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IN THE COURT OF COMMON PLEAS {} F I N D I A N A C O U N T Y ,  
P E N N S Y L V A N I A

KATHERINE M. BASILE, the Executrix of  
the Estate of FRED DALBO, SR., Deceased,  
and VIOLA IMOGENE COE IV DALB4, his  
wife, in her own right.,

CIVIL DIVISION - ASBESTOS

NO. 1-1484 CD 2005

DEFENDANT GENUINE PARTS  
COMPANY'S RESPONSES TO  
PLAINTIFFS' INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF  
DOCUMENTS

Plaintiffs,

v.

GENUINE PARTS COMPANY at al.,

Defendants.

DEFENDANT GENUINE PARTS COMPANY'S RESPONSES TO  
PLAINTIFFS' INTERROGATORIES ANTE REQUEST  
FOR PRODUCTION OF DOCUMENTS

PRELIMINARY RESPONSE

(3TC states that it is a distributor and/or assembler of replacement automobile p

Same, but not most, of these parts contained asbestos components in the past. F  
that contained asbestos, the asbestos was integrated into the component part or th  
product before it was sent to C#PC. GPC has never purchased, distributed, install  
sold raw asbestos.

GPC also states that at this time, Plaintiffs have not provided GPC with in

is sufficient to enable GPC to respond to many of these interrogatories with mu  
general information and general objections. For example, Plaintiffs have not  
specificity what product(s) that GPC allegedly sold that Plaintiffs claims v  
causative factor in producing Fred Dalbo, Sr.'s diseases. Plaintiff has not i  
frame for any alleged exposure to those products. Plaintiffs have not identified  
how Fred Dalbo, Sr. used or was allegedly exposed to GPC's products. As a co

has no choice but to raise a number of objections to the Plaintiffs' overly burdensome questions. Counsel for GPC stands ready to work with counsel for Plaintiff to focus their discovery.

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## GENERAL OBJECTIONS

Genuine Parts Company ("GPC") objects to any interrogatory and/or request that purports to impose obligations different from, or in addition to, those set forth in the Pennsylvania Rules of Civil Procedure, any applicable Case Management Order, or other applicable law.

. GPC objects to any definition or instruction provided by Plaintiffs that attempts to require GPC to provide a response to an interrogatory beyond that which would be required by the reasonable, common and ordinary definitions for each word. GPC further objects to these interrogatories because almost every interrogatory is so overbroad, often vague and ambiguous, and potentially requests a great amount of information irrelevant to any issue in this case that it is not reasonably calculated to lead to the discovery of admissible evidence.

. GPC objects to these interrogatories and requests to the extent they seek information about documents so broad and/or so remote in time as to be beyond the scope of discovery permitted under the Pennsylvania Rules of Civil Procedure, any applicable Case Management Order, and/or other applicable law. Much of the requested information encompasses a period of approximately 15 years and is impossible to reconstruct or retrieve. Many persons with personal knowledge of the events inquired about are deceased, retired, or no longer in GPC's employ. GPC states that the responses heretofore represent GPC's best knowledge at this time based on the information, documents, records, and personal knowledge available to it. GPC states that discovery in these matters is ongoing and new or additional information may become available to it in this matter or other matters in progress. As more information has become available, GPC has updated and revised its answer to these interrogatories to correct or supplement prior information to the extent required by the rules.

In the past, when new or more complete

. GPC objects to these interrogatories and requests to the extent they seek information about documents about asbestos during time periods that could not scientifically have been a factor in causing any of Fred Dalbo Sr.'s alleged injuries. Although scientists and doctors disagree about certain aspects of asbestos fibers such as whether and to what extent each fiber type can cause diseases, one of the generally accepted conclusions is that there is an extremely long latency period between any asbestos exposure and

manifestation of injury. Consequently, any injury that the Plaintiff currently he purports to blame an asbestos would only be a result of exposure decades ago (more likely several decades ago) and discovery about more recent exposures is not relevant; material or reasonably calculated to lead to the discovery of admissible evidence.

. GPC objects to these interrogatories and requests to the extent that they seek information and documents about GPC after asbestos had been phased out of automotive products distributed or remanufactured by CPC. To the extent it could locate information and documents, GPC has collected applicable material during the time frame when it was in one or more products distributed or remanufactured by CPC.

■6. GPC objects to these interrogatories and requests because, as written, the scope of the interrogatories is so overly broad and repetitive as to seek the disclosure of information covered by other interrogatories and requests. As such, this discovery is unduly burdensome, repetitive, and intended to annoy.

. GPC objects to Plaintiffs' interrogatories and requests to the extent that they request disclosure of information and identification of documents protected by privilege, including (but not limited to) the attorney-client privilege and the work product privilege. GPC and its counsel hereby assert all applicable privileges with respect to such information and documents.

. GPC objects to these interrogatories and requests to the extent that they seek to require GPC to respond on behalf of subsidiary corporations, which are legally separate and independent corporate entities. GPC is neither authorized nor required to respond on behalf of said independent entities. GPC hereby objects to these interrogatories and requests because they are overly broad and unduly burdensome, to the extent that they seek to require GPC to respond on behalf of "predecessors." GPC has acquired many smaller companies and individual stores or shops since its inception in 1928, which have been merged into GPC and no longer exist. GPC is without exhaustive or comprehensive information as to each and every individual entity that it may have acquired over its approximately 15-year history and is unaware of any systematic method of recovering said information. Many employees with knowledge relating to said predecessors are deceased, retired, or otherwise no longer in GPC's employ. The responses herein are made on behalf of GPC solely with respect to its state and distribution of automotive parts, unless otherwise specified.

. GPC objects to these interrogatories and requests to the extent that they seek information or documents pertaining to GPC employees and/or GPC premises. As Plaintiff alleges that Fred Daibo, Sr. was ever employed by GPC or otherwise worked at its premises, such information is irrelevant and immaterial to any matter at issue. As such, these interrogatories and requests are overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and intended to annoy.

. GPC objects to responding to these interrogatories and requests without inspection

location, facility and/or plant wherein Fred Dalba, Sr. was allegedly exposed to and without reviewing documents that may be in the custody of Mr. Dalba's employer that may discuss, refer, or relate to the use of any products that Plaintiffs allege supplied by GPG. Without waiving this objection, GPC shall respond to the best of its current knowledge, information, and belief; however, additional information may become available as this case progresses that impact these responses.

. Each and all of the foregoing general objections are hereby explicitly incorporated into each and every individual response as if set forth fully therein.

**■ RESPONSES TO INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO DEFENDANT GENUINE PARTS COMPANY**

**GENERAL INTERROGATORIES**

State the name, address and official capacity of each person who has supplied the information used in answering these interrogatories and indicate for which interrogatory such person is responsible.

**RESPONSE :**

GPC states that responses to these interrogatories have been prepared by counsel for GPC based upon company records, documents, and the knowledge of current employees concerning the matters at issue in this litigation. GPC states that these responses were verified by Paul LeCour, who is employed by GPC at 640 Rayloc Drive S.W., Marietta, Georgia. Mr. LeCour has held the following positions with GPC's Marietta Plant:

Senior Technical Advisor, 2003-present.  
Operations Quality Assurance Manager, 1999-2003.  
Director of Quality, 1995-1999.  
Production Manager, 1992-1995.  
Director of Engineering, 1987-1992.  
Product and Engineering Manager, 1976-1987.  
District Sales Manager, 1971-1976.

Identify each document that was examined, reviewed and/or used in answering the following interrogatory.

(2)  
interrogatory, specify the interrogatory and identify the present custodian of each document. GPC objects to this interrogatory because it is vague, ambiguous, overly broad, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, GPC hereby incorporates by reference its objections and response to Interrogatory No. 1, concerning documents and information forming the basis of these responses, as if set forth fully herein.

State whether you are a corporation.

your corporate name; state of

(3)

incorporation; date of incorporation; address of principal place of business; other place of business, including sales offices; whether, if you are a "foreign" defined under the law of the Commonwealth of Pennsylvania, you are now or were ever registered or qualified to do business in the Commonwealth of Pennsylvania; name, state of incorporation and date of incorporation of any subsidiary, predecessor corporation.

If so, state:

■T n'

RESPONSE:

GPC objects to this Interrogatory as overly broad, unduly burdensome, vague and ambiguous, insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. GPC further objects to this Interrogatory to the extent that it seeks information that is either publicly available and readily accessible to Plaintiffs or already in their possession; as such, this interrogatory is potentially unduly burdensome and/or harassing. Subject to and without waiving these objections, GPC states its corporate name is Genuine Parts Company, Inc. GPC is a publicly-held Georgia corporation incorporated in 1928. GPC's principal place of business is at 2990 Peachtree Parkway, Atlanta, Georgia. GPC is registered to do business in the Commonwealth of Pennsylvania.

(4)

Identify all prior names by which you have existed.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague and ambiguous, and insufficiently limited in scope and time. Subject to and without waiving these objections, GPC states that its corporate name is Genuine Parts Company, Inc. GPC has done business under the following names: Genuine Parts Co. of Michigan (1928-present); Authorized Motor Parts Corp. (Missouri, 1984-present); Genuine Parts Company (North Dakota, 1940-present); The Automotive Parts Co. (Ohio & West Virginia, 1984-present); and Genuine Peru Co. of Wisconsin, Inc. (1985-present).

If you have divisions which have ever mined, manufactured, produced, fabricated,

(5)

imported, converted, compounded, processed, sold, merchandised, supplied, or otherwise specified and/or otherwise placed in the stream of commerce asbestos products, or incorporated asbestos-containing components, parts, and/or materials, identify each and state the names, addresses and job title of each person who supervised the production, specifying the applicable time periods.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague and

ambiguous, and insufficiently limited in scope and time. Subject to said objections, GPC states that it has never purchased, distributed, installed, or used raw asbestos. GPC states that remanufacturing, assembly, and/or distribution of asbestos-containing automotive products has occurred through GPC's unitary Rayloc division.

■ Have you controlled, purchased or in any way acquired any interest in any corporate entity which has mined, manufactured, produced, fabricated, imported, compounded, processed, sold, merchandised, supplied, distributed, specifically placed in the stream of commerce asbestos products, or products that incorporate asbestos-containing components, parts, and/or materials?

#### RESPONSE :

GPC objects to this Interrogatory as overly broad, unduly burdensome, vague and ambiguous, and insufficiently limited in scope and time. GPC further states that the interrogatory makes it unduly impossible and burdensome to reconstruct the corporate history in the detail requested. Further, to the extent that Plaintiff seeks a corporate history, GPC states it has been a public corporation since 1948; much of the information possibly sought by Plaintiff is publicly available to Plaintiff and is equally accessible to Plaintiff as to GPC.

None the less, GPC states that it has been incorporated in Georgia since 1928. GPC's principal place of business is 2999 Circle 75 Parkway, Atlanta, Georgia. GPC has operated under the following names: Genuine Parts Co. of Michigan, Inc\* (1928-1948); Authorized Motor Parts Corp. (Missouri, 1948-present); Genuine Parts Co., Inc. (South Dakota, 1990-present); The Automotive Parts Co. (Ohio & West Virginia, 1948-present); and Genuine Parts Co. of Wisconsin, Inc. (1954-present). GPC states that the remanufacturing, assembly, and/or distribution of asbestos-containing automotive products has occurred through GPC's unitary Rayloc division.

(1985-Present).

GPC states

that

GPC has acquired many smaller companies since its inception in 1928, many of which were merged into GPC and no longer exist. Prior to acquisition, GPC operated in the name of the companies it acquired. GPC's major acquisition involved in the rebinding, assembly or distribution of automotive products that contained asbestos include Colyear Motor Sales, which had operations on the Oregon coast. It had brake rebinding facilities in Portland, Oregon. Colyear was merged into CPC in 1965. GPC also operated in Oregon; Oakland, California; and Phoenix, Arizona, which formerly sold automotive parts from warehouses owned by Colyear. General Automotive Parts Corp. and Standard

Corp. were each acquired by GPC in 1982 and merged into GPG. General produced and distributed brake products under the name "Genaut". Genaut did not manufacture brakes until 1980. General had rebuilding facilities in Indianapolis, Indiana; Kentucky; and Stephenville, Texas. Standard had no rebuilding facilities. Plaintiff acquired the assets of NAPA Liawalt, Inc., said entity being located in Hawaii, that it holds a majority interest in Ralksmp, Inc., a distributor of various accessories.

GPC further states that the provision of additional information requested in the interrogatory would necessitate the making of an abstract, audit, compilation of documents in GPC's possession, the burden and expense of which would be the same for Plaintiffs as for GPC. Accordingly, GPC will make relevant, responsive

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documents that are responsive to this interrogatory, to the extent that they exist, to Plaintiffs for inspection in Atlanta at a time mutually agreeable to counsel for both parties.

If your Answer to the prior Interrogatory is in the affirmative, identify and attach

(7)  
of all documents related thereto and state:

(A)

The names), including prior names), and the business addresses) of any and all such corporation(s) or business entity(ies);

(B)

The date(s) on which you first controlled, purchased or acquired said interest,

(C)

The manner in which you acquired said interest, i.e., cash purchase, merger, consolidation, exchange or sale of assets, etceteras

(D)

The percentage of assets, owners\* and/or control acquired by you;

(E)

Whether the corporation(s) or business entity(ies) acquired by you continued to exist following the acquisition and, if not, the date on which

its existence ceased;

(F)

The nature of and/or amount of consideration paid by you for said interest;

(G)

The terms and conditions of any contracts or agreements by and between you and such corporation(s) or business entity(ies), including, but not limited to, the terms and conditions relating to the transfer of liabilities for obligations of such corporation(s) or business entity(ies);

(B)

Whether you continued the manufacture, sale and/or distribution of such corporation's or business entity's asbestos products and, if so, whether you used the same product names) in so doing; and

(1)

Whether there was an identity of name, officers, directors, personnel, property, suppliers, distribution outlets and/or clients between you and

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such corporations) or business entity{ies};

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. GPC further states that the vagueness and overbreadth of this interrogatory make it unduly impossible and burdensome to reconstruct the history in the detail requested. Subject to and without waiving its objections, GPC incorporates its objections and response to Interrogatory No. b, as if fully stated

indirectly mined, manufactured, produced,

imported,

(8) If you have directly or indirectly mined, manufactured, produced, converted, compounded, processed, sold, merchandised, supplied, distributed, and/or otherwise placed in the stream of commerce asbestos or asbestos-containing products that incorporated asbestos-containing components, parts, and/or materials



such product, indicating separately those products dealt with by you, your predecessor, your subsidiary(ies), and your affiliates), if any, the following:

fabricated,

(A)

Brand name, trade-name, and/or trade-mark;

(S)

The generic name or identity;

(C)

Description, including size, shape, color and composition, i.e. solid, powder or other form;

(D)

Chemical and physical composition, including, but not limited to, the percentage of each such asbestos fiber by weight and volume;

(E)

Intended marketable use;

(F)

(G)

Dates during which each asbestos product was mined, manufactured, produced, fabricated, imparted, converted, compounded, processed, sold, merchandised, supplied, distributed, installed and/or otherwise placed in the stream of commerce;

The identity of each person and/or business entity in the States of Pennsylvania, Maryland, Delaware, New Jersey, New York and West Virginia to whom or to which you sold or distributed each such product;

(H)

The identity of each contractor, subcontractor, installer or other business entity in the States of Pennsylvania, Maryland, Delaware, New Jersey,

New York and West Virginia which ultimately installed, applied or used

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each such product; and

(1)

The custodian, identity and location of each document which refers to or contains information relevant to such sale, distribution or installation.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. Subject to and without waiving, particularly those on vagueness and over breadth, GPC states that it has remanufactured assembled various automotive aftermarket parts, including brake shoes, brake clutches, some of which, incorporated asbestos-containing components dependent on time period. Specifically, GPC's Raylac division began remanufacturing brake shoes or 1940s for distribution to GPC's warehouses and has since remanufactured assembled brake shoes, assembled brake pads, and assembled clutch discs. The friction material for use in these products was purchased from third-party suppliers and, depending on the time-period, may have contained encapsulated asbestos fibers to comply with OEM specifications and to ensure the proper function of automotive equipment at temperatures up to several hundred degrees Fahrenheit. Suppliers have informed GPC that to the extent asbestos was used in friction material, chrysotile asbestos was used.

GPC further states that it began using non-asbestos containing friction material in its brake products in the 1970s and the number of brake parts in which asbestos-containing friction materials were incorporated decreased dramatically throughout the 1980s, and that by the mid to late 1990s, non-asbestos, sintered metallic brake shoes and brake pads were sold for nearly all part numbers. GPC began using non-asbestos friction materials for clutch products in the late 1970s or early 1980s and ceased using asbestos in clutches in approximately the mid to late 1980s. By the early 1990s, asbestos-containing product lines were limited to only eight part numbers. GPC states that it had ceased the use of asbestos-containing material in brake pads by the mid-1990s. GPC ceased using asbestos-containing friction material in design and

various brake and other automotive products based on alterations to the manufacture of parts by original equipment manufacturers and improvement of non-asbestos friction materials provided to GPC by different suppliers. For the time being, GPC's shoes still using asbestos-containing friction material, rebuilding or assembling asbestos-containing automotive parts ceased in January, 2001.

Although local NAPA stores often sell GPC products, these independent retail stores are free to and do carry either lines of automotive parts. Prior to the mid 1990s, GPC did not distribute or label its products under the generic NAPA Brakes brand. From the mid 1990s to present, GPC has distributed brakes as NAPA Brakes; and Tru-Stop, Safety-King, and NAPA United. GPC also distributed brakes in California manufactured by Calibrak under the name "Calibrak" from approximately 1970-2001. GPC also used a

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trademark for tractor-trailer brake shoes in the 1980s, and possibly other Automotive Parts, an entity acquired by GPC in 1982 and merged into GPC. GPC previously distributed brake products under the name "Genauf." Genauf manufactured disc brakes until 1980. Before 1980, GPC used brake linings manufactured by ABEX, exclusively, and may have thereafter purchased linings on an as-needed basis from various other manufacturers when not available. GPC may also have occasionally distributed brake parts and lining materials from various manufacturers, including ABEX and others, although this practice varied from location to location.

GPC further states that it has distributed clutch parts made by, among others, In addition, GPC distributed clutch parts made by Monmouth and Spicer, as well as Victor and Dana gaskets. GPC distributed clutches under the name "Partex" from approximately 1994-1998. Depending on the vehicle frame, some of these parts may have contained asbestos elements. Various parts sold by GPC and manufactured by others contained gaskets. GPC had little threat knowledge regarding whether or not those parts contained asbestos at the time.

Additionally, at various

GPC has also distributed asbestos-containing automotive tape purchased from various locations, GPC distributed tape purchased from Balkamp, Inc.

"Soundmaster" mufflers manufactured by DeKoven Manufacturing Company (later acquired by Tenneco); although some Soundmaster mufflers may have included asbestos-containing linings at various times, said linings were fully encased inside the muffler and would not have been modified, replaced, or otherwise encountered by the end user.

times and

independent retailers

GPC further states that it has not sold or distributed asbestos-containing products to any "jobbers." Instead, GPC's asbestos-containing products were generally sold to {jobbers} that purchased various products from GPC's distribution centers (warehouses).

These jobbers did not have a written distribution agreement with GPC and were free to sell products acquired from other manufacturers. GPC's records of sales to jobbers are generally retained in its distribution records for a period of only four years and do not indicate whether the parts distributed by a jobber contained asbestos. GPC does not have records indicating to whom these parts may have been sold.

To the extent that this interrogatory requests additional information concerning GPC's products, GPC objects on the grounds that it would necessitate the maintenance of an abstract, audit, compilation or summary of documents in GPC's possession.

control, the burden and expense of which would be substantially the same for GPC. Accordingly, GPC will make relevant, non-privileged documents in its possession, custody or control that are responsive to this Interrogatory, to the extent they exist, available to the parties in Atlanta, Georgia at a time mutually agreeable to counsel.

State whether you presently mine, manufacture, produce, fabricate, import, (9) compound, process, sell, merchandise, supply, distribute, install, specify and use in the stream of commerce any asbestos product{s}, or product(s) that incorporate in your Answer to the preceding Interrogatory containing components, parts, and/or materials Interrogatory.

If so, identify each product by brand name, trade name and/or trademark, listed

RESPONSE :

No. By way of further response, GPC hereby incorporates its response to

Interrogatory No. 8, as if fully stated herein.

Identify each individual who participated in the design and preparation of manufacturing incorporated asbestos-containing

(10) specifications components, parts, and/or materials identified in your Answer to Interrogatory No. 8 for each asbestos product or product that

GPC objects to this Interrogatory as overly broad, unduly burdensome, vague and ambiguous; Insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. Subject to and without waiving its objections, GPC states that it is impossible to identify every employee since GPC's incorporation who may have had a role in the manufacturing and distribution of asbestos-containing automotive parts. GPC refers Plaintiffs authorized corporate representative verifying these Interrogatories as a person knowledgeable of the matters described in this Interrogatory. As GPC is represented by counsel in this matter, Mr. LeCaur should be contacted only through its legal record. By way of further response, GPC states that it does not design or sell specifications for automobile replacement parts. Rather it assembles or distributes parts that meet OEM specifications.

State whether any written memoranda, specifications; blueprints or other written materials of any kind or character now exist relating to the design and preparation of products or products that incorporated asbestos-containing components, parts, or materials identified in your Answer to Interrogatory No. 8.

If so, identify:

(A)

Each such written material or document; and

(f i)

The custodian, identity and location of each such written material or document.

RESPONSE :

■GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. Subject to and without waiving GPC states that it will snake. relevant~ non-privileged documents responsive to the extent they exist, available to Plaintiffs for inspection in Atlanta mutually agreeable to counsel.

Identify, by location and product, each mine, mill, plant or other facility of (12) the asbestos products or products that incorporated asbestos-containing components materials identified in your Answer to interrogatory No. 8 have been manufactured and the dates said facilities have been in operation.

GPC identifies the following manufacturing or assembling facilities that have been in operation :

Rayloc Atlanta  
Atlanta, GA  
to 1990  
Brake shoes, disc brakes, clutches

Rayloc Memphis  
Memphis, TN  
to 2001  
Brake shoes, disc brakes, clutches

Rayloc Stephenville  
Stephenville, TX

\$2 to \$001  
Brake shoes , disc brakes , clutches

Rayloc Hancock  
Hancock , MD  
to 2001  
Brake shoes , disc brake pads , clutches

Rayloc Payson  
Payson , UT  
to 2001  
Brake shoes , disc brake pads , clutches

■Rayloc Portland  
Portland , OR  
to 1979  
Brake shoes , disc brake pads , clutches

Rayloc Morganfield  
Morganfield , KY  
to 2001  
Brake shoes , disc brake pads , clutches

If you have discontinued mining , manufacturing , producing ,

importing ,  
(13)

converting , compounding , processing , selling , merchandising , supplying , or  
otherwise placing in the stream of commerce any asbestos products or products  
asbestos-containing components , parts , and/or materials listed in your Answer to  
\$, identify the products discontinued , give the date of discontinuance and specify  
such discontinuance .

fabricating ,

RESPONSE :

GL'C objects to this interrogatory as overly broad , unduly burdensome , vague  
ambiguous , insufficiently limited in scope and time , and not reasonably calculated  
the discovery of admissible evidence . Subject to and without waiving its objections  
hereby incorporates its response to Interrogatory No. 8 , as if fully stated herein .

If you have done so , when did you first determine that any other material could  
(14)

replace asbestos for high-temperature insulation or any other use #a or for which it  
applied .

If you have , in fact , substituted other material(s) for asbestos in your product(s) , then

(A)

The identify of such substituted material(s) ;

(B)

(C)

When the product(s) with such substituted material(s) was first developed and marketed ; and

The trade-name(s) and brand names(s) of the product(s) marketed with such substituted material(s) .

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its response to Interrogatory No. 5, as if fully stated herein.

■With respect to each of the asbestos-containing products or products that

(15)

incorporated

asbestos-containing components, parts, and/or materials identified in your Answer No. 8, state whether there has been any change, alteration or modification (hereinafter called "change") from the time when it was first developed or you began to market it to the present.

If so, state:

(A)

(B)

(C)

(D)

(E)

(F)

((3)

The identity, by brand name and trade name, of each such product ;

The nature of each such change;

The reasons for each such change;

The details of how the changed product differed from the original product, including, but not limited to, any changes in the asbestos content or chemical composition of each such product;

The names of each person recommending and/or approving such change;

The date each change was accepted by you and made commercially available; and

Whether there were any studies, evaluations or tests made in connection with such change, and if so, identify each such study by title, date, name of author and present location and custodian.

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GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its response to Interrogatory No. 8, as fully stated herein.

(16)

Identify all trade-marks registered for any products listed in your Answer to No. 8. Specify the number and date of registration, the term thereof, the date of expiration, if applicable, by whom each trade-mark was registered and the product(s) for which it was registered.

RESPONSE :

GPC objects to this Interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its response to Interrogatory No. 8, as fully stated herein.

■(17)

State whether you have distributed, sold or installed any asbestos or asbestos-containing products, or products that incorporated asbestos-containing components, parts, or materials, which were mined, manufactured, produced, processed, sold, merchandised, supplied and/or otherwise placed in the stream of commerce by you or any persons and/or business entities other than you or your predecessors) in interest or for the benefit of any.

manufactured,

If so, state :



(A)

The identity of each such person and/or business entity whose asbestos products or products that incorporated asbestos-containing components, parts, and/or materials you sold, distributed or installed on a product-by-product basis;

(B)

The terms of all assignments, agreements, licenses and other arrangements which relate to same, including whether the relationship was exclusive. Identify and attach copies of all such documents;

As to each product, the brand name, trade-name and/or trademark adopted and used by the source from which you obtained said product for the distribution or sale;

As to each product, the brand name, trade-name and/or trademark adopted and used by you for purposes of distribution or sale of said product;

(G)

(D)

(E)

The generic name or identity of each product;

(F)

(G)

(H)

(I)

(J)

The dates during which you distributed, sold or installed each such asbestos product or products that incorporated asbestos-containing components, parts, and/or materials;

As to each such product, a description, including size, shape, color, composition, i.e. solid, powder or other form;

As to each such product, the type of asbestos and the percentage of

asbestos , by weight and volume ;

As to each such product , its intended marketable use ;

The identity of each person and/or business entity in Pennsylvania , Maryland , Delaware , New Jersey , New York and West Virginia to whom or to which you sold, distributed or shipped each such product ;

(K)

The identity of each contractor , subcontractor , installer or other business

in Pennsylvania , Maryland , Delaware , New Jersey , New York and West Virginia which ultimately installed , applied or used each such product ; and

(L)

The custodian , identity and location of each document which refers to or contains information relevant to such sale or distribution .

GPC objects to this interrogatory as overly broad , unduly burdensome , vague , ambiguous , insufficiently limited in scope and time , and not reasonably calculated to produce the discovery of admissible evidence . Subject to and without waiving its objections , GPC hereby incorporates its response to Interrogatory No. 8, as if fully stated herein .

(18) State whether you have ever sold, distributed, specified or otherwise furnished asbestos products or products that incorporated asbestos-containing component materials listed in your Answer to Interrogatory No. 8 to any other person and/or business for resale or redistribution at any time from 1930 to the present .

If so, state :

(A)

The identity of each such person and/or business entity;

(H)

(C)

The brand name , trade -name and/or trademark adapted and used by you for each such product ;

The brand name , trade -name and/or trademark adapted and used by each such person and/or business entity for each such product ;

(D)

The generic name or identity of each such product;

(E)

The year(s) in which each such product was sold, distributed or otherwise furnished to each such person and/or business;

(F)

The intended marketable use for each such product,

(G)

(H)

Whether each such product was intended to be used, resold, or distributed by such other person and/or business entity in the same or substantially the same condition as it was when shipped or delivered by you;

The custodian, identity and location of all documents pertaining to agreements for the resale, distribution, or furnishing of your asbestos products to each other person and/or business entity; and

(n)

Whether the resale, rebranding or redistribution agreement was exclusive.

■ GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its response to Interrogatory No. 8, as if fully stated herein.

(19) For each brochure, pamphlet, specification, instruction, manual, bulletin, or other written material describing or relating to each of the asbestos products or incorporated asbestos-containing components, parts, and/or materials identified in Interrogatory Nos. 8 and 17-

(A)

Describe its contents and the date thereof;

(B)

(C)

(D)

(B)

(F)

(G)

State when and to whom it was distributed;

State the manner in which it was placed in the product container or whether it was separate from the product container;

State whether any written, printed or graphic matter was present to warn of any potential harmful ingredient it might contain.

If so state :

Whether a signal word, e.g., "danger" , "warning!" or "caution" was Present .

Whether the signal word was printed in boldface , capital letters or different colored inks ;

The wording of the statements describing any hazard; and

The wording , size , color and location of all directions and/or instructions pertaining to any method of use to avoid any hazard .

(2)

(3)

(4)

Identify each individual who participated in the writing of the brochure or other written materials and describe in detail the extent of his participation;

Identify and produce each document which reflects, refers to or relates to the information contained in the brochures , or other written materials and/or the decision to include such information; and

As to any information received orally in answer to this interrogatory , identify each person who supplied such information and state the full substance of the information supplied .

RESPONSE :

■GPC objects to this interrogatory as overly broad , unduly burdensome , vague , ambiguous , insufficiently limited in scope and time , and not reasonably calculated to lead to the discovery of admissible evidence . Subject to and without waiving its

that if its products are used and installed correctly, then these products should not expose the user to hazardous levels of asbestos. GPC further states that as Plaintiffs' OSIIA exempted GPC's automotive products from its warning label requirements promulgated in 1972 because any asbestos contained in the friction material was bound in binders and resins and required no sanding, beveling, grinding, arcing, or abrading by the end user. Given the formulation of the friction material, no airborne asbestos fibers to excess of OSHA's permissible exposure level was expected from any reasonably foreseeable use. Accordingly, no warning label was required to be placed with the product, and no warning is federally required to date.

In 1988, in response to California's Proposition 65 which required additional labels and warnings on all asbestos products regardless of their safety or risk, GPC added a caution on its packaging, using language based on the OSHA regulation for other asbestos products. It read:

CAUTION  
CONTAINS ASBESTOS FIBERS  
AVOID CREATING DUST  
BREATHING ASBESTOS DUST  
MAY CAUSE SERIOUS BODILY HARM.

GPC subsequently began placing a caution on its limited products that contained asbestos.

It read:

CAUTION  
CONTAINS ASBESTOS FIBERS  
WHEN WORKING WITH ASBESTOS BRAKE SHOES,  
OBSERVE THE FOLLOWING PRECAUTIONS:  
DO NOT cause dust to become airborne  
DO NOT breathe dust  
DO NOT use air hose for cleaning  
DO use vacuum or wet cleaning method  
DO dispose of dust in sealed container  
DO wear suitable respirator.

Currently, GPC has a caution on its asbestos-free products as well. It reads:

CAUTION!  
EXPOSURE TO FIBROUS  
MATERIALS MAY PRESENT  
HEALTH HAZARDS. WHEN  
WORKING WITH ASBESTOS OR

## NONASBESTOS BRAKE SHOES

OR PADS, OBSERVE THE FOLLOWING PRECAUTIONS:

- DO NOT cause dust to become airborne
- DO NOT breathe dust
- DO NOT use air hose for cleaning
- DO use vacuum or wet cleaning method
- DO dispose of dust in sealed container
- DO wear suitable respirator.

GPC further states that cautions concerning the control of dust, including the asbestos, in automotive products have also appeared in various, commonly used manuals authored and distributed by various entities for several decades. These brake service manuals warned against, among other things, grinding material contained in asbestos-containing products.

Additionally, for many years GPC conducted numerous brake clinics for customers or other interested parties on vehicle systems, the advent of disc brakes, the mechanics of anti-lock brakes, etc., features became commonplace. Depending on the time period and topic of such and written materials provided to participants cautioned against grinding GPC creation of dust during the brake repair process, and against the inhalation beginning at least in the early 1960s.

,

To the extent that this interrogatory requests additional information, GPC objects on the grounds that it would necessitate the making of an abstract, audit, copy, summary of documents in GPC's possession, custody or control, the burden of which would be substantially the same for Plaintiffs as for GPC. Accordingly, exemplars of all cautions on packages, as well as cautions and documents on brake clinics and manuals available to Plaintiffs in Atlanta, Georgia are being made agreeable to counsel. GPC will also make exemplars of sold packaging and labels to Plaintiffs for inspection in Atlanta, Georgia, at a mutually convenient time if they still exist.

(20)

Identify each present or former employee, officer, agent or representative of GPC who directed, handled, solicited, supervised, promoted or otherwise participated in the specification, distribution, delivery, installation or removal in Pennsylvania at any time of any asbestos products or products that incorporated asbestos-containing parts, and/or materials identified in your Answers to Interrogatory Nos. 8 and 17.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. Subject to and without waiving its objection, that it is impossible to identify every employee since GPC's incorporation may have had a role in the manufacturing and distribution of asbestos-containing automotive parts in Pennsylvania. GPC refers Plaintiffs to Paul LeCour, GPC's authorized corporate representative verifying these Interrogatories as a person

knowledgeable of the matters described in this interrogatory. As GPC is represented by counsel in this matter, Mr. LeCour should be contacted only through its counsel.

(21) For each person identified in your Answer to interrogatory Na. 20 who participated in advertising in Pennsylvania of any asbestos products or products that incorporated asbestos-containing components, parts, and/or materials identified in your Answers to Nos. 8 and 17 at any time from 1930 to the present, state:

(A)

His or her duties, responsibilities and inclusive years of employment;

(B)

The identity of each product advertised, marketed or promoted; and

(C)

The method by which each product was advertised, marketed or promoted, and if by print, the name of the publication, the inclusive dates during which the advertisement or promotion appeared therein and the publisher.

RESPONSE ;

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC agrees that it is impossible to identify every employee whose GPC's incorporation may have had a role in the advertising of automotive parts in Pennsylvania.

Describe your corporate structure and policy concerning the subject of employee (22)

design, development, manufacture, testing and use of asbestos products or products containing asbestos-containing components, parts, and/or materials identified in your Answer to Nos. 8 and 17 from 1930 to the present.

In your Answer to this Interrogatory, identify each present or former corporate department, division, subdivision or other group responsible for the described activities and dates related thereto and, with respect to each, identify the person's duties, responsibilities, dates of employment and current or last known business address of the highest supervisory employee with knowledge of any of those activities from 1930 to the present.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and insufficiently

limited in scope and time. GFC further objects to this interrogatory as irrelevant and not reasonably calculated to lead to the discovery of evidence because there is no claim or evidence that Fred Dalba, Sr., was at GPC or present at any of GPC's plants, and the potential exposures to asbestos from working in GPC's remanufacturing and assembling operations, if any, are

not relevant to any potential exposures, if any, encountered during automotive operations alleged in this litigation.

(23)

Describe your corporate structure concerning the subject of research and development of asbestos products or products that incorporated asbestos-containing components or materials identified in your Answers to Interrogatory No. 5 and 17 from 1930 to the present. In your

Answer to this Interrogatory, identify each present or former corporate department, division, subdivision or other group responsible for any of these activities and dates of activities with respect to each, identify the name, title, duties, responsibilities, dates of employment, and last known business and residential address of the highest supervisory employee for each from 1930 to the present.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and insufficiently limited in scope and time. Subject to and without prejudice to any objections, GPC states that it primarily functions as a distributor of replacement parts designed and manufactured by other companies. To the extent that GPC has remanufactured automotive parts that at one time may have contained asbestos, GPC used the same materials as used and specified by the original equipment manufacturers (OEMs). GPC further states that it has not participated in, provided, or received any studies or tests like those described in this interrogatory. GPC further states that asbestos fibers contained in automotive products remanufactured or assembled by GPC are encapsulated in resins and binders and required no sanding, beveling, grinding, or other alteration by the end user. Accordingly, no exposure to asbestos fibers would occur given any reasonably foreseeable use of such products.

Describe your corporate structure concerning medical directors,

(24)

industrial hygienists, physicians, biological scientists or consultants in these fields from 1930 to the present. In your

Answer to this Interrogatory, identify the name, title, duties, responsibilities, and location of each person to whom the individual reported, the current or last known business and residential address of each industrial hygienist, physician, biological scientist or consultant of your company, the name of each medical director, the location, identifying titles or codes, and custodians of all reports or memoranda of each professional specialization of each, the reason for hiring each such person and the name of the person in your company responsible for hiring each such person.



RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and insufficiently limited in scope and time. GPC further objects to this interrogatory as irrelevant and not reasonably calculated to lead to the discovery of evidence because there is no claim or evidence that Fred D'Iso, Sr., was ever

present at any of GPC's plants, and the potential exposures to asbestos while working in GPC's remanufacturing and assembling operations, if any, are not relevant to any potential exposures, if any, encountered during automotive repair alleged in this litigation. Subject to and without waiving these general objections, that it is unaware of employees like those described in this interrogatory.

.

Identify all

(25).

belonged. Said organizations, etcetera, include, but are not limited to, the following

trade organizations, associations or other entities to which you belong or

(A)

Asbestos Textile Institute (ATI)

(B)

Industrial Hygiene Foundation and/or Industrial Health Foundation (IF)

(C)

Mineral Wool Institute

(D)

Industrial Mineral Insulation Manufacturers Institute

(E)

Magnesia Silica Insulation Manufacturers Association

(F)

National Insulation Manufacturers Association (NIMA)

(G)

The rmal Insulation Manufacturers Association (T IMA)

(f i)

Asbes tos Information Association of North America (ATA)

(T)

Quebec Asbes tos Mining Association (QAMA) end Quebec  
Asbes tos Producers Association

(J)

National Safety Council

(K)

Asbes tos Cemen t Product s Association

(L)

Re f rac tor i es Inst i tute ,

(M)

Sprayed Mineral Fiber Manufacturers Association

(N)

Gypsum Association

(O)

International Association of Wall and Ceiling Contractors

(P)

Sou thwes tern Insulation Contractors Association (SW ICA)

(Q)

Air Hygiene Foundation

(R)

National Insulation Contractors Association (M ICA)

(S)

(T)

Northwest Magnesia Association

Institute of Occupational Environmental Health

(U)

Friction Materials Standards Institute

(V)

Friction Materials Safety Institute

(VV)

International Association of Wall and Ceiling

(X)

(Y)

(Z)

Contracting Plasterers' and Lathers' International Association

Asbestos Research Council of England

Asbestos International Association

(AA) Thermal Insulation Contractors Association of England

(BB) American Conference of Governmental Industrial Hygienists (ACGIH)

(CC) American Association of Testing Materials (ASTM)

(DD)

International Association of Wall and Ceiling Insulators (AWCI)

(EE) American National Standards Institute (ANSI)

(FF)

American Petroleum Institute {API}

(GG) Gasket Fabricators Association {GIFA}

(HH) Mechanical Packing Association {MPA}

( IX)

Mineral Fiber Products Bureau (MFPB)

(7J)

Gypsum Drywall Contractors International (GDCI)

(KK) American Industrial Hygiene Association

(LL)

National Mineral Wool Association

(MM) Acoustical Materials Association (AMA)

(NN) Acoustical Materials and Insulation Association {AMIA}

(00) American Board Products Association (ABPA)

(PP) North American Industrial Hygiene Association (NAIHA)

(QQ) National Lime Association (NLI)

(RR) Contracting Plaster and Lathers International {CPLI}

(SS) American Standards Association {ASI}

(TT) American Society and Safety Engineers (ASSE)

(CJU) American Industrial Hygienists {AIH-IA}

(VV) Employing Plasterers Association (EPA)

(WW) Metal Lath Association (HA)

(XX) Pulp and Paper Institute {PFI}

(I"Y) Hardboard Association (HA)

(ZZ)

Resilient Floor Covering Institute

(AAA) Semi-Conductor Equipment and Material Institute

(BBB) Or any other such trade association to which You had or have either

corporate or individual association or to which you belong or belonged.

GPC states that it has been a member of the National Automotive Parts Association (NAPA) since 1928. GPC is also a member of the Automotive Warehouse Distributors Association. The Hayloc Division of GPC has also been a member of the Rebuilders Association since the 1940s.

For each trade organization, association or other entity identified in your

(26)

Interrogatory No. 25, state:

(A)

Dates of membership;

(B)

Type of membership, i.e., regular or associate;

(C)

The dates and type of any meetings you attended and the identity of the individuals who attended such meetings on your behalf;

(D)

(E)

(F)

The identity, title, duties and responsibilities of any individual who held an elected, appointed or self-designated position within said organization, etceteras

The names of any publications or written materials distributed by or on behalf of said organization, etcetera;

The identity of all documents received by you from said organization(s) and the dates of receipt of each;

(G)

The amount of money you contributed in each year;

(H)

(I)

Whether you served on the board or any committees, and if so, identify the person(s) who was on said board or committee, the position of the person(s) on said board or committee and the dates thereof; and

The identity of all written studies, investigations, materials, notes, summaries, minutes or transcripts relating to publications, reports, transactions and proceedings of said organization(s), etcetera and the custodian thereof.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculable discovery of admissible evidence. Subject to and without waiving its objection, hereby incorporates its response to Interrogatory No. 25, as if fully stated herein.

(27)

For each trade organization, association or other entity identified in your Interrogatory No. 25, identify all studies, tests, research, recommendations, symposia and/or speeches conducted or made which concerned, discussed, addressed the actual, alleged or possible health hazards associated with exposure to asbestos.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculable the discovery of admissible evidence. Subject to and without waiving its objection that it primarily functions as a distributor of replacement automotive parts manufactured by other companies. To this extent that GPC assembled or reassembled automotive parts that at one time may have contained asbestos components.

same materials as used and specified by the original equipment manufacturer further states that it has not participated in, provided, or received the results of tests like those described in this interrogatory, but is currently aware that GPC further states that asbestos fibers contained in automotive products reassembled by GPC, if any, were encapsulated in resins and binders and reworked by beveling, grinding, arcing, or other alteration by the end user. According to GPC, asbestos fibers was expected to occur given any reasonably foreseeable use of such parts.

With respect to each study, test, research project recommendation, suggestion,

(28)

symposium or speech identified in your Answer to Interrogatory No. 27, identify:

(A)

The individuals or groups involved therein;

(B)

(C)

(D)

(B)

RESPONSE ;

The date(s) thereof;

The complete results thereof;

The recommendations, if any, which were made as a result thereof; and

The custodian, identity and location of each document which represents, refers to or contains information relating thereto.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its objections and response to Interrogatory No. 27, as set forth herein.

Describe each action taken by you as a result of each study, test, research, or investigation in your Answer to

In your Answer to this Interrogatory, state the date of each action and the

(29)

recommendation, suggestion, seminar, symposium and/or speech identifies Interrogatory No. 27.

identity of the individual(s) who initiated said action.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its objections and response to Interrogatory No. 27, as set forth herein.

State whether you directed, sponsored, financed, participated in or received any

(30)

results of any studies and/or tests performed by the Saranac Laboratory of the Trudeau Center concerning the human health consequences of exposure to asbestos.

RESPONSE :

GPC states that it never directed, sponsored, financed, participated in any tests performed by the Saranac Laboratory. GPC further states that it is unaware

received or become aware of any such studies (other than in the course of litigation).

(31)

If your Answer to Interrogatory No. 30 is in the affirmative, identify;

(A)

(B)

(G")

All documents in your possession or control which summarize or explain the investigations or results of said studies or tests;

The identity, substance and dates of all communications, oral or written, between you and Saranac Laboratory personnel, including but not limited to Gerrit W. Schepers, M.D., Artur Vorwald, IVT. and/or Le rayu Crardner, M.D.;

All documents relating to Saranac Laboratory studies or tests which were received or submitted by you, either directly or indirectly through predecessor(s) or interest, subsidiary(ies) or affiliate(s), if any, through other companies, or through any trade associations, organizations or entities;

(D)

All recommendations or findings of such studies in relation to:

(1)

Adequacy or inadequacy of the threshold limited values;

(Z)

The signatories to the agreement;

(3)

The purpose for entering into the agreement;

(4)

What, if any, editing rights you retained regarding any reports or studies to be issued by the Saranac Laboratory; and

(5)



What, if any, materials you actually reviewed and/or edited as a result of the studies performed by Saratie Labora tory; and

(E)

The custodian and location of all documents and/or communications identified in your Answer to this Interrogatory.

RESPONSE :

Not applicable.

State whether you have ever maintained a library {or libraries} which contains books, periodicals, journals and/or reference materials that relate to the subjects of hygiene, medicine, safety, health, occupational disease and/or engineering.

If so, state :

(A)

The date each such library was established,

(B)

The location of each such library;

(C)

The identity of each librarian or other person in charge of the operation and materials of each such library;

(A)

For whose use each such library was established;

(E)

(P)

The title, publisher and dates of subscription to or acquisition of each such periodical or journal for each such library; and

The title, author, publisher, data and dates of acquisition of each such article and book for each such library.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague

Subject to and without waiving its ambiguous, Insufficiently limited in scope and time. objections, GPC states that it does not have \$ Library or medical record repository collection and maintenance of documents like those described in this interrogatory. In the extent any such non-privileged materials are in GPC's current possession, they are being produced in Atlanta, Georgia at a time mutually agreeable to counsel.

State when and by what means you became aware of the alleged hazards of exposure to (33) asbestos dusts, fibers and/or products to the health of persons coming into contact with or using asbestos products or products that incorporated asbestos-containing components or materials.

Subject to and without waiving its general objections, GPC cannot state with certainty when and by what means it first became aware of the alleged hazards of exposure to asbestos dust, fibers and/or products to the health of persons who have used asbestos products for significant periods of time. Nor can GPC state when thousands of employees who have worked for GPC since 1928 first became generally aware of the

news articles or media or medical reports claiming that asbestos exposure increased the risk of developing certain diseases. CPC denies that its products caused or contributed to such disease processes if properly used under any reasonably foreseeable use or misuse.

(34) State when and by what means you became aware that exposure to asbestos dusts, fibers and/or products was acknowledged to be or alleged to be potentially hazardous to the health of persons coming in contact with, handling or using asbestos products or products containing asbestos-containing components, parts, and/or materials.

RESPONSE :

CPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, it hereby incorporates its objections and response to Interrogatory No. 33, as set forth herein.

State whether you ever learned that there is or may be a causal connection between

(35) exposure to asbestos dust and:

- (A)
- (B)
- (C)

Asbestososis;  
Lung Cancer; and  
Mesothelioma.

RESPONSE :

GL'C is generally aware that various media, scientific studies and medical studies have reported that exposure to asbestos dust may create an increased development of certain disease processes with certain exposure levels; GPC with specificity the exact time when it became aware of such knowledge. However, exposure to its asbestos-containing products in any way causes such disease processes.

If you Answer to Interrogatory No. 35 is in the affirmative, identify the following:

(36)

such disease listed therein:

(A)

(B)

When and by what means you first became aware of such causal connection;

If your awareness of such causal connection was obtained at any conference, lecture, convention, symposium, or other such meeting, identify the event, its date, the persons who attended on your behalf and/or any documents obtained from such event; and

(C)

If your awareness of such causal connection was obtained from a medical or scientific study, or from any other published works, identify the same and the date of your receipt thereof.

Subject to and without waiving its general objections, GPC states that it cannot state with specificity when and by what means it first became aware of the alleged increased risk of exposure to asbestos dust, fibers and/or products to the health of persons or use of asbestos products for significant periods of time. Nor can GPC state whether thousands of employees who have worked for GPC since 1928 first became generally aware of news articles or media or medical reports claiming that asbestos exposure increased risk of developing certain diseases. GL'C denies that its products caused such disease processes if properly used under any reasonably foreseeable use of

State whether you specifically

informed your employees, agents, servants and/or

(37)

subcontractors that use of asbestos products, or products that incorporated asbestos components, parts, and/or materials, and/or exposure to asbestos dust or fibers was alleged to be hazardous to their health.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time. GPC further objects to it as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because there is no claim or evidence that Plaintiff was ever employed by GPC at any of GPC's plants, and any safety issues and/or the potential exposures to someone working in GPC's manufacturing and assembling operations, if any, or relevant to any potential exposures, if any, encountered during automotive repair alleged in this litigation. GPC further refers Plaintiffs to its response to Interrogatory

(38)

If your Answer to Interrogatory No. 37 is in the affirmative, state:

(A)

(B)

When and in what manner you first provided such information to these persons;

The identity of any agent, servant, employee, officer or representative of yours involved in discussions and decisions regarding providing such information to these persons;

(C)

The verbatim content of any written documents and/or communications containing such information; and

(n)

The custodian, identity and location of all documents which relate or pertain to providing such information to these persons.

RESPONSE:

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time. GPC further objects to it as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because there is no claim or evidence that Plaintiff was ever employed by GPC at any of GPC's plants, and any safety issues and/or the potential exposures to someone working in GPC's manufacturing and assembling operations, if any, or relevant to any potential exposures, if any, encountered during automotive repair alleged in this litigation. GPC further refers Plaintiffs to its response to Interrogatory

Describe in detail any precautionary procedures which you urged or required  
(39)

employees, agents, servants and/or subcontractors to follow so as to reduce a

potential hazards or dangers associated with use of asbestos products, or products containing asbestos-containing components, parts, and/or materials, and/or exposure to asbestos, and state when and how each such procedure was introduced to the individuals.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, GPC further objects to it as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because there is no claim or evidence that Plaintiff was ever employed by GPC, or any of GPC's plants, and any safety issues and/or the potential exposures to asbestos of someone working in GPC's remanufacturing and assembling operations, if any, are not relevant to any potential exposures, if any, encountered during automotive repair operations alleged in this litigation. GPC further refers Plaintiffs to its response to Interrogatory

State whether you ever required Your employees, agents, servants and/or subcontractors to

(40)

worked with and around asbestos author asbestos products and/or or products containing asbestos-containing components, parts, and/or materials to wear respirators, protective clothing and/or other protective devices.

If so, state

(A)

(B)

(C)

Which employees, agents and/or servants, by type of employment and department, were required to use each such protective device;

The dates on which the directive relative to each such protective device was issued for each type of employee and each department;

Which type of protective device was required to be used or worn by each type of employee and each department;

(D)

(E)

The identity of any agent, servant, employee, officer or representative of yours involved in discussion and decisions regarding the same; and

The custodian, identify and location of all documents pertaining to protective devices.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague,

ambiguous, insufficiently limited in scope and time. GPC further objects to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because there is no claim or evidence that Plaintiff was ever employed by GPC at any of GPC's plants, and any safety issues and/or the potential exposure of someone working in GPC's remanufacturing and assembling operations, if any, are not similar or relevant to any potential exposures, if any, encountered during automobile repairs or those alleged in this litigation. Similarly, safety equipment that may be used by someone working in a remanufacturing or assembly operation is not relevant to someone performing automobile repairs.

to

Interrogatory No. 19.

GPC further refers Plaintiffs

to its response

to

(41)

State whether at the commencement of an individual's employment with you, to the present, you informed that person as to possible health ramifications of work involving asbestos fibers, dust and/or products that incorporated asbestos-containing component materials.

If so, set forth:

(A)

The nature of the warning;

(B)

The manner in which said information is communicated and, if the communication is in writing, attached a copy here to;

(C)

When such practice was initiated; and

(D)

By whom such information is communicated.

RESPONSE "

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time. GPC further objects to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because there is no claim or evidence that Plaintiff was ever employed by GPC.

any of GPC's plants, and any safety issues and/or the potential exposure of someone working in GPC's remanufacturing and assembling operations, if any, or relevant to any potential exposures, if any, encountered during automotive alleged in this litigation. GPC further refers Plaintiffs to its response to

State whether you ever provided users and others who would be applying or re (42)

incorporated asbestos-containing components, parts, and/or asbestos products or products that materials instructions concerning safety precautions to use during use of products.

RESPONSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time. Subject to and without objections, GPC states that its products are primarily sold by retail stores that are

independently owned and operated and that GPC has little or no contact with consumer of its automotive products. GPC further states that its products, if used or under any foreseeable use, do not cause or contribute to any asbestos-related disease processes. By way of further response, GPC refers Plaintiffs to its Interrogatory No. 19.

(43)

State when you first became aware or received notice that any person was claiming a result of use of and/or exposure to asbestos products or products that incorporated containing components, parts, and/or materials identified in your Answers to and 17.

USP4NSE :

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to the discovery of admissible evidence. Subject to and without waiving its states that in today's asbestos litigation, many lawyers for various Plaintiffs entities that they can think of regardless of whether that defendant's product true responsibility for the alleged injury. GPC states that it has been named in various lawsuits alleged asbestos-related injuries. GPC objects to this overly broad, unduly, burdensome, insufficiently limited in scope and time limited to substantially similar occurrences, and not reasonably calculated to the discovery of admissible evidence to the extent that it purports to require GPC compile further information about any individual claim.

(44) With regard to the first awareness or notice of claim of injury described in Interrogatory No. 43 and regarding all claims filed up to the present for any resulting from the use of and/or exposure to asbestos products or products that incorporated asbestos-containing components, parts, and/or materials, state:

(A)

The identify of each Claimant;

(B)

The date of notice of each claim;

(C)

A description of each claim;

(D)

The type of injury allegedly sustained by each claimant;

(E)

The job location and job function of each claimant;

(F)

The date of employment of each claimant;

(G)

The identity of each attorney representing the individuals making such claims;

(H)

The style, case number and court applicable to each claim;

(I)

(J)

The resolution of each claim; and

The custodian, identity and location of all documents which relate or pertain to each claim.

GPC objects to this Interrogatory as overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its objections and response to Interrogatory No. 43, as set forth herein.



State whether, at any time prior to the present, any person filed a claim against (45)

compensation insurance carrier which provided coverage for you alleging that he disease as a result of use of and/or exposure to asbestos products or products asbestos-containing components, parts, and/or materials identified in your Answer Nos. 8 and 17.

GPC objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and insufficiently limited in scope and time. GPC further objects to this interrogatory as irrelevant and not reasonably calculated to lead to the discovery of evidence because there is no claim or evidence that Fred Lombardi, Sr. was ever employed or present at any of CPC's plants, and any safety issues and/or the potential exposure to asbestos to someone working in GEC's remanufacturing and assembling operations are not similar or relevant to any potential exposures, if any, encountered during repairs or those alleged in this litigation.

If your Answer to

(46)

information:

Interrogatory No. 45 is

in the affirmative, provide the following

(A) A list of each such claim by claimant's name, occupation, date of employment, job location, date claim filed and jurisdiction; and

(B) A brief summary of the disposition of each such claim.

RESPONSE:

Not applicable.

(47)

State whether you ever received any reports or communications from your workers compensation insurance carrier or products liability insurance carrier with regard to hazards incident to use of asbestos products, or products that incorporated asbestos components, parts, and/or materials, and/or exposure to asbestos fibers or dust.

GPC objects to this Interrogatory as vague and ambiguous, overly broad, insufficiently limited in scope and time and not reasonably calculated to lead to the discovery of evidence. Subject to and without waiving those objections, GPC states that it has never having ever received such reports or communications other than OSFIA compliance and related material to which CPC previously referred in these responses.

(48)

f your Answer to Interrogatory No. 47 is in the motive, state:

(A)

(B)

The substance of the contents of such reports or communications;

The identity of the insurance carrier from which you received each report or communication;

(C)

The date of each such report or communication; and

(D)

The custodian, identity and location of all documents which relate or pertain to such reports or communications.

RESPONSE :

Subject to and without waiving its general objections, GPC hereby incorporates its objections and response to Interrogatory No. 47, as if fully stated herein.

(49)

State whether you ever maintained or operated a unit or units of your corporation, but not limited to, divisions, subsidiaries or any other entity, which was/ were or install the asbestos products or products that incorporated asbestos-containing and/or materials described in your Answers to Interrogatory Nos. 8 and 17.

RESPONSE :

No.

If your Answer to Interrogatory No. 49 is in the affirmative, identify any and all (SO)

by workers in such contract units or divisions alleging disease arising out of products, or products that incorporated asbestos-containing components, parts and/or exposure to asbestos fibers or dust and, as to each such claim, state:

(A)

The date on which you first received notice;

(B)

The identity of the claimant;

(C)

The nature and description of the claim;

(L2)

The job location and job function of each defendant;

(E)

The date of employment of each claimant;

(F)

The style, case number and jurisdiction;

(G)

The resolution of the claim; and

(fi)

The custodian, identity and location of all documents which relate or pertain to each claim.

RESPONSE :

Not applicable.

Describe the methods by which you have maintained records concerning the maintenance, repair, and replacement of the asbestos-containing components, parts, and/or materials in the building.  
(51)  
sale, advertising, distribution, delivery and installation of each of the asbestos-containing components, parts, and/or materials in the building.  
that incorporated asbestos-containing components, parts, and/or materials in the building.  
to Interrogatory No. 8 and 17.

RESPONSE :

this.

interrogatory

GPC objects on the grounds that

is overly broad, unduly burdensome, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. GPC further objects to this request to the extent it seeks the production of documents protected by the attorney-client privilege and the product doctrine. Subject to and without waiving said objections, CPC seeks the production of documents.

record retention policy but does not have an official custodian of business records. Plaintiff further states that documents describing or identifying GFC's record retention policy, to the extent they exist, will be made available to Plaintiffs at a time mutually agreeable to both parties. The provision of further information would require preparation of a summary of the records, said documents, the burden and expense of which is substantially the same for Plaintiff as for GPC.

With regard to the record-keeping method described in your Answer to Interrogatory

(52)  
identify:

(A)

(F3)

(C)

Each present and former corporate department, division or subdivision responsible for maintaining the records;

How the records are kept, e.g., in boxes, filed, on microfilm, microfiche or computer tape or disk;

The inclusive dates of manufacture, date, advertising, distribution, delivery and installation that the record keeping system covers;

(D)

The location(s) where such records are maintained; and

(E)

The identity of each person employed by you at any time from 1930 to the present, in the highest supervisory capacity, who is or was directly responsible for the collection and maintenance of such records.

RESPONSE:

GPC objects on the grounds that this

is overly broad, unduly burdensome, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its rights, GPC hereby incorporates its objections and response to Interrogatories No. 51, and 52, herein.

interrogatory

If the record keeping system described in your Answer to Interrogatory No. 51 is (53) of microfilm, microfiche, computer loge or disk or any other system in which other records, state whether you have retained the documents or other material information entered into these modes of storage was obtained.

If not, indicate:

(.A)

(B)

The date when and location where the original records were destroyed or discarded; and

The identity of each employee, representative, official or agent of yours who ordered, authorized or supervised said destruction.

RESPONSE :

GPC objects on the grounds that

is overly broad, unduly burdensome, insufficiently limited in scope and time, and not reasonably calculated to produce the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its objections and response to Interrogatories No. 51, as set forth herein.

interrogatory

this

(54)

State whether, at any time from 1930 to the present, you made any representation or statement about the presence of asbestos in the products identified in your Answer to Interrogatory No. 54. Were these products superior, in any way, to any asbestos-free product or material intended for similar use.

S\_PONSE :

this

interrogatory

GPC objects on the grounds that

is overly broad, unduly

burdensome, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC states that to the extent that GPC assembled or remanufactured automotive parts over time may have contained asbestos components, GPC used the same materials specified by the original equipment manufacturers (OEMs). GPC further states that fibers contained in automotive products remanufactured or assembled by GPC, encapsulated in resins and binders and required no sanding, beveling, grinding, or other alteration by the end user. Accordingly, no exposure to asbestos fillers will occur given any reasonably foreseeable use of such products.

By way of further response, GPC states that it is unable to reconstruct the materials used for its products over the 75 or more years that GPC has been in business. That any marketing information about any asbestos-containing automotive products located, it has been placed in a document repository, which GPC will make available to the Plaintiffs in Atlanta, Georgia at a time mutually agreeable to counsel.

If your Answer to Interrogatory No. 54 is in the affirmative, indicate with

(55)

such representation:

(A)

The dates on which the representation was made;

(B)

Its exact content; and

(C)

The manner in which it was communicated.

RESPONSE:

GPC objects on

the grounds that

is overly broad, unduly burdensome, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its objections and response to Interrogatories No. 54, as set forth herein.

interrogatory

this

State whether, at any time from 1930 to the present, you made any representation  
(56)

use of asbestos or the use of the asbestos products or products that incorporated components, parts, and/or materials identified in your Answer to Interrogatory safe, harmless or not dangerous.

RESPONSE :

this

interrogatory

GPC objects on the grounds that

Is overly broad, unduly burdensome, insufficiently, limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objection, GPC stated as intended, its asbestos-containing automotive products were safe because any asbestos contained in those products was encapsulated within a matrix and was therefore not repairable. GPC further states that its automotive products were remanufactured or assembled to precise specifications and were specifically designed to be installed as sold, without further arc-ing, grinding, or other alteration by the user. To the extent such products were arced, ground, or otherwise altered after they left GPC, GPC states that then they were misused. GPC is unable to reconstruct the marketing used for its products over the 'fifty or more years that GPC has been in business. To the extent that any information about any asbestos-containing automotive products was located, GPC will place it in a document repository, which GPC will make available to Plaintiff in Georgia at a time mutually agreeable to counsel.

If your Answer to Interrogatory No. 56 is

(57)

representation:

in the affirmative,

indicate as to each such

(A)

The date(s) on which the representation was made;

(13)

Its exact content; and

(C)

The manner in which it was communicated.

Not applicable.

State whether any of the asbestos products or products that incorporated asbestos-containing components, parts, and/or materials identified in your Answers to Interrogatory No. 58 ever stored or warehoused by you in Pennsylvania at any time from 1930 to the present.

RESPONSE :

GPC objects on the grounds that this interrogatory is overly broad, unduly burdensome, and insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC's distribution center was located at 500 Third Avenue, Dunessville, PA 16633, Pennsylvania. The distribution center was acquired by Davis and Wilmar, Inc. in June, 1991.

(S9)

If your Answer to Interrogatory No. 58 is in the affirmative, identify:

(A)

The address of each warehouse or storage facility;

(E.)

The asbestos products or products that incorporated asbestos-containing components, parts, and/or materials stored or warehoused at each warehouse facility identified in your Answer to part (A) of this Interrogatory.

or forms

(C)

The years of such storage or warehousing; and

(D)

The custodian, identity and location of each document in your custody, possession or control which describes or relates to such storage or warehousing.

RESPONSE :

GPC hereby incorporates its objections and response to Interrogatories No. 58 and 59 fully stated herein.

State whether you contend that you did not have any reason or duty to warn



(60)

Plaintiffs' employers, or users of the asbestos products or products that incorporate containing components, parts, and/or materials identified in your Answer to interrogatory No. 18. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE :

GPC further objects to this interrogatory because it improperly seeks to require GPC to offer a legal opinion, and because it assumes facts not in evidence. The burden is

upon Plaintiffs to establish that GPC had any legal duties with respect to asbestos. The burden remains unsatisfied. Subject to and without waiving its objections, GPC states that, as used as intended, its asbestos-containing automotive products were safe because any asbestos contained in those products was encapsulated within a resin matrix and was therefore not respirable. GPC further states that its automotive products were remanufactured or assembled to precise specifications and were specifically designed to be installed as sold, without further arcing, grinding, or other alteration by the end user. To the extent such products were arced, ground, or otherwise altered after they left GPC's control, then they were misused. By way of further response, GPC hereby incorporates by reference its answer and response to interrogatory No. 19, as if fully stated herein.

State whether you contend that you performed adequate tests of the safety of the products that incorporate asbestos-containing components, parts, and/or materials. If so, state all facts and identify all documents which form the basis for such a contention.

(61)

products or products that incorporate containing components, parts, and/or materials identified in your Answer to Interrogatory Nos: 8 and 17. If so, state all facts and identify all documents which form the basis for such a contention.

RESPONSE , NM

GPC objects to this Interrogatory because it is vague, ambiguous, insufficiently particularized, limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC states that it functions as a distributor of replacement automotive parts designed and manufactured primarily by other companies. To the extent that GPC assembled or remanufactured automotive parts that at one time may have contained asbestos components, GPC states that the same materials as used and specified by the original equipment manufacturer were used. GPC further states that asbestos fibers contained in automotive products remanufactured by GPC, if and, were encapsulated in resins and binders and required no sanding, grinding, beveling, grinding, arcing, or other alteration by the end user. Accordingly, GPC states that asbestos fibers was expected to occur given any reasonably foreseeable use of the

State whether you contend that you did not conspire with others to allow asbestos

(62)

incorporated asbestos-containing components, parts, and/or materials to be products that without adequate warnings, or without any warnings, regarding the hazards or risks. If so, state all facts and identify all documents which form the basis for such exposure to asbestos.

RESPONSE :

GPC objects to this interrogatory because it is vague, ambiguous, overly broad, burdensome and not reasonably calculated to lead to the discovery of admissible information. Subject to and without waiving those objections, GPC states that it has no asbestos-related "conspiracy."

State whether you contend that there are circumstances under which asbestos products

(63)

products that incorporated asbestos-containing components, parts, and/or materials. If so, state all facts and identify all documents which form the basis for such asbestos handled and used.

RESPONSE :

CPC objects to this interrogatory because it is vague, ambiguous, overly broad, burdensome and not reasonably calculated to lead to the discovery of admissible information. GPC also objects to this interrogatory because it calls for GPC to assume facts not in dispute. Subject to and without waiving these objections, CPC does contend that asbestos brake and clutch parts can be safely used given the encapsulated nature of the asbestos. Moreover, GMC's automotive products were intended to be installed without grinding, abrasion, or other modification. Accordingly, no exposure to asbestos is expected to occur given any reasonably foreseeable use of such products.

With regard to each type of asbestos product or product that incorporated asbestos

(64)

components, parts, and/or materials identified in your Answers to Interrogatory No.

(A)

Where it was purchased, or if it was not purchased, where it was obtained;

(H)

From whom it was purchased or obtained and when;

(C)

The manner in which it was received, stored and used in the production of the product; and

(17)

The amount of it received by you on a year to year basis.

GEC objects to this Interrogatory because it is vague, ambiguous, overly broad, burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC hereby incorporates its response to Interrogatory NO. 8, as it fully stated hereto.

Before marketing, selling, distributing and/or installing the asbestos-containing products that incorporated asbestos-containing components, parts, and/or materials (65)

Answers to Interrogatory Nos. 8 and 17 did you or anyone on your behalf conduct any tests of such products concerning their potential for causing injury to persons exposed to them? If your answer is in the affirmative, please state;

(A)

The particular products upon which such tests were performed;

(B)

When said tests were performed;

(C)

By whom said tests were performed;

(D)

Where said tests were performed;

(E)

What tests were performed;

(F)

The reason for performing said tests;

((3)

The results of said tests;

(H)

To whom said results were reported or communicated; and

(I)

Where the results of said tests were memorialized.

functions as a distributor

GPI objects to this Interrogatory because it is vague, ambiguous, insufficiently limited in scope and time, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, GPC states that it

off' replacement automotive parts designed and primarily

manufactured by other companies. To the extent that GPC assembled or remanufactured automotive parts that at one time may have contained asbestos components, same materials as used and specified by the original equipment manufacturer. Accordingly, GPC has not conducted, engaged, or participated in "tests, research" like that described in this interrogatory.

Before marketing, selling, distributing and/or installing the asbestos-containing (66)

products that incorporated asbestos-containing components, parts, or other materials. Answers to Interrogatory No. 26 and 27, did you or anyone on your behalf conduct medical and scientific literature concerning asbestos or asbestos-containing products and health hazards associated therewith.

If your answer is in the affirmative, please state:

(A)

The particular searches performed;

(B)

When said searches were performed;

(C)

The dates of such searches;

(D)

Where said searches were performed;

(E)

By whom said searches were performed;

(F)

The results of said searches ;

(G)

To whom the results were reported or communicated ; and

(H)

Where the results of said searches were memorialized .

RESPONSE :

GPC objects to this interrogatory because it is vague, ambiguous, insufficiently limited in scope and time, not reasonably calculated to lead to the discovery of evidence. Subject to and without waiving its objections, GPC states that it operates as a distributor of replacement automotive parts designed and manufactured by other companies. To the extent that CPC assembled or remanufactured automotive parts, one time may have contained asbestos components, GPC used the same materials specified by the original equipment manufacturers {OEMs}. CPC states that no one on its behalf has conducted the type of search described in this Interrogatory.

(67)

At the time of development of or at the time of the decision to manufacture, sell, and/or install each of the asbestos-containing products or products that incorporate asbestos-containing components, parts, and/or materials identified in your Answers to Interrogatories 16 and 17, did you attempt to determine whether the product complied with any applicable safety standards, safety orders, regulations, laws, rules and design requirements of the Federal Government of the United States?

(A)

(B)

If the answer is in the negative, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis; and

If the answer is in the affirmative, identify those safety standards, safety orders, regulations, laws, rules, or other ordinances which you claim you considered.

RESPONSE :

GPC objects to this interrogatory because it is vague, ambiguous, insufficiently limited in scope and time, not reasonably calculated to lead to the discovery of evidence. Subject to and without waiving its objections, GPC states that it

as a distributor of replacement automotive parts designed and manufactured by other companies. To the extent that CPC assembled or remanufactured automotive parts, one time may have contained asbestos components, GPC used the same materials specified by the original equipment manufacturers (OEMs). To GPC's knowledge, no asbestos standards were in existence at the times described in said interrogatory.

(68) Have you ever communicated with an agency or department of the United States or local government, concerning the specifications and/or standard for any asbestos-containing products or products that incorporated asbestos-containing components, parts, or materials? If so, state separately for each product or set of specifications:

(A)

Identify each such product;

(B)

(C)

The number, if any, assigned to the military or federal specification or standard;

The intended purpose or use for the product so specified;

(D)

Title date, time and place of each communication and:

(1) The name of each of your agents or employees who participated in each communication;

(2)

(3)

(4)

(5)

(6)

The name, titles, and agencies or each individual with whom such communication was held;

The subject of the communication;

Whether any notes, minutes or memoranda in any form were

recorded of such communication or of any meetings between you and the agency;

Whether any documents were submitted to the agency; and

If (4) or (5) is answered in the affirmative state the name, and location of the custodian or such records.

nNSE :

Not to GPC's knowledge.

(69)

Have you ever been a member of or participated in a trade association which with any agency or a department of the United States, concerning specifications of any asbestos products or products that incorporated asbestos-containing components? If so, state separately for each product or set of specifications:

(A)

The identify of each such product;

(B)

The number, if any, assigned to the military or federal specification or standard;

(C)

The name of the association;

(D)

The years during which you were a member of or participated in the association;

(E)

The intended purpose or use for the product or specification;

(F)

The date, time and place of each communication:

(1)

(2)

(3)

(4)

(5)

The name of each of your agents or employees who participated in each communication;

The name, titles, and agencies of each individual with whom such communication was had;

The subject of the communication;

Whether any notes, minutes or memoranda in any form were recorded of such communication or of any meetings between you and the agency; and

Whether any documents were submitted to the agency, including the name, and location of the custodian of such records, .

RESPONSE :

,

GPC states that it is a member of A.P-LA, NAPA., and AWDA; however, at this GPC has no knowledge of these associations' communications regarding military product specifications for any asbestos-containing product

Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium not previously identified herein dealing with hazards of asbestos inhalation or use of asbestos-containing products or products containing asbestos components, parts, and/or materials and, if so, state :  
(70)

Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium not previously identified herein dealing with hazards of asbestos inhalation or use of asbestos-containing products or products containing asbestos components, parts, and/or materials and, if so, state :

(A)

The date and place of such conference, seminar, lecture or symposium;

(B)

The person or persons conducting such conference, seminar, lecture or symposium;

(C)

The person or persons who attended on your behalf;

(D)



The subject matter of such conference, seminar, lecture or symposium;

(E)

The speakers and/or moderators at such conference, seminar, lecture or symposium; and

(F)

Whether any reports or memoranda were made concerning the subject matter of such conference, seminar, lecture or symposium, identifying each such report or memorandum.

RESPONSE :

GPC objects to this interrogatory because it is overly broad, unduly burdensome and ambiguous, insufficiently limited in time and scope, and because it is calculated to lead to the discovery of admissible evidence. Subject to these objections, GPC states that it cannot report on the activities of each of the 10-year periods with respect to attendance at any meeting or seminar where asbestos exposure may have been discussed.

Identify all patents issued, or any applications made therefor by you, for any (71)

product which was developed to replace an asbestos-containing product. Specify patent, the date(3) of application, issuance and renewal if applicable, to whom issued, and the product(s) for which each patent was issued.

RESPONSE :

GPC has not received, or applied for, any patents like those described in the interrogatory.

Pursuant to your record destruction or retention policy have you destroyed any documents

(72)

records or writings pertaining to:

(A)

Health hazards of asbestos;

(H)

Workmen's Compensation claims arising out of asbestosis, lung cancer, mesothelioma, asbestosis, pneumoconiosis, or pulmonary fibrosis;

(C)

Placing caution statements or warning labels on your products;

(D)

Hazardous conditions in your mines, plants or factories;

(E)

Funding of studies about health hazards of asbestos; and

(F)

Lawsuits arising out of injuries alleged to have been caused by asbestos.

RESPONSE :

GPC does have a record retention policy. GEC states that its business records are located at its corporate headquarters in Atlanta, Georgia and various offices and distribution centers around the United States.

its

products are typically maintained in GPC's distribution centers for several years. To the extent this interrogatory requests additional information, GPC finds it to be overly broad, unduly burdensome, and insufficiently limited in scope. GPC further states that documents describing or identifying GPC's record retention policy will be made available to Plaintiffs at a time mutually agreeable to GPC. GPC further states that any non-privileged documents responsive to this interrogatory, to the extent they exist, have been placed in a document repository, which is available to Plaintiffs in Atlanta, Georgia at a time mutually agreeable to GPC.

States records relating to

(73)

State your understanding of what legal duties or obligations you have or have not met regarding testing, inspection, design, manufacturing and use of the asbestos-containing components, parts, and/or materials identified in Interrogatory Nos. 8 and 17 before and after marketing them for sale.

RESPONSE :

AFC objects to interrogatory because it is vague, overly broad, unduly burdensome, insufficiently limited in scope and time, not reasonably calculated to lead to the discovery of admissible evidence, and beyond the scope of discovery permitted by the Pennsylvania Civil Procedure.

AFC further objects to this interrogatory because it improperly seeks to require GPC to offer a legal opinion, and because it assumes facts not in evidence. GPC has no proof upon which to establish that GPC had any legal duties with respect to asbestos and said burden remains unsatisfied.

State whether you have ever discussed or considered the effect giving caution s

(74)

warnings would have on sales of products containing asbestos. If so, please st

(A)

The form of consideration or discussion;

(H)

The date of the discussion or consideration;

(C)

(D)

(E)

If the consideration or discussion occurred at a meeting, the names and present business and home addresses of those attending;

The location and identifying codes of any records of such considerations or discussions;

Whether you discussed or considered the effect such warnings) would have on sales of the product;

(F)

Whether you considered or discussed the costs that would be incurred in preparing and using such label; and

(G)

Whether consideration was given to the effect any particular language used in a warning might have on sales.

RESPONSE :

GPC objects to this interrogatory because if

is vague, ambiguous, overly broad, unduly burdensome and insufficiently limited in scope and time. Subject to waiving those objections, GPC states that it is unaware of any such discussions or considerations. GPC further refers Plaintiffs to its response to Interrogatory No

(7S)

Did you ever consider the resultant effect on sales of the asbestos products or products that incorporated asbestos-containing components, parts, and/or materials identified in the list above?  
If so, please

Interrogatory Nos. 8 and 17 of the public knowing of health hazards linked to asbestos in the state.

(A)

The form of the consideration;

(B)

The date of the consideration;

(C)

The names of each person who considered the matter;

(U)

If the consideration occurred at a meeting, the names and present business addresses of those attending; and

(E)

The location and identifying code of all records of such consideration;

RESP, MSE:

GC'C objects to this interrogatory because it is vague, ambiguous, overly broad, burdensome and insufficiently limited in scope and time. Subject to and without objections, GPC states that it is unaware of any such discussions or considerations and further refers Plaintiffs to its objections and response to interrogatory No. 19.

Have you ever imposed or considered any restrictions or limitations on the sale of asbestos-containing products or products that incorporated asbestos-containing components?  
(76)

If so, state separately for each product

and/or materials you sold, supplied, distributed and/or installed?

(A)

The verbatim content of each limitation indicating which product it applied to;

(B)

The date it was first imposed;

(C)

The reason for imposing the restriction or limitations;

(D)

If the reason for the restriction is sorted in any document, identify each document by date, author, title and state where it is presently located;

(E)

The person responsible for imposing the restriction or limitation;

(F)

If the limitation or restriction was communicated to purchasers of the product, state how this was communicated and if in writing, identify the communication and attach a copy to your answer; and

(G)

If not imposed, state why not.

RESP NSE :

CPC objects to (ir)is interrogatory because it is overly broad and insufficiently scope and time. GPC Further objects to this interrogatory because it is vague, and fails to specify the information sought with reasonable particularity. GPC Plaintiffs to its objections and response to Interrogatory No. 19.

( '7' I)

Did you, at any time since 1930, ever consider providing any warnings, use label or imposing any restriction on the use of the asbestos-containing products incorporated asbestos-containing components, parts, and/or materials identified Interrogatory Nos. 8 and 17? If so, state separately for each time the matter was

(A)

The form of the consideration;

(H)

The date of the consideration;

(C)

If the consideration occurred at a meeting, the names and present business and home addresses of those attending;

(D)

The substance of the consideration;

(E)

The location and identifying codes of any records of such consideration;

(F)

What language would be used in sash label and whether you considered the effect such language would have in:

(1- )

Providing an adequate warning; and

{2}

Depressing sales of the products;

(G)

What were the various sizes of labels that were considered and the substance of the discussion; and

(H)

Where each label or warning was to be placed on the product and the substance of any pertinent discussions.

RESPONSE :

GPC objects to this interrogatory because it is overly broad and insufficiently scope and time. Subject to and without waiving its objections, GPC hereby i objections and response to Interrogatory No , 19, as if fully stated hereon.

Did you receive any warning, instructions, or information as to the potential (78) asbestos inhalation when you purchased, or accepted any asbestos or asbestos-con If so, for each:

(A)

(B)

(C)

(D)

Describe in detail each sack warning, instruction or information received,

State whether such warning, instruction or information was oral or written;

If oral, identify the substance of the warning, instruction or information received and the date and the name and company of the person from whom received; and

if written, attach a copy of each warning, instruction and information, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to you.

~, ~SPO I~SIE :

GPC objects to this interrogatory because it is overly broad, unduly burdensome and ambiguous, and is beyond the scope of discovery. Subject to and without objection, GPC states that it may have received asbestos warnings from vendors of friction product materials, although CPC cannot state the appropriate content of such warnings at this time,

(79) Have you ever included a health warning with respect to any product manufactured which does not contain asbestos, indicating that such non-asbestos containing product may be harmful to human beings? If so, for each such product, please state:

(A)

the name of the product;

(B)

The chemical composition or ingredients of the product;

(C)

The use for which such product is intended;

(D)

The manner in which it is thought the product may cause harm to human beings;

(E)

The contents of the warning;

(F)

The size of the warning;

(G)

The color of the warning;

(H)

The date the warning was first given to the public; and

(I)

The names of the people responsible for or participating in the decision to provide the warning and:

(1)

Their present address;

(2)

(3)

Their present position or status with your company; and

The position held at the time the decision was made.

## RESPONSE

GPC objects to

is overly broad and not reasonably  
calculated to lead to the discovery of admissible evidence because it is directed  
at the subject of this lawsuit. Subject to end without waiving its objections  
incorporates its objections and response to Interrogatory No. 19, as if it stated  
this Interrogatory because it

(80) Have you ever sent any advisory letter or memoranda to any of your customers  
including without limitation, to any co-defendant in this case) which attempts to  
health hazard that may be associated with the use of asbestos-containing products  
incorporated asbestos-containing components, parts, and/or materials? If so,

(A)



Identify the author of each such advisory letter or memorandum;

(B)

(C)

(D)

State the content of such advisory letter or memorandum;

Identify the person(s) to whom each such letter or memorandum was sent;

State the date on which each such letter was sent; and

(E)

Identify the custodian of all such advisory letters or memoranda.

RESPONSE :

Subject to and without waiving its -general objections, GPC hereby incorporates its objections and response to Interrogatory No. 19, as if fully stated herein.

State whether you have ever attended any meetings related to the setting of

(81)

governmental standards or regulations related to asbestos.

If so, identify;

(A)

When the meeting occurred;

(B)

The participants;

(C)

The standard or regulation which was involved;

(D)

All other participants at the meeting; and

(E)

All documents which evidence, reference or relate to any such meeting.

RESPONSE :

GPC objects to this interrogatory because It is vague and ambiguous. Subject and without waiving this objection, GPC states that it is unaware of any GPC having attended such meetings.

(82)

State whether you ever received or are in possession of any documents, reports, or studies which were done by you or someone on your behalf concerning the potential associated with exposure to asbestos or asbestos-containing products, which were made available to the public; If your answer is in the affirmative, please state; otherwise made available to members of the public.

(A)

The index of the writing, report, document

(B)

The date;

(C)

By whom prepared;

(n)

To whom it was sent; and

(E)

Where a copy of the document, writing, report or study is maintained.

RESPONSE :

GPC objects to this interrogatory because it is vague and ambiguous. Subject and without waiving its objections, no. By way of further response, GPC states that Such documents and reports received from its employees and independent contractors information are not relevant because there is no claim or evidence that Fredrickson's asbestos-related facilities are related to its asbestos abatement facilities.

ever employed by GPI or present of any of CPC's plants, and any safety issues or potential exposures to asbestos to someone working in GPC's manufacturing facilities.

operations, if any, are not similar or relevant to any potential exposure, if during automotive repairs or those alleged in this litigation.

(83)

State whether you received any document, study, reports or other writings concerning potential health hazards associated with exposure to asbestos or asbestos-containing document(s) were not made available through publication to members of the public.

If your answer

is in the affirmative, please state:

(A)

The date of said document,

(S)

The date received by you;

(C)

By whom it was sent;

(T?)

To whom it was sent;

(E)

(F)

(G)

The title of the document, if any;

The subject matter of the documents; and

Where a copy of said document is maintained.

GPC objects to this interrogatory because it is vague and ambiguous. Subject without waiving its objections, no. By way of further response, GPC states it received reports from its

Such documents and

Information are not relevant because there is no claim or evidence that Freeman ever employed by GPC or present at any of GPC's plants, and any safety issues potential exposures to asbestos to someone working in GPC's remanufacturing operations, if any, are not similar or relevant to any potential exposures, if during automotive repairs or those alleged in this litigation.

insurers related to its

facilities .

(84)

State whether and when you became aware of the potential health hazards associated with exposure to asbestos or asbestos-containing products you continued to sell, distribute, or install asbestos-containing products or products that incorporated asbestos-containing materials identified in your Answers to Interrogatory Nos. 5 and 17 without adequate warnings and, if so, state:

(A)

The date you became aware of the potential hazards;

(B)

The period of time for each such product that you continued to sell, distribute or install said product without a caution or warning;

(C)

The reason(s) for continuing each sales, distributions or installations after you became aware; and

(A)

The person(s) responsible for such decision(s).

RESPONSE :

GPC objects to this interrogatory as vague, overly broad, unduly burdensome, and not sufficiently limited in scope and time, not reasonably calculated to lead to the discovery of admissible evidence and seeks information and documents so remote in time and place as to be outside the scope of discovery. Subject to and without waiving said objections, GPC objects to the discovery of asbestos-containing products were sold with the caution description described in Interrogatory No. 19 and further, that the products it distributed do not pose a health hazard when used and installed as directed.

(85)

If you contend that you are not responsible for the alleged acts, omissions and/or failures for any predecessor in interest, state the facts upon which you base such contention and attach documents in support thereof.

RUP

S1E ;

GPC objects because said

interrogatory 3s overly broad, unholy burdensome, unrestricted as to time, and seeks discovery of facts and opinions protected the attorney-client privilege and work-product doctrine.

(&6)

State whether after learning the potential health hazards associated with exposure to asbestos-containing products you informed those selling, distributing and/or product of those potential hazards.

If so, state :

(A)

Those informed ;

(T3)

The date(s) as to each ;

(C)

Who informed them;

(D)

What information was given ; and

(E)

If given in writing

{1}

The author ;

(Z)

To whom sent ;

(3)

The date ; and

(4)

Where a copy of the writing is maintained.

RESPONSE :

GPC objects to this interrogatory because it

is vague, ambiguous, overly broad, redundant, cumulative, unduly burdensome, insufficiently limited in scope and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving those objections, GPC refers Plaintiffs to its objections and responses in No. 19.

Identify all documents that you will use in support of your defense that you are

(87)  
punitive damages.

RESPONSE ;

GPC objects to this Interrogatory because it is overly broad, unduly burdensome, vague, ambiguous, insufficiently limited in scope, and because it fails to specify the information sought with reasonable particularity and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, GPC refers Plaintiffs to its knowledge concerning Plaintiffs' claims as to GPC are presently limited to the generic allegations contained in Plaintiffs' complaint and/or discovery. GPC's investigation into this matter are continuing, GPC reserves the right to respond to the extent required by the Pennsylvania Rules of Civil Procedure and any applicable pretrial scheduling order.

For each of the asbestos-containing products or products that

(88)  
incorporated asbestos-containing components, parts, and/or materials identified in your Answers to Interrogatories 16 and 17, indicate the purpose of asbestos fibers in the product formulation and whether or not asbestos fibers were necessary for the proper performance of the product as intended.

RESPONSE :

to

this

GPC objects

interrogatory because It

is vague, overly broad, unduly burdensome, and insufficiently limited in scope and time. GPC further objects to this interrogatory because it fails to specify the information sought with reasonable particularity. Subject to and without waiving these objections, GPC states that the purpose of this

containing friction materials included in any GPC automotive product v  
proper functioning off automotive equ [pment including braking, at ordin  
temperatures, up to several hundred degrees Fahr enheit.

(89)

If you ever received notification or awareness of the failure of any of your  
containing products or products that incorporated asbestos-containing compon  
materials to. perform as intended by you, state:

(R)

The name of the product;

(B)

The problem or failure discovered or of which you became aware;

(C)

The date you initially became aware of such problem or failure;

(D)

The time period during which you received notification of continued  
existence of such problem or failure;

(E)

Any actions taken by you as a result of such awareness;

(P)

(G)

(T- )

Any labeling placid by you on packages of such products providing  
notification of such emblem or failure;

The identity of any document prepared by you relating to the problem or  
faire; and

Any decision by you to withdraw the defective product or to limit its  
production and/or availability.

RESP(J1VSE :

to

this

GPC objects

Interrogatory because it

is vague, overly broad, unduly burdensome, harassing and insufficiently limited in scope and time. Subject to waiving those objections, GPC states that the identification of fire information in the interrogatory would require the making of a very abstract, audit compilation, information contained in documents, the burden and expense of which would be the same for Plaintiffs as for GP+C. Accordingly, GPC will make non-privileged information relating to the information sought in this interrogatory available to Plaintiffs in Atlanta, Georgia at a time mutually agreeable to counsel.

(90) With respect to the period from 1960 to 1975, state the names, addresses or position of each person who at any time during that period was in charge of or participated in activities with regard to each of the products identified in Answers to Interrogatory

(A)

Production;

(B)

Marketing;

(C)

Labeling;

(D)

Advertising;

(E)

Product evaluation;

(F)

Research and development; and

(G)

Distribution.

RESPONSE :



CPC objects to this Interrogatory because It is vague , ambiguous , overly broad , burdensome , harassing , Insufficiently limited in scope and time and not reasonable to lead to the discovery of admissible evidence.

Subject to and without waiving those objections , GT'C states that it cannot reasonably identify each and every individual -1973 and is unaware of any systematic maintenance of this information .

(91) Please state if any of the physicians , industrial hygienists , or other persons in these answers to interrogatories ever made at any time any recommendations or suggestions to you pertaining to the risks or hazards to persons involved in the manufacture of asbestos-containing product or product that incorporated asbestos-containing components and/or materials .

IF so, please state :

(A)

When was each such recommendation and/or suggestion made;

(S)

To whom was each such recommendation and/or suggestion made;

(C)

By whom was each such recommendation and/or suggestion made;

(D)

The substance of each recommendation and/or suggestion; and

(E)

The identity of all writings addressed , directed or submitted to you pertaining to the subject matter of this interrogatory.

RESPONSE :

GPC objects to this interrogatory because it

is overly broad , unduly burdensome , insufficiently limited in scope and time , and not reasonably calculated to lead to the discovery of admissible evidence. GPC further objects to this Interrogatory because it seeks to discover information regarding asbestos exposures to asbestos dust encountered during its remanufacturing assembly process that are not similar or relevant to the potential exposures , if any , experienced by the employees .

Please state each private meeting or discussion held at any time before December 31, 1973.  
(92)

between any of your directors, officers, or employees and any officer or employee

'n

i.

manufacturer or seller of asbestos or asbestos-containing products in which an asbestos-containing product was a subject of discussion. As to each such meeting, please state:

(A)

Its date;

(B)

Its location;

(C)

The participants in the meeting or discussion identified by name, title and business affiliation;

(p) A description of all statements made by each participant concerning the safety of any asbestos-containing product - , and

(E)

The identity of all writings pertaining in any manner to the matters covered in this interrogatory.

RESPONSE :

GFC objects to this Interrogatory because it is vague, ambiguous, overly broad, burdensome, and insufficiently limited in scope and time. Subject to and without these objections, GPI relies upon information and belief, no such meeting

U n

State whether you ever received a publication known as the "Asbestos Magazine"

(93)

If so, please state:

(A)

The dates you received such publication;

(B)

The terms, circumstances or requirements of receipt of such publication,

e.g., free, by subscription, distributed at meetings, etc.; and

(C)

The identity and custodian of any copies of such magazine that you received;

ESPON\$~ :

GPC objects to this interrogatory because it is Insufficiently limited in time. Subject to and without waiving this objection, GPC is unaware of having received the publication identified in this interrogatory.

(94)

that

Please state whether you recalled any asbestos product or product incorporated asbestos-containing components, parts, and/or materials or other attempted to remove it from the stream of commerce after you became aware of potential health hazards of asbestos exposure.

(A)

If so, please state when, why and how you performed such a recall for each

all

such product;

(B)

If not, please state the reason for not doing so and the identity of corporate officials responsible for not doing so; and

(C)

identify all documents pertaining to the subject matter of this interrogatory.

RESPONSE :

GPC states that it has not recalled asbestos-containing products for reasons relating to the alleged health effects of asbestos-exposure. By way of full response, GPC states that the asbestos contained in the friction materials used in its asbestos-containing products was encapsulated in butyl binders and resins required no sanding, beveling, grinding, arcing, or other alteration by the

■ | "

.

(95) Please state whether you used, installed, applied and/or removed asbestos-containing materials from any of your own facilities after learning of the potential hazards of asbestos exposure.

If so, please state :

{A}

The purpose for each such action ;

(B)

The location where each such action occurred;

(C)

The dates for each such action;

(A)

The persons responsible for deciding to undertake such action ;

{E}

How each such action was accomplished by the workers who were removing the asbestos-containing materials ;

(F)

What respiratory protection was recommended and/or required for workers who were using or removing the asbestos-containing materials and if so, the dates thereof, and

(G)

The identity of any employees who alleged asbestos-lung disease  
a 'Workers' Compensation claim alleging asbestos-lung disease as a  
of such work, and if so, all dates thereof.

the

materials,

or filed

result

SI'C1TdB "

GI?C objects to this interrogatory because it is vague, ambiguous, overly  
broad, unduly burdensome, insufficiently limited in scope and time, and  
reasonably calculated to lead to the discovery of admissible evidence. GPC  
objects to this request as irrelevant and not reasonably calculated to lead  
discovery of admissible evidence, because there is no claim or evidence that  
Dalbo, Sr. was ever employed by GPC or present at any of GPC's plants, and  
manufacturing and assembling  
potential exposures  
operations, if any, are not similar or relevant to any potential exposures, if  
encountered during automotive repairs or those alleged in this litigation.

to asbestos during its

Please state whether you or any of your directors, officers, shareholders, or  
(96)

officials ever owned any financial interest of stock in any company other than  
which was involved in the mining, manufacturing, production, sale, supply or  
of asbestos or any asbestos-containing product, including but not limited to, Me  
Life Insurance Co., co-Defendants in this case and bankrupt asbestos companies

by

' p

Is

Johns-Manville Corporation and its subsidiaries and affiliated companies.  
state :

If so, please

(A)

The identity of the entity or person(s) who owned such interest ;

(B)

The job title and position of each person who owned such interest ;

(C)

The value of such interest owned by each such entity or persons ;

and

(D)

The dates of such ownership by each such entity or persons.

GPC objects to this interrogatory because it is vague, ambiguous, overly broad, unduly burdensome, insufficiently

reasonably calculated to lead to the discovery of admissible evidence,

limited

(97) Name any person not heretofore mentioned having personal knowledge of the material to this case.

RESPONSE :

GPC objects to this

interrogatory because it

is overly broad, unduly

burdensome, value, ambiguous, insufficiently limited in scope and time and not reasonably calculated to lead to the discovery of admissible evidence. Subsequently, without waiving these objections, GPC states that its knowledge concerning Plaintiffs' claims as to CPC are presently limited to the vague and general allegations contained in Plaintiffs' complaint. As discovery and GPC's involvement into this matter are continuing, GPC reserves the right to supplement this response to the extent required by the Pennsylvania Rules of Civil Procedure and/or any applicable case management order. By way of further response, GPC refers Plaintiffs to Paul LeCaur, the duly authorized representative of GPC who provided these responses on GPC's behalf. As GPC is represented by counsel in this matter, Mr. LeCaur should be contacted only through its corporate counsel. GPC further refers Plaintiffs to those individuals identified in GPC's responses to Plaintiffs' case-specific interrogatories.

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Date : July 31, 2006

Respectfully submitted ,

RILEY FIBWITT WTTTE & ROMANO , P.C .

v L' , / ~ .

By

Carnea A. Mariucci

Washington Road , Suite 300

Pittsburgh, PA 1522\$

Phone : (412) 341-9300

Fax : (412)341-9177

Attorneys for Defendant

Genuine Parts Company

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#### VERIFICATION

I, Paul LeCour, as a duly authorized agent; employee, representative, or attorney of the herein named defendant, have read the foregoing Interrogatories and Request for Production of Documents, and hereby affirm that the answers provided are accurate and true to the best of my knowledge and belief.

I understand that such affirmation necessarily means that I have substantial knowledge of the subject matter contained herein and that I have conducted, or have seen others have conducted, a thorough search of all relevant documents and sources possessed by or known to this defendant or its agents and personally have no knowledge of any relevant source or document which was not consulted in answering the Interrogatories and Request for Production of Documents.

This statement and verification is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, which provides that anyone who knowingly makes false statements, I may be subject to criminal penalties.

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es Jam 30,

■ IN THE COURT OF COMMON PLEAS OF INDIANA COUNTY, PENNSYLVANIA

KATHERINE M. BASILE, the  
Executrix of the Estate of FRED  
DALBO, SR, Deceased, and VIOLA  
Image COEN DALBQ, his wife, in  
her own right,

Plaintiff

v.

AMERICAN HONDA MOTOR  
COMPANY; INC., et al.,

CIVIL DIVISION - ASBESTOS

No. 11484 CD 2005

DEFENDANT'S ANSWERS TO  
PLAINTIFFS' SECOND SET OF  
INTERROGATORIES DIRECTED TO  
GENUINE PARTS COMPANY

Filed on behalf of Genuine Parts Company

Defendants.

Counsel of Record for this Party:

Cwmen A. Martiacci, Esq.  
PA T.i}. #63Y4d

RILEY HEWITT WITTB 8c ROMANO, P.C.  
Washington Road, Suite 340  
Pittsburgh, PA 1522\$  
(412)391-4300

Firm #987



■ IN THE COURT OF COMMON PLEAS OF INDIANA COUNTY, PENNSYLVANIA  
CIVIL DIVISION - ASBESTOS

No. 11484 CD 2005

KATHERINE M. BASILE, the  
Executrix of the Estate of FRED  
DALBO, SR., Deceased, and  
VIOLA Imogene COE IV DALBO,  
his wife, in her own right,

Plaintiff,

v.

AMERICAN HONDA KOTOR  
COMPANY, INC., et al.,  
Defendants.

ANSWERS TO PLAINTIFFS' SECOND SET OF INTERROGATORIES  
DIRECTED TO GENUINE PARTS COMPANY

AND NOW COMES Defendant, Genuine Parts Company (hereinafter "GPC"), by  
through its attorneys, Carmen A. Zylarlucci, Esq., and Riley, Klewitz & Sweitzer  
(allowing Answers to Interrogatories.

a.

b,

GENERAL OBJECTIONS AND MERVATIONS OF RIGHTS

Genuine Parts Company ("GPC") objects to any interrogatory or request that purports  
impose obligations different from or in addition to those set forth in the Pennsylvania  
of Civil Procedure, any applicable Case Management Order, and/or other applicable

GPC objects to any definition or instruction provided by Plaintiffs that attempts  
\_. GPC to provide a response to an interrogatory beyond that which would be required  
the reasonable, common and ordinary definitions for each word.

a

GPC objects to these interrogatories and requests to the extent that they request  
disclosure of information and identification of documents protected by privilege

(but not limited to) the attorney-client privilege and the work product doctrine. Counsel hereby assert all applicable privileges with respect to such information and documents.

d.

GPC objects to these interrogatories and requests to the extent they seek information in documents so remote in time as to be beyond the scope of discovery permitted under

e.

f.

g.

Pennsylvania Rules of Civil Procedure, any applicable Case Management Order, or any other applicable law. As stated, certain of the interrogatories and requests are unduly burdensome, oppressive, and not reasonably calculated to lead to the discovery of admissible

GPC objects to these interrogatories because they are so broad in temporal scope as to seek information beyond the personal knowledge of its current employees. Much of the information encompasses a time period that is impossible to reconstruct or retrieve. Many persons with personal knowledge of the events inquired about are deceased, retired, or no longer in GPC's employ. Consequently, GPC states that the responses herein represent GPC's best knowledge at this time based on the information, documents, records, and the personal knowledge available to it. GPC states that discovery in these matters is not complete and reserves the right to supplement these responses in the event that new or additional information becomes available to it.

GPC does not concede that any of its responses to these interrogatories and requests will be admissible at any trial or hearing and reserves all objections, on any ground, to the use of these responses at any trial or hearing whether or not specifically asserted.

GPC objects to these interrogatories to the extent that they seek to require OPC to respond on behalf of subsidiary corporations or undefined "affiliated companies" that are separate and independent corporate entities. OPC is neither authorized nor required to respond on behalf of said independent entities. GPC further objects to these interrogatories because they are overly broad, unduly burdensome, and because they fail to specify the information sought with a reasonable degree of particularity to the extent that they require OPC to respond on behalf of "predecessors" as the term is defined in the interrogatories. GPC has acquired many smelter companies since its inception, most of which have been merged into GPC and no longer exist. GPC is without exact or comprehensive information as to each and every individual entity that it has acquired over its 75-year history and is unaware of any systematic means of recovering such information. Employees with knowledge relating to said predecessors are deceased, retired, or otherwise no longer in GPC's employ. Additionally, the responses herein are given on behalf of GPC with respect to its sale and distribution of automotive parts, unless otherwise specified,

h. ~ GPC objects to these interrogatories and requests w`-the extent that Plaintiff provided GPC with information that is sufficient to enable GPC to respond to these interrogatories. Plaintiffs have not identified with specificity the product(s) that allegedly sold and that Plaintiffs claim were a substantial causative factor in Plaintiffs' alleged asbestos-related injuries or diseases.

i.

j.

GPC states that it never purchased, distributed, installed or otherwise used raw asbestos.

Each and all of the foregoing general objections are hereby explicitly incorporated by reference into every individual response as if set forth fully therein.

k.

GPC hereby incorporates herein by reference the responses to the 97 interrogatories previously served on GPC on May 15, 2006 and responded to on July 31, 2006.

#### ANSWERS T4 INTERROGATORIES

1a..

List the location of all NAPA stores in Canonsburg, PA,

ANSWER: GPC objects to the term "NAPA stores" as vague, misleading and unduly broad, a distributor affiliated with National Automotive Parts Association (NAPA) is,

Association. GPC's customers, known as jobbers (or owners of automotive parts stores) receive permission to deploy the "NAPA" logo. Some such jobbers acquire signage saying "NAPA Auto Parts." GPC purchased the assets of Standard Auto Parts Company's store located at 27 S. Central, Canonsburg, PA on or about 6/30/92. Upon information and belief, GPC believes that Standard Auto Parts Company, prior to said time, sold, among other parts and products, some products displaying the NAPA logo. GPC ceased to operate the store at 27 S. Central St. Canonsburg, PA in June 2006.

State whether there is a NAPA store located at 27 S. Central in Canonsburg, Pennsylvania.

ANSWER:

See response to Interrogatory 1.

a.

If yes, State the following:

a,

- b .
- c,
- d .
- e .

what year the NAPA store opened at that location;  
 what business operated at that address prior to the NAPA store;  
 what products were sold by NAPA when it first opened at that location;  
 Whether any type of agreement and contract and/or other document exists between  
 NAPA and the previous business at that address;  
 Whether NAPA changed the product line that was sold by the previous business.

ANSWER :

See response to Interrogatory 1 .

· —·

Provide all documents that support the Defendant's answers to these Interrogatories

ANSWER :

None .

Date : August 22, 2006

Respectfully submitted ,

RILEY HEWITT WITTE & ROMANO , P.C .

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rf.W, . t,

BY  
 Carmen A. Martucci  
 Washington Road , Suite 300  
 Pittsburgh, PA 15228  
 Phone : {412} 341-9300  
 Fax : {412} 341-9177  
 Attorneys for Defendant  
 Genuine Parts Company

VERIFICATION

I, David Stanfield, Manager of the Carrollton, Ohio, NAPA Distribution  
 Center, verify that: I am authorized to execute this Verification on behalf of

Company; that the attached document is based upon facts of which I have either  
no personal knowledge of; that information was furnished to me by counsel who  
upon; that the language of the document is that of counsel and not my own; and that  
facts set forth in the foregoing document are true and correct to the best of my know-  
ledge and information and belief

I understand that the statements herein are made subject to the penalties of  
Pa. Cons. Stat. Ann. Section 9904 relating to unsworn falsifications to authorities

~5 1~ JOIP

David Stanford

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PROPR IETARY INFOPJ fATION OF ABEK FR I CTI ON PRODUCTS

Re l e a s e D a t e : 29-Oct -g0

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■The best party made the best service.

When your customers come to you for service, they put their trust in you as a professional. Your responsibility to them is a job well done. Our responsibility to you is a part well made. Then a job well done, stays done. If you're interested in making better customers, contact your local NAPA Jabber. He'll give you dependable help, and hail give you dependable service on parts that just can't be beat for quality. Together, we'll make a lot of better customers.

AMERICAN BF tAKEBLOK Using, - &AUCAMP Parts, Supplies & Accessories - SEIDEN Wire & Cable " BRIDGEPORT Tire YaFm - DITTMER Transmission Gears & Shafts " ECHLIN Electrical k Fuel System Parts + FEDERAL Searings-Ball, Needle, Butter - FLEET Service Equipment " MAC'S Automotive Chemicals - IILAR711&5fNOUR Refinishing Products " MICRO-TEST Taming Dears, Chains, Sprockets - 1AICHOTEST Automotive Transmission Palls " M40AC Belts a He " " MONMOUTH Engine Bearings " NAPA Air Conditioner Parts " NAPA Chassis Parts - NAPA Eye Farts, Clutches -NAPA Galleries " NAPA Filters-Air, ON, Feet " NAPA Lighting & Safety Equipment NAPA Small Ermine Parts ~ NAPA Welding & Battery Service Equipment - NEW BRITAIN Hand Tools - REGAL-RIDE Shocks toad lereiero Stabilizers ~ ROCKFORD Fasteners, Nuts, Soft ~ 54UNOAfASTER Mufflers, Pipes k Clamps " SPICED Univeraai, Mints, Drive Lines " TNOMSON Thermostats " TpICO Windshield Wipers- UNITED Brake Parts, Snake Fluid " VICTOR {#aykeh, 49 Same, Fqckinga " WEATNERHEAD Brass Fittings a Hole

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Decembe r 7, 1989

Mr. Joseph White  
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Atlanta. Georgia 30379

Dea r Joe :

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This letter is our official notification that Abex rwoaipk o!  
asbestos lined brake shoes smd page will and sa of December 31,  
. Starting January i, 2988 all lined shoos sad padw must  
have noo-asbeaton friction material.

The only exception to this will be Soonogr Brake shoe\* supplied by direct shipment to Brake Pro division of Tanneoo Automotive.

If there are say-questions or problems resulting from this please contact so or Blue Hwt2eT" We greatly appreciate toner cooperation on this matter.

?ours truly,

" "

John P. Shepa rd  
General Salo\* Manager  
Automotive Distribution

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Date

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Octobe r 26, 1971

Mx. David Childress, Manager  
Asplac, Inc.  
Horn Lake Road  
"his, Tennessee

Dear Hr. Ghi}.dress:

A survey of your plant eras made on October 13, 2471, is order to evaluate pour erploaes exposure to asbestos dust. The results a£ the air sampling, are shorn on the attached data sheet, and indicate tlutc rile grinder operator is exposed w excessive amounts of asbestos dust. Procedures, findings gad a brief discussion are oleo presented on the attached report of survey.



Based on the survey findings, the following recommendations are leads.

Important.-

. Provide annual chest x-ray examinations for all regular operators of the brake lining grinding machines.

.

Shield the existing grinder exhaust system from the outside influence of air currents, such as that from the electric motor housing nearby.

Thank you for your cooperation in permitting us to complete this survey. Please do not hesitate to contact us if you want further technical assistance in complying with these recommendations.

Very truly yours,

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Mecum A. Keaabeck, Jr.  
Industrial Hygienist

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SENTRY INSURANCE A XVMAL COMPANY

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## REPORT OF SURVEY

The survey was conducted in accordance with currently recognized industrial Hygiene practice. The samples were taken on Millipore cellulose ester membrane filters, Type AA, using battery powered. The filters were prepared and counted in accordance with the d. S. Public Health Service method. This method involves taking a segment of the filter transparent and counting all fibers over 5 microns in length with a phase contrast microscope under 430 power magnification.

Manitaire pumps.

### . Results:

The grinder operator is almost continuously exposed to dust generated by the brake shoe grinding machine, while his helper is not directly exposed. Three samples, taken for different periods of time, indicated an average fiber concentration of 5.3 per milliliter in the operator's breathing zone. A similar set of three samples taken in the helper's breathing zone, averaged only 1.3 fibers per milliliter.

### Discussion.,

The Threshold Limit Value (T.L.V.) for asbestos has been established considering only fibers over 5 microns in length. The T.L.V. refers to the airborne concentration of a substance and represents conditions under which it is believed that nearly all workers may be repeatedly exposed, day after day, without adverse effects. Thus, the grinder operator's exposure is considered to be excessive and should be reduced.

It appears, thick the suction exhaust below fibs grinding belt is not completely effective as a result of air directed tats and across its face by a motor housing. The logical means of reduction of dust exposure would be the elimination of outside air currents by shielding or by increased suction volume.

the grinding operator's work shirt was well covered rich dust particles, further indicating the ineffectiveness of the exhaust system. Measures that should be taken (other than engineering control) include an casual physical examination of exposed employees, with a chest x-ray.

who will be assigns to this particular job should be given a pre placement physical examination. which should also include a chest x-ray.

In addition, newly hired or transferred employees

It was also observed that

NOV051104

■Rayloc Co

Page 1 of 1

U.S. Department of Labor  
Occupational Safety & Health Administration

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Search

Advanced Search | A - Z Index

Violation  
Rayloc Co

Standard Cited: 19101001 J03 Asbestos.

Violation Items

Nr: 13128731

Citation: 01001

Issuance:

ii (07J19\$3

Reporting ID: 041\$100

Viol Type: Serious  
Abatement Date: Q2 / 01 / 1984 X

Initial Penalty: 420.00  
Current Penalty: 210.00

Nr Instances: 1  
Nr Exposed:  
REC:  
Gravity:

Substance: 9020 Asbestos (All Forms)

Contest Date:  
Final Order:  
Emphasis:  
Naz Category:

Penalty and Failure to Abate Event History

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Type  
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Informal Settlement 11 / 27 / 1983 21Q.00 02j 01j 1984 Serious

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www.dol.gov

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Occupational Safety & Health Administration

Constitution Avenue , NW  
Washington , DC 20210

<http://www.osha.gov/pls/imis/establishment.violation.detail?id=231287>

## ■ Inspection Detail

Page 1 of 1

U.S. Department of Labor  
Occupational Safety & Health Administration

WWW,OSI1d.90V Z MY4SHA

Search

Advanced Search | A - Z Index

Search Results  
Inspection Detail

[Find It!

in DOL]

Inspection: 3263503 - Rayloc Division Genuine Parts Co.

Inspection Information - Office: Utah

Nr: 3263803

Report Ip:08549i0

Open Date: 08/26 { 1985

Rayloc Division Genuine Parks Ca.

North SOp East

Paysan, UT 84651

, SIC: 7539 / Automotive Repair Shops, Not Elsewhere Classified

Mailing: P.O. Box 347, Payson, UT 84651

Union Status: NanUnion

Inspection Type: Planned

Scope: Complete

Ownership: Private

Safety/Health: Health

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Emphas i s : N : Asbes t os

Advanced Notice : N

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C lose Case : 02(10J1986

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Violation Items

. 01002 Other GEN00940107 11 / 04 / 1985 12J18J1985

. \_01003 Other GEN009503 11 / 04 / 1985 12J18J1985

. 01004 Other GEN093A0801 11 / 04 / 1985 12J18(1985

. 01005\_ Other GEN093A0802 11 / 04 / 1985 12J1811985

. 01\_006 Other GEN093A1001 12 / 04 / 1985 12j 1811985

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Q Back to top

[www.osha-slc.gov](http://www.osha-slc.gov)

[www.dol.gov](http://www.dol.gov)

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Occupational Safety & Health Administration  
Constitution Avenue, NW  
Washington, DC 20210

<http://www.osha.gov/pls/imis/establishmentinspectiondetail?id=3263803>

■: ayloc Division Of Genuine Parts Company

Page 1 of 1

U.S. Department of Labor  
Occupational Safety & Health Administration

[www.osha.gov](http://www.osha.gov) R MyOSHA . -

Search

c~3 Advanced Search ! A - Z Index

/iolation

tayloc Division of Genuine Parts Company

Standard Cited: 19101001 3 2 Asbestos,

Violation Items

Nr: 18872598

Citation: 01006

Issuance: 09/23/1986

ReportingTD: 0352450

Viol Type: Other

Abatement Date: 10/24/1986

Initial Penalty:

Current Penalty:

Nr Instances: 1

Nr Exposed: 2

REC: C

Gravity:

Substance: 9020 Asbestos (All Forms

Contest Data:

Final Order:

Emphasis:

Haz Category:

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Constitution Avenue , NW  
Washington , DC 20210

[http://www.osha.gov/pls/imis/establishment.violation\\_detail?id=188725](http://www.osha.gov/pls/imis/establishment.violation_detail?id=188725)

■: ayl oc Co



Page 1 of 1

U.S. Department of Labor  
Occupational Safety & Health Administration  
www.osha.gov MyOSHA .-

Search

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Advanced Search ! A - Z Index

/iotation  
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Standard Cited: 19101001 302 Asbestos ,

Violation Items

Nr: 3230919

Citation: 01002

Issuance: 03 / 27 / 1986

ReportingTD: 0454721

Viol Type: Other  
Abatement pate: 04 / 3q / 1986 X

Nr Instances: 1

Nr Exposed: 2

Initial Penalty:

Current Penalty:

REC:

Gravity:

Substance: 9020 Asbestos (All Forms)

Contest Date:

Final Order:  
Emphasis:

Naz Category:

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:ayloc

/iolation

d)/IOC

Standard Cited: 191Q1001 K03 Asbestos.

Violation Items

Nr: 123810475

Citation: 01006

Issuance: 08 / 17 / 1993

Reporting ID: 0452110

Viol Type: Serious

Abatement Date: 08 / 23 / 1993 X

Initial Penalty: 1875.00

Current Penalty: 1875.00

Nr Instances: 1

Nr Exposed: 2

REC: C

Gravity: 03

Contest Date: 08J23J1993

Final Order: 06 { 22J1994

Emphasis:

Maz Category:

Event

Type

Penalty Z (cid:0)

'Penalty J: AU Decision

Issued

Penalty and Failure to Abate Event History

Penalty abatement Type

Date

F7A Insp

/ 17 / 1993 1875, 00 108 / 23 / 1993 1 Serious

06 / 22 / 1994 1875.00 1 08 / 23 / 1993 1 Serious

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Rayloc

Violation  
Rayloc

Standard Cited: 19101001 KO5 Asbestos.

Violation Items

Nr: 127348472

Citation: 01001

Issuance: 09 / 25 / 2001

Reporting ID: 0454721

Viol Type: Serious  
Abatement Date: 10 / 26 / 2001 X

Nr Instances: 1  
Nr Exposed: 2

Initial Penalty: 1800.00  
Current Penalty: 1350.00

REC:

Gravity:

Contest Date:

Final Order:

Emphasis:

Haz Category:

Penalty and Failure to Abate Event Nistorv

Penalty abatement Type

Date

Ft'A Insp

Event

Type

Penalty k: Issued

Penalty A: Amendmen t

09/25/2001 1800.00 1 10/26/2001 1 Serious

11/06/2001 1 1350.00 1 10/26/2001 1 Serious

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