EX "C"

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PLAINTIFF'S EXHIBIT
UC-5244

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PIFLBR

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

RICHARD AHRENDT & JUNE AHRENDT

Plaintiffs,

vs.

ABEX CORPORATION et al., DOES 1 through 300, inclusive,

Defendants.

CASE NO.: 953895

HARCROS CHEMICALS, INC.'S RESPONSE TO PLAINTIFF'S STANDARD INTERROGATORIES

PROPOUNDING PARTY: Plaintiff, RICHARD AHRENDT

RESPONDING PARTY: Defendant, HARCROS CHEMICALS, INC.

TO PLAINTIFF, RICHARD AHRENDT, AND TO HIS COUNSEL OF RECORD:

COMES NOW, the defendant, HARCROS CHEMICALS, INC., and answers, objects and otherwise responds to the Standard Interrogatories propounded upon it by plaintiff as follows:

INTRODUCTORY STATEMENT

It is pointed out and should be noted that this responding defendant has not completed its investigation of all the facts relating to all this case, has not fully completed its discovery in this action and has not completed its preparation for trial. All of the answers contained herein are

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based only upon such information and documents which are presently available to and specifically known to this responding party and said answers disclose only those contentions which presently occurred to the responding party. It is anticipated that further discovery, independent investigation, legal research and analysis will supply additional facts, add meaning to known facts, and establish entirely new factual conclusions and legal contentions. The following interrogatory responses are given without prejudice to responding party's right to produce evidence of any subsequently discovered fact or facts which this responding party may later recall or be made in good faith effort to supply as much factual information and as much specification of legal contentions as is presently known but should in no way be to the prejudice of responding party in relation to further discovery, research, analysis, or proof.

INTERROGATORY RESPONSES

RESPONSE TO INTERROGATORY NO. 1:

(a) Gene Herndon.

(b) H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

(c) Vice President Risk Management.

(d) 1969-1979, Director Internal Audit; 1979-1990, Director Risk Management; 1990-Present, Vice President Risk Management, H&C Services, Inc.

(a) Steve Gripp.

(b) Harcros Chemicals, Inc., 5200 Speaker Rd., Kansas City, KS 66106.

(c) 1982-1987, Cost Account; 1987-Present, Inventory Control Manager.

RESPONSE TO INTERROGATORY NO. 2:

(a) Harcros Chemicals, Inc.

(b) Delaware.

(c) March 20, 1981.

(d) 5200 Speaker Rd., Kansas City, KS 66106-1095.

(e) Yes. 1981 to present.

(f) C.T. Corporation System, 700 S. Flower St., Ste. 1010, Los Angeles, CA 90017.

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(g) Owned by: Harrisons & Crosfield (America), Inc., Airport Professional Park, 2374 Post Rd., Ste. 3, Warick, Rhode Island 02886-2272.

RESPONSE TO INTERROGATORY NO. 3:

Harrisons & Crosfield (America), 1958-1959;

Wharton Jackson Company, 1959-1960;

Harrisons & Crosfield (Pacific), Inc., 1960-1988;

Harcros Chemicals, Inc., 1988-1991.

RESPONSE TO INTERROGATORY NO. 4:

(a) Harrisons & Crosfield (Pacific), Inc.

(b) Approximately 1965-1985.

(c) Harrisons & Crosfield (America), Inc. became a West Coast Distributor of Union Carbide for Calidria Asbestos at some point in the mid-sixties.

RESPONSE TO INTERROGATORY NO. 5:

No.

RESPONSE TO INTERROGATORY NO. 6:

(a) Corporate records of Harrisons & Crosfield (Pacific), Inc. are located at Harcros Chemicals, Inc., 5200 Speaker Rd., Kansas City, KS 66106.

(b) Steve Gripp, Manager, Inventory Control, Harcros Chemicals, Inc., 5200 Speaker Rd., Kansas City, KS 66106.

RESPONSE TO INTERROGATORY NO. 7:

(a) No.

(b) No.

(d) No.

(e) No.

(c), (f), (g), (h) Distribution, sold Union Carbide Calidria Asbestos from approximately 1965 to 1985.

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RESPONSE TO INTERROGATORY NO. 8:

Harrisons & Crosfield (Pacific), Inc. sold only processed asbestos fibers and not products containing asbestos.

RESPONSE TO INTERROGATORY NO. 9:

(a) H&C Pacific) sold only "Calidria" Asbestos, four or five different grades.

(b) We were aware of the "Calidria" Asbestos being sold in about 1960 as well as the several Canadian producers.

(c) Still being produced.

(d) Defendant has no information concerning the chemical composition of the asbestos fiber.

(e) White powder - fiber.

(f) RC grades were primarily used as a thickener in resins. The standard grades were primarily used for fiber reinforcement in joint cement, spray acoustic, adhesives, asphalt products, roofing, top coats and some textured paint. We have no information on temperature limitations.

(g) No knowledge.

(h) Sold to many different industries. Do not recall selling any power companies, utilities, shipyards. No records of sales remain on West Coast.

(i) Available records for H&C (Pacific) are located in Kansas City, KS (see Interrogatory No. 6). Records include purchase orders, shipping documents, Calidria Asbestos price lists, etc.

RESPONSE TO INTERROGATORY NO. 10:

Not applicable.

RESPONSE TO INTERROGATORY NO. 11:

Harrisons & Crosfield (Pacific), Inc., to our knowledge, was a West Coast Distributor for Union Carbide in the far western staTes from mid 1960's to mid 1980's.

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RESPONSE TO INTERROGATORY NO. 12:

We do not recall any sales to customers that were going to re-sell just asbestos fiber. The fiber was going into the manufacture of various products that would be resold.

RESPONSE TO INTERROGATORY NO. 13:

No rebranding was done.

RESPONSE TO INTERROGATORY NO. 14:

None.

RESPONSE TO INTERROGATORY NO. 15:

At some point in the 1965-1985 approximate period, Calidria did start printing warning labels on each bag of asbestos, but do not recall when this started.

RESPONSE TO INTERROGATORY NO. 16:

Defendant does not have any information concerning when warning labels were first placed on the packaging. Defendant does recall that warning labels were printed on the bags of asbestos by Union Carbide. In addition to warning labels, letters were sent to customers and dust counts were conducted by Union Carbide at customers' places of business. Defendant no longer has any of the packaging, labels or letters.

RESPONSE TO INTERROGATORY NO. 17:

No, the Calidria name and logo appeared on everything.

RESPONSE TO INTERROGATORY NO. 18:

We are only aware of former employee, Leon Persson, having ever given any depositions on behalf of H&C (Pacific) in suits against same and Calidria. Every suit named every asbestos producer, distributor and many John Doe's. No records kept and in most or all cases, H&C was never advised officially of outcome.

RESPONSE TO INTERROGATORY NO. 19:

Not applicable.

RESPONSE TO INTERROGATORY NO. 20:

All brochures, pamphlets, data sheets, etc. were provided to H&C by Calidria Asbestos.

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RESPONSE TO INTERROGATORY NO. 21:

Defendant has no information indicating that any of its sales were to the GSA. Discovery is continuing.

RESPONSE TO INTERROGATORY NO. 22:

Not applicable.

RESPONSE TO INTERROGATORY NO. 23:

No.

RESPONSE TO INTERROGATORY NO. 24:

Not applicable.

RESPONSE TO INTERROGATORY NO. 25:

Defendant did not sell any asbestos-containing products, only asbestos fiber. We have no knowledge as to whether any products sold by H&C contain asbestos in minute quantities. However, we understand that asbestos occurs as a common mineral all over the world and could be present in many other minerals in minute quantities.

H&C does have insurance, however, scope of coverage for asbestos-related claim is unknown.

RESPONSE TO INTERROGATORY NO. 26:

Investigation is continuing on researching insurance policies covering Harrisons & Crosfield (Pacific), Inc. However, data located to date is as follows:

1980-1981:

(a) Commercial Union, Wall Street Plaza, New York, NY 10005.

(b) March 28, 1980 - March 28, 1981, Policy No. 6687287.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1981-1982:

(a) Commercial Union, Wall Street Plaza, New York, NY 10005.

(b) April 1, 1981 - April 1, 1982, Policy No. 6687287.

(c) $1,000,000 CSL.

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(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1982-1983:

(a) Commercial Union, Wall Street Plaza, New York, NY 10005.

(b) March 28, 1982 - March 28, 1983, Policy No. 6687287.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1983-1984:

(a) Royal Insurance Company, 101 Welling St. East, Toronto, Ontario M5E 1L5.

(b) March 28, 1983 - March 28, 1984, Policy No. H2803831.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1984-1985:

(a) Royal Insurance Company, 101 Welling St. East, Toronto, Ontario M5E 1L5.

(b) March 28, 1984 - March 28, 1985, Policy No. H2803831.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1985:

(a) National Union, 70 Pine St., New York, NY 10005.

(b) March 28, 1985 - July 1, 1985, Policy No. GLA1524331RA.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1985-1986:

(a) National Union, 70 Pine St., New York, NY 10005.

(b) November 1, 1985 - November 1, 1986, Policy No. GLA1578820-RM.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1986-1987:

(a) National Union, 70 Pine St., New York, NY 10005.

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(b) November 1, 1986 - November 1, 1987, Policy No. GLA1980571-RM.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1987-1988:

(a) Zurich Ins. Co., 1400 American Lane, Schaumburg, IL 60196-1056.

(b) November 1, 1987 to November 1, 1988, Policy No. GLA4301023-RM.

(c) $1,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1988-1989:

(a) Zurich Ins. Co., 1400 American Lane, Schaumburg, IL 60196-1056.

(b) November 1, 1988 to November 1, 1989, Policy No. GL6179335-00.

(c) $2,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

1989-1990:

(a) Zurich Ins. Co., 1400 American Lane, Schaumburg, IL 60196-1056.

(b) November 1, 1989 to November 1, 1990, Policy No. GL6179335-01.

(c) $2,000,000 CSL.

(d) Gene Herndon, H&C Services, Inc., P. O. Box 2930, Kansas City, KS 66110.

DATED: August 31, 1994

ACKER, KOWALICK & WHIPPLE
A Professional Corporation

By: 
W. FREDERICK KOWALICK
Attorneys for Defendants, HARCROS CHEMICALS, INC. and SYNERGISTIC PERFORMANCE CORP.

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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing HARCROS CHEMICAL, INC.'S RESPONSE TO PLAINTIFF'S STANDARD INTERROGATORIES (SET ONE) and know its contents.

☐ CHECK APPLICABLE PARAGRAPHS

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am ☐ an Officer ☐ a partner _____ ☒ a agent of HARCROS CHEMICALS, INC.

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☒ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 31, 19 94, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

STEVE GRIPP
Type or Print Name

S C Gripp
Signature

PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On _____, 19____, I served the foregoing document described as _____

_____

_____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:

☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

☐ *I deposited such envelope in the mail at _____, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, 19____, at _____, California

☐ **(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

_____
Type or Print Name

_____
Signature

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

**(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)