or sold by OC.

For all types of asbestos-containing Kaylo manufactured by the pan mold process (from 1958 to 1972), OC's formula generally included amosite asbestos, chrysotile asbestos, quicklime, silica, diatomaceous earth, clay, chromite, limestone, and sodium silicate. OC also manufactured asbestos-containing Kaylo 10 from 1970 to 1972 using the filter press process. The formula for filter press Kaylo 10 generally included chrysotile asbestos, celite, hydrated lime and alum. The asbestos content of Kaylo 10 was approximately 15% (3%) by weight; the asbestos content of Kaylo 20 was approximately 22% (3%) by weight; and the asbestos content of Kaylo 17 was approximately 13% (3%) by weight.

The following procedures were used for the manufacture, fabrication and production of asbestos-containing Kaylo. Raw materials were delivered to the batch floor; the components were then emptied into a mixer containing water, resulting in a slurry mixture. The mixture was pumped to forming areas and molded into various shapes and sizes. The molded forms proceeded to the pre-hardening process and, finally, into autoclaves (S.I.D. cylinders).

OC's asbestos-containing K10 pipe insulation was intended to insulate pipe surfaces up to 1200 degrees. OC's asbestos-containing K20 pipe insulation was intended to insulate pipe surfaces up to 1800 degrees. These products could have been cut or sawed, if necessary, for fitting. OC was not involved in the original design of these products.

OC's asbestos-containing K10 block insulation was intended to be used on indoor and outdoor equipment, such as boilers, breeching tanks, and vessels, operating at temperatures up to 1200

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degrees. OC's asbestos-containing K20 block insulation was intended to insulate the same up to 1800 degrees. These products could have been cut or sawed, if necessary, for fitting. OC did not originally design these products.

Mastics were used as a protective finish over insulation on pipe lines, boilers, ducts and breechings which were exposed to moisture or weathering. This product was ready mixed for troweling. OC manufactured one type of mastic which was used for sealing ducts, although OC did not originally design this product.

OC further refers plaintiffs to attached Exhibits J, K, L, M, and N, copies of product data and application brochures for additional information regarding the intended use of its asbestos-containing products.

OC did not manufacture or sell asbestos-containing cloth, spray-on insulation, rope, tape, sheeting or millboard.

Based on present information, OC states that it did not stamp the name of the company, its initials or any identifying logo on any of its asbestos-containing insulation materials.

OC further states that it may have been possible to distinguish asbestos-containing Kaylo insulation products from competitors' asbestos-containing insulation products by color, at least when Kaylo was initially applied. Kaylo block and Kaylo core were white; Kaylo 20 block and Kaylo 20 pipe were pink; and Kaylo pipe was grayish-white. OC could also identify its asbestos-containing Kaylo products by various techniques and laboratory procedures.

OC's asbestos-containing Kaylo products were packaged in corrugated containers. See Exhibits O, P, Q and R, drawings/photographs of packaging for OC's asbestos-containing products.

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OC further states that it has never been in the business of mining, selling and/or distributing raw asbestos fibers.

Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 6:

Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

(a) The date of each patent;

(b) The date same was issued;

(c) The number of each patent application that is pending.

RESPONSE NO. 6:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that the original asbestos-containing Kaylo product was designed, developed and patented by Owens-Illinois Glass Company in the early 1940s. The exact date on which asbestos was incorporated into Kaylo by Owens-Illinois is unknown by OC. OC acquired certain of the Kaylo patents when it purchased the Berlin, New Jersey, Kaylo manufacturing plant from Owens-Illinois in May 1958. See Exhibit D, particularly Schedule B of this purchase agreement between OC and Owens-Illinois, which includes patent numbers, inventor names, and issue dates. OC will provide copies of the patents listed on part 1 of Schedule B upon request and at cost. In addition, OC later developed other patents relating to Kaylo. See Exhibit S.

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The asbestos-containing Fyrcor product, originally known as Unarcoboard, was patented by Unarco Industries.

See also Exhibit T, a list of patents for OC's asbestos-containing resin products; Exhibit U, a list of patents for OC's asbestos-containing Continuous and Chopped Strand Mat product; and Exhibit V, a list of patents for OC's asbestos-containing roofing products.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 7:

Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

(a) The trade name of each such product;

(b) The date each such product was altered;

(c) The nature of the alteration;

(d) The reason for the alteration.

RESPONSE NO. 7:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that during the period of time in which it manufactured asbestos-containing Kaylo insulation materials, OC made slight changes in the batch formulations, in the total amount of asbestos incorporated into the product, and in the ratio of amosite and chrysotile asbestos used. OC varied the asbestos content of Kaylo in its attempts to improve the product. Such changes were the responsibility of OC's Kaylo Research and Development Section, which was headed by Richard F. Shannon.

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In November 1972, OC removed asbestos from Kaylo.

OC ceased the production and distribution of asbestos-containing Kaylo products in light of medical information relative to asbestos and health, and because OC was able to develop an alternate technology for producing high temperature heat insulation. Lewis W. Saxby, then Senior Vice President of OC, directed that production and distribution of asbestos-containing Kaylo insulation products be discontinued. Mr. Saxby has since retired.

OC refers plaintiffs to Exhibit I, for information regarding other asbestos-containing products previously manufactured and/or sold by OC, including information pertinent to that which is requested herein.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3

INTERROGATORY NO. 8:

Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

(a) The name and address of each such company.

(b) The names and address of Defendant's distribution in Ohio and Illinois since 1940.

(c) The date of each sale.

(d) The name of the person at each location with whom you primarily dealt.

(e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.

(f) The amount of each asbestos product sold to each location during this period.

(g) Please identify all documents relating to this distributor for the particular location.

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RESPONSE NO. 8.0:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers plaintiffs to Interrogatory Response No. 13 and the exhibits referenced therein.

INTERROGATORY NO. 8.01:

Has this defendant ever purchased asbestos containing products from any other defendant.

RESPONSE NO. 8.01:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC objects to this interrogatory to the extent that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, OC refers plaintiffs to Interrogatory Response No. 13 and the exhibits referenced therein.

INTERROGATORY NO. 8.02:

If the answer to the preceding Interrogatory is yes, please state the following:

(a) name each defendant from whom this defendant purchased any asbestos containing product;

(b) list each product purchased from each co-defendant;

(c) list the dates of each purchase of asbestos-containing products from each co-defendant.

RESPONSE NO. 8.02:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome OC further objects to this interrogatory to the extent that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without

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waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 13 and the exhibits referenced therein.

INTERROGATORY NO. 8.03:

Has this defendant ever sold asbestos containing products to any other defendant?

RESPONSE NO. 8.03:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC further objects to this interrogatory to the extent that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving its objections, OC states that it distributed asbestos-containing Kaylo insulation products from April 1953 to April 1973, as indicated by a review of OC's collection of invoices for such products. Invoices, and additional information, relating to OC's distribution of asbestos-containing Kaylo are maintained in OC's files related to asbestos as described in Response No. 3. These invoices are not segregated by purchaser/customer or by state but are generally organized by invoice number and according to the plant or facility from which the product was originally shipped. See Exhibit W, a copy of an original invoice for OC's asbestos-containing Kaylo.

OC also had limited involvement in the manufacture and/or distribution of other asbestos-containing products. See Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or distributed by OC. OC's collection of invoices relating to the sales/shipments of these other asbestos-containing products is also maintained in OC's files related to asbestos as described in Response No. 3; however, this collection is incomplete. Furthermore, these documents are not segregated by purchaser/customer or by state, but are generally organized by invoice number and according to the plant or facility from which the product was originally shipped.

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The invoices in the document library are listed on OC's File Title Index of documents located in its document library, as Exhibit X. Copying costs for the invoices is 10 cents per page.

Furthermore, OC states that, in an effort to ensure generally that information concerning OC's sales/shipments of asbestos-containing Kaylo is as accessible and as accurate as possible, OC, through its counsel, retained the accounting firm of Price Waterhouse to create a comprehensive electronic imaging system containing images and database records which correspond to all retained invoices reflecting OC's sale of asbestos-containing Kaylo from April 15, 1953 through April 3, 1973. Data from each OC Kaylo invoice contained in OC's document library located in Richmond, Virginia was recorded onto computer disk, along with a computer scanned image of the original invoice itself, and a database was formed from which Price Waterhouse may retrieve invoice information. OC objects to the production of the database itself on the grounds that it is litigation-generated work product.

INTERROGATORY NO. 8.04:

If the answer to the preceding Interrogatory is yes, please state the following:

(a) name each defendant to whom this defendant sold any asbestos containing products;

(b) list each product sold to each co-defendant;

(c) list the dates of each sale of asbestos-containing products to each co-defendant.

RESPONSE NO. 8.04:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC further objects to this interrogatory on the grounds that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 8.03 and the exhibits referenced therein.

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INTERROGATORY NO. 8.05:

Has Defendant engaged in the manufacture and/or sale and/or distribution and/or marketing and/or supply and/or purchase and/or use of non-asbestos-containing products for use in connection with temperature above 125° Fahrenheit since 1930. If so, please state:

(a) the date such activity began;

(b) the years during which such activity took place;

(c) the date when such activity was terminated;

(d) if such activity was terminated, the reason(s) why;

(e) the geographical area into which you claim the product(s) were sold, purchased, or used;

(f) the site(s) at which each such product was manufactured;

(g) the material components of each such product, giving specific or approximate percentage both by weight and by volume of each material component of each such product;

(h) the temperature ranges for which each product(s) was intended to be used;

(i) the product's generic name;

(j) the product's trade or brand name;

(k) the container in which the product was shipped (i.e., paper bags, cardboard boxes) including the size and amount of the container;

(l) a description of any logos, writing impressions or identifying markings which appeared on the product, as well as a description of the package used, the dates that type of package was used, and any logos, product names, trademarks, etc. which appeared on the package;

(m) whether the words "non-asbestos" or "asbestos free" were used on the package;

(n) A detailed description of the intended method of preparation and application of the product;

(o) a description of the physical appearance of the product, including size, shape, color and texture.

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RESPONSE NO. 8.05:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC further objects to this interrogatory to the extent that it seeks information regarding non asbestos-containing products which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, OC states that, as a result of research in the late 60's and early 70's, OC learned that AR Glass Fibers could be used as a substitute for amosite asbestos and that wood pulp would serve as a substitute for chrysotile asbestos. The technology necessary to manufacture asbestos free Kaylo first became available in 1972. The production of asbestos-free Kaylo, which was marketed as Kaylo AF, and subsequently as Pink Calcium Silicate, began in November 1972. OC ceased the production of this product in 1993.

INTERROGATORY NO. 8.06:

Did Defendant ever market or distribute any asbestos-containing product manufactured in whole or in part by someone else? If so, please state following for each such product:

(a) the name and address of the manufacturer;

(b) the product's trade and brand name;

(c) the organizational unit of Defendant who did so;

(d) date(s) beginning, ending and during which the marketing or distributing took place;

(e) whether the product was distributed through the same channel as those used for products manufactured by Defendant, and if not, please explain the exact channels of distribution;

(f) identify all documents relating the marketing or distribution.

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RESPONSE NO. 8.06:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 13 and the exhibits referenced therein.

INTERROGATORY NO. 8.1:

Does Defendant have reason to believe that any of the asbestos-containing products listed in response to Interrogatory No. 5 were used at any of the sites listed on Exhibit A, attached hereto. If your answer is "yes", please state:

(a) The basis of your answer.

(b) Please state which of Defendant's asbestos-containing products listed in Interrogatory No. 5 were used at each job site listed on Exhibit A.

RESPONSE NO. 8.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 8.03 and the exhibits referenced therein.

OC further states that upon receipt of detailed plaintiffs' employment history listing specific jobsite, city and state locations and corresponding years of employment, OC will review its records and attempt to respond.

INTERROGATORY NO. 8.2:

For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold, those products listed in response to Interrogatory no. 5, please state the following as to each job site listed on Exhibit A.

(a) The name and address of each such company;

(b) The date of each sale from Defendant to such other company;

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(c) The name of the person at each other company with whom Defendant primarily dealt.

(d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.

(e) Please identify all documents relating to the sales to each such company.

RESPONSE NO. 8.2:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 8.1.

INTERROGATORY NO. 8.3:

If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to any of the job sites listed on Exhibit A, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, installed and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of those companies, please state following:

(a) Name and address of each such company;

(b) The dates of each sale from Defendant to such other company;

(c) The name of the person at each other company with whom Defendant primarily dealt;

(d) The names of the asbestos-containing products that Defendant marketed, distributed, and/or sold to each such company from 1950 to 1974.

RESPONSE NO. 8.3:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it does not have a compilation of the information requested herein.

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INTERROGATORY NO. 8.4:

Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to any of the sites listed on Exhibit A, attached hereto? If so, please state the following as to each job site listed on Exhibit A:

(a) The names and last known addresses of those people with such knowledge.

(b) The location of such records.

RESPONSE NO. 8.4:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 8.1.

INTERROGATORY NO. 9:

Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on the sites listed on Exhibit A, attached hereto, from 1945 to 1975? If your response is yes, as to each site listed on Exhibit A, please state the following:

(a) The name and last known address of each such representative and whether they are still employed by Defendant;

(b) The period of time they acted as your representative;

(c) Their general responsibility as to each facility;

(d) Whether that person is still alive; and

(e) Any documents relating, referring or pertaining thereto.

RESPONSE NO. 9:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it does not have a compilation of the information requested herein. Information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos as described in Response No. 3.

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INTERROGATORY NO. 9.1:

Identify all managers and sales personnel responsible for your sales or installation of any asbestos-containing products in Ohio from 1930 to the present and state their position, last known address and the local or regional office through which they were employed.

RESPONSE NO. 9.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it does not have a compilation of the information requested herein. Information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 10:

Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing products? If so, please state:

(a) The name of each subdivision;

(b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and

(c) Whether said division or subsidiary conducted such business at any of the sites listed on Exhibit A, from 1940 to 1975? If so, please state the following as to each job site listed on Exhibit A:

(1) The dates of such contracts;

(2) The specific asbestos-containing products that were used ore [sic] removed in each contract.

RESPONSE NO. 10

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it had contracting units which operated as the Supply and Contracting Division (and later the Contracting Division) of OC from January 1950

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until February 1987 when this division was sold. OC's supply and contracting units were engaged in the business of distributing the products of OC and others as well as in the contract application of these products. Contract application could include the installation and/or removal of asbestos-containing Kaylo products and similar insulation products. Most of the division's records, including job files, were transferred with this sale.

Additional information pertinent to the subject matter of this interrogatory may be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 11:

Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

RESPONSE NO. 11:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 10.

INTERROGATORY NO. 12:

Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

RESPONSE NO. 12:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that its asbestos-containing Kaylo insulation products were manufactured at its Berlin plant, P.O. Box 100, Berlin, New Jersey 08009, from May 1958 until November 1972, when OC ceased the production of asbestos-containing Kaylo products.

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OC's asbestos-containing Fyrcor product was manufactured at its Bloomington plant, 1111 West Perry Street, Bloomington, Illinois 61701, from April 1970 until November 1972, when OC ceased the production of Fyrcor. The Newark plant, Case Avenue, Newark, Ohio 43055, began operation as an OC facility in 1938 and produced a small quantity of asbestos-containing products including cements, sewn blankets, metal mesh blankets and Type II Mastic. OC's Anderson plant, Starr Road, P.O. Box 1367, Anderson, South Carolina 29622, which began operation in July 1951, produced a small quantity of asbestos-containing products including polyester resins and adhesives. OC's Huntingdon plant, 14th and Penn Streets, Post Office Box 382, Huntingdon, Pennsylvania 16652, produced its asbestos-containing Continuous and Chopped Strand Mat.

The Bloomington, Illinois, plant was sold in 1982. The Berlin, New Jersey plant ceased operation in 1993. The other plants are still in operation producing nonasbestos-containing products.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No.3.

INTERROGATORY NO. 13:

Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials? If so, please state:

(a) The name of the company manufacturing the asbestos products under such agreement;

(b) The trade name affixed to such products;

(c) The periods of time covered by each such agreement;

(d) The volume (in dollars amounts) of each such transaction;

(e) The purchaser of such products;

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(f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

RESPONSE NO. 13:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that its asbestos-containing Kaylo was rebranded for Eagle-Picher under the name "Hy-Lo" beginning around 1958/1960; the date the rebrand ended is unknown at present. Asbestos-containing Kaylo was rebranded for Armstrong Cork under the name "Armstrong LK" or "Armaglass" insulation; at the present time, OC is not aware of the precise date this arrangement began. To the best of OC's knowledge, the rebrand ended in 1968. OC further states that it had a rebrand agreement with the Pabco Division of Fibreboard Corporation between 1960 and the late 1960s or early 1970s by which Pabco's insulation was rebranded as "Kaylo" for OC. Also, Johns-Manville manufactured and rebranded insulation for OC during 1958-1960 (exact dates not known). Eagle-Picher manufactured and rebranded asbestos-containing cements for OC from approximately 1958-1968. Copies of the agreements between OC and Fibreboard Corporation (Pabco), Johns-Manville, and Eagle-Picher are Exhibits Y, Z and AAA.

OC also distributed Owens-Illinois' asbestos-containing Kaylo insulation products from April 1953 to May 1958. See Exhibit BB, a copy of the distribution agreement between OC and Owens-Illinois. See also Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or distributed by OC.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

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INTERROGATORY NO. 13.1:

Have you ever owned or operated a business or portion thereof which engaged in construction, erection or tear out of furnaces, pipes, boilers, turbines, lehrs, ovens, kilns, etc? If so, please state:

(a) the same of said business;

(b) the date of commencing business and cessation of business, if applicable;

(c) type of construction or tear out performed;

(d) state whether said business installed or supplied asbestos-containing products on the furnaces, pipes, boilers, turbines, lehrs, etc., i.e., gaskets, pipecovering, block, cement, rope, cloth, clothes, etc., containing asbestos, asbestos pipe, board, etc.;

(e) state the trade name and/or manufacturer of any asbestos-containing product which you installed or supplied to any site on Exhibit A.

(f) provide the dates for the applicable construction, installation or tear-out project.

RESPONSE NO. 13.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 10.

INTERROGATORY NO. 13.2:

Do you have within your custody, possession, or control any packages that presently or formerly packaged asbestos-containing products or were produced for the purpose of packaging asbestos-containing products contemporaneous with your manufacture sale or distribution of such asbestos-containing products? If so, provide the following:

(a) a description of each such package;

(b) the present location and custodian of each such package;

(c) the date or approximate date on which each such package was produced.

RESPONSE NO. 13.2:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and

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burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 5 and the exhibits referenced therein.

INTERROGATORY NO. 14:

What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

RESPONSE NO. 14:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 6 and the exhibits referenced therein.

INTERROGATORY NO. 15:

As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

RESPONSE NO. 15:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that its asbestos-containing K10 pipe insulation was intended to insulate pipe surfaces up to 1200 degrees. OC's asbestos-containing K20 pipe insulation was intended to insulate pipe surfaces up to 1800 degrees. These products could have been cut or sawed, if necessary, for fitting. OC was not involved in the original design of these products.

OC's asbestos-containing K10 block insulation was intended to be used on indoor and outdoor equipment, such as boilers, breeching tanks, and vessels, operating at temperatures up to 1200

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degrees. OC's asbestos-containing K20 block insulation was intended to insulate the same up to 1800 degrees. These products could have been cut or sawed, if necessary, for fitting. OC did not originally design these products.

Mastics were used as a protective finish over insulation on pipe lines, boilers, ducts and breechings which were exposed to moisture or weathering. This product was ready mixed for troweling. OC manufactured one type of mastic which was used for sealing ducts, although OC did not originally design this product.

OC further refers plaintiffs to Exhibits J, K, L, M and N, copies of product data and application brochures for additional information regarding the intended use of its asbestos-containing products.

INTERROGATORY NO. 16:

Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

RESPONSE NO. 16:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that asbestos-containing Kaylo pipecovering was intended to be cut or sawed as necessary for fitting during application. OC further states that it was foreseeable that dust, a small portion of which was asbestos, would have been emitted into the air during these processes.

INTERROGATORY NO. 17:

Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

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(a) List each such written material or document;

(b) Identify the person or persons presently in possession of each such document;

(c) State where each such document is located.

RESPONSE NO. 17:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC further objects to the extent that this interrogatory seeks litigation reladed expert developmentWithout waiving its objections, OC states that it did not originally design or develop asbestos-containing Kaylo. Kaylo was designed and developed by Owens-Illinois Glass Company in the early 1940s. However, OC may have acquired some of Owens-Illinois' materials pertaining to the design of Kaylo when OC acquired the Berlin, New Jersey, Kaylo manufacturing plant in May 1958. Such materials, to the extent that they exist and are in OC's possession, would be located in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 18:

Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

(a) The name of the products tested and the date of each test.

(b) The name, address, and job classification of each individual who conducted such tests;

(c) The results of such tests.

RESPONSE NO. 18:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC offers the following overview of those tests,

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studies, and surveys of which it was aware before 1974 which pertain to the potential health effects of asbestos-containing Kaylo.

Before OC purchased the Berlin, New Jersey, Kaylo manufacturing plant from Owens-Illinois, Owens-Illinois sponsored studies on Kaylo. These studies were conducted at the Trudeau Foundation located in Saranac Lake, New York.

In 1956, before its acquisition of the Kaylo manufacturing plant from Owens-Illinois, OC inquired into the information that Owens-Illinois had regarding the health aspects of Owens-Illinois' Kaylo product. OC was informed that a study at Saranac Lake, published in 1955, showed that animals, if exposed for a prolonged period of time to extraordinarily high concentrations of Kaylo dust, could develop a mild asbestosis reaction. However, OC was informed at the same time that Owens-Illinois' experience in the Kaylo manufacturing plants, including x-ray results of its employees, revealed no lung changes of any kind that could be attributed to the occupational exposure to Kaylo. See Exhibit CC (Bates numbered 01 118 0108), a letter from W. G. Hazard to Ira Brought dated 6/12/56.

Documents from OC's historical files, which OC believes it received from Owens-Illinois around the time of OC's acquisition of the Berlin, New Jersey plant, informed OC that Owens-Illinois had never received any complaints from any user reflecting any health or physical impairment on the part of people handling Kaylo material. Owens-Illinois had thus concluded, based on its experiences in the factories and in the field and its consideration of the Saranac Lake report, that the actual hazard to the health of those handling Kaylo was considered to be small. OC refers plaintiffs to Exhibit DD (Bates numbered 01 501 1348-1352), a draft of a pamphlet and correspondence relating to the health aspects of Kaylo, prepared by Owens-Illinois in 1952, which OC believes it received in 1958. See also Exhibit EE, a collection of documents pertaining to the Saranac Laboratory's testing of asbestos-

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containing Kaylo which were in OC's historical files and which OC believes it received shortly after it acquired the Berlin, New Jersey, Kaylo manufacturing plant (Exhibit EE consists of 12 documents, Bates numbered as follows: 01 501 1354-1355; 01 501 1353; 01 034 0001-0032; 01 501 1343-1344; 01 501 1347; 01 501 1441; 01 035 0498-0530; 01 501 1439-1440; 01 501 1345-1346; 01 501 1348-1352; 01 501 1405-1406; 01 501 1319-1331). OC may have in its possession other documents of the type inquired of herein which OC received after litigation began and in the course of discovery. OC further states that it conducted a survey of its workers in the Berlin, New Jersey, Kaylo manufacturing plant which was concluded in December 1970. See Exhibit FF.

During the period of time in which OC manufactured asbestos-containing Kaylo products, dust level counts were taken for asbestos at the Berlin, New Jersey, Kaylo manufacturing plant by Aetna in 1961, 1963, 1965, 1967, 1969, and 1972; by Bradley in 1968 and 1969; and by Clayton in 1970, 1971, 1972, and 1973. See Exhibits GG, HH and II,which include copies of the results of some of those surveys.

During this time period, the New Jersey Department of Labor and Industry also periodically conducted industrial hygiene inspections, including dust level counts for asbestos, at the Berlin plant. OC refers plaintiffs to Exhibit JJ, a collection of documents which OC counsel obtained in the course of litigation from the New Jersey Department of Labor and Industry pertaining to such inspections. Industrial hygiene surveys, consisting of dust counts, were conducted during the fabrication of Kaylo block insulation on December 11, 1961, February 25, 1963, and in March 1963 at Union Carbide's Construction Insulation Shop in Charleston, West Virginia, by Robert Peele, an Industrial Hygienist for Union Carbide. As a result of his surveys, Mr. Peele concluded that 1) the fabrication of Kaylo block insulation produced negligible health effects; 2) the environmental condition in evidence during

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the fabrication of Kaylo block insulation was not hazardous to health; and 3) Kaylo block insulation could be fabricated safely at Union Carbide's Construction Insulation Shop. OC refers plaintiffs to copies of the Peele studies; Exhibit KK (Report 62-IH-1-G-1 consisting of 15 pages) and Exhibit LL (Report 63-IH-3-G-1 consisting of 14 pages).

Documents in OC's historical files indicate that at least by May 16, 1963, Robert Peele discussed his test results with William A. Lotz of OC Product Testing. OC refers plaintiffs to Exhibit MM, a copy of a June 20, 1963, memorandum from William Lotz to J. K. Boynton (Bates numbered 01 007 0303-0304).

Entries from Robert Peele's daily calendar secured by OC in the course of litigation further indicate that Robert Peele (1) met with Robert Estep of OC on April 30, 1963, and discussed Union Carbide's dust analysis tests and research techniques (see Exhibit NN); (2) spoke to Robert Estep on May 1, 1963, and set up a meeting for May 16, 1963, with Estep and William Lotz (see Exhibit OO); and (3) met with Estep and Lotz on May 16, 1963, to discuss the best techniques for conducting air analysis (see Exhibit PP).

Dust surveys were performed at power plants in Montour, Pennsylvania, on January 15, 1973, and in Peachbottom, Pennsylvania, on January 16 and 17, 1973; and at a shipyard in San Diego, California, on June 26 and 27, 1973. These surveys were done by G. E. Devitt, Chief Industrial Hygienist, Owens-Corning Fiberglas Corporation, Fiberglas Tower, Toledo, Ohio 43659. Results of these surveys were communicated to OC's Contracting Division. See Exhibit QQ, the results of those surveys conducted at Montour, Pennsylvania; Peachbottom, Pennsylvania; and San Diego, California.

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OC further states that certain OC resins previously described contained small amounts of calidria, purchased from the Union Carbide Corporation. The resins contained less than .6% of calidria. Union Carbide conducted an industrial hygiene survey in December 1973 to evaluate any fiber release which resulted from sanding and sawing of the plastic into which this resin was made. This survey indicated that no detectable asbestos was released.

In addition, in the course of litigation OC has become aware of the following studies pertaining to the potential health effects of Kaylo:

In August and September 1966, the industrial hygiene department of Bath Iron Works conducted surveys of the dust released when cutting various pipecovering materials. See Exhibit RR, the study results from the test dated August 19, 1966 and Exhibit SS, the results of the test dated September 12, 1966. After concluding these surveys, Bath Iron Works decided to use Kaylo pipecovering on future projects, because it was less dusty than other asbestos-containing pipecovering.

In 1967, industrial hygienists at DuPont evaluated total dust generated by fabricating, handsawing, and filing Kaylo. Dust counts from fabricating Kaylo with a band saw and a hand saw resulted in a negligible amount of total dust, defined as less than 100 particles per cubic foot. Filing of Kaylo resulted in a trace amount of total dust, defined as greater than 5,000 particles per cubic foot but less than .2% of the TLV.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in its Response to Interrogatory No. 3.

INTERROGATORY NO. 18.1:

Prior to releasing any products for sale and usage (whether asbestos-containing or not), where any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

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(a) The name of the products tested and the date of each test.

(b) The name, address, and job classification of each individual who conducted such tests;

(c) The results of such tests.

RESPONSE NO. 18.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC objects to this interrogatory to the extent that it seeks nonasbestos-related information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections and with regard to asbestos-containing products, OC refers Plaintiffs to Interrogatory Response No. 18 and the exhibits referenced therein.

INTERROGATORY NO. 19:

Does Defendant have or control any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 herein above?

(a) Identify each such written material or document;

(b) Identify each person who presently has possession of each such document;

(c) State where each such document is located.

RESPONSE NO. 19:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad, burdensome and repetitive. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 18 and the exhibits referenced therein.

To the extent that it exists, additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos, as described in Response No. 3.

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INTERROGATORY NO. 20:

Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 herein above? If so, please state:

(a) The trade name of the product changed or modified;

(b) The nature of the change made and the date of such changes or modifications;

(c) The name, address, and job classification of each person in charge of making a change.

RESPONSE NO. 20:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that during the period of time in which it manufactured asbestos-containing Kaylo insulation materials, OC made slight changes in the batch formulations, in the total amount of asbestos incorporated into the product, and in the ratio of amosite and chrysotile asbestos used. OC varied the asbestos content of Kaylo in its attempts to improve the product. Such changes were the responsibility of OC's Kaylo Research and Development Section, which was headed by Richard F. Shannon.

In November 1972, OC removed asbestos from Kaylo.

OC ceased the production and distribution of asbestos-containing Kaylo products in light of medical information relative to asbestos and health, and because OC was able to develop an alternate technology for producing high temperature heat insulation. Lewis W. Saxby, then Senior Vice President of OC, directed that production and distribution of asbestos-containing Kaylo insulation products be discontinued. Mr. Saxby has since retired.

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OC refers plaintiffs to Exhibit I, for information regarding other asbestos-containing products previously manufactured and/or sold by OC, including information pertinent to that which is requested herein.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 21:

After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either or animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

(a) The names of the products tested and the dates of said tests;

(b) The name, address, and job classification of each person and/or agency conducting said tests;

(c) The results of said tests;

(d) Whether, as a result of any tests conducted, any products were removed from the market;

(e) The names of all products removed from the market as a result of said tests.

RESPONSE NO. 21:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 18 and the exhibits and documents referenced therein.

INTERROGATORY NO. 22:

Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed, and/or relabelled for distribution by you or your predecessor? If so, please state:

(a) The dates and nature of such studies;

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(b) The names and addresses of persons conducting such studies;

(c) The purpose of such studies;

(d) Identify and list those persons to whom such reports were given and the date of such dissemination;

(e) State any publication or other written dissemination of the results of such studies;

(f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and

(g) Attach a copy of reports based upon such studies.

RESPONSE NO. 22:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 18 and the documents and exhibits referenced therein.

INTERROGATORY NO. 23:

Before placing in the market the asbestos-containing products that Defendant, mined, manufactured, sold, marketed, installed or distributed on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

(a) The date of said studies;

(b) What studies were done; and

(c) The titles of each study.

RESPONSE NO. 23:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad, burdensome and repetitive. Without waiving its objections, OC notes that it did not originally develop or market asbestos-containing Kaylo. Owens Illinois first developed and distributed this

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product in the 1940's. OC did not begin distribution of asbestos-containing Kaylo until April 1953 and did not begin to manufacture the product until November 1958. OC however refers Plaintiffs to Interrogatory Response No. 18 and the documents and exhibits referenced therein.

INTERROGATORY NO. 24:

Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products, and/or other workers in the vicinity thereof? If so, please identify:

(a) The date, place and nature of each and every test;

(b) The particular asbestos-containing products to which each test applied;

(c) The results of each test wit particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and

(d) The persons to whom the results said tests were given and the date of such dissemination.

RESPONSE NO. 24:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers plaintiffs to Interrogatory Response No. 18 and the exhibits referenced therein.

INTERROGATORY NO. 25:

Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

(a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;

(b) The manner in which the Defendant, Defendant's predecessor or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;

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(c) What information was disseminated within Defendant's company, or its subsidiary or predecessor regarding such adverse consequences or effects;

(d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written from.

(e) The name, address and job classification of the custodian of such information.

RESPONSE NO. 25:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC further objects to this interrogatory to the extent that it asks OC to make a subjective determination regarding the degree of information required to "state when OC first became aware of the hazardous potential of asbestos dust and asbestos fibers." Without waiving its objections, OC offers the following as an overview of the information requested herein.

OC is now aware of medical literature associating various health concerns with the inhalation of certain asbestos fibers. However, there was no specific date as to when OC became aware of all of the relationships between various types of exposure to asbestos dust and various health concerns. Likewise, there was no specific date as to when OC became aware of the relationship between exposures to Kaylo dust and various health concerns. OC's knowledge of the potential health aspects of asbestos exposure, particularly its awareness with respect to its Kaylo insulation product, was accumulated through the years from numerous sources, including the medical and scientific community, unions, medical and scientific literature, and OC employees.

In the early 1940s, some OC employees became aware of reports of asbestosis and asbestos corns associated with prolonged overexposure to heavy concentrations of asbestos fibers in the asbestos textile manufacturing industry. Employees learned of these reports from published medical studies such as W. C. Dreesen, et al., "A Study of Asbestosis in the Asbestos Textile Industry," Public Health

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Bulletin No. 241, August 1938, and A. J. Lanza, et al., "Effects of the Inhalation of Asbestos Dust on the Lungs of Asbestos Workers," Public Health Reports, Vol. 50, No. 1., January 1935. See Exhibit TT, a copy of the Dreesen study from OC's files (Bates numbered 01 501 0514-0648); Exhibit UU (Bates numbered 01 500 0072-0084), a copy of the Lanza Study received by OC in 1941; and Exhibit VV (Bates numbered 01 500 0062-0064), correspondence related to OC's receipt of the Lanza Study. The Dreesen study noted that only a few doubtful cases of asbestosis could be found where dust levels were kept below a threshold limit value (TLV) of five million particles per cubic foot of air (MPPCF). The study reported that if dust could be kept below that level (by simple engineering and housekeeping methods such as proper ventilation and work area clean-up), new cases of asbestosis would not appear. In 1946, the American Conference of Governmental Industrial Hygienists (ACGIH) adopted the TLV of five MPPCF as its recommended standard.

A study of asbestos pipe coverers in Navy vessels entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels" was published by W.E. Fleischer, et al. in the January 1946 issue of the Journal of International Hygiene and Toxicology, 28, 9-16. This study, subsequently reported in the April 1946 issue of the Industrial Hygiene Digest, found that the conclusions drawn regarding health effects in the asbestos textile industry could not be applied to pipecovering on board Navy ships and that pipe covering was not a dangerous occupation. See Exhibit WW, a copy of the April 1946 issue of the Industrial Hygiene Digest, and Exhibit XX, a copy of an affidavit of Marianne Kaschak of the Industrial Hygiene Foundation. As a member of the IHF, OC likely received this digest report.

In the early 1940s, certain OC employees also became aware of a study of New York Navy Yard asbestos insulation workers by Captain Ernest Brown, M.D. Dr. Brown concluded that, even with

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a maximum working period of exposure of 17 years, no cases of asbestosis were found among the insulators that he studied. See Exhibit YY (Bates numbered 01 501 0965-0968), a copy of a letter dated 3/9/42 from Dow Chemical to OC transmitting an excerpt from Captain Brown's study and related correspondence.

In April 1953, OC began to distribute a hydrous calcium silicate reinforced with asbestos, called Kaylo, which was manufactured by Owens-Illinois. OC began to manufacture this insulation product in May 1958 when it purchased the Berlin, New Jersey, Kaylo manufacturing plant from Owens-Illinois.

In 1956, before purchasing the Kaylo manufacturing plant from Owens-Illinois, OC inquired into the information that Owens-Illinois had regarding the health aspects of the Owens-Illinois Kaylo product. OC was informed that a study, conducted by the Trudeau Foundation of Saranac Lake, New York, and published in 1955, showed that animals, if exposed for a prolonged period of time to extraordinarily heavy concentrations of Kaylo dust, could develop a mild asbestosis reaction. However, OC was informed at the same time that Owens-Illinois' experience in its manufacturing plant, including x-ray results, revealed no lung changes of any kind that could be attributed to the occupational exposure to Kaylo. See Exhibit CC(Bates numbered 01 118 0108), a letter from W. G. Hazard to Ira Brought dated 6/12/56.

Certain other documents in OC's historical files, which OC believes it received from Owens-Illinois in 1958, informed OC that Owens-Illinois had never received any complaints from any user reflecting any health or physical impairment on the part of people handling Kaylo material. Owens-Illinois had thus concluded, based on its experiences in the factories and in the field and its consideration of the Saranac Lake report, that the actual health effects on those handling Kaylo was considered to be

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small. OC refers plaintiffs to Exhibit DD(Bates numbered 01 501 1348-1352), a draft of a pamphlet and correspondence relating to the health aspects of Kaylo prepared by Owens-Illinois in 1952, which OC believes it received when it purchased the Berlin, New Jersey Kaylo manufacturing plant from Owens-Illinois in 1958. See also Exhibit EE, a collection of documents pertaining to the Saranac Laboratory's testing of Kaylo which are in OC's files and which OC believes it received with or shortly after the purchase of the Berlin, New Jersey plant (Exhibit EE consists of 12 documents, Bates numbered as follows: 01 501 1354-1355; 01 501 1353; 01 034 0001-0032; 01 501 1343-1344; 01 501 1347; 01 501 1441; 01 035 0498-0530; 01 501 1439-1440; 01 501 1345-1346; 01 501 1348-1352; 01 501 1405-1406; 01 501 1319-1331).

In the early 1960s, an industrial hygienist at the Union Carbide Company, Robert Peele, had studied Kaylo and concluded that: (1) the fabrication of Kaylo block insulation produced negligible health effects; (2) the environmental condition in evidence during the fabrication of Kaylo block insulation was not hazardous to health; and (3) Kaylo block insulation could be fabricated safely at Union Carbide's Construction Insulation Shop. OC refers plaintiffs to copies of the Peele studies; Exhibit KK (Report 62-IH-1-G-1 consisting of 15 pages) and Exhibit LL (Report 63-IH-3-G-1 consisting of 14 pages).

Documents in OC's historical files indicate that at least by May 16, 1963, Robert Peele discussed his test results with William A. Lotz of OC Product Testing. OC refers plaintiffs to Exhibit MM, a copy of a June 20, 1963, memorandum from William Lotz to J. K. Boynton (Bates numbered 01 007 0303-0304).

Entries from Robert Peele's daily calendar secured by OC in the course of litigation further indicate that Robert Peele (1) met with Robert Estep of OC on April 30, 1963, and discussed Union Carbide's

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dust analysis tests and research techniques (see Exhibit NN); (2) spoke to Robert Estep on May 1, 1963, and set up a meeting for May 16, 1963, with Estep and William Lotz (see Exhibit OO); and (3) met with Estep and Lotz on May 16, 1963, to discuss the best techniques for conducting air analysis (see Exhibit PP).

During the approximate period of 1964-1966, OC became aware of new developments concerning potential problems with asbestos insulating materials, particularly reports authored by Dr. Irving J. Selikoff which were presented as part of proceedings conducted by the New York Academy of Sciences and published in the Annals of the New York Academy of Science on December 31, 1965. These articles, as they related to prolonged use and exposure to asbestos insulating materials and potential lung disease, were questioned by certain OC employees with regard to their application to the product Kaylo. It was felt that Kaylo, a calcium silicate, could not have been involved to any appreciable extent in the studies because the studies involved men who had entered the insulation trade before 1943 and Kaylo was not manufactured until 1943, and according to Owens-Illinois, not commercially produced until 1948. In addition, the fact that the asbestos in Kaylo was altered physically and chemically during the autoclaving process raised the issue as to whether or not the alteration changed the possible cancer inducing tendencies of the original asbestos. OC refers plaintiffs to Exhibit ZZ (Bates numbered 01 007 0287-0291), a copy of Selikoff's article, "Asbestos Exposure and Neoplasia," published in the April 6, 1964 edition of the Journal of the American Medical Association, and Exhibit AAA (Bates numbered 01 007 0286), a memorandum to F. H. Edwards from W. L. Taylor, dated 4/22/64 relating thereto.

As of the mid-1960s, no worker's compensation cases had been filed by employees of the Berlin, New Jersey, Kaylo manufacturing plant. In October 1966, certain OC employees became aware of a

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potential claim by a Massachusetts insulation worker who claimed almost exclusive handling of Kaylo and alleged lung disease. OC refers plaintiffs to Exhibit BBB (Bates numbered 01 039 1471-1472), correspondence regarding this claim.

Shortly thereafter, notwithstanding the fact that there was still doubt among OC employees as to whether Kaylo could cause lung disease, OC made the decision to place cautionary labels on Kaylo cartons and to remove asbestos from Kaylo as quickly as possible. This decision was implemented in December 1966. OC refers plaintiffs to Exhibit CCC (Bates numbered 01 037 0390-0402), minutes of OC's Industrial and Commercial Division's Research and Development Review on November 7, 1966, which relates to these actions.

OC ceased the manufacture of asbestos-containing Kaylo and Unarcoboard in 1972; Exhibit I lists the dates that OC ceased the manufacture and/or distribution of other asbestos-containing products. To the best of OC's knowledge, products containing encapsulated asbestos were/are not known to cause adverse health effects.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 26:

Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

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RESPONSE NO. 26:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 25 and the documents and exhibits referenced therein.

INTERROGATORY NO. 27:

Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

RESPONSE NO. 27:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC also objects to this interrogatory to the extent it seeks information regarding expert development or attorney work product. Without waiving its objections, OC states that Dr. Jon L. Konzen was hired on January 15, 1968, as OC's Corporate Medical Director. He was promoted to the position of Vice President, Medical and Health Affairs, Owens-Corning Fiberglas Corporation, Fiberglas Tower, Toledo, Ohio 43659 in November 1985. He remained in this position until December 31, 1992.

Joel Bender, M.D., Ph.D., who was appointed Vice President, Health, Safety and Environmental Affairs in 1987, is currently Vice President, Health Sciences and Chief Medical Officer for the company. In this capacity, Dr. Bender is responsible for providing strategic direction and leadership to the corporation in all areas of health sciences and safety. This includes supporting, coordinating, and leading processes and developing policies that not only meet compliance assurance requirements but also promote global stewardship.

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Dr. Jean Arnold Chapman served as Corporate Medical Director from November 11, 1985, until February 29, 1988.

Dr. Michael G. Holthouser was Director, Corporate Medical Services from June 1988 until January 31, 1991.

Dr. David C. Deubner was Director, Corporate Medical Services from December 16, 1991 until December 31, 1993.

Jon W. Lee was Director, Corporate Medical Services from January 1, 1994 to August 1995.

The Medical Director's responsibilities included: (1) overseeing the development of scientific and medical knowledge concerning the health effects of products made and sold by OC, materials used in OC's manufacturing process, and new products and processes under development; (2) designing and managing medical research programs; and (3) representing the company in matters concerning health effects.

Corporate Medical Services for OC is currently lead by a self-directed work team consisting of: Amy Ahrens, M.A., Leader - Disability Management; Don Levitt, Ph.D., Leader - Employee Assistance Programs; and Cheryl Shull, R.N., Leader - Occupational Nursing. This work team reports to Greg Thomson, Senior Vice President, Human Resources.

Dr. D. J. Billmaier was hired as Assistant Corporate Medical Director on December 30, 1974. He remained in this position through August 29, 1980. Dr. Billmaier was replaced by Dr. Rufus W. Miller, who served in this position from November 10, 1980, until September 1984. Dr. Miller was succeeded by Dr. Kenneth Gould, who was hired in September 1984 and employed through August 1985. The position of Assistant Corporate Medical Director has been vacant since August 1985.

Dr. S. K. Remley, Corporate Staff Physician, was employed from February 5, 1979, until December

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31, 1989. He was replaced by Dr. Michael I. Sarver, who was employed from March 26, 1990, to June 15, 1991, as Manager, Corporate Medical Programs.

The duties and responsibilities of this position were to provide medical services for Toledo employees, to conduct preplacement and periodic examinations, to diagnose and treat illnesses or injuries, to advise supervisors and management on medical aspects of employees' problems, and to implement preventative health programs.

OC's Berlin, New Jersey, manufacturing facility used the services of Dr. H. C. Schwartz (deceased) from 1958 to 1970. Dr. John McNally was employed at the Berlin facility from April 27, 1970, to October 1978. Dr. Priscillano Parilla was employed at the Berlin facility from November 1978 until August 1982. Dr. Ercole J. Liberi was employed as the plant physician for the Berlin plant from September 1982 until 1993 when the plant was closed. These doctors performed pre-employment and periodic physical examinations.

OC's Bloomington, Illinois, manufacturing facility used the services of Dr. George B. McNeely, 2302 E. Oakland Avenue, Bloomington, Illinois, from April 1970 to July 1977; Dr. N. Lee Still, 2103 E. Washington, Bloomington, Illinois, from July 1977 to July 1978; and Dr. James A. Bilyeau, 1 Medical Hills Avenue, Bloomington, Illinois, from July 1978 until 1982, when the plant was sold. These doctors conducted pre-employment and periodic physical examinations and were employed on a contract basis.

The following doctors read chest x-rays, conducted medical examinations, and consulted with employees at the Berlin, New Jersey, and Bloomington, Illinois, manufacturing plants:

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Physician/Consultant and Last Known Address	Date	Plant
Richard M. Sproch, M.D. 350 Kings Highway, E. Haddonfield, NJ	1961-1964	Berlin
E. Spencer Paisley, M.D. 501 White Horse Pike Haddon Heights, NJ 08035	1969-1974	Berlin
I.T. Higgins, M.D. School of Public Health University of Michigan Ann Arbor, MI 48104	1969-1970	Berlin
George Wright, M.D. (Retired) 460 S. Marion Parkway Parklane Apartments Denver, CO 80209	1971	Berlin to Bloomington
Dr. Harold Manuson Institute of Indus. Health University of Michigan Ann Arbor, MI 48104	1958 to approx. 1961	Berlin
Walter Whitehouse, M.D. Institute of Industrial Health University of Michigan Ann Arbor, MI 48104	1958-1961	Berlin
Paul Scholtens, M.D. Institute of Industrial Health University of Michigan Ann Arbor, MI 48104	1958-1961	Berlin
Theodore Dietchek, M.D. Institute of Industrial Health University of Michigan Ann Arbor, MI 48104	1958-1961	Berlin
Drs. Goldenberg, Keinle,		

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Steeb, Schaupp, Limacaco & Petrovich (Radiology Group) West Jersey Hospital Berlin, NJ	1965-1982	Berlin
Dr. C. R. Johnson Professional Health Services (Mobile Van Testing)	1974-1993	Berlin (plant closed)
Joseph W. Sokolowski, Jr., M.D. and Irwin Spirn 1916 E. Malton Pike Cherry Hill, NJ	1974-1993	Berlin (plant closed)
Dr. Chauncey McGeorge 66 Tanner Street Haddonfield, NJ	1982-1993	Berlin (plant closed)
Bloomington Radiology Bloomington, IL	1970-1978	Bloomington
St. Joseph's Hospital Radiology Department Bloomington, IL	1974-1978	Bloomington
James Bilyeau, M.D. 1 Medical Hills Drive Bloomington, IL	1978-1982 (plant sold)	Bloomington

The following doctors were consulted on a periodic basis from 1973 to 1987 to conduct examinations of contract unit employees (the Contracting Division was sold in February 1987):

Richard K. Bath, M.D. 1124 Carew Towers Cincinnati, OH	Alexander Greer, M.D. West 104th Fifth Spokane, WA 99204

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Willis Taylor, M.D.
West Side Family Health
Center
700 N. High School Road
Indianapolis, IN

Sutter Clinic, Inc.
819 Locust Street
St. Louis, MO 63101

Drs. Vanthoff, Yost,
Kempers & Vroon
ATTN: Dr. Richmond
50 College S.E.
Grand Rapids, MI

Robert D. Helferty, M.D.
Industrial Medical Center
PC, Inc.
1116 Ann Arbor Street
P.O. Box 3310
Flint, MI 48503

National Medical
Consultants Inc. (Clinic)
Suite 414 Fox Ridge Tower
Mission, KS 66202

Maurice Johnston, M.D.
Kelsey-Seybold Clinic
6624 Fannin Street
Houston, TX 77025

Dr. Roy Hardman
5432 I.H. 35
Austin, TX 78744

Dr. Arnold Albert
1028 South Alamo
San Antonio, TX

Leon A. Sealey, M.D.
Northwest Industrial
Medical Clinic
1500 First Avenue, South
Seattle, WA 98101

William D. Forney, M.D.
425 W. Bannack
Boise, ID 83702

Rodman Wilson, M.D.
3300 Providence Drive
Suite 301
Anchorage, AL 99504

John J. Krygier, M.D.
511 S. W. 10th Street
Portland, OR

Dr. Benjamin Schneider
123 E. Market Street
Danville, PA

Dr. Gordon Neilson
Page Medical Center
800 Elm
Page, AZ

Dr. Melvin Bechtel
10804 Prairie Hills Drive
Omaha, NE 68144

B. Dwight Culver, M.D.
College of Medicine
Dept. of Community &
Environmental Medicine
Med. Surg. II -- Room 367
University of California
Irvine, CA

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Dr. Patrick Clancy
400 "0" Street
Sacramento, CA 95814

Dr. Kaare Lovall
Family Medicine Clinic
Bldg.
2132 N. Cedar
Holt, MI 48842

Dr. J. J. Applegarth
384 Post Street
San Francisco, CA 94102

Dr. A. V. Swanberg
610 7th Street
Kalespell, MT 59901

Riverside Clinic
ATTN: W. McCauley, Adm.
8445 E. Jefferson
Detroit, MI 48214

INTERROGATORY NO. 28:

As to each person who acted in a medical advisory capacity (as it relates to any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

RESPONSE NO. 28:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. . OC also objects to this interrogatory to the extent it seeks information regarding expert development or attorney work product. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 27.

INTERROGATORY NO. 29:

Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or whom such recommendations and/or suggestions were made and the substance of each recommendation.

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RESPONSE NO. 29:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome, and to the extent that it seeks information which is protected from discovery as attorney-client communications and/or attorney work product. Without waiving its objections, OC states that it does not have a compilation of the information requested herein.

Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos, as described in Response No. 3.

INTERROGATORY NO. 30:

Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

RESPONSE NO. 30:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it has subscribed to the following scientific and/or medical periodicals:

Journal of Occupational Medicine

Industrial Hygiene Digest (literature abstracts)

American Industrial Hygiene Association Journal

Journal of Occupational Safety and Health

New England Journal of Medicine

The Medical Letter

Archives of Environmental Health

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Occupational Safety and Health Reporter (BNA)

Chemical Reporter (BNA)

Journal of American Medical Association

American Journal of Public Health

Archives of Internal Medicine

British Journal of Public Health

The Medical Clinics of North America

Individual employees of OC may have subscribed to other periodicals or received publications from various organizations of which OC is unaware.

INTERROGATORY NO. 30.1:

Please state whether Defendant, its medical officer or industrial hygienist or medical consultant or physicians were ever involved in testing or received literature or correspondence from the Mellon Institute.

RESPONSE NO. 30.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. OC also objects to this interrogatory as seeking information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence especially to the extent plaintiffs seek nonasbestos-related information. Without waiving its objections, OC states that it does not have a compilation of the information requested herein.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 30.2:

Has any engineer, industrial hygienist or physician in your employ been a member in any professional

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group, trade group or any of the following groups:

Asbestos Textile Institute
National Insulation Manufacturers Association
Thermal Insulation Manufacturers Association
Quebec Asbestos Mining Association
Asbestos Information Association
Industrial Health Foundation
Industrial Hygiene Foundation
Iron and Steel Institute
National Safety Counsel
Refractories Institute
Air Hygiene Foundation of America, Inc.
Sprayed Mineral Fiber Association

If the answer is yes, state the following:

(a) The name of the group or groups in which the individual (s) were members;

(b) The name and position individual(s) within the Defendant, as defined, who were members;

(c) The years the individual(s) were members of the groups;

(d) Whether the Defendant paid the individual(s) dues or membership fees or reimbursed the individual(s) for dues or membership fees in the group.

RESPONSE NO. 30.2:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it has been a member of the following organizations for the years stated:

National Insulation Manufacturers Association, Inc. (1958 to February 1973), 441 Lexington Ave., New York, New York 10017;

Thermal Insulation Manufacturers Association (February 1973 to present), 7 Kirby Plaza, Mt. Kisco, New York 10549;

National Mineral Wool Association (1969 to present), 382 Springfield Ave., Summit, New Jersey

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07901;

Industrial Hygiene Foundation of America and, its successor, Industrial Health Foundation (1942 to 1950 and 1953 to June 30, 1992), 34 Penn Circle West, Pittsburgh, Pennsylvania 15206;

National Insulation Contractors Association and, its successor, National Insulation & Abatement Association (1967 to present), 99 Canal Center Plaza, Alexandria, Virginia 22314

American Society for Testing & Materials (dates of membership unknown), 1916 Race Street, Philadelphia, Pennsylvania 19103;

National Safety Council (July 1943 to present), 444 N. Michigan Avenue, Chicago, Illinois 60611; and

North American Insulation Manufacturers Association (January 1992 to present), 44 Canal Center Plaza, Suite 310, Alexandria, Virginia 22314.

Safe Building Alliance (1984 to 1988), 655 15th Street, N.W., Suite 1200, Metropolitan Square, Washington, D.C. 20005.

OC further states that individual OC employees may have been members of various other organizations of which OC is unaware.

See Exhibits DDD, EEE, and FFF, copies of various NIMA meeting minutes.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 31:

State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products.

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RESPONSE NO. 31:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Interrogatory No. 18 and to Request for Production No. 15 and the documents and exhibits referenced therein.

INTERROGATORY NO. 32:

For each test described in Interrogatory No. 31, please give the name of the person conducted the test, the date of the test, and attach true copies of any documents, including but not limited to, reports, findings, or memoranda concerning such tests or studies.

RESPONSE NO. 32:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Interrogatory No. 18 and to Request for Production No. 15 and the documents and exhibits referenced therein.

INTERROGATORY NO. 33:

Please state the year that Defendant 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.

RESPONSE NO. 33:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it is aware of the threshold limit values (TLVs) for exposure to asbestos dust as recommended by the American Conference of Governmental Industrial Hygienists (ACGIH). However, OC cannot state precisely when or from what source it first became aware of such TLVs. OC is aware that, from 1946 to 1969, the ACGIH adopted a TLV of five million particles per cubic foot of air (MPPCF).

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In 1963, Robert Peele, an Industrial Hygienist for Union Carbide, informed OC that the maximum allowable asbestos dust in the air was five MPPCF. OC was also informed that dust samplings conducted by Mr. Peele during the fabrication of asbestos-containing Kaylo revealed that the dust emitted was below the applicable TLV.

In 1968, the ACGIH recommended the reduction of the asbestos TLV to two MPPCF or 12 fibers per cubic centimeter greater than five microns in length. This recommendation went into effect in 1969.

In 1971, OSHA adopted an emergency standard for exposure to asbestos dust of five fibers per cubic centimeter greater than five micrometers in length based on an eight hour time weighted average.

In 1972, OSHA adopted the above as a permanent standard.

The information from the ACGIH is as readily available to plaintiffs as it is to OC.

OC refers plaintiffs to Exhibit GGG, a compilation of documents relating to OC's developing knowledge of TLV's.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 33.1:

State whether this defendant at any time caused to be conducted on any job site, any air sampling, dust counts, tests or other activities to determine air quality or worker safety. If your answer is in the affirmative, please indicate:

(a) the date of any such air samples, tests, or activities;

(b) by whom such activities were performed;

(c) where such activities were performed;

(d) the results of any such activities.

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RESPONSE NO. 33.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Interrogatory No. 18.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3..

INTERROGATORY NO. 34:

Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

(a) The date each such library was established;

(b) The location of each library;

(c) The name(s) of the librarian(s) since 1930;

(d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering.

(e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

RESPONSE NO. 34:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it maintained a medical library from 1968 to 1987 which consisted, in part, of medical information pertaining to asbestos exposure. OC also maintained an industrial hygiene library from 1970 to 1987. These libraries are no longer being maintained. F. Lichtenberg was custodian of both libraries from 4/1/75 to 3/1/77; S. D. Fansler was custodian of both libraries from 3/1/77 to 11/87, when the libraries ceased operation.

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INTERROGATORY NO. 35:

Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

RESPONSE NO. 35:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it did not have its inception until 1938. OC further states that, to the best of its knowledge, OC did not finance, assist or participate in asbestos-related studies conducted by or for the Metropolitan Life Insurance Company or The Trudeau Foundation at Saranac Lake.

INTERROGATORY NO. 36:

When was Defendant first aware of reports of studies of the Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

RESPONSE NO. 36:

OC objects to this interrogatory on the grounds that it is overly broad and burdensome. Note that OC was not formed until 1938 and many employees who might have information are retired or deceased. Without waiving its objections, OC refers plaintiffs to Interrogatory Response No. 25.

INTERROGATORY NO. 36.1:

Did you ever contract with Saranac Laboratories to study the hazards of any dust producing product manufactured by you (whether asbestos containing or not)? If so, identify by date and author all documents concerning or any way related to such study.

RESPONSE NO. 36.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and

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burdensome and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections and with regard to asbestos-related studies conducted by Saranac Lake, OC refers Plaintiffs to Interrogatory Response No. 25 and 35 and the documents and exhibits referenced therein.

INTERROGATORY NO. 36.2:

Did you ever contract with Saranac Laboratories to analyze dust or products? If so, identify by date and author all documents concerning or any way related to such analysis.

RESPONSE NO. 36.2:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome and seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. Without waiving its objections, OC states that to the best of its knowledge, OC did not finance, assist or participate in asbestos-related studies conducted by or for the The Trudeau Foundation at Saranac Lake.

However, before OC purchased the Berlin, New Jersey, Kaylo manufacturing plant from Owens-Illinois, Owens-Illinois sponsored studies on Kaylo. These studies were conducted at the Trudeau Foundation located in Saranac Lake, New York.

In 1956, before its acquisition of the Kaylo manufacturing plant from Owens-Illinois, OC inquired into the information that Owens-Illinois had regarding the health aspects of Owens-Illinois' Kaylo product. OC was informed that a study at Saranac Lake, published in 1955, showed that animals, if exposed for a prolonged period of time to extraordinarily high concentrations of Kaylo dust, could develop a mild asbestosis reaction. However, OC was informed at the same time that Owens-Illinois' experience in the Kaylo manufacturing plants, including x-ray results of its employees, revealed no

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lung changes of any kind that could be attributed to the occupational exposure to Kaylo. See Exhibit CC (Bates numbered 01 118 0108), a letter from W. G. Hazard to Ira Brought dated 6/12/56. Documents from OC's historical files, which OC believes it received from Owens-Illinois around the time of OC's acquisition of the Berlin, New Jersey plant, informed OC that Owens-Illinois had never received any complaints from any user reflecting any health or physical impairment on the part of people handling Kaylo material. Owens-Illinois had thus concluded, based on its experiences in the factories and in the field and its consideration of the Saranac Lake report, that the actual hazard to the health of those handling Kaylo was considered to be small. OC refers plaintiffs to Exhibit DD (Bates numbered 01 501 1348-1352), a draft of a pamphlet and correspondence relating to the health aspects of Kaylo, prepared by Owens-Illinois in 1952, which OC believes it received in 1958. See also Exhibit EE, a collection of documents pertaining to the Saranac Laboratory's testing of asbestos-containing Kaylo which were in OC's historical files and which OC believes it received shortly after it acquired the Berlin, New Jersey, Kaylo manufacturing plant (Exhibit EE consists of 12 documents, Bates numbered as follows: 01 501 1354-1355; 01 501 1353; 01 034 0001-0032; 01 501 1343-1344; 01 501 1347; 01 501 1441; 01 035 0498-0530; 01 501 1439-1440; 01 501 1345-1346; 01 501 1348-1352; 01 501 1405-1406; 01 501 1319-1331). OC may have in its possession other documents of the type inquired of herein which OC received after litigation began and in the course of discovery. Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos, as described in Response No. 3.

INTERROGATORY NO. 37:

Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed by other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or

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organization, the dates of membership, and the names of any publications issued or written by such association or organization.

RESPONSE NO. 37:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it has been a member of the following organizations for the years stated:

National Insulation Manufacturers Association, Inc. (1958 to February 1973), 441 Lexington Ave., New York, New York 10017;

Thermal Insulation Manufacturers Association (February 1973 to present), 7 Kirby Plaza, Mt. Kisco, New York 10549;

National Mineral Wool Association (1969 to present), 382 Springfield Ave., Summit, New Jersey 07901;

Industrial Hygiene Foundation of America and, its successor, Industrial Health Foundation (1942 to 1950 and 1953 to June 30, 1992), 34 Penn Circle West, Pittsburgh, Pennsylvania 15206;

National Insulation Contractors Association and, its successor, National Insulation & Abatement Association (1967 to present), 99 Canal Center Plaza, Alexandria, Virginia 22314

American Society for Testing & Materials (dates of membership unknown), 1916 Race Street, Philadelphia, Pennsylvania 19103;

National Safety Council (July 1943 to present), 444 N. Michigan Avenue, Chicago, Illinois 60611; and

North American Insulation Manufacturers Association (January 1992 to present), 44 Canal Center Plaza, Suite 310, Alexandria, Virginia 22314.

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Safe Building Alliance (1984 to 1988), 655 15th Street, N.W., Suite 1200, Metropolitan Square, Washington, D.C. 20005.

OC further states that individual OC employees may have been members of various other organizations of which OC is unaware.

See Exhibits DDD, EEE, and FFF, copies of various NIMA meeting minutes.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3,

INTERROGATORY NO. 38:

With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

RESPONSE NO. 38:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers plaintiffs to its Response to Interrogatory No. 37.

Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos, as described in Response No. 3.

INTERROGATORY NO. 39:

Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

(a) The title of each such article;

(b) The periodicals in which each such article was published;

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(c) The date each such article was published;

(d) A detailed explanation of the reason for withholding any such article for printing;

(e) Product documentation which refers, alludes or mentions articles which were withheld for publication.

RESPONSE NO. 39:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad, burdensome and argumentative. Without waiving its objections, OC refers plaintiffs to its Response to Interrogatory No. 30. OC further states that it has no compilation of information as to whether any asbestos-related articles were "withheld from printing".

INTERROGATORY NO. 40:

Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

RESPONSE NO. 40:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for Production No. 35 and the documents and exhibits referenced therein.

INTERROGATORY NO. 41:

As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

(a) The name of each relevant product;

(b) The working of each such warning;

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(c) A description of each such printed material;

(d) The method used to distribute the warning to persons who are likely to use the products;

(e) The date each such warning was issued;

(f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;

(g) Please attach a copy of the warning and date said warning was issued;

(h) The name, address, and job classification of each person who presently has possession of the above-described documents;

(i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

RESPONSE NO. 41:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for Production Nos. 16 and 17 and the documents and exhibits referenced therein.

INTERROGATORY NO. 42:

Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

(a) The name and address of each person or entity who prepared same;

(b) The name, address and job title of each person who presently has possession of same;

(c) The date same was prepared;

(d) The media used to disseminate the sales material.

RESPONSE NO. 42:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and

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burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for Production No. 16 and the exhibits referenced therein.

INTERROGATORY NO. 43:

Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user or those working in facilities or at job sites where the product was used, installed or removed, including, but not limited to, those sites listed on the job site list attached as Exhibit A. If so, please state the following:

(a) The name address and job classification of each person who prepared same;

(b) The name, address and job classification of each person who presently has possession of same;

(c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

RESPONSE NO. 43:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for Production No. 18 and the exhibits referenced therein.

INTERROGATORY NO. 44:

Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

(a) Identify the written material by content and date;

(b) To whom was it delivered.

RESPONSE NO. 44:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for

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Production No. 16, 17 and 18 and the exhibits referenced therein.

INTERROGATORY NO. 45:

Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

(a) The date that Defendant first determined that another product could be used in place of asbestos;

(b) The chemical of the substitute;

(c) Whether the substitute is suitable for the purpose for which they are to be used;

(d) Whether Defendant used the substitute for asbestos to 1971;

(e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

RESPONSE NO. 45:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it believed that its asbestos-containing products could have been used safely in accordance with instructions and/or cautionary statements issued from time to time, given the medical and scientific knowledge available at the time the products were used. See Interrogatory Response No. 25.

In November 1966, OC scientists met at its research center in Granville, Ohio. Evolving information about the health risks associated with asbestos exposure was discussed at this time. Although this issue was still being debated in the scientific community, OC officials decided that the prudent course of conduct would be to remove asbestos completely from its Kaylo products. Research on substitute fibers was initiated. In December of 1966, a label was placed on Kaylo packaging advising of health concerns and work practices.

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The first step in the research to find a substitute fiber was to determine whether any commercially available fiber could be used in lieu of asbestos. The substitute fibers would have to be mixed into the batch and tolerate the manufacturing process which involved high alkali concentrations, high temperatures, and high pressure. Further, the finished product would have to perform adequately and maintain its integrity on extremely hot surfaces after installation.

Numerous fibers were tested including mineral wool, Kaowool, Fiberfax, potassium titanate, nylon, dacron, rayon, silk, linen, polyester, acrylic, Nomex, wool, bagasse, sisal, excelsior, jute, kemp, sawdust, straw, coconut fiber, corn cobs, peanut hulls, oat hulls, walnut shells, cotton linters, aspen wood fibers, pine wood fibers, Calsi-Crete wood fibers, unbleached kraft, bleached kraft, hardboard chips, softwood chips, bleached hardboard pulp, bleached softwood pulp, unbleached hardboard pulp, unbleached softwood, sulfate bleached softwood, sulfate bleached hardwood, usutu, alpha cellulose, and metal fibers. Hundreds of experimental samples of products were produced and tested; none of these potential substitutes was found to be acceptable.

In 1970, OC developed a glass composition which could withstand the Kaylo manufacturing process; however, OC discovered during testing that the newly developed fiber did not adhere to the Kaylo material. Thus, even though the fibers survived the manufacturing process, they did not provide reinforcement to the product. The result was a weak and crumbling material.

OC tried a variety of techniques in an attempt to create a bond between the glass fibers and the Kaylo matrix. The problem faced by the OC researchers was the availability of an appropriate suspension agent. The primary function of chrysotile asbestos in Kaylo was to suspend the various materials during the manufacturing process. Without chrysotile, the glass fibers would settle out of the batch

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resulting in a nonuniform distribution of the reinforcing fiber. This difficulty was overcome in late 1971 when researchers discovered that certain wood pulps could serve as a suspension agent.

By early 1972, asbestos-free Kaylo was being produced for testing and test marketing at the Berlin, New Jersey, Kaylo manufacturing plant. The product was found to be acceptable, and full scale production began in November 1972.

Richard F. Shannon was in charge of the research efforts to locate a substitute for asbestos in OC's Kaylo products. At the present time, Mr. Shannon is retired. Others involved in this project included Dana Bishop, retired; Jerry Helser, currently employed by OC; and Charles Schramm, retired. Numerous others were involved in this research effort throughout the entire company.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 46:

Did Defendant give any warnings to any individuals at the sites listed on Exhibit A, including any individuals who owned, operated, or managed the facilities at the sites listed on Exhibit A, regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

(a) Name of person most knowledgeable about this communication.

(b) Name of person at the sites listed of Exhibit 1, attached hereto most knowledgeable about this communication.

(c) Dates of each communication.

(d) Contents of each communication.

RESPONSE NO. 46:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for

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Production No. 17 and the documents and exhibits referenced therein.

KNOWLEDGE OF PREVIOUS INJURIES

INTERROGATORY NO. 47:

Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

(a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;

(b) The disease alleged in each such claim;

(c) A brief summary of the disposition of each such claim; and

(d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

RESPONSE NO. 47:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to its Response to Request for Production No. 19 and the exhibits referenced therein.

INTERROGATORY NO. 47.1:

Please identify all documents concerning or in any way related to any decisions made by you to cease manufacturing asbestos-containing products.

RESPONSE NO. 47.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it ceased the manufacture of asbestos-containing Kaylo insulation products in November 1972. According to a review of OC's collection of invoices for asbestos-containing Kaylo insulation products, OC ceased the sale of such products in April 1973. OC ceased the production of asbestos-containing Kaylo in light of medical information

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relative to asbestos and health and because OC was able to develop an alternate technology for producing high temperature heat insulation. Lewis W. Saxby, then Senior Vice President of OC, directed that the manufacture and sale of asbestos-containing Kaylo insulation be discontinued. OC also refers plaintiffs to Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or sold by OC and the dates OC ceased the manufacture and/or distribution of each product.

Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 47.2:

Has any person or company from which you purchased asbestos containing products ever issued a recall of their products or taken any action to take those products off the market after said products were in your possession? If so, provide:

(a) the date of said recall;

(b) the name of the company which issued the recall;

(c) a copy of the recall.

RESPONSE NO. 47.2:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it does not have a compilation of the information requested herein.

INTERROGATORY NO. 47.3:

State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or pneumoconiosis to those at any time engaged in the manufacture or production of asbestos-containing products.

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RESPONSE NO. 47.3:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that in 1964, at the suggestion of Eagle-Picher, OC agreed to the placement of a cautionary label on bags of OC-110 (SC-30) and OC-660 (SC-40) cement manufactured by Eagle-Picher and rebranded for OC. These labels read as follows: "CAUTION: This product contains asbestos fiber. Inhalation of asbestos in excessive quantities over long periods of time may be harmful. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirators approved by the U.S. Bureau of Mines for pneumoconiosis producing dust." See Exhibit HHH.

In December 1966, OC handstamped cautionary labels on containers of Kaylo insulation which read as follows: "This product contains asbestos fiber. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirator approved by the U. S. Bureau of Mines." Cartons with preprinted cautionary labels were used after February 1967. No reproductions of the hand-stamped packages are available. However, Exhibit III accurately reflects the labeling stamped on all packages from December 1966 to November 1970.

In November 1970, OC changed the Kaylo cautionary label to read: "CAUTION - Product contains asbestos fiber. Inhalation of dust in excessive quantities over long periods of time may be harmful. Avoid breathing dust. If adequate ventilation is not possible, wear respirators approved by the U. S. Bureau of Mines for pneumoconiosis producing dust." See Exhibit JJJ.

After its purchase of the Bloomington, Illinois, plant from Unarco on April 15, 1970, OC continued to use the cautionary labels already printed on Unarcoboard (Fyrcor) packaging which read as follows: "CAUTION - This product contains asbestos fiber. Inhalation of asbestos in excessive

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quantities over long periods of time may be harmful. If dust is created when this product is handled avoid breathing the dust. If inadequate ventilation control is not possible, wear respirators approved by the U. S. Bureau of Mines for pneumoconiosis producing dusts." See Exhibit KKK.

In May 1971, OC revised the Fyrcor cautionary label to read: "WARNING - This product contains asbestos fibers. Inhalation of asbestos fibers in excessive quantities over long periods of time may be harmful. Avoid breathing the dust. If adequate ventilation control is not possible, wear respirators of a type approved by the U. S. Bureau of Mines for pneumoconiosis dusts." See Exhibit LLL.

The above described cautionary labels were directed to all users of those products.

By 1970, OC also provided Material Safety Data Sheets for its asbestos-containing Kaylo products upon request. These MSDS indicated the then recommended TLV for asbestos fibers and recommended leak or spill procedures and specific respirator and ventilation precautions for asbestos dust. See Exhibit MMM.

Additionally, OC, on its own and through the National Insulation Manufacturers Association, prepared and disseminated to contractors, distributors, and insulators information regarding potential health hazards associated with asbestos-containing insulation. In 1968, NIMA published a pamphlet entitled "Recommended Health Safety Practices for Handling and Applying Thermal Insulation Products Containing Asbestos." This pamphlet was distributed at meetings of the Insulation Distributor Contractors National Association. OC also directly distributed the pamphlet to its branch managers, Supply and Contracting (S & C) supervisors, Home Building Products (HBP) supervisors, and S & C managers with instructions to review the matter with their salesmen. See Exhibit NNN, a copy of this pamphlet.

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OC also participated, through the educational and legislative committee of NIMA and at regional meetings of the IDCNA, in the presentation of health and safety programs to distributors and contractors. At those meetings, contractors and distributors: (1) were advised of the current status of health and safety activities pertinent to their businesses; (2) were given copies of the NIMA publications on health and safety practices and medical research literature; (3) discussed the contents of those publications; (4) discussed the merits of the proposed pre-employment and periodic physical examination programs on a cooperative employer-employee basis; (5) were urged to establish regional health and safety committees; and (6) were given an opportunity to ask questions of the experts. These NIMA programs were presented to contractors and distributors with the intention that they would instruct their employees accordingly.

In 1972, Donald Bradshaw, OC's Region Manager of Power and Process for the West Coast and Chairman of the National Insulation Contractor's Association's Occupational Health and Safety Committee, authored, along with other committee members, a pamphlet entitled, "Safety Reminders." See Exhibit OOO. It is OC's present understanding that this pamphlet was disseminated to contractors, distributors, and insulators.

OC further refers plaintiffs to Exhibit PPP, a pamphlet entitled "Caution: Asbestos Dust . . ." published by the National Institute for Occupational Safety and Health. This pamphlet was distributed by OC to its employees on or around October 30, 1973.

OC also held meetings with the International Association of Heat and Frost Insulators and Asbestos Workers and the Glass Bottle Blowers. The meeting between OC and the president of the International Association of Heat and Frost Insulators and Asbestos Workers took place in the union's offices in Washington, D. C; the exact date of this meeting is unknown but OC believes it was before

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1972. OC is uncertain as to the details regarding its meeting with the Glass Bottle Blowers. At these meetings, OC attempted to discuss the then-known health concerns regarding asbestos.

Also, OC management held meetings with the unions at OC's Berlin, New Jersey, manufacturing plant and made special presentations to employees to discuss those health concerns related to asbestos.

OC was involved in all of the above activities in order to ensure the safe use of its asbestos-containing products.

OC further states that respirators were recommended and made available to those OC employees working in areas where the environment was dusty to protect them from the inhalation of dust particles, including the inhalation of asbestos dust.

Respirators were available in all contracting units from shortly after their formation.

Respirators were available to employees of OC's Berlin, New Jersey, Kaylo manufacturing plant when OC purchased the plant from Owens-Illinois in May 1958. At the time of the purchase, Owens-Illinois had a respirator program in place; OC continued this program and supplemented employees' knowledge with an educational program in 1971. See Exhibit QQQ, an outline of this educational program which includes a discussion of the Berlin plant respirator program. See also Exhibit RRR, a copy of the Berlin, New Jersey, manufacturing plant safety rules which refers specifically to the use of respirators.

Respirators were available to employees of OC's Bloomington, Illinois, Unarcoboard (Fyrcor) manufacturing plant when OC purchased the plant from Unarco in April 1970.

In late August 1970, OC required operators of the Asbestos Fiber Feeder, Slurry Mixer and Unarcoboard Press in the Bloomington plant to wear respirators while those pieces of equipment were running. The use of respirators was originally intended as a temporary measure until safe air

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conditions were achieved. This requirement was extended by Dr. Jon L. Konzen to include all personnel entering the asbestos operation area. Instructions were given to plant employees regarding use and maintenance of the respirators.

By mid-November 1970, the respirator program was fully functional and the majority of the workers were complying the requirement.

OC purchased respirators from Mine Safety Appliances in Pittsburgh, Pennsylvania, and from other sources. The respirators that OC purchased were approved by the U.S. Bureau of Mines.

OC has always maintained in its manufacturing plants dust collection equipment on all dry-type operations that could produce dust. With regard to dust collection at its asbestos product manufacturing plants, OC notes that some vacuum systems were in place in the Berlin, New Jersey, and Bloomington, Illinois, manufacturing plants when OC purchased these plants in May 1958 and April 1970, respectively. These systems have been modified, supplemented and expanded as deemed appropriate through the years.

Specifically, when OC purchased the Berlin plant in 1958, two large W. W. Sly bag type dust collectors of approximately 20,000 CFM capacity were already in place to provide dust collection for finishing equipment.

In approximately 1960, OC added a chip blow out system to the #1 and #2 pouring lines of the Berlin plant. This system included a large cyclone collector to remove the chips from the air.

In approximately 1961, OC added a Pangborn Roto-Blast unit to the mold shop operation in the Berlin plant for cleaning molds. A Pangborn tubular type bag collector was also added to collect the dust from the Roto-Blast unit.

In approximately 1962, OC added a third W.W. Sly bag type dust collector of approximately 20,000

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CFM capacity, similar to those previously installed at the Berlin plant, to improve dust collection in the finishing area of the plant.

During an expansion program for the Berlin plant in 1966, OC added a bag type dust collector on the roof above the batch floor to improve dust collection. This unit replaced a smaller unit.

In approximately 1968, OC added a third pouring line which included an air tumbler wet collector to handle the chip blow out system.

In approximately 1970, OC added a Dustex filter (bag - dust collector) in the finishing area of the Berlin plant to handle dust in the flatware line packing area.

In approximately 1970, OC installed a Young Machinery Collector in the batch area of the Berlin plant for dust collection on the new premixer for the filter press batch mixing.

In approximately 1972-73, OC installed a Taylor Gaskin wet collector in series with the cyclone collector added to the Berlin plant in approximately 1960.

After OC acquired the Bloomington plant from Unarco in 1970, OC initiated a program to repair and/or replace outdated manufacturing equipment and install efficient dust collection equipment at that plant.

An investigation of the internal environment at the Bloomington plant was conducted in August 1970. New and/or redesigned dust collection hoods were recommended as well as better practices for the handling of asbestos fiber.

During 1970 and into 1971, OC made plant clean-up and equipment overhaul at Bloomington, including improved dust collection, priorities.

During June 1971, the Fyrcor dust collector began operation and, by the beginning of 1972, it was running with excellent results.

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By mid-November 1971, a Clayton Associates report noted that dust collection efficiency at the Bloomington plant indicated improvements in working conditions and performance near to federal requirements. New Fyrcor trim saws were also in operation at this point.

In 1972, OC ceased the manufacture of asbestos-containing Kaylo and Fyrcor. Although asbestos was totally removed from the Berlin and Bloomington manufacturing processes, OC maintained all existing dust collection equipment.

Following its purchase of the Berlin, New Jersey, Kaylo manufacturing plant in May 1958, OC continued the program previously instituted by Owens-Illinois of providing periodic chest x-rays as part of the plant's preventive health program. By 1971, OC's periodic health screening program included other testing procedures and examinations by plant physicians. Although OC ceased the manufacture of asbestos-containing products in November 1972, OC continued these procedures for Berlin employees until 1993 when the plant closed.

Following its purchase of the Bloomington, Illinois, manufacturing plant of the Chembest Division of Unarco Industries in April 1970, Dr. George B. McNeely conducted baseline physical examinations of the plant population. Chest x-rays of all plant employees were also taken. Those employees with existing and/or potential health problems were notified accordingly. Examinations were then offered annually to all active plant employees. OC sold the Bloomington plant in 1982.

Since its organization in January 1968, OC's Medical Services Department has recommended to management pre-placement and periodic medical surveillance programs of OC manufacturing employees who may have been exposed to asbestos. These programs have included in-plant medical examinations, and, if necessary, consultations with appropriate specialists. The purpose of such medical examinations was to detect existing lung changes in OC's employees.

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OC also participated in medical examination programs for insulators. In the 1960s, OC participated in the Western States Asbestos Health Plan, Occupational Health Program. During the 1970s, OC was involved in many attempts to set up medical examination programs for insulators. OC initially used the examination services of outside organizations and, in 1973, OC, itself, retained medical personnel to examine all of its contracting employees. Pursuant to applicable federal regulations, OC offered medical examinations to certain employees who had been exposed to certain asbestos-containing atmospheres. Many of these employees chose not to have the examinations.

OC further states that, in 1970, it conducted an epidemiological survey of employees in its Berlin, New Jersey, Kaylo manufacturing plant. OC refers plaintiff to attached Exhibit SSS.

In addition, OC states that it believed that its asbestos-containing products could have been used safely in accordance with instructions and/or cautionary statements issued from time to time, given the medical and scientific information available at the time the products were used.

Additional information pertinent to the subject matter of this interrogatory would be located in OC's files related to asbestos as described in Response No. 3.

INTERROGATORY NO. 47.4:

State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or pneumoconiosis to those at any time engaged in the use, as distinguished from the manufacture, or exposed to the use of asbestos-containing or industrial insulation products or who were otherwise exposed to asbestos-containing or industrial insulation products.

(a) describe such action;

(b) state when such action was taken;

(c) state what written material exists related to such action;

(d) state the names, job titles and last known address of the individuals who undertook such actions.

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RESPONSE NO. 47.4:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 47.3 and the documents and exhibits referenced therein.

INTERROGATORY NO. 48:

Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured, sold, installed, and/or distributed by Defendant? If so, please state:

(a) The name and address of each claimant;

(b) The date of notice of each claim;

(c) A description of the claim;

(d) The type of injuries allegedly sustained;

(e) The names and address of each attorney representing the individuals making such claims;

(f) The style and court number of each such claim;

(g) The resolution of each claim.

RESPONSE NO. 48:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers plaintiffs to its Response to Request for Production No. 19 for information regarding asbestos-related workers' compensation claims. OC further states that with regard to those asbestos-related third-party lawsuits filed against OC before 1974, OC states that it was named as a defendant in actions filed by persons alleging personal injury as a result of exposure to numerous asbestos-containing and nonasbestos-containing products manufactured by a number of companies. OC did not necessarily receive notification of these claims

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at the time they were filed and, therefore, lacks complete records to respond to this interrogatory. However, the chart below sets forth the information known to OC and gleaned from a review of records located in OC's files related to asbestos as described in its Response to Interrogatory No. 3.

Name	Approx. Date Filed	Approx. Date of Notice to OC	Court/ Location	Claim
Claude J. Tomplait v. Combustion Engineering Inc., et al.	1966	1967	U.S.D.C. E.D. OF Texas, Beaumont Division	"Personal injuries as a result of handling insulation materials injurious to health"
Samuel R. Potter v. Fiberboard Paper Products Co., et al.	1969	1969	U.S.D.C. E.D. of Texas, Beaumont Division	Asbestosis in handling products from numerous defendants
David R. Parker v. OC, et al.	1969	1969	Lake Charles, LA	Asbestosis
Clarence Borel v. OC, et al.	1969	1969	U.S.D.C. E.D. of Texas, Beaumont Division	"Personal injuries resulting from contact with asbestos insulation products"
J.J. Crawford v. OC, et al.	1969	1970	U.S.D.C. E.D. of Texas, Beaumont Division	"Personal injury resulting from use of asbestos insulation products"
Finis A. Bassham v. OC, et al.	1970	1970	U.S.D.C. D. New Mexico	"Asbestos poisoning"

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Beuna Mae McDaniel v. OC, et al.	1970	1971	U.S.D.C. E.D. of Texas, Beaumont Division	Injury to person resulting from use of asbestos
John A. Karjela v. OC, et al.	1971	1971	Duluth, MN	Asbestosis
Floyd Gustafson v. OC, et al.	1971	1971	Duluth, MN	Asbestosis
Carol Anholtz v. OC, et al.	Unknown	1971	Duluth, MN	Asbestosis
Alfreeda J. Goodman v. Johns-Manville, et al.	1973	1973	Jackson County, MO at Kansas City	"asbestosis or a cancer caused by asbestos"
Elmer J. Measor v. Combustion Engineering, Inc., et al.	1973	1973	U.S.D.C.N. D. Ohio, Eastern Division	Asbestosis
John F. Burke v. Combustion Engineering, et al.	1973	1973	U.S.D.C.N. D. Ohio, Eastern Division	Asbestosis
Evelyn Roderman v. Combustion Engineering, et al.	1973	1973	U.S.D.C. N.D. Ohio, Eastern Division	Cancer
Harold J. Thompson v. Johns-Manville Corp., et al.	1973	1973	Jackson County, MO at Kansas City	"Asbestosis or a cancer caused by asbestos"

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OC also refers plaintiffs to its most recent Annual Report for a current accounting of asbestos-related claims.

Additional information pertinent to the subject matter of this interrogatory would be contained in OC's files related to asbestos as described in Response to Interrogatory No. 3, which is incorporated as if set out in full.

INTERROGATORY NO. 48.1:

Describe the method by which you have maintained records concerning the manufacturer, sale, supply, distribution, use, advertising, delivery and/or installation or tear-out of each of asbestos-containing products. For each description provide the following:

(a) each present and former company or corporate department, division or subdivision responsible for mainitaining such records;

(b) the manner in which the records are kept (e.g., boxes, computer tape, microfilm, etc.);

(c) the inclusive dates of any such manufacturer, sale, supply, distribution, use, advertising, delivery, and/or installation or tear-out which such record keeping system covers;

(d) the present location at which all such records are maintained;

(e) the identity of each person employed by you at any time from 1930 to the present who is or was responsible for the collection and maintenance of such records.

RESPONSE NO. 48.1:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers plaintiffs to Exhibit TTT, a copy of OC's corporate records retention policy. OC also refers plaintiffs Response No. 3, which discusses OC's document library. Susan M. Irwin is the custodian of OC's corporate records.

OC further states that its document library located in Richmond, Virginia, opened in September 1989. OC refers plaintiffs to Response No. 3 which includes a description of its document library. OC

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further refers plaintiffs to Exhibit X, a file title index of those files of nonprivileged materials maintained in the library, and to Exhibit UUU , a memo outlining procedures to be followed during inspection of documents in the document library.

INTERROGATORY NO. 48.2:

State whether any records concerning the manufacture, sale, supply, distribution, advertising, delivery, use or installation or tear-out of asbestos-containing products have been destroyed or discarded and if so, indicate:

(a) the date and location of such destruction or discard;

(b) the custodian and location of such records prior to their destruction or discard and the identity of each employee, representative, official or agent who ordered, authorized or supervised such destruction or discard.

RESPONSE NO. 48.2:

OC objects to this interrogatory on the grounds that it is overly broad and burdensome, and vague as to time. OC also objects to this interrogatory on the grounds that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks information regarding documents which are not related to asbestos or asbestos-containing products. Without waiving its objections, OC states that a number of OC's records date back to the 1950s and earlier and originated from numerous OC files in locations across the country, as well as from entities not within OC's control. To the extent possible, OC has maintained records within its corporate control in accordance with its records retention policies. See Exhibit TTT, a copy of OC's corporate records retention policy.

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Subject to the information set forth above, OC is not aware of any particular document or class of documents which has been intentionally destroyed, except to the extent that such documents have been processed pursuant to OC's records retention policies.

OC is aware that certain records were lost or destroyed when OC's Newark, Ohio, plant was damaged by a flood in 1959. OC is not now able to provide names of persons with knowledge of the information contained in the lost or destroyed records, nor does OC know if any of the lost documents contain information relevant to any issue in this lawsuit.

INTERROGATORY NO. 48.3:

For all documents, other than invoices, work orders and/or purchase orders, which relate to matters relevant to the all the preceding interrogatories:

(a) Is there any kind of index for the documents?

(b) How many pages is the index of documents?

(c) How many documents are referred to in the index?

(d) Is the index maintained in electronic format (i.e. database, word processing or other computerized format)?

(e) What manner of electronic format is used?

RESPONSE NO. 48.3:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC refers Plaintiffs to Interrogatory Response No. 48.1 and the exhibits referenced therein. OC further refers Plaintiffs Response No. 3 which includes a description of its document library.

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INTERROGATORY NO. 48.4:

For all invoices, work orders and/or purchase orders, which relate to matters relevant to the all the preceding interrogatories:

(a) Is there any kind of index for the documents?

(b) How many page is the index of documents?

(c) How many documents are referred to in the index?

(d) Is the index maintained in electronic format (i.e. database, word processing or other computerized format)?

(e) What manner of electronic format is used?

RESPONSE NO. 48.4:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it distributed asbestos-containing Kaylo insulation products from April 1953 to April 1973, as indicated by a review of OC's collection of invoices for such products. Invoices, and additional information, relating to OC's distribution of asbestos-containing Kaylo are maintained in OC's files related to asbestos as described in Response No. 3. These invoices are not segregated by purchaser/customer or by state but are generally organized by invoice number and according to the plant or facility from which the product was originally shipped. See Exhibit W, a copy of an original invoice for OC's asbestos-containing Kaylo. OC also had limited involvement in the manufacture and/or distribution of other asbestos-containing products. See Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or distributed by OC. OC's collection of invoices relating to the sales/shipments of these other asbestos-containing products is also maintained in OC's files related to asbestos as described in Response No. 3; however, this collection is incomplete. Furthermore, these documents are not

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segregated by purchaser/customer or by state, but are generally organized by invoice number and according to the plant or facility from which the product was originally shipped.

The invoices in the document library are listed on OC's File Title Index of documents located in its document library, as Exhibit X. Copying costs for the invoices is 10 cents per page.

Furthermore, OC states that, in an effort to ensure generally that information concerning OC's sales/shipments of asbestos-containing Kaylo is as accessible and as accurate as possible, OC, through its counsel, retained the accounting firm of Price Waterhouse to create a comprehensive electronic imaging system containing images and database records which correspond to all retained invoices reflecting OC's sale of asbestos-containing Kaylo from April 15, 1953 through April 3, 1973. Data from each OC Kaylo invoice contained in OC's document library located in Richmond, Virginia was recorded onto computer disk, along with a computer scanned image of the original invoice itself, and a database was formed from which Price Waterhouse may retrieve invoice information. OC objects to the production of the database itself on the grounds that it is litigation-generated work product.

PLAINTIFF/DECEDENT

INTERROGATORY NO. 49:

Has Defendant obtained statement from any witnesses including the Plaintiffs? If so, please:

(a) list each witness who has given a statement and the name, address, and job title of each person having custody of any such statement.

RESPONSE NO. 49:

Objection: Defendant OC objects to this interrogatory as it relates to matters which are protected by the attorney/client work product doctrine. Without waiving this objection, OC states that it will exchange witness lists with plaintiff at the appropriate time pursuant to the court's Case Management Order.

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INTERROGATORY NO. 50:

Do you contend that the Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set out in detail in what respect the product was improperly used.

RESPONSE NO. 50:

Objection: OC objects to this interrogatory as it seeks a narrative response on a broad subject matter, is vague, overly broad and ambiguous and is further designed to obtain information by way of interrogatories which is more properly discovered by way of deposition. See Penn Central Transportation Co. V. Armco Steel Corp. (1971), 27 Ohio Misc. 76.

INTERROGATORY NO. 51:

As to the sites listed on Exhibit A, and as to each Plaintiff/Decedent, please state whether Defendant contends that there was any substance other than asbestos which contributed or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

(a) The facts upon which you rely;

(b) The identity of the sources upon which you rely which substantiate these facts.

RESPONSE NO. 51:

Objection: OC objects to this interrogatory as it seeks a narrative response on a broad subject matter, is vague, overly broad and ambiguous and is further designed to obtain information by way of interrogatories which is more properly discovered by way of deposition. See Penn Central Transportation Co. V. Armco Steel Corp. (1971), 27 Ohio Misc. 76. Without waiving this objection, OC states that discovery is ongoing in this case and should information responsive to this interrogatory be discovered, same will be supplemented.

RESPIRATORS

INTERROGATORY NO. 52:

Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

(a) When the respirator was sold;

(b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;

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(c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;

(d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;

(e) List all documents which mention, allude or refer to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

RESPONSE NO. 52:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it does not contend that any mask, respirator or other breathing device could completely (100%) prevent the inhalation of asbestos dust and fibers. However, OC does contend that there were a number of respirators available in the mid-1960s, which, if properly used and maintained, would generally prevent overexposure to asbestos fibers. It was these respirators, approved by the U.S. Bureau of Mines, that OC used and recommended for use in its warning labels described in Response No. 47.3.

INTERROGATORY NO. 53:

Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

(a) Their identity, last known address;

(b) The subject matter on which the expert is expected to testify;

(c) The expert's specific conclusion and specific opinions and the specific basis therefore;

(d) The expert's qualifications to render the opinions set forth above;

(e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;

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(f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and

(g) Describe in detail the education and work history of, and identify any books, treaties, article, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively in lieu, of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

RESPONSE NO. 53:

Objection: The within interrogatory is premature. OC will exchange its witness lists and provide expert reports pursuant to the court's Case Management Order.

INTERROGATORY NO. 54:

Please state the name and last know address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

RESPONSE NO. 54:

Objection. The within interrogatory is premature. OC will exchange its witness lists and provide expert reports pursuant to the court's Case Management Order.

INTERROGATORY NO. 55:

Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

RESPONSE NO. 55:

Objection: OC objects to this interrogatory as it is overly broad, vague and ambiguous. OC is unable to respond to this interrogatory as posed. Any affirmative defenses set forth by defendant OC in any case will be supported by evidence at the appropriate time, otherwise, the affirmative defense will be withdrawn

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INTERROGATORY NO. 55.1:

For each and every affirmative defense asserted in the answering defendant's Answer to Plaintiffs' Complaint, the Cross-Claims or Counter-Claims of any party against this answering defendant state:

(a) the facts upon which the answering defendant relies for each and every affirmative defense;

(b) each and every document which will be offered to prove each and every affirmative defense; and

(c) each and every witness who will testify in support of each and every affirmative defense.

(d) the substance and subject matter of the anticipated testimony of each witness identified in the preceding response.

RESPONSE NO. 55.1:

Objection: OC objects to this interrogatory as it is overly broad, vague and ambiguous. OC is unable to respond to this interrogatory as posed. Any affirmative defenses set forth by defendant OC in any case will be supported by evidence at the appropriate time, otherwise, the affirmative defense will be withdrawn.

INTERROGATORY NO. 56:

Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

(a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

RESPONSE NO. 56:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that which insurance carrier or carriers may be responsible for payment of defense costs in this case and/or for any judgment that may be entered in this case is a function of the amounts in question and the time of any payments made, and also may

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depend upon the date of manifestation of the claimed asbestos-related condition. Therefore, OC cannot with certainty answer this interrogatory as phrased. However, OC also states that it has unexhausted products liability coverage with the following insurance carriers: Aetna Casualty & Surety; Allianz Underwriters; American Centennial; Associated International; Birmingham Fire; Central Natl. of Omaha; Columbia Casualty; Continental; Employers Ins. Wausau; Employers Mutual Cas.; Gibraltar; Granite State; Haftpflichtverband; Harbor Insurance Co.; INA Underwriters; Landmark; London Guarantee & Accd.; National Union Fire; Northbrook; Old Republic; Pacific Employers; Protective Natl. Ins.; Republic; Royal Indemnity; Royale Belge; Seguros La Commercial; Twin City Fire. For additional information, OC refers plaintiffs to the Exhibit VVV, a chart pertaining to OC's insurance policies.

INTERROGATORY NO. 56.1:

Have you ever been involved in any litigation concerning potential insurance coverage for asbestos products liability matters? If so, please state:

(a) the case caption, court and date of filing of each case in which you have been involved;

(b) whether you were plaintiff or defendant;

(c) a brief statement of the issues;

(d) identify by date, author and recipient(s), (including recipients of carbon copies) all documents listed as exhibits by either part in this litigation;

(e) identify by deponent and date all individuals who were deposed in these caes;

(f) identify by date, author and recipient(s) all documents that have been placed on a protective order in such litigation;

(g) identify all expert witnesses retained for use at trial in any of the above litigation by name, address and telephone number.

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RESPONSE NO. 56.1:

OC objects to this interrogatory on the grounds that it is overly broad and burdensome, and to the extent that it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. OC also objects to this interrogatory to the extent that it seeks information which is protected from discovery as attorney-client communications and/or attorney work product.

INTERROGATORY NO. 57:

Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

RESPONSE NO. 57:

Objection: OC objects to this interrogatory on the grounds that it is premature. Witness lists will be exchanged with the plaintiff at the appropriate time pursuant to the Case Management Order. OC further objects to this interrogatory as it seeks information which is covered by the attorney/client work product doctrine.

INTERROGATORY NO. 58:

State the last date that this Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

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RESPONSE NO. 58:

OC objects to this interrogatory on the grounds that it is vague, ambiguous, overly broad and burdensome. Without waiving its objections, OC states that it ceased the manufacture of asbestos-containing Kaylo insulation products in November 1972. According to a review of OC's collection of invoices for asbestos-containing Kaylo insulation products, OC ceased the sale of such products in April 1973. OC ceased the production of asbestos-containing Kaylo in light of medical information relative to asbestos and health and because OC was able to develop an alternate technology for producing high temperature heat insulation. Lewis W. Saxby, then Senior Vice President of OC, directed that the manufacture and sale of asbestos-containing Kaylo insulation be discontinued. OC also refers plaintiffs to Exhibit I, a chart listing those asbestos-containing products previously manufactured and/or sold by OC and the dates OC ceased the manufacture and/or distribution of each product.

Respectfully submitted,

MARTIN J. MURPHY (0016528)
DENNIS R. FOGARTY (0055563)
DAVIS AND YOUNG CO., L.P.A.
1700 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115-1027
(216) 348-1700
ATTORNEYS FOR OWENS CORNING

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PLAINTIFF'S
EXHIBIT A

BARON & BUDD SITE LIST

Anchor Hocking Glass, Lancaster, OH
Anchor Hocking Glass, Plant One, Lancaster, OH
Anchor Hocking Glass, Plant Two, Lancaster, OH
Armco Steel, Ashland, KY
Armco Steel, Hamilton, OH
Armco Steel, Houston, TX
Armco Steel, Middletown, OH
Armco Steel, Muskingham County, OH
Armco Steel, Washington Courthosue, OH
Babcock & Wilcox, Canton, OH
BlawKnox Corp., Wheeling, WV
Buckeye Steel, Columbus, OH
Cardinal PS/Brilliant PS/Tidd PS; Brilliant, OH
Centre Foundry, Wheeling, WV
Champion Paper, Hamilton, OH
Contours, Inc., Orrville, OH
Cooper Tire, Findley, OH
Dayton Walther, Portsmouth, OH
Harrison PS, Shinnston, WV
Ideal Foundry, Newton Falls, OH
Jones & Laughlin Steel, Youngstown, OH
Jones & Laughlin Steel, Cleveland, OH
LTV Steel, Cleveland, OH
LTV Steel, Jennings Road, Cleveland, OH
LTV Steel, East 45th Street, Cleveland, OH
LTV Steel, Campbell Road, Cleveland, OH
LTV Steel, West third Street, Cleveland, OH
LTV Steel, Massillon, OH
LTV Steel, Warren, OH
LTV Steel, Youngstown, OH
LTV Steel Briar Hill Works, Youngstown, OH
LTV Steel Campbell Works, Youngstown, OH
Lucans Steel, Massillon, OH
Martin Marietta, Woodville, OH
McComber Steel, Canton, OH
Meade Paper, Chilicothe, OH
Republic Engineered Steel Inc. (RESI), Canton, OH

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Republic Steel, Canton, OH
Republic Steel, Eighth Street Plant, Canton, OH
Republic Steel, Plant A, Canton, OH
Republic Steel, Plant B, Canton, OH
Republic Steel, 3 Shop, Canton, OH
Republic Steel, 4 Shop, Canton, OH
Republic Steel, Berger Plant, Canton, OH
Republic Steel, Culvert Division, Canton, OH
Republic Steel, Stark Division, Canton, OH
Republic Steel, Cleveland, OH
Republic Steel, Massillon, OH
Republic Steel, Union Drawn Steel, Massillon, OH
Republic Steel, South Division, Massillon, OH
Republic Steel, Warren, OH
Republic Steel, Youngstown, OH
The Timken Company, a.k.a. Timken Roller Bearing, Canton, OH
The Timken Company, a.k.a. Timken Roller Bearing, Navarre Road SW, Canton, OH
The Timken Company, a.k.a. Timken Roller Bearing, Dueber Avenue, Canton, OH
U.S. Rubber, Clinton, OH
U.S. Steel, Canton, OH
U.S. Steel, Clairton, PA
U.S. Steel, McDonald Works, Youngstown, OH
U.S. Steel, Ohio Works, Youngstown, OH
U.S. Steel, Homestead, PA
Washington Steel, Massillon, OH
Weirton Steel, Weirton, WV
Wheeling-Pitt Steel, Allenport, PA
Wheeling-Pitt Steel, Beechbottom, WV
Wheeling-Pitt Steel, Benwood, WV
Wheeling-Pitt Steel, Yorkville, OH
Wheeling-Pitt Steel, Martins Ferry, OH
Wheeling-Pitt Steel, South Plant (Mingo Junction)
Wheeling-Pitt Steel, East Plant (Follansbee, WV)
Wheeling-Pitt Steel, North Plant (Steubenville)
Wheeling-Pitt Steel, Monessen, PA
Youngstown Sheet & Tube, Youngstown, OH

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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANTHONY MARIO GRECO et al.,	:	CASE NOS. 323629-323678 (HANNA, J.)
Plaintiffs,	:	
VS.	:	**IN RE: ALL BARON & BUDD ASBESTOS CASES**
A-BEST PRODUCTS COMPANY, et al.,	:	
Defendants.	:	

DEFENDANT'S MASTER SET OF INTERROGATORIES EXHIBIT LIST

A	=	Excerpt from Articles of Incorporation
B	=	1996 Annual Report
C	=	OC Corporate Purposes
D	=	OC/OI Berlin Plant Purchase Agreement
E	=	OC/Unarco Bloomington Purchase Agreement
F	=	Copies of the contract between Fiberglas Engineering and Supply Company and certain shareholders of Marine Engineering, dated July 10, 1952 and the articles of dissolution of Marine Engineering, dated September 17, 1952
G	=	Pre 1973 Privileged Index
H	=	Post 1972 Privileged Index
I	=	Product Chart
J	=	Kaylo Product Data & Application Information
K	=	Fiberglas Metal Mesh Blankets Product Data & Application Information
L	=	Fiberglas Sewn Blankets Product Data & Application Information
M	=	Fiberglas Insulating Cement, Finishing Cement and O-C Mastic Finish Product Data & Application Information

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N	=	Roofing Products Data and Application Information
O	=	Fyrcor (Unarcoboard) containers
P	=	Pictures of SC-30 and SC-40 Cement bags
Q	=	Mock-up pictures of asbestos-containing Kaylo cartons
R	=	Pictures of Fiberglas Insulating and Finishing Cements
S	=	Kaylo Patent List
T	=	Resin Patents
U	=	Continuous and Chopped Strand Mat Patents
V	=	Roofing Products Patents
W	=	Copy of an original invoice
X	=	File Title Index
Y	=	OC/Fibreboard Rebranding Agreement
Z	=	OC/Johns-Manville Rebranding Agreement
AA	=	OC/Eagle-Picher Rebranding Agreement
BB	=	OC/OI Kaylo, Distribution Agreement
CC	=	6/12/56 letter, Hazard to Brought (01 118 0108)
DD	=	1952 draft OI pamphlet and correspondence re: health aspects of Kaylo (01 501 1348-1352)
EE	=	Saranac Documents
FF	=	Berlin Plant Epidemiological Study
GG	=	Aetna "Special Hazard Survey"
HH	=	Bradley Study at Berlin
II	=	Clayton Survey

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JJ = Collection of documents re: industrial hygiene inspections conducted at Berlin plant by New Jersey Department of Labor and Industry

KK = Peele study (Report 62-IH-1-G-1)

LL = Peele study (Report 63-IH-3-G-1)

MM = Memo 6/30/63 - Lotz to Boynton

NN = Robert Peele Diary 4/30/63

OO = Robert Peele Diary 5/1/63

PP = Robert Peele Diary 5/16/63

QQ = Devitt Studies

RR = Bath Ironworks Study 8/19/66

SS = Bath Ironworks Study 9/12/66

TT = Dreesen study (01 501 0514-0648)

UU = Lanza study (01 500 0072-0084)

VV = Correspondence re: OC's receipt of Lanza study (01 500 0062-0064)

WW = April 1946 Industrial Hygiene Digest

XX = IHF affidavit

YY = 3/9/42 letter, Dow Chemical to OC re: Capt. Brown's study (01 501 0965-0968)

ZZ = Selikoff article, "Asbestos Exposure and Neoplasia" (01 007 0287-0291)

AAA = Memo 4/22/64 - Edwards to Taylor

BBB = Correspondence re: potential Massachusetts Worker's Comp Claim (01 039 1471-1472)

CCC = Minutes of 11/7/66 I&C R&D review

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DDD = NIMA Minutes

EEE = NIMA Minutes

FFF = NIMA Minutes

GGG = Compilation of documents related to TLV's

HHH = Caution on bags of cement re-branded for OC by Eagle-Picher

III = Kaylo Cautionary Label

JJJ = Revised Kaylo Cautionary Label

KKK = Unarcoboard Cautionary Label

LLL = Fyrcor (Unarcoboard) Revised Cautionary Label

MMM = Material Safety Data Sheets for Kaylo

NNN = NIMA Brochure - "Recommended Health Safety Practices"

OOO = NIMA Brochure - "Safety Reminders"

PPP = NIOSH Booklet - "Caution Asbestos Dust"

QQQ = Berlin Plant Educational Program

RRR = Berlin Safety Rules

SSS = Berlin Plant Epidemiological Study

TTT = OC Records Retention Policy

UUU = Procedures Memo

VVV = OC Insurance Information

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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANTHONY MARIO GRECO et al.,	:	CASE NOS. 323629-323678
	:	(HANNA, J.)
Plaintiffs,	:	
	:	
VS.	:	**IN RE: ALL BARON & BUDD ASBESTOS CASES**
	:	
A-BEST PRODUCTS COMPANY, et al.,	:	
	:	
Defendants.	:	

STATE OF OHIO

COUNTY OF LICKING

AFFIDAVIT

ROBERT C. MITCHELL, ESQ., being duly sworn, deposes and says that he is Senior Counsel for OWENS CORNING and that he verifies the foregoing Responses to Plaintiffs' Master Set of Interrogatories for and on behalf of OWENS CORNING and is duly authorized so to do; that the matters stated therein are not within the personal knowledge of deponent; and that the facts stated therein have been assembled by authorized employees and counsel of OWENS CORNING and deponent is informed that the facts stated therein are true.

Robert C. Mitchell, Esq.

Sworn to and subscribed before me on this 10th day of Sept, 1997.

Notary Public

My Commission expires:

CONNIE E. FORTNEY
Notary Public, State of Ohio
My Commission Expires Nov. 30, 1999

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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANTHONY MARIO GRECO et al.,	:	CASE NOS. 323629-323678 (HANNA, J.)
Plaintiffs,	:	
VS.	:	IN RE: ALL BARON & BUDD ASBESTOS CASES
A-BEST PRODUCTS COMPANY, et al.,	:	
Defendants.	:	

CERTIFICATE OF SERVICE

Defendant, Owens Corning, hereby gives notice to the Court that a copy of Defendant Owens Corning's Answers to Plaintiff's Interrogatories was served upon Steven D. Wolens, counsel for plaintiff on this 13th day of September, 1997 at his office located at Baron & Budd, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, TX 75219. A copy of the answers is available to all defense counsel upon request.

Respectfully submitted,

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