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William J. Sayers, Esq. (Bar No. 78038)
Farah Nicol, Esq. (Bar No. 162293)
Karen B. Goldberg, Esq. (Bar No. 179709)
HAIGHT, BROWN & BONESTEEL, L.L.P.
1620 26th Street, Suite 4000 North
Santa Monica, California 90404-4013
Telephone: (310) 449-6000
Facsimile: (310) 829-5117

Attorneys for Defendants
HARCROS CHEMICALS, INC. and The Center For Claims Resolution Defendants, including CERTAINTEED CORPORATION; DANA CORPORATION; MAREMONT CORPORATION; QUIGLEY COMPANY, INC.; T&N PLC; UNION CARBIDE CORPORATION AND UNITED STATES GYPSUM COMPANY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JOSEPH KARAL, JR., and SYLVIA KARAL, Plaintiffs, vs. ATLAS TURNER, INC., et al., Defendants.	Case No. BC 229104 COMPLEX ASBESTOS LITIGATION - SUBJECT TO THE GENERAL ORDERS CONTAINED IN FILE NO. C 7000000 UNITED STATES GYPSUM COMPANY'S RESPONSES TO STANDARD INTERROGATORIES Dept: 14 Judge: Hon. Alan Buckner

PROPOUNDING PARTY: JOSEPH KARAL, JR. and SYLVIA KARAL

RESPONDING PARTY: UNITED STATES GYPSUM COMPANY

SET NUMBER: ONE

PREFATORY STATEMENT

United States Gypsum Company (hereinafter "U.S. Gypsum") has, to the best of its abilities, gathered non-privileged documents into a document repository for inspection by plaintiffs' counsel in response to requests for production served in asbestos litigation. U.S. Gypsum has also prepared a general table of contents for the Repository. These documents provide information that supplements and expands upon that provided in these answers to interrogatories. Accordingly, by way of further response to these

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Interrogatories, U.S. Gypsum hereby offers to make available these documents at a mutually convenient time at its offices at 125 S. Franklin Street, Chicago, Illinois.

In giving its responses to Interrogatories as to asbestos-containing products, U.S. Gypsum refers to products containing commercial asbestos as part of their formulation and to the type of commercial asbestos used as part of the formulation.

OBJECTIONS

U.S. Gypsum objects to the manner in which plaintiff has defined U.S. Gypsum to the extent that plaintiff purports to include in its definition of U.S. Gypsum "this answering defendant, to all its predecessors in interest, subsidiaries, divisions or affiliates and to its representatives, employees, agents, servants, insurance carriers, attorneys or anyone else acting on this answering defendant's behalf within the context of the questions." In that U.S. Gypsum Company is the named defendant, this definition is overly broad and would require U.S. Gypsum to engage in unduly burdensome research, divulge privileged information and produce privileged documents. This defendant, United States Gypsum Company, responds to these interrogatories on behalf or itself.

U.S. Gypsum further objects to these interrogatories to the extent they seek information or documents protected by the attorney-client privilege and the work product rule and to the extent they seek trial preparation or expert materials or documents..

Finally, U.S. Gypsum objects to these interrogatories to the extent they ask for "identification" of voluminous documents on the ground that they are overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. As set forth *infra*, U.S. Gypsum will produce documents which are the proper subjects of an appropriate document request.

RESPONSE TO INTERROGATORIES

RESPONSE TO INTERROGATORY NO. 1:

M. K. Kendall, Manager, Analytical Services of United States Gypsum Company, has reviewed these responses for the purpose of satisfying the verification requirements. These responses have been prepared based on the continual review of documents located

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in this defendant's files and information obtained from discussions with this defendant's employees over a period of many years. It is not possible to reconstruct each step taken to gather this information or to verify all documents which might possibly pertain to the matters at issue that have been located or examined in connection with these responses. Nor is it possible to specifically identify by name each person who has participated in the preparation of these responses or to identify each document which may have provided information used in preparing these responses.

RESPONSE TO INTERROGATORY NO. 2:

This defendant objects to the term "processing" as being vague and ambiguous. Without waiving this objections, this defendant marketed and sold some products with asbestos as part of their formulations.

RESPONSE TO INTERROGATORY NO. 3:

a. This defendant never mined asbestos. Also, see attached Schedule D.

b. See attached Schedule D.

c. See attached Schedule D.

d. Objection. This interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence. With respect to "the physical (i.e., chemical) composition of each such product," this defendant objects on the grounds of confidential trade secrets. Without waiving these objections, chrysotile was the "type of asbestos" used in virtually all U.S. Gypsum Company products that contained asbestos. U.S. Gypsum now understands that amosite asbestos may have been used as a component ingredient in rigid block insulation products manufactured at its Greenville, MS plant from 1966-1971. In addition, see attached Exhibit No. 1

e. See attached Exhibit No. 2.

f. See attached Schedule D.

g. United States Gypsum Company.

h. This defendant never mined raw asbestos. In addition, the following are known to have been approved suppliers of chrysotile asbestos:

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Canadian Johns-Manville, Lake Asbestos of Quebec, Nicolet Industries, Carey Canadian, Asbestos Corporation, Atlas Asbestos, Union Carbide, Pacific Asbestos, Keasby and Mattison, and Johnson Mines. Atlas Asbestos and Pacific Asbestos shipped only to California. It is unknown which source of supply of chrysotile asbestos was used for each particular product, at which mines the raw chrysotile asbestos was mined, and from which locations the chrysotile asbestos was shipped.

U.S. Gypsum Company also purchased amosite asbestos from North American Asbestos for high temperature block insulation board products manufactured at its Greenville, MS plant from 1966-1971.

RESPONSE TO INTERROGATORY NO. 4:

This defendant objects to this interrogatory as being overbroad and burdensome. There may have been many minor changes over the years due to raw material availability and differing geographical market conditions; however, it would be extremely time consuming and burdensome to document each and every one of these minor changes.

RESPONSE TO INTERROGATORY NO. 5:

See this defendant's response to Interrogatory No. 4.

RESPONSE TO INTERROGATORY NO. 6:

U. S. Gypsum does not possess any records maintained in the normal course of business that identify who the ultimate user of the product was or where it was installed. With that limitation, U.S. Gypsum responds as follows: Prior to 1966, U.S. Gypsum sold its construction products, some of which may have contained small amounts of asbestos, exclusively through independent dealers. Beginning in about 1966, U.S. Gypsum sold its construction products either directly to independent contractors, independent distributors or, as had previously been the custom, through independent dealers.

This defendant has no sales records for the years prior to 1965, other than records of gross sales of individual products by plant. Sales records thereafter are contained in computer printouts. There may also be various documents in the Repository that make

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incidental reference to a jobsite or end-user. Records of products that the plaintiff can establish were relevant to the subject matter of this lawsuit will be made available for inspection at a mutually convenient time at 125 South Franklin Street, Chicago, IL .60606.

Other non-privileged, responsive documents, to the extent they exist, have already been made available to plaintiff at a mutually convenient time through U.S. Gypsum Company's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 7:

See this defendant's response to Interrogatory No. 6.

RESPONSE TO INTERROGATORY NO. 8:

Objection. This interrogatory is overbroad, burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and is not limited to testing with respect of asbestos only, the focus of this litigation. Without waiving these objections, the following is a brief description of non-privileged testing regarding asbestos or asbestos-containing materials which has been conducted by, on behalf of or with assistance from U.S. Gypsum. The documents involved speak for themselves regarding the specific test. Non-privileged documents relating to the studies and reports referenced below will be made available for plaintiff's inspection. In addition, there are unauthenticated documents relating to Dr. Gardner's Saranac study with U.S. Gypsum believes are in the possession of or available to plaintiffs' counsel.

In an attempt to be responsive to interrogatories, the testing has been categorized and divided as follows:

A. Fiber Release

U.S. Gypsum is aware of tests which were performed to measure the release of asbestos fibers during the mixing and sanding of joint compounds in the early 1970s.

U.S. Gypsum retained an expert, Dr. Morton Corn, to perform two studies, both in Illinois: the first, a study of the ceiling at U.S. Gypsum's corporate headquarters in Chicago in 1982; the second, at the William A. Duguid Company in Des Plaines in 1984.

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Additionally, in 1983 there was testing performed by the Ontario Research Foundation with respect to the non-friability of U.S. Gypsum's acoustical plaster, Audicote.

Tests were conducted for U.S. Gypsum in 1965 by Boyle Engineering Laboratory in Firecode plaster for the purpose of determining surface erosion or dusting during high air velocity.

In 1984 the Ontario Research Foundation began a study that was intended to monitor the air during encapsulation to measure asbestos fiber levels. The study, however, was not completed. Also, in 1985, Dr. Morton Corn conducted a study at the William A. Duguid Company, the purpose of which was to determine whether asbestos fibers were released during the process of encapsulation. In 1985 U.S. Gypsum conducted air sampling tests before, during and after encapsulation of acoustical plaster, not manufactured by U.S. Gypsum, in the Yorkville, Illinois schools. Certain samples were taken from these schools, and certain testing was performed in 1987 on them by the Illinois Institute of Technology Research Institute (IITRI).

B. Plaint Dust Surveys

In the 1930s, Dr. Leroy U. Gardner of the Saranac Laboratories conducted investigations of U.S. Gypsum's New Brighton and Oakfield, New York facilities. In addition, in 1936 U.S. Gypsum retained Dr. Gardner to conduct an investigation of its Jersey City manufacturing plaint, within months after its purchase. Beginning in the 1950s, surveys were conducted at various U.S. Gypsum plants. These involved studies of nuisance dusts, one of which was asbestos.

C. Research Reports

U.S. Gypsum has undertaken research projects concerning various performance parameters of its products.

D. Doctor Gardner's Saranac Study

U.S. Gypsum contributed to a study conducted beginning approximately 1936 by Dr. Gardner of the Saranac Laboratory.

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E. Survey of Airborne Fibers

Clayton Environmental Consultants, Inc. was retained by U.S. Gypsum in 1985 to conduct air sampling for asbestos at U.S. Gypsum's building at 101 South Wacker Drive, Chicago, Illinois.

Non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum Company's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 9:

See this defendant's response to Interrogatory No. 8.

RESPONSE TO INTERROGATORY NO. 10:

See this defendant's response to Interrogatory No. 8.

RESPONSE TO INTERROGATORY NO. 11:

This interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum Company's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 12:

Objection. This interrogatory is overbroad in scope of time. This defendant discontinued manufacturing products with asbestos as part of their formulations in 1977. Inquiries into years subsequent to 1977 will not lead to the discovery of admissible evidence. Without waiving this objection, see attached Exhibit No. 3.

RESPONSE TO INTERROGATORY NO. 13:

a. See attached Exhibit No. 3.

b. See attached Exhibit No. 3.

c See attached Exhibit No. 3

d See attached Exhibit No. 3.

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e. U.S. Gypsum is now aware from information produced in other litigation that warnings were given by Johns-Manville, which is not a party to this case, with shipments of raw asbestos beginning in the mid-1960s/ However, it is not currently aware of when its employees or agents first became aware of these warnings. In addition, U.S. Gypsum has a copy of a letter from Asbestos Corporation Limited, dated January 13, 1970, announcing Asbestos Corporation's intention to place a warning regarding asbestos on its products thereafter.

f. This defendant's asbestos-containing products were shipped primarily by rail and by truck. In addition, see attached Exhibit No. 4.

g. Objections. This defendant objects to the term "human factors engineers" as being vague and ambiguous. Without waiving this objection, not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO. 14:

With regard to asbestos-containing products manufactured by this defendant, the first product liability lawsuit filed against this alleging asbestos-related disease was filed in 1975.

With regard to Chicago Mastic Company ("CMC"), a wholly-owned and independently operated subsidiary of U.S. Gypsum Company, acquired in 1971, a product liability lawsuit was filed against CMC in 1972.

RESPONSE TO INTERROGATORY NO. 15:

This defendant will make available to plaintiff for his inspection and review, copies of asbestos-related personal injury complaints filed against U.S. Gypsum Company. Said documents will be made available to plaintiff at a mutually convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL. 60606, pursuant to a properly filed request to produce.

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RESPONSE TO INTERROGATORY NO. 16:

See attached Exhibit No. 5.

RESPONSE TO INTERROGATORY NO. 17:

See attached Exhibit No. 5.

RESPONSE TO INTERROGATORY NO. 18:

See attached Exhibit No. 4.

RESPONSE TO INTERROGATORY NO. 19:

This defendant is aware that some of its employees attended a seminar led by American Mutual Insurance Company, this defendant's carrier at the time, in Wakefield, MA, in 1968. This defendant believes that the subject of asbestos and certain hazards incident to the use of asbestos were discussed. Asbestos was no the focus of said seminar which dealt generally with nuisance dusts. This defendant has located no reports or documents received at this meeting.

RESPONSE TO INTERROGATORY NO. 20:

Objection. This interrogatory is overbroad in scope of time. This defendant discontinued manufacturing products with asbestos as part of their formulations in 1977. Without waiving this objection, see this defendant's response to Interrogatory No. 3(h).

RESPONSE TO INTERROGATORY NO. 21:

See this defendant's response to Interrogatory No. 20.

RESPONSE TO INTERROGATORY NO. 22:

See attached Exhibit No. 6.

RESPONSE TO INTERROGATORY NO. 23:

Objection. This interrogatory improperly assumes facts which are not in evidence and which are the issues in controversy in this lawsuit. Specifically, this defendant objects to the assumption made of "the connection between asbestos exposure and the contracting of cancer or asbestosis." Also, this interrogatory is vague and ambiguous. Without waiving these objections, this defendant is aware of discussions regarding the health hazards of asbestos at certain trade association meetings attended by representatives of

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codefendants and others. Additionally, this defendant has located a 1949 report prepared for Johns-Manville Corporation by Dr. Arthur Vorwald in its files. However, this defendant has been unable to ascertain when or from whom said report was received by this defendant.

RESPONSE TO INTERROGATORY NO. 24:

See this defendant's response to Interrogatory No. 23.

RESPONSE TO INTERROGATORY NO. 25:

See this defendant's response to Interrogatory No. 23.

RESPONSE TO INTERROGATORY NO. 26:

a-b. See this defendant's response to Interrogatory No. 23.

c. Non-privileged, responsive documents, to the extent they exist, will be mad available to plaintiff at a mutually convenient time through U.S. Gypsum Company's offices a 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 27:

U.S. Gypsum Company contributed to a study conducted beginning approximately 1936 by Dr. Gardner of the Saranac Laboratory.

Non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 28:

U.S. Gypsum's Chief Medical Officers:

C.A. Hedblom, M.D. – 1974 to 8/31/89 (retired), 101 South Wacker Drive, Chicago, Illinois

W. Highstone, M.D. – 1939 to 1974 (deceased),

In addition, U.S. Gypsum retained or consulted "outside doctors" who provided services to its employees. See attached Exhibit No. 7.

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RESPONSE TO INTERROGATORY NO. 29:

The Medical Director reported to the Vice President of Personnel.

RESPONSE TO INTERROGATORY NO. 30:

The Medical Director operated a medical facility in Company general offices; conducted and managed a medical program; and furnished counsel as required to assure the health and well being of Company employees.

RESPONSE TO INTERROGATORY NO. 31:

Objection. There has been no allegation that plaintiff was ever an employee of this defendant. Therefore, this interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, see this defendant's response to Interrogatory No. 28.

RESPONSE TO INTERROGATORY NO. 32:

Prior to 1978, this defendant did not employ a certified industrial hygienist.

RESPONSE TO INTERROGATORY NO. 33:

Non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 34:

Objection. This interrogatory is unduly burdensome. If plaintiff will identify the specific trade association periodicals in which he is interested, this defendant will attempt to ascertain whether or not it subscribed to those periodicals. See attached Exhibit No. 8 for the names of the industrial organizations to which this defendant belonged. This defendant is aware that the Industrial Health Foundation discussed asbestos and potential health hazards at one time or another, as did the Gypsum Association, but this defendant cannot state whether said organizations actually conducted studies or researched the relationship, if any, between exposure to asbestos fibers or products and asbestosis. With respect to the remaining organizations listed on Exhibit No. 8, this defendant cannot state

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with any specificity whether said organizations actually conducted studies or researched the relationship, if any, between exposure to asbestos fibers or products and asbestosis. With respect to the remaining organizations listed on Exhibit No. 8, this defendant cannot state with any specificity whether said organizations conducted any studies described in this interrogatory.

RESPONSE TO INTERROGATORY NO. 35:

See attached Exhibit No. 8.

RESPONSE TO INTERROGATORY NO. 36:

See attached Exhibit No. 8. In addition, non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 37:

Non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutually convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL.

RESPONSE TO INTERROGATORY NO. 38:

See this defendant's response to Interrogatory No. 37.

RESPONSE TO INTERROGATORY NO. 39:

See this defendant's response to Interrogatory No. 37.

RESPONSE TO INTERROGATORY NO. 40:

This defendant has had a Research Department since 1921. The Research Department has never operated solely for the research and development of asbestos-containing products. No medical research is performed by this department.

RESPONSE TO INTERROGATORY NO. 41:

Objection. This interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, if the plaintiff will identify the articles, journals or periodicals in which it is

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interested, U.S. Gypsum will attempt to ascertain whether or not the publication is in its library.

RESPONSE TO INTERROGATORY NO. 42:

See attached Exhibit No. 3.

RESPONSE TO INTERROGATORY NO. 43:

Not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO. 44:

This defendant was not a member of the Industrial Hygiene Foundation and, to its best current knowledge, information and belief did not receive a copy or copies of the *Industrial Hygiene Digest*.

RESPONSE TO INTERROGATORY NO. 45:

Not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO. 46:

Not to this defendant's best current knowledge, information and belief. However, see attached Exhibit No. 3.

RESPONSE TO INTERROGATORY NO. 47:

See this defendant's response to Interrogatory No. 46.

RESPONSE TO INTERROGATORY NO. 48:

U.S. Gypsum maintains a library at its Research Center, 700 North Highway 45, Libertyville, Illinois 60048. Prior to March, 1992, U.S. Gypsum also maintained a library at 101 South Wacker Drive, Chicago, Illinois 60606. Neither of the libraries deal specifically with industrial hygiene, medicine, safety or engineering. Individual employees of this defendant may maintain personal files on specific subjects.

Materials formerly housed in the library at 101 South Wacker Drive are in storage. A copy of the card catalogue from this library can be found in U.S. Gypsum's Asbestos Litigation Document Repository.

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If the plaintiff will identify the articles, journals or periodicals in which it is interested, U. S. Gypsum will attempt to ascertain whether or not the publication is in its library.

Research librarian:

M. Ehrmann	1961 - 9/87
S. Beardsley	9/87 - 7/88
M. Sharpe	10/88 - 6/98
K. Schachtschneider	6/98 - 11/98
D. Perkowski	11/98 – 12/98
R. Petry	1/99 – present

Librarians at this defendant's former corporate headquarters at 101 South Wacker Drive, Chicago, IL 60606:

C. Casper	1/16/31 - 7/21/67
M. Morrissey	6/15/67 - 5/31/69
M. Dorigan	7/7/69 - 6/30/74
N. Nwerdyke	8/20/74 - 5/29/80
C. Crabtree	1/80 - 11/80
P. A. Julien	9/80 - 9/84
S. Gerrity	9/84 - 4/89

Investigation is continuing.

RESPONSE TO INTERROGATORY NO. 49:

Not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO. 50:

Not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO 51:

See attached Exhibit No. 3. In addition, non-privileged, responsive documents, to the extent they exist, will be made available to plaintiff at a mutual convenient time through U.S. Gypsum's offices at 125 South Franklin Street, Chicago, IL.

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RESPONSE TO INTERROGATORY NO. 52:

Objection. This interrogatory is vague and ambiguous. Without waiving this objection, see this defendant's response to Interrogatory No. 8.

RESPONSE TO INTERROGATORY NO. 53:

Objection. This interrogatory is vague and ambiguous. Without waiving this objection, see this defendant's response to Interrogatory No. 8.

RESPONSE TO INTERROGATORY NO. 54:

U.S. Gypsum Company understands the term "threshold limit value" to mean a concentration to which nearly all workers can be exposed, day after day, without adverse effect.

This defendant recognizes that the American Conference of Governmental Industrial Hygienists defines "Threshold Limit Values – Time Weighted Average" a the time weighted average concentration for a normal 8-hour work day or 40-hour work week, to which nearly all workers may be repeatedly exposed, day after day, without adverse effect.

This defendant has located no information indicating when it first became aware of the term.

RESPONSE TO INTERROGATORY NO. 55:

See attached Exhibit No. 9.

RESPONSE TO INTERROGATORY NO. 56:

See attached Exhibit No. 9.

RESPONSE TO INTERROGATORY NO. 57:

Not to this defendant's best current knowledge, information and belief.

RESPONSE TO INTERROGATORY NO. 58:

Objection. There has been no allegation that plaintiff was ever an employee of this defendant. Therefore, this interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence.

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RESPONSE TO INTERROGATORY NO. 59:

See attached Exhibit No. 3.

RESPONSE TO INTERROGATORY NO. 60:

Objection. There has been no allegation that plaintiff was ever an employee of this defendant. Therefore, this interrogatory is overbroad, irrelevant, immaterial, and is not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 61:

A copy of the testimony presented by Thaddeus S. Snell at a hearing conducted by the Environmental Protection Agency in 1984 will be made available through the offices of U.S. at 125 South Franklin Street, Chicago, IL. 60606.

Dated: January 23, 2001

HAIGHT, BROWN & BONESTEEL, L.L.P.

By: _____

William J. Sayers, Esq.
Farah Nicol, Esq.
Karen B. Goldberg, Esq.
Attorneys for Defendants
HARCROS CHEMICALS, INC. and The Center For Claims Resolution Defendants, including CERTAINTEED CORPORATION; DANA CORPORATION; MAREMONT CORPORATION; QUIGLEY COMPANY, INC.; T&N PLC; UNION CARBIDE CORPORATION AND UNITED STATES GYPSUM COMPANY

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

I, M. K. Kendall, declare:

I am the Manager, Analytical Services of United States Gypsum Company, one of the above named defendants, and am authorized to make this verification for and on behalf of said company;

I have read the foregoing Answers, Objections and other Responses to Plaintiff's Standard Interrogatories and am informed and believe that the same is true and on that ground allege that the matters therein stated are true.

I declare, under penalty of perjury, that the foregoing is true and correct, and that this declaration was executed on January 11 2001 in Chicago, Illinois.

M. K. Kendall

Subscribed and sworn to before me
this 11TH day of JANUARY, 2001.

Notary Public

OFFICIAL SEAL
TIMOTHY KOUBA
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 11/28/04

EXHIBIT 1

PERCENTAGE OF ASBESTOS (WEIGHT)

PRODUCTS	*DATE*	*PERCENT ASBESTOS*
ACOUSTICAL PLASTERS		
SABINITE "TF"	NO CHANGE	4.90
SABINITE B	04/18/33 11/03/33	2.00 4.00
SABINITE 38 (HYDRAULIC)	11/10/30 04/18/32 01/13/37 07/12/39	2.40 3.00 2.00 3.00
SABINITE ACOUSTICAL PLASTER	05/23/30 01/01/31 06/29/32 05/03/40	0.98 2.50 2.00 4.00
SABINITE "M" and SABINITE SPECIAL WHITE	10/18/40 01/23/48	4.00 6.30
SABINITE F	02/27/44 07/28/50 07/28/50 09/18/52	4.00 3.00 4.00 3.00
SABINITE "A" or SABINITE HYDROCAL	04/04/31 04/18/33 11/03/33	4.00 2.00 4.00
HI-LITE ACOUSTICAL PLASTER	06/09/53 03/31/55	6.20 6.30
ACOUSTICAL PLASTERS AUDICOTE SPECIAL WHITE	09/15/55 08/24/56 10/31/56 12/14/56 03/27/57	8.25 7.62 7.60 8.00 7.70

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PRODUCTS	DATE	PERCENT ASBESTOS
	12/02/57	6.95
	12/02/57	22.50
	03/10/58	7.10
	03/27/58	6.95
	04/04/58	22.50
	05/16/58	16.89
	05/29/58	17.09
	05/29/58	16.89
	05/29/59	16.88
	05/29/59	16.93
	12/06/60	8.33
	07/14/61	8.46
	07/06/62	7.63
	08/07/62	7.65
	02/05/64	7.64
	08/11/64	7.63
ACOUSTICAL PLASTERS		
AUDICOTE SATIN WHITE	09/15/55	8.43
	08/24/56	7.78
	10/31/56	7.76
	03/27/57	7.47
	12/02/57	26.24
	03/10/58	8.06
	03/27/58	7.47
	04/04/58	26.24
	05/16/58	19.66
	05/29/58	19.49
	05/29/58	19.66
	05/29/59	19.22
	05/29/59	19.70
	12/06/60	8.60
	07/14/61	8.73
	07/06/62	7.85
	08/07/62	7.87
	02/05/64	7.86
	12/22/64	7.85
*RED TOP ACOUSTICAL PLASTER	04/25/51	9.70
**SPRAYDON STANDARD A	NO CHANGE	29.70
**SPRAYDON STANDARD G	NO CHANGE	7.60

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PRODUCTS	DATE	PERCENT ASBESTOS
**SPRAYDON POWERCOTE	NO CHANGE	30.00
TEXTURE PRODUCTS PAC-TEX	1943 1953 1954	4.50 4.50 - 6.00 3.50
A-B TEX	1935 1943 1944	4.00 4.50 4.00
USG TEXTONE TEXTURE PAINT	1928 1930 1934 1938 1943 1947 1952 1955 1956 1958 1960 1970 1971	3.30 - 4.50 2.80 - 4.50 3.30 - 4.50 2.67 - 5.00 2.67 - 6.00 2.67 - 8.00 2.50 - 3.50 1.20 - 3.50 2.30 - 3.50 1.20 - 6.00 1.20 - 10.00 0.50 - 10.00 0.50 - 3.50
SPECIAL TEXTURE PAINT	NO CHANGE	3.00 - 4.00
SPRAY TEXTURE PAINT	NO CHANGE	1.50 - 2.50
IMPROVED SPRAY TEXTURE	NO CHANGE	1.50 - 2.50
MULTI-PURPOSE SPRAY TEXTURE	NO CHANGE	6.00 - 10.00
SANDED COLORED TEXTURE PAINT	NO CHANGE	2.00 - 4.00
USG MULTI-PURPOSE TEXTURE PAINT	1954 1964	1.00 - 1.40 6.00 - 10.00
USG TEXTURE PAINT	NO CHANGE	2.50
SPRAY TEXTURE PAINT	1966 1968 1969	UNKNOWN 5.00 2.00
USG MULTI-PURPOSE SPECIAL	NO CHANGE	5.00

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PRODUCTS	*DATE*	*PERCENT ASBESTOS*
WHITE		
USG MULTI-PURPOSE	NO CHANGE	6.00 - 10.00
USG MULTI-PURPOSE	NO CHANGE	4.00
SPECIAL TEXTURE PAINT	1956	UNKNOWN
USG MULTI-PURPOSE SPRAY TEXTURE	NO CHANGE	4.00
TEXTURE PRODUCTS USG MULTI-PURPOSE SPRAY TEXTURE	 1972 1973	 UNKNOWN 4.00
SPRAY TEXTURE	NO CHANGE	1.50 - 2.50
AB TEX TEXTURE PAINT	NO CHANGE	0.50
AB TEX TEXTURE PAINT	NO CHANGE	1.20 - 1.60
USG TEXTURE	NO CHANGE	1.60 - 3.50
MULTI-PURPOSE	1971	UNKNOWN
SPRAY TEXTURE PAINT WHITE	1969 1973	7.30 0.00
SPRAY TEXTURE PAINT	1958 1971	1.50 - 3.00 4.50 - 6.00
SPRAY TEXTURE PAINT	NO CHANGE	1.50 - 3.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	8.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	8.00
SPRAY TEXTURE	NO CHANGE	1.50 - 3.00
SPRAY TEXTURE	NO CHANGE	1.50 - 4.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	8.00
SIMULATED ACOUSTICAL SPRAY	1961 1962	UNKNOWN 8.00
AGGREGATED SPRAY TEXTURE	NO CHANGE	1.00

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PRODUCTS	DATE	PERCENT ASBESTOS
AGGREGATED SPRAY TEXTURE	1962 1963	1.00 0.50 - 1.50
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	2.00
QT SIMULATED ACOUSTICAL SPRAY	1964 1969 1971	2.00 5.00 4.40
IMPERIAL QT SPRAY	NO CHANGE	1.50
TEXTURE PRODUCTS AGGREGATED SPRAY	NO CHANGE	2.80
IMPERIAL QT REGULAR VERMICULITE	NO CHANGE	2.00
SPRAY TEXTURE	NO CHANGE	5.00
SMOOTH HARD FINISH	NO CHANGE	1.00
IMPERIAL QT TEXTURE	NO CHANGE	2.00
USG SUPER HARD SPRAY	NO CHANGE	1.20
USG SPRAY TEXTURE	NO CHANGE	5.00
SPRAY TEXTURE FINISH	NO CHANGE	0.10
USG TEXTURE XII	NO CHANGE	3.00
USG SPRAY TEXTURE	NO CHANGE	5.00
USG TEXTURE XII SUPER VINYL	1971 1972	3.00 UNKNOWN
USG SPRAY TEXTURE FINISH	1971 1974	4.00 5.00
SHEETROCK SMOOTHCOAT	NO CHANGE	1.00
USG EXTERIOR TEXTURE WALLBOARD FINISH	NO CHANGE	4.00
EXTRA HARD FINE IMPERIAL QT	NO CHANGE	1.00 - 3.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	8.00

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PRODUCTS	DATE	PERCENT ASBESTOS
TEXTURE		
IMPERIAL QT TEXTURE	NO CHANGE	4.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	6.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	6.50
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	10.00
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	8.00
TEXTURE PRODUCTS SIMULATED ACOUSTICAL SPRAY	NO CHANGE	2.50 - 4.50
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	2.50 - 3.50
SIMULATED ACOUSTICAL SPRAY	NO CHANGE	2.00
IMPERIAL QT	NO CHANGE	2.00
IMPERIAL QT	NO CHANGE	8.00
IMPERIAL QT	NO CHANGE	5.00
IMPERIAL QT	NO CHANGE	4.00
MULTI-PURPOSE TEXTURE	NO CHANGE	2.60
READY MIXED SIMULATED ACOUSTICAL SPRAY	1966	UNKNOWN
IMPERIAL QT	1966	4.00
IMPERIAL QT	1966	0.94 - 1.00
IMPERIAL QT	1966	2.00 - 3.00
IMPERIAL QT	1966	3.00
IMPERIAL QT POLYSTYRENE	1966	6.00
SHEETROCK RADIANT HEAT SIMULATED ACOUSTICAL SPRAY	1966	6.00
SHEETROCK SIMULATED ACOUSTICAL SPRAY	1966	2.00
SHEETROCK SIMULATED		

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PRODUCTS	DATE	PERCENT ASBESTOS
ACOUSTICAL SPRAY	1966	3.50
AGGREGATED SPRAY TEXTURE	1966	5.00
IMPERIAL QT REGULAR	1967	UNKNOWN
IMPERIAL QT REGULAR NC-4	1967 1968	8.00 6.00
IMPERIAL QT	NO CHANGE	2.00
TEXTURE PRODUCTS USG SPRAY TEXTURE FINISH	1965	0.50
XH WHITE	1968	0.50 - 1.50
AGGREGATED SPRAY TEXTURE	NO CHANGE	1.00
IMPERIAL QT	NO CHANGE	2.00
IMPERIAL QT	NO CHANGE	4.00
IMPERIAL QT COARSE VERMICULITE	NO CHANGE	2.00
IMPERIAL QT COARSE VERMICULITE	1970 1971	5.10 6.10
USG SPRAY TEXTURE R	NO CHANGE	1.50
USG CONCRETE CEILING TEXTURE	NO CHANGE	6.00
TEXTONE TEXTURE FINISH	1944 1967 1972	2.50 - 4.50 3.50 - 5.50 2.50 - 4.50
MISCELLANEOUS SPECIALTY PLASTERS		GENERALLY LESS THAN 1.00
FIREPROOFING PLASTERS FIRECODE V		APPROXIMATELY 12.00
FIRECODE V TYPE D		APPROXIMATELY 12.00
CEILING TILE **ACOUSTONE 120		APPROXIMATELY 3.00

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PRODUCTS	*DATE*	*PERCENT ASBESTOS*
ACOUSTONE 180		APPROXIMATELY 3.00
PASTE SPACKLING PUTTY		APPROXIMATELY 3.00
PIPE COVERINGS		APPROXIMATELY 30.00 - 91.00
JOINT COMPOUNDS		APPROXIMATELY 3.00 - 5.00
RIGID BLOCK INSULATION		APPROXIMATELY 10.00 - 21.00
MORTAR		LESS THAN 1.00
SIDING SHINGLES		APPROXIMATELY 12.00 - 15.00
ROOFING SHINGLES		APPROXIMATELY 0.60 - 1.00

VARIATION IN ASBESTOS CONTENT IS USUALLY REFLECTIVE OF FORMULA CHANGES RELATIVE TO WORKING PROPERTIES.

* SprayDon - U.S. Gypsum manufactured this product pursuant to the specifications of Sprayon Research Corporation.

** Not all formulations of this product contained asbestos.

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EXHIBIT 2

ASBESTOS CONTAINING PRODUCTS

Acoustical Plasters - grayish-white;

Miscellaneous Specialty Plasters - white to off-white plus some pastels for two products;

Fireproofing - grayish-white;

Fireproofing Plasters - white to off-white;

Ceiling Tile - white to off-white;

Texture Products - white to off-white;

Paste Spackling Putty, Pipecoverings, Joint Compounds, Rigid Block Insulation, Mortar - white to off-white;

Siding - white, gray, ivory, green, brown;

Roofing - red, green, blue, brown, black and gray;

Adhesives - white to grayish-white, gray, black, tan, light green, light tan, olive and red.

U. S. Gypsum utilized warnings to applicators consistent with OSHA guidelines on its joint treatment products beginning in 1972, on texture products beginning in 1973, and on certain industrial plaster products in 1975.

The language of the warning was as follows:

> "Caution: Contains Asbestos Fibers. Avoid Creating Dust. Breathing Asbestos Dust May Cause Serious Bodily Harm."

In 1974, the above warning was modified by adding the following on joint compound products:

> "Observe the following precautions: Wet sanding or sponging finished joints is recommended rather than dry sanding to avoid creating dust. If dry sanding, mixing, or otherwise working in a dusty atmosphere containing this material, ventilate, use dust collector, or wear eye protection and a respirator approved by the Bureau of Mines or NIOSH, to remove nuisance dust."

Concerning SprayDon, a product sold and distributed by Sprayon Research Corporation, manufactured by U. S. Gypsum according to Sprayon's specifications, the following appeared on SprayDon bags in approximately June, 1966:

> "Contains Asbestos."

The following appeared on SprayDon in subsequent years:

> "Caution: This product contains asbestos." (1968)

> "Caution: This product contains asbestos which may be harmful to lungs if inhaled." (1969)

Concerning Super-tite Wet Patch, an adhesive manufactured by W. W. Henry Company and resold by U. S. Gypsum, the following appeared on the label for this product after 1972:

> "Contents: Asphalt Petroleum Spirits, Asbestos Fiber."

U. S. Gypsum presently believes that during the period 1969 - 1973, asbestos was listed as a separate ingredient for its texture product, Imperial QT. Investigation is continuing.

U.S. Gypsum does not maintain examples of actual packaging in the normal course of business. All packaging contained the product name, this defendant's name, directions and instructions for use. To this defendant's best knowledge, information and belief, the product packaging for its asbestos-containing products was as follows:

Acoustical Plaster	Kraft Paper Bags
Miscellaneous Plasters	Kraft Paper Bags
Stucco	Kraft Paper Bags
Fireproofing Plaster	Kraft Paper Bags
Joint Compound	Kraft Paper Bags, metal and plastic buckets and cardboard cartons
Spray Textures	Kraft Paper Bags, metal and plastic buckets and cardboard cartons
Block Insulation	Cardboard Cartons
Pipecovering	Cardboard Cartons
Spackling Paste	Metal and plastic cans, buckets and pails
Ceiling Tile	Cardboard Cartons
Asbestos Cement	Burlap bags, cardboard cartons
Adhesives	One-gallon, five-gallon and fifty-gallon cans

Available packaging bulletins dealing with products which plaintiff can establish were relevant to this lawsuit will be made available to the plaintiff for inspection at a mutually convenient time at 125 South Franklin Street, Chicago, IL 60606.

EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
ADMIRAL	A0UX 0006	Excess	8/1/80 - 8/1/81
ADMIRAL	A1UX 0051	Excess	8/1/81 - 8/1/82
ADMIRAL	A2UX 0126	Excess	8/1/82 - 8/1/83
ADMIRAL	A3UX 0164	Excess	8/1/83 - 1/19/84
AMERICAN EXCESS	EUL5002664	Excess	11/10/78 - 8/1/79
AMERICAN EXCESS	EUL5003994	Excess	8/1/79 - 8/1/80
AMERICAN EXCESS	EUL5084144	Excess	8/1/80 - 8/1/81
AMERICAN EXCESS	EUL5084262	Excess	8/1/81 - 8/1/82
AMERICAN MUTUAL	57559-D	Primary	2/1/63 - 2/1/66
AMERICAN MUTUAL	952989-02-6-D	Primary	2/1/66 - 2/1/67
AMERICAN MUTUAL	952989-12-7-D	Primary	2/1/67 - 2/1/70
AMERICAN MUTUAL	952989-12-0-D	Primary	2/1/70 - 4/15/71
AMICO	[illegible] 700	Primary	4/1/61 - 2/1/63
AMICO	[illegible]	Primary	4/15/71 - 7/1/75
AMICO	2CP 61 063	Excess	2/15/72 - 2/15/75
AMICO	[illegible]	Excess	2/15/72 - 2/1/75

EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
AMICO	5SB 021 428	Excess	2/15/75 - 7/1/75
AMICO	5SB 021 429	Excess	2/15/75 - 7/1/75
AMERICAN RE-INSURANCE	M 12016-2001	Excess	12/7/66 - 2/1/69
AMERICAN RE-INSURANCE	M1440073	Excess	11/8/76 - 2/15/78
CALIFORNIA UNION	ZCX 00 33 78	Excess	11/7/78 - 8/1/80
CONTINENTAL CASUALTY	RDX 9658052	Excess	7/31/62 - 2/1/66
CONTINENTAL CASUALTY	RDX 938 50 86	Excess	4/20/66 - 2/1/69
CONTINENTAL CASUALTY	RDX 923 01 25	Excess	12/7/66 - 2/1/69
CONTINENTAL CASUALTY	RDX 01 912 52 99	Excess	2/1/69 - 2/1/72
CONTINENTAL CASUALTY	RDX 01 912 53 00	Excess	2/1/69 - 2/1/72
CONTINENTAL CASUALTY	RDX 01 808 54 80	Excess	2/1/72 - 2/15/75
CONTINENTAL CASUALTY	RDX 01 808 54 81	Excess	2/1/72 - 2/15/75
CONTINENTAL CASUALTY	RDX 142 11 13	Excess	2/15/75 - 9/6/76

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EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
CONTINENTAL CASUALTY	RDX 142 11 14	Excess	2/15/75 - 9/6/76
CONTINENTAL CASUALTY	CCP 005 30 96 37	Primary	8/1/79 - 8/1/82 (8/1/79 - 8/1/80) (8/1/80 - 8/1/82)
COMMERCIAL UNION (EMPLOYERS' LIABILITY ASSURANCE CORPORATION, LTD.)	E22-8160-001	Excess	2/1/63 - 2/1/66
FIREMAN'S FUND	XL 38021	Excess	2/1/69 - 2/1/72
FIREMAN'S FUND	XLX 119 50 62	Excess	2/1/72 - 2/1/75
FIRST STATE	920501	Excess	2/15/72 - 2/1/75
FIRST STATE	928140	Excess	8/1/80 - 8/1/81
FIRST STATE	928110	Excess	8/1/81 - 8/1/82
FIRST STATE	928123	Excess	8/1/82 - 8/1/84
INTEGRITY	XL-50-04-06	Excess	8/1/83 - 8/1/84
INTERNATIONAL	522 003150 9	Excess	10/25/78 - 8/1/79
INTERNATIONAL	522 003173 4	Excess	8/1/79 - 8/1/80
INTERSTATE	155-U-29045	Excess	11/9/78 - 8/1/79

3

EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
INTERSTATE	155-U-29098	Excess	8/1/79 - 8/1/80
LEXINGTON	5521014	Excess	8/1/80 - 8/1/81
LEXINGTON	5521015	Excess	8/1/80 - 8/1/81
LEXINGTON	5521110	Excess	8/1/81 - 8/1/82
LEXINGTON	5521201	Excess	8/1/82 - 8/1/83
LEXINGTON	5525721	Excess	8/1/83 - 8/1/84
LIBERTY MUTUAL	CGL-04-00610	Primary	4/1/43 - 4/1/44
LIBERTY MUTUAL	CGL-04-01419	Primary	4/1/44 - 4/1/45
LIBERTY MUTUAL	CGL-04-02297	Primary	4/1/45 - 4/1/46
LIBERTY MUTUAL	CGL-04-03180	Primary	4/1/46 - 4/1/47
LIBERTY MUTUAL	CGL-04-04185	Primary	4/1/47 - 4/1/48
LIBERTY MUTUAL	CGL-04-05766	Primary	4/1/48 - 4/1/49
LIBERTY MUTUAL	CGL-04-00244	Primary	4/1/49 - 6/1/49
LLOYD'S	24045	Primary	6/1/49 - 12/8/49 12/8/49 - 7/10/50
LLOYD'S	21270 24045	Excess	12/8/49 - 7/10/50

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EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
LLOYD'S	21271/24045	Excess	12/8/49 - 7/10/50
LLOYD's	C 31979 C	Primary	7/10/50 - 3/10/52
LLOYD'S	23331	Excess	7/10/50 - 7/10/53
LLOYD'S	F 23376	Excess	7/10/50 - 7/10/53
LLOYD'S	F 23377	Excess	7/10/50 - 7/10/53
LLOYD'S	C 36693 CB	Primary	3/10/52 - 4/1/55
LLOYD'S	F 35836	Excess	7/10/53 - 4/1/55
LLOYD'S	F 35835	Excess	7/10/53 - 4/1/55
LLOYD'S	MO 642295 CB	Primary	4/1/55 - 4/1/58
LLOYD'S	MJ 642296 CB	Excess	4/1/55 - 4/1/58
LLOYD'S	WMJ 801108 CB/ WMJ 801109 CB	Excess	4/1/55 - 4/1/58
LLOYD'S	WMJ 801110 CB	Excess	4/1/55 - 4/1/58
LLOYD'S	RS 907609 CD	Primary	4/1/58 - 4/1/61
LLOYD'S	NS 653920 CD	Excess	4/1/58 - 4/1/61
LLOYD'S	55043	Excess	4/1/58 - 4/1/61
LLOYD'S	55044	Excess	4/1/58 - 4/1/61
LLOYD'S	55045	Excess	4/1/58 - 4/1/61
LLOYD'S	55046	Excess	4/1/58 - 4/1/61

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EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
LLOYD'S	WNY807004	Excess	7/31/59 - 7/31/62
LLOYD'S	022463000	Excess	2/1/66 - 2/1/69
LLOYD'S	022464000	Excess	2/1/66 - 2/1/69
LLOYD'S	022747000	Excess	12/7/66 - 2/1/69
LLOYD'S	026160000	Excess	3/1/69 - 2/1/72
LLOYD'S	026161000	Excess	3/1/69 - 2/1/72
LLOYD'S	026162000	Excess	3/1/69 - 2/1/72
LLOYD'S	183550900	Excess	11/19/76 - 2/15/78
LLOYD'S	020044100	Excess	2/15/78 - 8/1/79
MIDLAND	XL 146163	Excess	2/15/75 - 2/15/78
NATIONAL AMERICAN (STUYVESANT)	61-05-180DE	Excess	4/1/61 - 2/1/63
NATIONAL SURETY	XLX-120 48 58	Excess	2/15/75 - 2/15/78
NATIONAL SURETY	XLX-130 14 53	Excess	10/25/78 - 8/1/79
NATIONAL SURETY	XLX-136 63 54	Excess	8/1/79 - 8/1/80
NATIONAL SURETY	XLX-143 62 90	Excess	8/1/80 - 8/1/81
NATIONAL SURETY	XLX-143 63 42	Excess	8/1/81 - 8/1/82

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THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
NATIONAL SURETY	XLX-148 34 45	Excess	8/1/82 - 8/1/83
NATIONAL SURETY	XLX-153 01 72	Excess	8/1/83 - 1/19/84 1/19/84 - 8/1/84
NATIONAL SURETY	XLX-153 01 73	Excess	8/1/83 - 8/1/84
NORTHBROOK	63 001 083	Excess	7/1/75 - 2/15/78
NORTHBROOK	63 001 167	Excess	7/1/75 - 2/15/78
NORTHBROOK	63 004 250	Excess	2/15/78 - 8/1/79
NORTHBROOK	63 005 941	Excess	8/1/79 - 8/1/80
NORTHBROOK	63 005 942	Excess	8/1/79 - 8/1/80
TRANSIT	UMB 950-106	Excess	8/1/80 - 8/1/81
TRANSIT	UMB 950-181	Excess	8/1/81 - 8/1/82
TRANSIT	UMB 950-248	Excess	8/1/82 - 12/31/84
TRAVELERS	TR-NSL-135T059-4-75	Primary	7/1/75 - 7/1/78 (7/1/75 - 2/15/78) (2/15/78 - 7/1/78)
TRAVELERS	TR-NSL-135T060-1-75	Primary	7/1/75 - 8/1/79
TRAVELERS	TRK-SLG-135T059-4-78	Primary	7/1/78 - 8/1/79

EXHIBIT NUMBER 5

THIS DEFENDANT IS INSURED BY THE FOLLOWING

POLICY CARRIER	CERTIFICATE/ POLICY NUMBER	TYPE	PERIOD
Self-Insured Retention (NORTHWESTERN NATIONAL INSURANCE COMPANY)	CLA 3259137	Primary	8/1/82 - 1/1/85

WP/15177
WIN643

EXHIBIT 6

Asbestos Containing Products - Reasons For Discontinuation

I. Sabinite was replaced by Audicote and Hi-Lite in the marketplace. Audicote and Hi-Lite were discontinued because the low profitability of these products did not justify the expense of research efforts to reformulate without asbestos.

II. Cost of Compliance with proposed lower OSHA standards within the plan.

III. At the direction of Sprayon Research Corporation.

IV. The low profitability of these products did not justify the expense of research efforts to reformulate without asbestos.

V. Low Profitability.

Product Categories	Reason For Discontinuation	Last Date of Manufacture With Asbestos
*Acoustical Plasters	I	1974
Plasters	II	1972
Fireproofing Plasters	V	1968
**Fireproofing	III	1971
Ceiling Tile	II	1976
Textures	II	1976
Roofing	II	1976
Joint Compounds	II	1976
Pipe Covering	V	1938

Product Categories	Reason For Discontinuation	Last Date of Manufacture With Asbestos
Block Insulation	IV	1971
Cement Siding	II & IV	1975
Paste Spackling Putty	II	1975
**Thermal Insulation	III	1971
Adhesives	II	1977

* Includes production by subsidiary.

** U.S. Gypsum Company manufactured this product pursuant to the specifications of Sprayon Research Corporation.

EXHIBIT 7

Plant Clinics and Medical Personnel
Retained/Consulted 1930 - 1976

Oakfield, New York
R. C. Warn, M.D.
J. Diasio, M.D.

Chamblee, Georgia
H. M. Schreeder, M.D.
W. C. McGraw, M.D.

Greenville, Mississippi
J. B. Hirsch, Sr., M.D.
O. Beck, M.D.
J. B. Hirsch, Jr., M.D.

Corsiciana, Texas
A. L. Grizzaft, M.D.

Dallas, Texas
Launey Medical & Surgical Clinic
D. G. Launey, M.D.
S. L. Gilbert, M.D.
F. C. Atkinson, M.D.
R. F. Duchouquette, M.D.
W. D. Stevenson, M.D.
D. H. Waddell, M.D.
R. R. Henry, M.D.
Z. L. Dameron, M.D.
W. D. Lee, M.D.
A. H. Teddle, M.D.
Trinity Medical Clinic

Jacksonville, Florida
J. H. Mitchell, M.D.
J. L. Mitchell, M.D.

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Plasterco Virginia

J. A. Soyars, M.D.
P. W. Cowherd, M.D.

Sweetwater, Texas

C. A. Rosebrough, M.D.
A. H. Fortner, M.D.
S. A. Loeb, M.D.
J. K. Richardson, M.D.
T. D. Young, M.D.
F. Hood, M.D.
R. L. Price, M.D.

Detroit, Michigan

R. L. St. Louis, M.D.
K. Hergt, M.D.

East Chicago, Indiana

R. J. Liehr, M.D.
F. F. Boys, M.D.
F. A. Benchik, M.D.
G. A. Thegze, M.D.
J. Demkowicz, R.N.

Fort Dodge, Iowa

Fort Dodge Medical Center

T. J. Michelfelder, M.D.
C. L. Dagle, M.D.
M. E. Kraushaar, M.D.
J. J. Landhuis, M.D.
G. L. LeValley, M.D.
J. W. Rathke, M.D.
R. H. Brandt, M.D.
J. R. Kersten, M.D.
W. C. Robb, M.D.
H. H. Kersten, M.D.
R. E. Woodard, M.D.

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Gypsum, Ohio

C. J. Yeisley, M.D.
A. J. Miessner, M.D.
P. Hughes, M.D.
K. Ritter, M.D.
K. Akins, M.D.
M. Jennings, R.N.

Shoals, Indiana

E. B. Lett, M.D.
R. E. Chastin, M.D.

Empire, Nevada

Sparks Medical Clinic
J. M. Watson, M.D.
M. Raymond, M.D.
J. C. Kelly, M.D.
F. C. Stokes, M.D.

Torrance, California

P. Casey, M.D.
J. Anable, M.D.
Dr. Cook

South Gate, California

H. Caesar, M.D.
Family Medical Clinic
(Various physicians. Names unavailable.)
Firestone Medical Group
(Various physicians. Names unavailable.)

Tacoma, Washington

B. Archer, M.D.

Walworth, Wisconsin

D. R. Hansen, M.D.
I. J. Bruhn, M.D.
J. A. Carroll, M.D.
A. C. Sapida, M.D.
Walworth Family Medical Center

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Boston, Massachusetts
V. Rubin, M.D.
E. Staffier, M.D.
A. C. Leavitt, M.D.
Sullivan Square
American Mutual Insurance Clinic
Massachusetts General Hospital

Clark, New Jersey
C. T. Decker, M.D.
F. B. Nelson, M.D.
C. F. Dent, M.D.
E. E. Goe, M.D.
S. Wexler, M.D.

Oakmont, Pennsylvania
C. E. Piper, M.D.
F. W. Nicklas, M.D.
H. Hagan, M.D.
Citizens General Hospital

Franklin Park, Illinois
Northwest Medical Clinic LTD.
L. Devira, M.D.
Franklin Park Medical Center
V. Oelrich, R.N.

Rosemont, Illinois
O'Hare Industrial Clinic
Fahey Medical Center
Rush Presbyterian - St. Lukes Occupational Health Center

Galena Park, Illinois
J. Nichols, M.D.
Deaton Clinic

Sigurd, Utah
T. D. Bard, M.D.
R. E. Noyes, M.D.
R. N. Malouf, M.D
J. G. McGuarrie, M.D.
G. A. Buchanan, M.D.
J. B. Cluff, M.D.

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Genoa, Ohio
E. D. Schuiteman

Norfolk, Virginia
E. R. Altizer, M.D.
W. H. Whitmore, M.D.
G. A. Duncan, M.D.
F. Walter, M.D.
A. A. Burke, M.D.
R. L. Payne, M.D.
J. L. Rosenthal, M.D.
P. B. Parsons, M.D.
J. Sakakini, M.D.
K. Jones, M.D.
V. H. Ober, M.D.
Dr. Albanese
J. Foster, M.D.
G. G. Hollins, M.D.
Dr. Labstein
J. M. Ratliff, M.D.
J. A. Vann, M.D.
C. B. Trower, M.D.
R. W. Adams, M.D.
R. R. Powell, M.D.
C. Pole, M.D.
G. A. Duncan, M.D.
D. E. Pryor, M.D.
E. A. Buchan, M.D.
Dr. Kuehn

Santa Fe Springs, California
J. W. Raber, M.D.
Raber Industrial Medical Group

Morrow, Georgia
N. Bateman, M.D.

Stony Point, New York
Dr. Borsinger
Dr. Natelson
Dr. Zuka
Nyack Hospital

Sperry, Iowa
H. M. Patterson, D.O.
J. F. Roules, M.D.
Burlington Medical Center

Wabash, Indiana
F. Whistler, M.D.
R. M. LaSalle, Jr., M.D.
R. M. LaSalle, Sr., M.D.
R. M. LaSalle, M.D.
W. D. Boaz, M.D.
P. Ferguson, M.D.
F. Smyrniotis, M.D.
J. E. Haughn, M.D.
LaSalle Clinic

Baltimore, Maryland
C. C. Chiu, M.D.
F. G. Mainolfi, M.D.
Fort Medical Center

North Kansas City, Missouri
Industrial Clinic North
Fairfax Industrial Medical Clinic

New Orleans, Louisiana
B. Pardue, M.D.
J. Dean, M.D.
Downman Road Clinic

Southard, Oklahoma
R. Richardson, M.D.
R. Kirby, M.D.
T. Perry, M.D.

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Southard, Oklahoma continued

R. Tavlin, M.D.
K. Godfrey, M.D.
R. McLauchlin, M.D.
M. Carter, M.D.
C. H. Williams, M.D.
B. D. Dotter, M.D.
F. Crowe, M.D.
D. Lagan, M.D.
G. Worchester, M.D.

Warren, Ohio

R. Willoughby, M.D.

Birmingham, Alabama

Thuss Clinic

W. G. Thuss, M.D.
R. J. Smith, M.D.

Union City, Tennessee

J. H. Ragsdale, M.D.
R. E. Clendenin, M.D.
R. G. Latimer, M.D.
J. K. Avery, M.D.
L. W. Jones, M.D.
H. Butler, M.D.
J. Campbell, M.D.
Doctorûs Clinic of Union City

Alabaster, Michigan

J. J. Austin, M.D.
H. Brinkman, M.D.
M. E. Field, M.D.
J. R. Gehman, M.D.
J. W. Grigg, M.D.
M. Gueramy, M.D.
H. R. Hess, O.D.
J. E. Jaques, M.D.
L. Kelley, M.D.
V. W. Kershul, M.D.
L. A. Lambert, M.D.
L. A. Laporte, M.D.
C. W. Minton, M.D.

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Alabaster, Michigan continued
R. Morin, M.D.
N. Payea, M.D.
R. J. Ruda, M.D.
G. L. Schaiberger, M.D.
J. M. Schuele, M.D.
R. L. Sutton, M.D.
Z. E. Taheri, M.D.
W. Williams, M.D.

Kearny, New Jersey
Plant closed
J. Borino, M.D.
J. Grund Fest, M.D.

Boonton, New Jersey
Acquired 1985

Camden, New Jersey
Plant closed
A. Marks, M.D.
Occupation Health Services

Trenton, New Jersey
Plant closed
P. Albert, M.D.
Helene Fuld Medical Center

Paulsboro, New Jersey
Acquired 11/30/87

New Brighton, New York
Plant closed
H. Crane, M.D.
F. Tellefsen, M.D.
E. Morris, M.D.
Saint Vincent's Hospital
Staten Island Hospital

Port Reading, New Jersey
Acquired 6/76

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Fremont, California
Acquired 1983

Philadelphia, Pennsylvania
Plant sold

Convers, Georgia
Acquired 12/10/80

Mansfield, Texas
Acquired 8/81

Spruce Pine
Acquired 5/12/79

LaMirada, California
Acquired 6/81

U.S. Gypsum has no information on medical personnel for the plants at Jersey City, NJ; St. Paul, MN; Midway, IL; South Plainfield, NJ; Midland, CA; Heath, MT; Loveland, CO; Milwaukee, WI; Nephi, UT; and Philadelphia, PA, which are now closed. In addition, no record information is available for Plaster City, CA. U.S. Gypsum has no information for the plant at Red Wing, for years prior to 1985. U.S. Gypsum owned Red Wing in the mid-1960's prior to selling the plant to Conwed Corporation, and USG Acoustical Products, Company (now USG Interiors, Inc.) reacquired the facility in late 1985.

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07/21/09

EXHIBIT 8

The following represents the defendant's best current information. Additional information may possibly be ascertained by a review of non-privileged documents relating to such organizations which will be made available at a mutually convenient time through U. S. Gypsum's offices at 125 S. Franklin Street, Chicago, Illinois.

ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
Gypsum Association	1930-present	Asbestos discussed at all of the following: Membership meetings: 10/27/71 - 10/28/71 - E. W. Duffy, W. W. Holloway, A. J. Walt 4/5/72 - J. H. Crumbaugh, A. R. Rump, C. G. Gramor, A. J. Walt, M. L. Hepsher, W. W. Holloway 4/4/73 - J. S. Bush, W. W. Holloway, A. J. Walt, C. G. Gramor, J. D. May, J. J. McLaughlin 10/10/73 - 10/12/73 - W. W. Holloway, A. J. Walt 4/6/77 - J. H. Crumbaugh, R. P. Entz, H. D. Gobrecht, C. C. Gramer, K. E. Mohler 10/13/77 - J. D. Cornell, J. H. Crumbaugh, R. P. Entz, C. C. Gramer, K. E. Mohler, T. S. Turton Safety Committee Meetings: 9/20/66 - P. D. Fix, G. R. Krug 9/17/67 - C. P. Kipp

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
		3/19/68 - 3/20/68 - G. R. Krug
		10/25/71 - W. E. Halley, J. D. Cornell, J. M. Rocherg
		9/19/73 - J. D. Cornell
		3/7/74 - J. D. Cornell, M. R. Helton
		8/14/74 - J. D. Cornell
		Manufacturing & Mining Committee:
		4/3/73 - W. W. Holloway, H. D. Gobrecht
		4/9/74 - W. W. Holloway
		10/8/74 - W. W. Holloway, H. D. Gobrecht
		8/10/76 - J. D. Cornell, K. E. Mohler, W. Lewis
		Technical Committee:
		2/14 - 16/73 - J. H. Crumbaugh
		8/1 -3/73 - J. H. Crumbaugh, A. L. Hampton, R. L. Selbe

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
		11/73 and 1/74 - unknown 2/13 -15/74 - J. H. Crumbaugh 8/7 -9/74 - J. H. Crumbaugh, R. L. Selbe 2/16 - 18/77 - J. H. Crumbaugh, R. L. Selbe 8/10 - 12/77 - J. H. Crumbaugh, R. L. Selbe Ad Hoc Committee on Joint Compound Dust: 8/28/73 - J. D. Cornell, K. S. Freeman Board of Directors: 4/5/73, 10/12/73 - A. J. Watt
Industrial Health Foundation (But not Industrial Hygiene Foundation)	1974-1981 (budget cutbacks Forced USG to drop Membership)	No business meetings Some "discussionals" Asbestos was discussed at the following meetings: Introduction to Industrial Hygiene Asbestos Sampling Chemicals for Industrial Hygiene: C. Roe 1978-1979 Toxicology Chemicals and Engineering: S. H. Berning 1/10/79 - 1/21/79

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
		Industrial Hygiene Techniques Update, Advanced Industrial Hygiene: S. H. Berning - 11/12/79 - 11/14/79 Seminar Regarding Industrial Health: J. D. Cornell - 6/8/75 - 6/9/75 Other personnel involved: J. D. Cornell, S. H. Berning, K. S. Freeman, C. Roe
Lime Association	Unknown	Unknown
National Insulation Manufacturers Association (NIMA) (Founded in 1958)	1973-1974	Unknown
Thermal Insulation Manufacturers Association (TIMA)	1974-1992	5/8/72 (Spring meeting) - M. M. Wilson as guest 4/29/75 (Spring meeting) - M. M. Wilson, W. R. Helton 10/16/75 (Annual meeting) - D. M. Dierson, M. Helton, M. M. Wilson, J. Ueber 10/22/77 (Annual meeting) - G. Barth 4/11-12/78 (Spring meeting) - M. M. Wilson, G. Barth, M. Helton, B. Winthrig 9/28-29/78 (Annual meeting) - M. M. Wilson, E. W. Lucke

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
		4/18-19/79 (Spring meeting) - E. W. Lucke
		9/20/79 (Annual meeting) R. J. Wenk, M. Helton
North American Insulation Manufacturers Association (NAIMA)	1992-present	none
National Insulation Contractors Association (NICA) (Associate Member)	unknown (perhaps 1972 through present?)	none
National Safety Council	1914-present	none
National Mineral Wool Association	1943?-1957, mid-1960's, mid-1970's	none
*Contracting Plaster and Lathers International (Associate Member)	1960-1969	none
*International Association Wall and Ceiling Contractors (Associate Member)	1970-1976	none
*Gypsum Drywall	1960-1976	6/4/74 (General meeting) - C. Almond

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
Contractors International (GDCI) (Associate Member)		
*Association of Wall and Ceiling Contractors Industries International - Gypsum Drywall Contractors International (Associate Member)	1976-1979	none
*Association of Wall and Ceiling Contractors Industries International	1980-present	none
American Society of Safety Engineers	unknown	unknown
American Industrial Hygienists Association	unknown	unknown
Employing Plasterers Association (Associate Member)	present	unknown
Metal Lath Association	1950's-1964	unknown

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
Pulp and Paper Institute	1950's-1964	unknown
Hardboard Association	1950's-1964	unknown
Health and Safety Council of Asbestos Cement Products Association	19677-1971?	G. R. Krug - 11/19/68 C. P. Kipp (deceased) or L. A. Tobey (deceased) 2/17/70; 2/18/70; 3/19/70; 5/19/70; 11/19/70
Asbestos Information Association of North America	not a member	none
National Bureau of Standards	not a member	1978 - J. D. Cornell, K. S. Freeman (retired) Rockville, MD, jointly sponsored by NBS and NIOSH re: Asbestos and Health

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
American Standards Association (never a member; served on committees) became ANSI - 1969 similar to ASTM (sustaining member)	unknown; involvement at least 15 years ago	unknown
Asbestos Textile Institute	never a member	none
SOEH/IOEH	never a member	"Occupational Exposures to Fibrous and Particulate Dust and Their Extensions into the Environment" 12/5/77 - 12/7/77 J. D. Cornell (others?)
American Society of Testing and Materials (ASTM)	unknown	Committee C-11 (on ceilings and walls): 6/23/77 - A. L. Hampton
Associated Insulation Contractors of the Western United States (Associate Member)	1968 - unknown	10/24 -25/68 (Annual meeting) - Robert Walker

United States Gypsum Company does not and has not belonged to:

Quebec Asbestos Mining Association - QAMA
Asbestos Research Council of England

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ORGANIZATION	DATES OF MEMBERSHIP	HEALTH HAZARDS OF ASBESTOS DISCUSSED AT MEETINGS ATTENDED BY UNITED STATES GYPSUM COMPANY PERSONNEL
Public Health Bulletin Service		
Plastering and Lath Association		
Chicago Plastering Institute		
Perlite Institute		

*Membership information pertaining to these organizations is not available in this defendant's files.

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EXHIBIT 9

United States Gypsum Company has been aware since the mid-1930's that inhalation of large quantities of asbestos fibers for long periods of time could produce a pneumoconiotic lung condition known as asbestosis. United States Gypsum Company is presently unaware of specifically how it acquired this knowledge.

United States Gypsum Company is not aware of precisely when it first knew of the relationship between the inhalation of asbestos fibers and the development of bronchogenic carcinoma, except that it does know that one of its employees, E. C. Beuthin, United States Gypsum Company's first Safety Director, has stated in his deposition that he attended a conference in 1955, at which papers discussing this relationship were presented.

Documents produced in other litigation pertaining to this issue have come to U. S. Gypsum's attention. These documents were produced by other parties; U. S. Gypsum has not found them in its own files and can make no representations concerning the origin or authenticity of those documents. The documents suggest that in approximately October 1948, U. S. Gypsum may have received a draft report concerning inhalation experiments on laboratory animals exposed to high levels of asbestos dust. It was reported that some of the animals developed lesions described variously as lung cancer and non-malignant adenomas. U. S. Gypsum believes that these are the same experimental results reported to the National Cancer Institute by Dr. L. U. Gardner in 1943 and Dr. Kenneth M. Lynch in 1947 and referred to by Drs. Lynch, McIver and Cain in their 1956 published article, "Pulmonary Tumors In Mice Exposed To Asbestos Dust," 15 A.M.A. Archives of Industrial Health 207 (March 1957), which was received for publication in 1956

United States Gypsum Company is now aware that the first published study which established a direct association between the inhalation of asbestos fibers and the development of mesothelioma was the 1960 epidemiological study entitled "Diffuse Pleural Mesothelioma and Asbestos Exposure in the North Western Cape Province" by J. C. Wagner, et al., which described mesothelioma occurrence among persons exposed to crocidolite, at or near crocidolite mines in South Africa.

United States Gypsum Company is not aware of precisely when it first knew of the relationship between the inhalation of asbestos fibers and the development of mesothelioma, except that it believes that the first employee to become aware of this association was G. R. Krug, one of United States Gypsum Company's former Safety Directors. Mr. Krug has testified that he first became aware in the early to mid-1960's of the association between exposure to asbestos fibers and the development of mesothelioma in asbestos miners, as a result of reading articles in newspapers and magazines.

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