IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BEXLEY, vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0700-C
KELLEY, vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0703-C
REED, et al vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0704-C
SMITH, et al vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0706-C
ODOM, et al vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0709-C
BANKS, et al vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0711-C
TAYLOR, vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0712-C
MINK, et al vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0715-C
LORD, vs. ARMSTRONG WORLD INDUSTRIES, et al	CV-87-0716-C

DEFENDANT OWENS-ILLINOIS, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES

Owens-Illinois, Inc. responds to Plaintiffs' First Set of Interrogatories as follows:

PRELIMINARY STATEMENT

Some of the events which may be relevant to the matters inquired about by Plaintiffs' Interrogatories apparently occurred more than thirty-five years ago. In addition, effective April 30, 1958, Owens-Illinois, Inc. disposed of the business involved in this action by way of sale of that business to Owens-Corning Fiberglas Corporation. Since that time, Owens-Illinois, Inc. has not engaged in any such business. It does not now and it has not since that sale manufactured, distributed or sold any asbestos-containing products. As a result of the foregoing factors, many of the individuals who might have had personal knowledge of the matters to which Plaintiffs' interrogatories relate are deceased, or are otherwise unavailable to Owens-Illinois, Inc., and investigations to date indicate that at least some documents which relate to matters inquired about by these interrogatories may have been transferred to Owens-Corning



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Fiberglas Corporation with the transfer of the business in question in 1958. Owens-Illinois, Inc. is engaged in a continuing investigation in an attempt to locate, confirm the transfer of, or confirm the absence of, such documents and is also engaged in a continuing investigation into the matters inquired about in these interrogatories. Unless otherwise stated in an answer to a specific interrogatory, the answers set out hereinafter are limited to the period during which Owens-Illinois, Inc. manufactured asbestos-containing insulation products and to the facilities related to that business. The following is a part of and is incorporated by reference in every answer provided hereinafter:

This answer is accurate as of the date made. However, Owens-Illinois, Inc.'s investigation is continuing, and Owens-Illinois, Inc. cannot exclude the possibility that it may be able to obtain more complete information or even information which indicates that the answer being supplied is incorrect. Owens-Illinois, Inc. objects to answering this interrogatory in regard to any period of time other than the period during which it engaged in the business involved in this case which ended in mid-1958 or concerning any facility not related to that business, on the basis that any such answer would be irrelevant to the subject matter of the pending litigation, would not be reasonably calculated to

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lead to the discovery of admissible evidence, and would be burdensome and oppressive.

Furthermore, Owens-Illinois, Inc. objects to the instructions and definitions supplied by Plaintiffs with regard to these interrogatories, on the basis that the definitions are overbroad, vague, and often inconsistent with the normal usage and meaning of such words, and the instructions are overbroad, burdensome and constitute an unreasonable expansion of the interrogatories themselves. Owens-Illinois, Inc. therefore gives notice that it does not consider itself bound by the instructions and definitions propounded by Plaintiffs, and instead shall answer the interrogatories in a manner consistent with a normal understanding of the language used in the answer and to the extent necessary to fairly and fully answer the interrogatory.

RESPONSES

1. State Defendant's proper legal name, the present address of Defendant's principal place of business, all states in which Defendant is incorporated, and all states in which Defendant is licensed to do business.

ANSWER: This Defendant objects to this interrogatory on the basis that it is overbroad, seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the above objection, Owens-Illinois Glass Company was incorporated in the State of Ohio in 1929. Owens-Illinois Glass Company changed its name to Owens-Illinois, Inc. on April 28, 1965. Due to corporate

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restructuring in 1987, this Defendant is now a Delaware corporation. The address of the principal place of business is One SeaGate, Toledo, Ohio 43666.

2. Please state whether Defendant, Defendant's predecessors or any of Defendant's subsidiaries has ever been licensed to do business in Texas. If so, please state the following:

(a) The companies that were licensed to do business in Texas;

(b) The years that each such company was licensed to do business in Texas;

(c) The name and address of the agent designated to accept service of process for each such company and the years that each agent was so employed;

(d) The type of business that each such company conducts or has conducted in the state of Texas;

(e) Whether each such company has paid any taxes to the State of Texas or any governmental entity in the State of Texas, and, if so, the amount of taxes paid for each year since 1940.

ANSWER: This Defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the above objection, this Defendant has been authorized to conduct business in the state of Texas since 1938. This Defendant's agent for service of process is:

CT Corporation System
Registered Office
1601 Elm Street
c/o CT Corporation System
Dallas, Texas 75201

3. Please describe in detail all products and/or services that Defendant currently sells for profit.

ANSWER: This Defendant objects to this interrogatory on the

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basis that it is overbroad, seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the above objection, effective April 30, 1958, this Defendant sold its asbestos-containing manufacturing division to Owens-Corning Fiberglas Corporation. As of that time, this Defendant ceased the manufacture, sale and distribution of asbestos-containing products and has not engaged in any such business since that date.

4. For each product identified in response to Interrogatory No. 3 above, please state:

(a) the approximate volume of products originally sold, distributed, delivered to or applied by people or business entities in the state of Texas, for each year from 1940 through the present;

(b) the approximate volume of products originally sold, distributed, delivered to or applied by people or business entities with Defendant's knowledge that said products would be used or applied in Texas, for each year from 1940 through the present;

(c) the approximate annual income derived by Defendant, Defendant's predecessors, or Defendant's subsidiaries as a result of sales, application, distribution, and/or servicing of Defendant's products in the State of Texas for each year from 1940 through the present;

(d) the percentage of Defendant's overall income that Defendant's income in Texas, as stated in response to Interrogatory No.4(c) above, represents for each year from 1940 through the present;

(e) the ten states in which Defendant derives the most income as a result of sales, application, distribution, and servicing of Defendant's products, and the amount of income generated in each of those states.

ANSWER: Refer to objections to Interrogatory No. 3.

5. Please identify by trade or brand name each asbestos-containing insulation product manufactured and or sold by Defendant. For each product identified, please state the

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following:

(a) The years that the product was manufactured and/or sold;

(b) A description of the chemical composition of the product, including the type of asbestos contained in the product (e.g., amosite, chrysotile, crocidilite) and the percentage of asbestos in each product;

(c) A description of the physical appearance of the product;

(d) A detailed description of the intended uses of the product;

(e) The address, including city and state, of the plants at which the product was manufactured and/or packaged;

(f) The annual dollar amount of production of the product at each of the locations indicated in response in Interrogatory No. 5(e) above, from 1940 through the present;

(g) The percentage of the total production of the product for which each plant indicated in response to Interrogatory No. 5(e) was responsible;

(h) The annual dollar sales of the product sold, distributed, delivered to or applied by people or business entities in the state of Texas from 1940 through the present;

(i) The approximate percentage of the total market for the product that the Texas market represents from 1940 through the present.

ANSWER: Kaylo and Kaylo-20.

(a) Owens-Illinois Glass Company began limited pilot operations involving the production of "Kaylo: asbestos-containing products in 1943. It began the manufacture of commercial quantities of "Kaylo" asbestos-containing products in about 1948 and continued such manufacture until about April 30, 1958.

(b) This Defendant ceased the manufacture, sale and

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distribution of its asbestos-containing products in 1958. Its investigation as to the composition of each such product, including the type of asbestos contained therein (i.e., amosite or chrysotile) and the quantitative percentage of asbestos, is continuing, although the Defendant now believes that this Defendant's commercially produced asbestos-containing products were hydrous calcium silicates containing between 13% and approximately 20% asbestos. Chrysotile asbestos was the primary type apparently used. Amosite was used to a lesser extent.

(c) The Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. It believes that Kaylo and Kaylo-20 were premolded, rigid products, and were manufactured in two forms, block and pipe covering. Kaylo was white or off-white in color, and Kaylo-20 was pinkish in color.

(d) The asbestos-containing products manufactured by this Defendant were intended to be used for industrial high temperature thermal insulation such as pipe covering and block insulation, and to increase fireproofing and fire protection and for insulation through use as a roof deck or fireproof material or door core material.

(e) This Defendant's manufacturing plants were located in Berlin, New Jersey and Sayreville, New Jersey. The Berlin plant was in operation from approximately 1943 until on or about April 30, 1958. The Sayreville plant was in operation

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from February, 1948 until about April 30, 1953.

(f,g) This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory.

(h,i) This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant objects to answering this interrogatory on the grounds that it is irrelevant, overly broad and improperly seeks discovery of materials which are protected by the attorney work-product privilege. To the extent this Defendant is in possession of such information, it was collected or created in preparation for litigation.

6. Please state the address of any offices, factories, plants, or places of business ever operated by Defendant in the state of Texas. For each location identified, please state also:

(a) the dates that the location was operated as a place of business by Defendant;

(b) the type of business conducted at the location;

(c) the number of people employed at the location;

(d) the name and address of the custodian of records pertaining to the business transacted at the location.

ANSWER: This Defendant objects to this interrogatory on the basis that it is overly broad and seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

7. Please state the number of claims alleging personal

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injuries or wrongful death caused by exposure to asbestos pending against Defendant in the state and federal courts in Texas.

(a) What is Texas ranking among all states in terms of the largest number of claims filed for each of the past seven years?

(b) Please state the approximate percentage of total asbestos claims represented by those filed in Texas for each of the past seven years.

ANSWER: This Defendant objects to this interrogatory as being vague, ambiguous, irrelevant, overly broad, burdensome and oppressive, not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. This Defendant has reason to believe that Plaintiff already has knowledge of such actions.

8. Did Defendant ever maintain any distribution agreement with any company located in Texas with respect to the products identified in answer to Interrogatories Nos. 3 and 5? If so, please state the following:

(a) The name and address of each company with whom Defendant maintained such an agreement, and the years that each agreement was maintained;

(b) The products that the agreements involved.

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory. However, in 1953, this Defendant entered into a sales agreement with Owens-Corning Fiberglas Corporation under which it agreed to the sale of asbestos-containing thermal insulation products at that time, disbanded its sales force, and that thereafter, Owens-Corning Fiberglas Corporation was the primary marketer of its

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product until the sale of the division to Owens-Corning Fiberglas Corporation in 1958.

9. Has Defendant ever entered into any contracts within the state of Texas since 1940? If so, for each such contract, please state:

(a) the name and address of the person or company with which Defendant entered into the contract;

(b) the place where the contract was entered into;

(c) the date of the contract;

(d) a general description of the subject matter of the contract.

ANSWER: This Defendant objects to this interrogatory on the basis that it is overly broad and seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

10. Has Defendant ever advertised its products or services within the state of Texas from 1940 through the present? If so, please state:

(a) the way in which each product was advertised, including the name and address of the company that published or promulgated the advertisement;

(b) the annual amount spent by Defendant on such advertising in Texas since 1940.

ANSWER: This Defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the above objection, this Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in

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its records sufficient to enable it to answer this interrogatory.

11. 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 of asbestos or the manufacturing, marketing or distributing of asbestos products).

ANSWER: No. However, Owens-Illinois Glass Company changed its name to Owens-Illinois, Inc. on April 28, 1965.

12. If so, please state the following:

(a) The name of each such corporation or entity;

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

(c) The date of each such acquisition.

ANSWER: Refer to Response to Interrogatory No. 11.

13. Prior to releasing the products listed in Interrogatory No.5 to the public for sale, were any tests conducted on same to determine potential health hazards involved in the use of material contained therein?

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958 and does not have any records from which it can obtain information sufficient to answer this interrogatory.

During May, 1979, various papers and reports were produced by an employee of the Trudeau Institute, Mr. Allan Logie, regarding animal experiments conducted at laboratories at Saranac Lake involving dust collected during the Kaylo manufacturing process. These papers and reports may contain information relating to the substance of this interrogatory.

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This Defendant has not been able to find these papers and reports in its business records or correspondence although it has searched for and continues to search for them.

This Defendant's counsel obtained copies of some of the papers and reports produced by Mr. Logie. However, these copies constitute only a portion of a larger volume of papers and reports which this Defendant has not copied. They are available at Milbank, Tweed, Hadley & McCloy, 1 Chase Manhattan Plaza, New York, New York. This Defendant also has reason to believe that Plaintiffs' counsel has copies of the documents produced by Mr. Logie.

Those documents found at Saranac Lake and at Owens-Corning Fiberglas Corporation and elsewhere, indicate that during the period of time when Owens-Illinois was in the business of manufacturing asbestos-containing products, the state of government, industrial hygiene and medical community knowledge was that there was a recognized safe exposure level for asbestos dust and that persons installing insulation were not exposed to excessive or hazardous levels of asbestos dust. The foregoing documents also indicate that Kaylo plant employees were x-rayed periodically and displayed no asbestos-related chest disease; that this Defendant made appropriate efforts to provide ventilation and to control the emissions of all dust emitted during the manufacturing process within recognized safe levels of exposure, including the use of respirators in some instances, dust collection equipment and other devices as

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necessary; and that therefore during the period in which this Defendant was in the business of manufacturing Kaylo it had no reason to believe that the foreseeable use of Kaylo would create a hazard to users.

The documents produced by Owens-Corning Fiberglas Corporation indicate that the September, 1955 publication in the A.M.A. Archives of Industrial Health was a publication of inhalation experiments.

To the extent that this interrogatory seeks the production of documents, such documents, as outlined in this response, have not been found as part of this Defendant's records and, to the extent that this Defendant is in possession of copies of documents, it possesses copies only of documents collected in preparation for litigation. This Defendant objects to producing the same. The documents are available from their proper source.

14. If so, please state:

(a) the name, address, and job classification of each individual who conducted such tests.

(b) the results of such tests.

ANSWER: Refer to Response to Interrogatory No. 13.

15. Do any written memoranda, specification, blueprints or other written materials of any kind or character exist relating to the testing of said products?

ANSWER: This Defendant has in its records technical reports relating to the development and testing of Kaylo, and will make available to Plaintiffs' counsel through its local counsel these records. Many of the reports are contained on microfilm

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which is old and of poor quality. Adequate copies may not be made from it, and reading it requires a reader device. This Defendant further states that its investigation into the subject matter referred to in this interrogatory is continuing.

16. If so, please state:

(a) List 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.

ANSWER: Refer to Response to Interrogatory No. 15.

17. Were any design changes made as a result of such tests?

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory. However, this Defendant has in its records technical reports relating to the development and testing of Kaylo, and will make available to Plaintiffs' counsel through its local counsel these records. Many of the reports are contained on microfilm which is old and of poor quality. Adequate copies may not be made from it, and reading it requires a reader device. This Defendant further states that its investigation into the subject matter referred to in this interrogatory is continuing.

18. If so, please state:

(a) the nature of the change made.

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

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ANSWER: Refer to Response to Interrogatory No. 17.

19. After releasing the products listed in answer to Interrogatory No.5 to the public, were any tests conducted thereon to determine potential health hazard involved in the use of materials contained therein?

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958 and does not have any records from which it can obtain information sufficient to answer this interrogatory.

During May, 1979, various papers and reports were produced by an employee of the Trudeau Institute, Mr. Allan Logie, regarding animal experiments conducted at laboratories at Saranac Lake involving dust collected during the Kaylo manufacturing process. These papers and reports may contain information relating to the substance of this interrogatory. This Defendant has not been able to find these papers and reports in its business records or correspondence although it has searched for and continues to search for them.

This Defendant's counsel obtained copies of some of the papers and reports produced by Mr. Logie. However, these copies constitute only a portion of a larger volume of papers and reports which this Defendant has not copied. They are available at Milbank, Tweed, Hadley & McCloy, 1 Chase Manhattan Plaza, New York, New York. This Defendant also has reason to believe that Plaintiffs' counsel has copies of the documents produced by Mr. Logie. Other documents possibly relating to this interrogatory may have been produced by Owens-Corning

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Fiberglas Corporation in the asbestos litigation.

Those documents found at Saranac Lake and at Owens-Corning Fiberglas Corporation and elsewhere, indicate that during the period of time when Owens-Illinois was in the business of manufacturing asbestos-containing products, the state of government, industrial hygiene and medical community knowledge was that there was a recognized safe exposure level for asbestos dust and that persons installing insulation were not exposed to excessive or hazardous levels of asbestos dust. The foregoing documents also indicate that Kaylo plant employees were x-rayed periodically and displayed no asbestos-related chest disease; that this Defendant made appropriate efforts to provide ventilation and to control the emissions of all dust omitted during the manufacturing process within recognized safe levels of exposure, including the use of respirators in some instances, dust collection equipment and other devices as necessary; and that therefore during the period in which this Defendant was in the business of manufacturing Kaylo it had no reason to believe that the foreseeable use of Kaylo would create a hazard to users.

The documents produced by Owens-Corning Fiberglas Corporation indicate that the September, 1955 publication in the A.M.A. Archives of Industrial Health was a publication of inhalation experiments.

To the extent that this interrogatory seeks the production of documents, such document, as outlined in this response, have

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not been found as part of this Defendant's records and, to the extent that this Defendant is in possession of copies of documents, it possesses copies only of documents collected in preparation for litigation. This Defendant objects to producing the same. The documents are available from their proper source.

20. If so, please state:

(a) the name, address, and job classification of each person conducting said tests.

(b) the results of said tests.

ANSWER: Refer to Response to Interrogatory No. 19.

21. Do any written memoranda, specifications, recommendations or other written materials of any kind or character relating to the potential health hazards of the said products exist?

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory.

22. If so, please:

(a) List 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.

ANSWER: Refer to Response to Interrogatory No. 21.

23. Were any design changes made as a result of such tests?

ANSWER: Refer to answer to Interrogatory No. 21. This Defendant ceased the manufacture, sale and distribution of

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asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to further answer this interrogatory.

24. If so, please state:

(a) the nature of the change made.

(b) the name, address, and job classification of each person responsible for making such a change.

ANSWER: Refer to Response to Interrogatory No. 23.

25. Has Defendant, Defendant's predecessor or any of Defendant's subsidiary companies, at any time, published and/or distributed any brochures, pamphlets, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possibility of injury resulting from the use of the products listed in Interrogatory No.5?

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory. However, it does not appear that any warning concerning asbestos was given in that it does not appear that this Defendant had reason to believe that the use of its products would result in a foreseeable risk of harm.

26. If so, please state:

(a) the wording of each such warning.

(b) a description of each such printed material.

(c) the method used to distribute the warning to persons who are likely to use the products.

(d) the date each such warning was issued.

(e) the name, address, and job classification of each person who presently has possession of the above-described

documents.

ANSWER: Refer to Response to Interrogatory No. 25.

27. Did Defendant, Defendant's predecessor, or any of Defendant's subsidiary companies receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured, and/or sold by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies?

ANSWER: No. This Defendant received notice of its first claim alleging injury as a result of exposure to asbestos in 1975.

28. 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 name 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.

ANSWER: Refer to Response to Interrogatory No. 27.

29. Has Defendant undertaken to investigate the occurrences alleged in Plaintiffs' complaint?

ANSWER: This Defendant has not engaged in sufficient discovery to enable it to respond to this interrogatory.

30. If so, please:

(a) state the name, address, and job title of the persons participating in each such investigation.

(b) list each written record pertaining to such investigation and its location and custodian.

(c) state has Defendant obtained statements from any witnesses?

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

ANSWER: Refer to Response to Interrogatory No. 29.

31. Please state whether or not the Defendant, Defendant's predecessor, or Defendant's subsidiary companies, from 1930 to the present, ever conducted any tests in the field (i.e., where the asbestos containing insulation products of Defendant, Defendant's predecessor, or Defendant's subsidiary companies were being applied, removed or used) to determine the nature and extent of asbestos fiber exposure to insulators, applicators or fellow employees working in the vicinity thereof.

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory.

32. If so, please identify:

(a) the date, place and nature of each and every test.

(b) the particular asbestos containing insulation product to which each test applied.

(c) the results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site.

ANSWER: Refer to Response to Interrogatory No. 31.

33. Does Defendant contend that Plaintiff improperly used its product? If so, please

(a) specify in full detail all facts supporting this contention;

(b) identify by name and address all witnesses having knowledge;

(c) identify all documents supporting your contention;

ANSWER: Yes, to the extent that it is proven that Plaintiff used this Defendant's asbestos-containing products.

34. Please state the scientific or medial periodicals to

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which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies, their medical departments, industrial hygiene divisions or consulting physicians subscribed during the period between 1930 and the present time.

ANSWER: This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory. However, it appears that an employee of this Defendant subscribed to and received the Journal of Industrial Hygiene and Toxicology.

35. Does Defendant, Defendant's predecessor, or Defendant's subsidiary companies maintain a library dealing with industrial hygiene, medicine, safety and engineering? If so state:

(a) the date each such library was established.

(b) the location of each such library.

(c) the name(s) of the librarian(s) since 1930.

(d) all journals subscribed to by Defendant, Defendant's predecessor, or Defendant's subsidiary companies concerning asbestos, industrial hygiene, medicine, safety and/or engineering.

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

ANSWER: During the period of time pertinent to these actions, this Defendant did not maintain an entity which would be characterized as an industrial hygiene, medicine, safety and/or engineering library. However, this Defendant believes that a separate engineering library may have been maintained by its technical facility. This Defendant also states that although it has no records indicating the existence of such a library, upon becoming involved in asbestos-related litigation this

Defendant listed all the publications which were in its then existing industrial hygiene library. These publications are listed on Exhibit I. This Defendant has not yet determined which, if any, of these publications were in this Defendant's possession during the time it manufactured, sold and distributed asbestos-containing products.

36. Please identify each distributor or wholesaler of your asbestos-containing or thermal insulation products since 1940 in Alabama. For each distributor or wholesaler, please state:

(a) the last known address;

(b) the years of the relationship;

(c) whether there was a written distributorship agreement;

(d) whether the distributorship was exclusive.

ANSWER: This Defendant objects to this interrogatory as being vague, irrelevant, overly broad, burdensome and oppressive, not reasonably calculated to lead to the discovery of admissible evidence and not limited to any issue which is the subject of this case. Without waiving the above objection, in 1953, this Defendant entered into a sales agreement with Owens-Corning Fiberglas Corporation under which it agreed to the sale of asbestos-containing products to that corporation. This Defendant believes that it ceased the general marketing and sales of its asbestos-containing thermal insulation products at that time, disbanded its sales force, and that thereafter, Owens-Corning Fiberglas Corporation was the primary marketer of its product until the sale of the division to Owens-Corning Fiberglas Corporation in 1958.

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37. Did you or do you have any sales offices in Alabama. If so, please state:

(a) their addresses;

(b) all mangers from 1940 through 1975 and the years during which they served;

(c) all sales personnel;

(d) the last known addresses of any persons listed in Answers to subparts (b) or (c).

ANSWER: This Defendant objects to this interrogatory on the basis that it is overly broad and seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

38. If the Answer to Interrogatory No. 37 is negative, which of your sales personnel were responsible for sales in Alabama from 1940 through 1975, during what years, what are their last known addresses and are any still your employees?

ANSWER: Refer to Response to Interrogatory No. 37.

39. Did you or did your predecessors-in-interest or subsidiaries supply asbestos-containing products to Shook & Fletcher, Co., Badham Insulation Company, Insulation Engineers, Inc., Marine Supply Co., Standard Equipment Co., Turner Supply Col, McGowan & Lyons Co., Alabama Dry Dock and Shipbuilding Corporation or ADDSCO Industries, Inc. at any time after 1940.

ANSWER: This Defendant objects to this interrogatory on the basis that it seeks information which is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence, except as it relates to the period of time during which this Defendant engaged in the manufacture, sale and distribution of its asbestos-containing products. Without waiving the above

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objection, this Defendant has found information in its business records indicating that it sold asbestos-containing products to Badham Insulation Co., Birmingham, Alabama, 1950-1953 and Insulation Engineers, Inc., Mobile, Alabama, 1950-1952.

40. Did you or did your predecessors-in-interest or subsidiaries sell asbestos-containing products to Shook & Fletcher, Co., Badham Insulation Company, Insulation Engineers, Inc., Marine Supply Co, Standard Equipment Co., Turner Supply Co, McGowan & Lyons Co, Alabama Dry Dock and Shipbuilding Corporation or ADDSCO Industries, Inc. at any time after 1940.

ANSWER: This Defendant incorporates by reference its response to Interrogatory No. 39.

41. Did you or did your predecessors-in-interest or subsidiaries deliver asbestos-containing products to Shook & Fletcher, Co., Badham Insulation Company, Insulation Engineers, Inc., Marine Supply Co., Standard Equipment Co., Turner Supply Co., McGowan & Lyons Co., Alabama Dry Dock and Shipbuilding Corporation or ADDSCO Industries, Inc. at any time after 1940.

ANSWER: Refer to Response to Interrogatory No. 39.

42. Did you or did your predecessors-in-interest or subsidiaries have knowledge that asbestos-containing products produced by you, your predecessors-in-interest or subsidiaries, were being used by Shook & Fletcher, Co., Badham Insulation Company, Insulation Engineers, Inc., Marine Supply Co., Standard Equipment Co., Tuner Supply Co., McGowan & Lyons Co, Alabama Dry Dock and Shipbuilding Corporation, ADDSCO Industries, Inc., Marine Supply Co., Standard Equipment Co., Turner Supply Co., McGowan & Lyons Co, Alabama Dry Dock and Shipbuilding Corporation or ADDSCO Industries, Inc. at any time after 1940.

ANSWER: Refer to Response to Interrogatory No. 39.

43. If any of the preceding four Interrogatories is answered in the affirmative, state for each sale, delivery or supply to each company:

(a) The date of each sale, delivery or supply;

(b) The generic name of the commercial and/or asbestos insulation products sold, delivered or supplied;

(c) The brand name of the asbestos insulation products sold, delivered or supplied;

(d) The trademark name of the asbestos insulation products sold, delivered or supplied;

(e) The quantity of each such sale, delivery or supply and the price paid for each such shipment;

(f) The invoice and purchase ordering number of each such shipment and any other information required to identify each such document;

(g) The department and officer or employee at each firm who:

(i) Placed the order;

(ii) Accepted delivery.

ANSWER: (a,e,f). Refer to Exhibit II. This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to further answer this interrogatory.

(b). Hydrous calcium silicates.

(c,d). Kaylo.

(g). This Defendant ceased the manufacture, sale and distribution of asbestos-containing products in 1958. This Defendant has not found information in its records sufficient to enable it to answer this interrogatory.

44. Please list the name, address, and job title of each person who provided assistance in answering these interrogatories.

ANSWER: This Defendant states that it has referred to the relevant business records of the Owens-Illinois, Inc., in

connection with the preparation of answers to these interrogatories unless otherwise indicated.

Signed as to objection:

CROSBY, SAAD & BEEBE, P. C.

By: C Paul Cavender

C. PAUL CAVENDER
2970 Cottage Hill Road
Suite 210
Mobile, Alabama 36606
(205) 476-3000

CERTIFICATE OF SERVICE

I hereby certify that I have on this 25th day of March, 1988 served a copy of the foregoing on counsel for all parties to this cause by mailing by United States Mail, properly addressed and first class postage prepaid.

C Paul Cavender

C. PAUL CAVENDER

OI.Ans

Owens-Illinois's Responses to Plaintiffs' First Interrogatories in Bexley v. Armstrong World Industries (1988) Published by AsbestosClaims.Law
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AFFIDAVIT

STATE OF OHIO)
)SS:
COUNTY OF LUCAS)

A. H. SMITH, being duly sworn according to law, deposes and says that he is an Assistant Secretary of Owens-Illinois, Inc., a defendant herein; that as such he is authorized to make an Affidavit on its behalf; and that the facts set forth in the foregoing DEFENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO INTERROGATORIES, are true and correct to the best of his knowledge, information and belief.

A. H. Smith

A. H. SMITH

SWORN TO and subscribed before me this 4th day of February, 1988.

Beverly A. McNear

Notary Public

My Commission Expires:

BEVERLY A. McNEAR
Notary Public — State of Ohio
My Commission Expires .. 29, 1990

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EXHIBIT I

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American Medical Association Archives Health, published by the American Medical Association, Vol. 11, 1955, through Vol. 1958.

American Industrial Hygiene Association Quarterly, 1946 through 1958.

Annual Review of Nuclear Science, published by Annual Reviews, Inc., 1952 through 1953; 1955 through 1957.

Archives of Industrial Hygiene and Occupational Medicine, published by the American Medical Association; 1950 to 1954.

British Journal of Industrial Medicine, published by British Medical Association, 1949 through 1958.

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Journal of Industrial Hygiene and Toxicology, The, published by the Williams and Wilkins Company, 1928 through 1949.

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Man's World of Sound, Pierce and David, 1958;
Technical Aspects of Sound, edited by Richardson, 1953;
Physiological Acoustics, Weaver and Lawrence, 1954;
Fundamentals of Acoustics, 2nd Edition, Kinsler and Frey, 1950;
Acoustics Noise in Buildings, Parkin and Humphreys, 1958;
Hearing and Deafness, 3rd Edition, edited by Davis and Silverman, 1947;
A Textbook of Sound, Wood, 1949;
Noise Reduction Manual, Geiger, 1953;
Physical Acoustics, Supplement 1, edited by Lukasik and Nolle, 1955;
Foundry Noise Manual, American Foundrymen's Society, 1958 and 1956;
Foundry Ventilation and Dust Control, Harrogate, 1956;
Body Temperature, Its Changes with Environment, Disease and Therapy, Selle, 1952;
Applied Heat Transmission, Stoever, 1941;
Heat and Temperature Measurement, Weber, 1950;
Life Heat and Altitude, Dill, 1938;
Heat Insulation, Wilkes, 1950;
Basic Principles of Ventilation and Heating, Bedford, 1948;
Heat Transmission, McAdams, 1942;
Climate in Everyday Life, Brooks, 1951;

Handbook of Chemistry, Lange, 1956.

Handbook of Emergency Toxicology, Kaye, 1954.

Handbook of Glass Manufacture. By Tooley, 1953.

Handbook of Material Trade Names, Zimmerman and Lavine, 1957.

Owens-Illinois's Responses to Plaintiffs' First Interrogatories in Bexley v. Armstrong World Industries (1988) Published by AsbestosClaims.Law
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History of Factory and Mine Hygiene, Teleky, 1948.

Human Machine, The, Shilling, 1955.

Industrial Environment and Its Control, The, by Dallavalle, 1948.

Industrial Medicine and Hygiene, edited by Merewether, 1954 through 1956.

Industrial Methods of Analysis, Willard, Merritt, and Dean, 1948.

Industrial Poisons in the United States, Hamilton, 1929.

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Introduction to Medical Biometry and Statistics, Pearl, 1923.

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Owens-Illinois's Responses to Plaintiffs' First Interrogatories in Bexley v. Armstrong World Industries (1988) Published by AsbestosClaims.Law
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Symposium on Instrumentation in Atmospheric Analysis, published by The American Society for Testing and Materials, 1958.

Toxicology and Hygiene of Industrial Solvents, edited by Lehmann and Flury, 1943.

Women in Industry - Their Health and Efficiency, Baetjer, 1946.

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EXHIBIT II

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12-20-64

Douglas CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices · Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo

December 2[illegible], 1950

Subject INSULATION ENGINEERS, INC.
P. O. Box 815
Mobile, Alabama

We are returning to you today, attached to letter for check number 8493, in the amount of $167.60. The balance of the check, in the amount of $147.52, is due subject distributor for sale of following material shipped into their territory:

Very truly yours

F. C. Frank

F. C. Frank
Kaylo Sales

FCF
mab

Journal 20
WR

20
01 - 9

12-gl-15

CONTAINER

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo

May 8, 1951

Subject INSULATION ENGINEERS, INC.
P. O. Box 815
Mobile, Alabama

Please issue check due subject company in the amount of $11.34 representing distributors commission due them for shipments into their territory during the month of March 1951.

The amount was arrived at as follows:

Very truly yours

F. C. Frank
Kaylo Sales

FCF/mab
[redacted]

12-27-10

Duraglas
CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. E. Follas - Toledo KAYLO DIVISION June 5, 1951

Subject INSULATION ENGINEERS, INC.
P. O. Box 815
Mobile, Alabama

Please issue check due subject company in the amount of $11.32 representing distributors commission due them for shipments into their territory during the month of April, 1951.

The amount was arrived at as follows:

Very truly yours

F. C. Frank
Kaylo Sales

FCF/mab

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13-33-34

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo

December 6, 1951

Subject INSULATION ENGINEERS INC.
P. O. Box 815
Mobile, Alabama

Please issue check due subject company in the amount of $7.98 representing distributors commission due them for shipments into their territory during the month of November 1951.

The amount was arrived at as follows:

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OWENS-ILLINOIS GLASS COMPANY
KAYLO DIVISION
INTRA-COMPANY CORRESPONDENCE

13-39-41

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo May 5, 1952

Subject Insulation Engineers, Inc.
Mobile, Alabama

Please issue check due subject company in the amount of $24.00 representing distributors commission due them for shipments into their territory during the month of March, 1952

The amount was arrived at as follows:

F. L. Stark

13-41-05

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas June 13, 1952

Subject Insulation Engineers, Inc.
Mobile, Alabama

Please issue check due subject company in the amount of $14.21 representing disbributors commission due them for shipments into their territory during the month of April, 1952.

The amount was arrived at as follows:

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13-42-15

Mr. J. B. Follas

July 7, 1952

Insulation Engineers, Inc.
Mobile, Alabama

Please issue check due subject company in the amount of $7.14 representing distributors commission due them for shipments into their territory during the month of May, 1952.

The amount was arrived at as follows:

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13-43-06

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

July 28, 1952

Attention of Mr. J. B. Follas

Subject Insulation Engineers, Inc.
Mobile, Alabama

Please issue check due subject company in the amount of $77.70 representing distributors commision due them for shipment into their territory during the month of June, 1952.

The amount was arrived at as follows:

13-43-01

KAYLO DIVISION
INTRA-COMPANY CORRESPONDENCE

General Offices · Toledo, Ohio

Attention of Mr. J. B. Follas

August 26, 1952

Subject Insulation Engineers, Inc.,
Mobile,
Alabama

Please issue check due subject company in the amount of $5.81 representing distributors commission due them for shipments into their territory during the month of July, 1952.

The amount was arrived at as follows:

J F C Frank

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13-44-01

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas Sept. 11, 1952

Subject Insulation Engineers, Inc.
Mobile, Ala.

Please issue check due subject company in the amount of $3.60 representing distributors commission due them for shipments into their territory during the month of August, 1952.

The amount was arrived at follows:

F. C. Frank

FCF:ecm



12-20-04

JOURNAL

Month of December 1950 Sheet No. 1

DESCRIPTION		ACCOUNT NUMBER			AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
							V/-
Commission Paid		72	8204		16760		
Commission Payable		00	4404	adj.		16760	
We set up Commission on the following:							
Insulation Engineers Inc. Mobile, Alabama	147.52						

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12-26-27

JOURNAL

Month of May 1951 Sheet No. 61-7

DESCRIPTION	ACCOUNT NUMBER	AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
Commissions Paid	72 9204	201 95		JH
Commissions Payable	00 4304 adj.		201 95	
To set up commission on the following:				
Insulation Engineers Inc. Mobile Alabama	11.34			
	201-95			

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10-01 00

RATE DIVISION

JOURNAL

Month of June 1951 Sheet No. 01-7

DESCRIPTION	ACCOUNT NUMBER	AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
Commission Paid	72 3204	57877		WH
Commission Payable	00 4304 dft.		57877	
Commission on following:				
Consultation Engineers Inc. "Mobile, Alabama 11-32				

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13-33-38

OWENS-ILLINOIS GLASS COMPANY
KAYLO DIVISION

JOURNAL

Dept. General Ledger Journal No. [illegible]

Month of December 19 51 Sheet No. 01-11

DESCRIPTION	ACCOUNT NUMBER	AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
Commission Paid	72 8204	1 12063		W.
Commission Payable	00 4304		1 12063	
To set up Commission on the following:				
Insulation Engineers Inc. Mobile, Alabama	7.93			

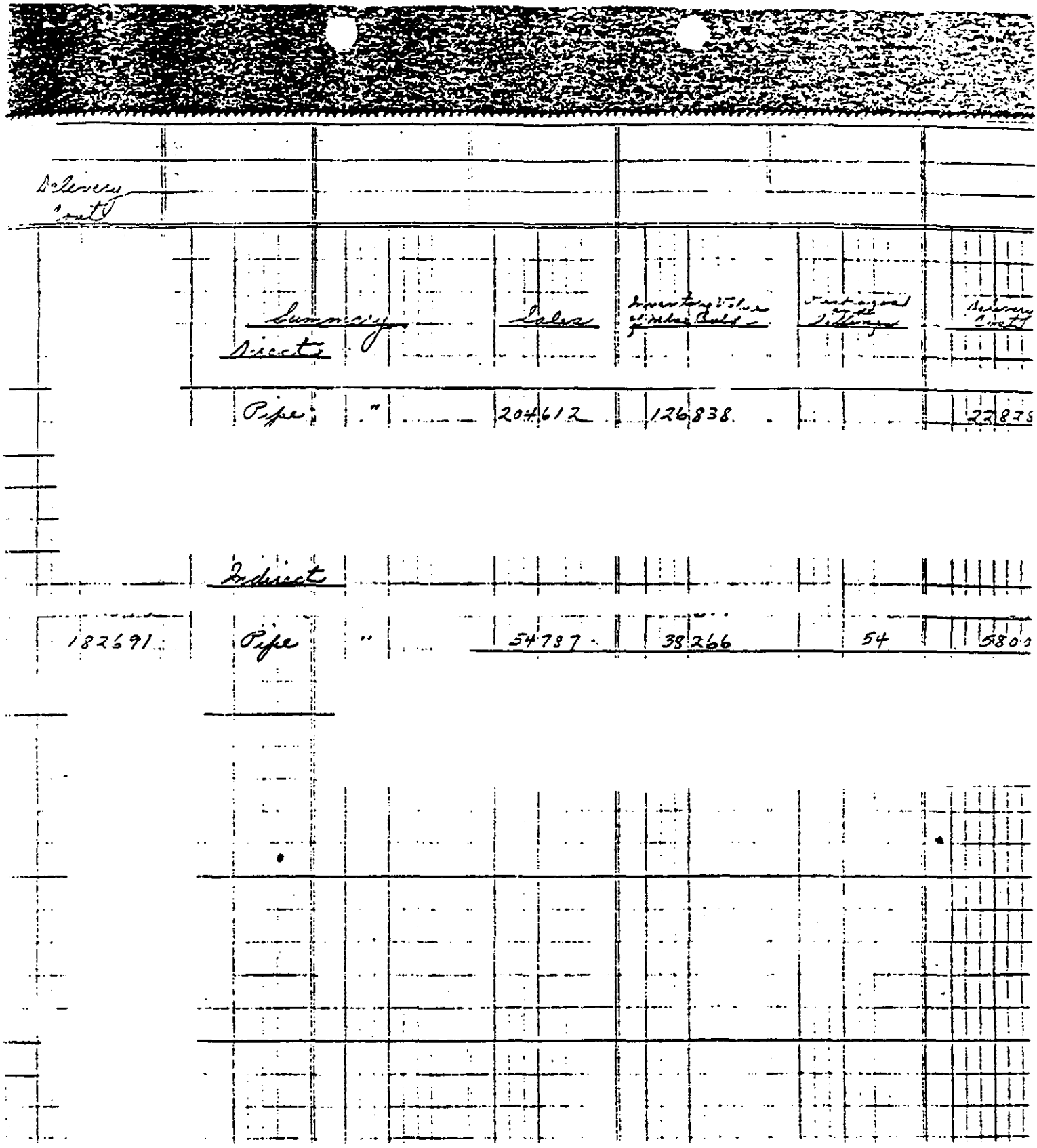
TAB DEPT.

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2.2 - KRB - 65

Kaylo Division
Year Ended 12/31/52
Ringgold Va. Labor Inc.
(Customers and Liner Products)

Customers	Labor	Inventory Value	Workers and Estimates
Block Insulation)			
Pipe Insulation			
Bedrock Insulation - Birmingham, Ala.	16765.61	96367	5



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Exhibit 11 - Sales by Major Products and Major Customers

Year Ended December 31, 1952

22-RPB-04

Insulstone Division or Subsidiary	Net Selling Amount	Major Products Line	Net Sales Amount
C			
Heat Insulation Products			
Kaylo	263402	Block Insulation	7492
		Pipe Insulation	255409
			262899

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Name	Gross Sales Amount
Asbestos Insulation	17000

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12-28-30

KAYLO DIVISION

JOURNAL

Month of July 1951 Sheet No. 01-10

DESCRIPTION	ACCOUNT NUMBER			AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
Commission Paid	72	7204		34699		
Commission Payable	03	7304	dbf.		34699	
To set up commission on following:						
Beacham Association Co. Inc. Birmingham Alabama 3.47						

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12-21-24

KAYLO DIVISION
JOURNAL

Dept. [illegible] Journal No. [illegible]

Month of June 1951 Sheet No. 01-7

DESCRIPTION	ACCOUNT NUMBER	AMOUNT Dr.	AMOUNT Cr.	ENTRY MADE BY
Commissions Paid	72 8204	57877		WH
Commissions Payable	00 4304 dft.		57877	
Commission on following:				
Barham Insulation Co. Birmingham, Alabama 21.98				

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12-20-63

CONTAINER

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo

December 7, 1950

Subject

Please issue check due subject company in the amount of $7.16 representing distributors commission due them for shipments into their territory during the month of October.

For your information but not to be shown on the commission statement, the amount was arrived at as follows:

Shipment of Badham Insulation Company, Birmingham, Alabama to themselves at Birmingham, Alabama on order 92-2239R, invoices B92-2388, B92-2271.

168 Lin.Ft.	3/4" x 1"	Kaylo Pipe Insulation @ .012/lin.ft. =	$2.02
252 Lin.Ft.	1" x 1"	Kaylo Pipe Insulation @ .013/lin.ft. =	3.28
42 Lin.Ft.	1-1/4" x 1"	Kaylo Pipe Insulation @ .015/lin.ft. =	.63
63 Lin.Ft.	1-1/2" x 1"	Kaylo Pipe Insulation @ .016/lin.ft. =	1.01
12 Lin.Ft.	2" x 1"	Kaylo Pipe Insulation @ .018/lin.ft. =	.22
		TOTAL	$7.16

Very truly yours

D. L. Wolfe
Kaylo Sales

DLW/mab

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12-26-49

OWENS-ILLINOIS GLASS CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Pollas - Toledo

May 8, 1951

Subject

Please issue check due subject company in the amount of $11.34 representing distributors commission due them for shipments into their territory during the month of March 1951.

The amount was arrived at as follows:

Invoiced to: Badham Insulation Company, Inc., Birmingham, Alabama
Shipped to

Invoice B92-3272 of 3-14 - - - - - - - - - - - - - - - - - - - $11.34

Very truly yours

F. C. Frank
Kaylo Sales

FCF/mab

12-27-15

Douglas
CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo June 5, 1951

Subject BADHAM INSULATION COMPANY, INC.
1909 First Avenue, South
Birmingham 3, Alabama

Please issue check due subject company in the amount of $21.98 representing distributors commission due them for shipments into their territory during the month of March and April 1951.

The amount was arrived at as follows:

Very truly yours

F. C. Frank
Kaylo Sales

FCF/mab

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12-27-08

Douglas
CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo

June 5, 1951

Subject

Please issue check due subject company in the amount of $20.98 representing distributors commission due them for shipments into their territory during the month of April 1951.

The amount was arrived at as follows:

Invoiced to Badham Insulation Company, Birmingham, Alabama
Shipped to

Invoice B92-3458 of 4-10	$ .95
Invoice B92-3493 of 4-12-51	10.02
Invoice B95-1362 of 4-26-51	10.01
TOTAL	$20.98

Very truly yours

F. C. Frank
Kaylo Sales

FCF/mab

Owens-Illinois
CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo June 29, 1951.

Subject BADHAM INSULATION COMPANY, INC. 12-28-71
1909 First Avenue, South
Birmingham 3, Alabama

Please issue check due subject company in the amount of $31.94 representing distributors commission due them for shipments into their territory during the month of May, 1951.

The amount was arrived at as follows:

TOTAL

Very truly yours,

F. C. Frank

F. C. Frank
Kaylo Sales

FCF/wb

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12-28-54

Owens-Illinois
CONTAINERS

INTRA-COMPANY CORRESPONDENCE
General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo July 29, 1951.

Subject

Please issue check due subject company in the amount of $239.53 representing distributors commission due them for shipments into their territory during the month of May, 1951.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Inc. Birmingham, Ala.
Shipped to

Invoice B92-3661 of 5/3/51 - - - - - - - - - - - - - - - - - $232.51

TOTAL

Very truly yours,

F. C. Frank

F. C. Frank,
Kaylo Sales.

FCF/wb

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13-33-31

General Offices - Toledo, Ohio

ation of Mr. J. B. Follas - Toledo December 7, 1951

Subject

Please issue check due subject company in the amount of $10.20 representing distributors commission due them for shipments into their territory during the month of November 1951.

The amount was arrived at as follows:

Invoiced to Badham Insulation Company, Birmingham, Alabama
Shipped to

Invoice B92-5608 of 11-20 - $10.20

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KAYLO DIVISION

CUSTOMER

Name BADHAM INSULATION

Address BIRMINGHAM, ALA

Order No. 1665 P

SHIPPED TO

Name

Address

Boy 17

F.O.B.

Terms 2-10-30

INVOICE Date	Pre.	Number	ARTICLE NO. OR DES.	Quantity Shpt.	SALES VALUE Article	SALES VALUE Other	FACTORY COST Article	FACTORY COST Pckgs. and Fittgs.	Freight Cost	Product Classifications	End Use—Army, Air Force, Etc
92											
5 12	92	7211	Pipe chrs.		5369 80		3333 04		5026 1	1M	Dept. - Petro
5 15	92	7258			4896 07		2758 70		4703		
6 13	92	7520			5004 94		2727 72		4321		
6 13	92	7603			1308 05		677 29		2547		
6 25	92	7622			185 75		100 04		325		
4 8	60	473	Bands for Pipe chrs		N/C			54 04	4 72		
5 27	CM	649	Frt on B92-7211 + 7258						131 93		
1 4	CM	687	Frt on B92-7520						53 69		
					16766 61		9121 19	54 04	18316 91		

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Owens-Illinois's Responses to Plaintiffs' First Interrogatories in Bexley v. Armstrong World Industries (1988)
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KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

13-39-37

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo April 2, 1952

Subject

Please issue check due subject company in the amount of $67.64 representing distributors commission due them for shipments into their territory during the months of January and February, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Inc., Birmingham, Alabama
Shipped to

Invoice B92-6015 of 1-7-52 - - - - - - - - - - - - - - - - - - $10.20
Invoice B92-6311 of 2-1-52 - - - - - - - - - - - - - - - - - - 4.10

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OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

13-39-41

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo May 5, 1952

Subject

Please issue check due subject company in the amount of $24.00 representing distributors commission due them for shipments into their territory during the month of March, 1952

The amount was arrived at as follows:

Invoiced to Badham Insulation Co. Inc., Birmingham, Alabama
Shipped to

Invoice 92-6702 of 3-11-52 - - - - - - - - - - - - - - - - -$24.00

F. L. Frank

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OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

13-39-42

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas - Toledo May 5, 1952

Subject

Please issue check due subject company in the amount of $299.42 representing distributors commission due them for shipments into their territory during the month of March, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co. Inc., Birmingham, Alabama
Shipped to

Invoice B92-6804 of 3-24-52 - - - - - - - - - - - - - - - - - $22.75
Invoice B92-6847 of 3-31-52 - - - - - - - - - - - - - - - - - 6.00

T. L. Funk

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13-41-05

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas June 13, 1952

Subject

Please issue check due subject company in the amount of $14.21 representing disbributors commission due them for shipments into their territory during the month of April, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Birmingham, Alabama.
Shipped to

Invoice B 92-7004 of 4/18 - - - - - - - - - - - - - - - - - - $11.88

Invoiced to Badham Insulation Co., Birmingham, Alabama.
Shipped to

Invoice B 92-~~7005~~ 7065 of 4/25 - - - - - - - - - - - - - - - - - - 2.33

$14.21

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Form KA 112-L

13-41-04

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas June 13, 1952

Subject

Please issue check due subject company in the amount of $71.59 representing disbributors commission due them for shipments into their territory during the month of April, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Company, Birmingham, Alabama
Shipped to
Carolina

Invoice B 92-6908 of 4/8 - - - - - - - - - - - - - - - - - 13.20

$71.59

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13-42-15

Mr. J. B. Follas

July 7, 1952

Please issue check due subject company in the amount of $7.14 representing distributors commission due them for shipments into their territory during the month of May, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co. Birmingham, Alabama
Shipped to _____

Invoice B 92-7335 of 5/23 - - - - - - - - - - - - - - - - - - $7.14

D. L. Marsh

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13-42-17

Mr. J. B. Follas

July 7, 1952

Please issue check due subject company in the amount of $8.89 representing distributors commission due them for shipments into their territory during the month of May, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Birmingham, Alabama
Shipped to

Invoice B 92-7100 of 5/7 - $ 2.95

Invoiced to Badham Insulation Co. Birmingham, Alabama
Shipped to

Invoice B 92-7328 of 5/22 - 5.94

8.89

F. L. Marsh

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OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

13-43-08

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas July 29, 1952

Subject

Please issue check due subject company in the amount of $444.30 representing distributors commission due them for shipments into their territory during the month of June, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Birmingham, Ala.
Shipped to

Invoice B 92-7567 of 6/19 - - - - - - - - - - - - - - - - - 20.95

Invoiced to Basham Insulation Co., Birmingham, Ala.
Shipped to

Invoice B 92-7416 of 6/3 - - - - - - - - - - - - - - - - - 59.28
Invoice B 92-7563 of 6/19 - - - - - - - - - - - - - - - - - 18.11

1051.51

F. C. Frank

FCF:ccm

43
01-9

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Form KA 112-L

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

13-43-02

General Offices · Toledo, Ohio

Attention of Mr. J. B. Follas

August 26, 1952

Subject

Please issue check due subject company in the amount of $63.37 representing distributors commission due them for shipments into their territory during the month of July, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Inc., Birmingham, Alabama.
Shipped to

Invoice B 95-2369 of 7/10	$ 5.94
95-2386 of 7/21	.90
92-7752 of 7/14	24.62

Invoiced to Badham Insulation Co., Inc., Birmingham, Alabama.
Shipped to

Invoice B 95-2376 of 7/16	$ 3.00

F. C. Frank
Kaylo Sales

FCF:ecm

43
018

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13-44-23

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas Sept. 11, 1952

Subject

Please issue check due subject company in the amount of $3.60 representing distributors commission due them for shipments into their territory during the month of August, 1952.

The amount was arrived at follows:

Invoiced to Badham Insulation Co., Birmingham, Ala.
Shipped to

✓ Invoice B 95-2411 of 8/7 - - - - - - - - - - - - - - - - - $3.60

F. C. Frank

FCF:ecm

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13-44-02

Form KA 112-S

OWENS-ILLINOIS GLASS COMPANY

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices · Toledo, Ohio

Attention of Mr. J. B. Follas — Sept. 11, 1952

Subject

Please issue check due subject company in the amount of $16.47 representing distributors commission due them for shipments into their territory during the month of August, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Birmingham, Ala.
Shipped to

✓ Invoice B 95-2412 of 8/11 - - - - - - - - - - - - - - - - - $12.78

Invoiced to Badham Insulation Co. Birmingham, Ala.
Shipped to

✓ Invoice B 92-7987 of 8/18 - - - - - - - - - - - - - - - - - 3.69

$16.47

F. C. Frank

FCF:ecm

13-45-01

KAYLO DIVISION

INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

October 15, 1952

Attention of Mr. J. E. Follas

Subject

Please issue check due subject company in the amount of $19.66 representing distributor commission due them for shipment into their territory during the month of September, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Co., Birmingham, Ala.
Shipped to

Invoice B 95-2436 of 9/2/52	$1.50
B 95-2459 of 9/16/52	2.52
B 92-8324 of 9/30/52	15.66
	$19.66

D. L. Black

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INTRA-COMPANY CORRESPONDENCE

General Offices - Toledo, Ohio

.ention of Mr. J. B. Follas

December 18, 1952

14-47-93

Subject

Please issue check due subject company in the amount of $39.57 representing distributor commission due them for shipments into their territory during the months of October, 1952.

The amount was arrived at as follows:

Shipped to
Invoiced to Badham Insulation Company, Birmingham, Alabama

Invoice B95-2509 of 10/10/52---------- 18.25

Invoiced to Badham Insulation Company, Birmingham, Alabama
Shipped to

Invoice B92-8573 of 10/23/52---------- 3.37

$39.57

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KAYLO DIVISION
INTRA-COMPANY CORRESPONDENCE

14-47-26

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas

December 18, 1952

Subject

Please issue check due subject company in the amount of $858.40 representing distributor commission due them for shipments into their territory during the months of August and October, 1952.

The amount was arrived at as follows:

Invoiced to Badham Insulation Company, Birmingham, Alabama.
Shipped to

Invoice B92-8553 of 10/21/52 ---------- 56.61
$858.40

Dr. 77-8204
Cr. 60-4304

3422-05

947 Dr
WK

14-52-01
14-52-02

General Offices - Toledo, Ohio

Attention of Mr. J. B. Follas

April 10, 1953

cc: R. L. Long

Subject BADHAM INSULATION COMPANY, INC.
BIRMINGHAM, ALABAMA

Please issue check due subject company in the amount of $13.25, representing distributor commission due them for shipments into their territory during the month of March 1953.

The amount was arrived at as follows:

F. C. Frank

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