

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: ASBESTOS PRODUCTS)
LIABILITY LITIGATION (No. VI))
_____)

MDL DOCKET NO.: MDL 875

**PLAINTIFFS' MASTER INTERROGATORIES, REQUEST
FOR DISCLOSURES AND REQUESTS FOR PRODUCTION TO ALL DEFENDANTS**

COME NOW the Plaintiffs and, pursuant to Federal Rules of Civil Procedure 26, 33, and 34 hereby serve their Master Interrogatories, Request for Disclosures and Requests for Production to All Defendants.

INSTRUCTIONS

1. Please produce all documents and tangible things as they are kept in the usual course of business or organize and label them to correspond with the categories or numbered requests in this set of discovery. See Federal Rules of Civil Procedure 33(d) and 34(b)(2)(E).
2. If any information or material is being withheld under any claim of privilege, protection, or immunity, please state with specificity the particular privilege, protection, or immunity asserted. See Federal Rule of Civil Procedure 26(b)(5).
3. If Defendant cannot produce requested information or material because it is not in Defendant's possession, custody, or control, please identify the information or material, the reason the information or material is not in Defendant's possession, custody, or control, and the entity currently having possession, custody, or control over the information or material.
4. When providing a date, please provide the exact day, month, and year. If the exact date is not known, please provide the best approximation of the date and clearly note that the date is an approximation.
5. As specified by Federal Rule of Civil Procedure 34(b)(2)(E), if responsive material is in electronic, magnetic, or digital form, Plaintiff specifically requests production of such material. Plaintiff requests such material be provided on CD-ROM.
6. In the event a proper and timely objection is filed as to any requested material, please nevertheless respond to all portions of the request which do not fall within the scope of the objection. For example, if a request is objected to on the grounds that it is too broad insofar as it seeks documents covering years Defendant believes are not relevant to this litigation, please nevertheless produce documents for all years which Defendant concedes are relevant. See Federal Rules of Civil Procedure 33(b)(3) and 34 (b)(2)(C).

7. With respect to responses related to Plaintiffs' Work Histories, Defendant may restrict its answers to dates prior to January 1, 1986.

GENERAL DEFINITIONS

As used in this set of discovery, the following terms mean:

1. The term, "Defendant," means the business entity answering these discovery requests and any of its merged, consolidated, or acquired predecessors, divisions, joint ventures, subsidiaries, foreign subsidiaries, foreign subsidiaries of predecessors, parent companies, sister companies, if such entity ever engaged in the mining, sale, manufacture, marketing, or distribution of asbestos or any asbestos containing product or substance, or used or required or permitted the use of asbestos or asbestos containing products or substances in a commercial or industrial setting, or acquired or transferred liability for the same. This definition includes present and former officers, directors, agents, employees, attorneys and all other persons acting or purporting to act on behalf of the business entity or its predecessors, subsidiaries, and/or affiliates.

- a. "Predecessors" further means any business entity, whether or not incorporated, which had all or some of its assets purchased by Defendant or came to be acquired by Defendant whether by merger, consolidation, or other means.
- b. "Subsidiaries" further means any business entity, whether or not incorporated, which is or was in any way owned or controlled, in whole or in part by Defendant or its predecessors.

2. The term, "document," is synonymous in meaning and equal in scope to the usage of the phrase, "documents and tangible things," in Rules 26 and 34 of the Federal Rules of Civil Procedure. A draft or a non-identical copy is a separate document within the meaning of this term. Requested documents include, but are not limited to, the following:

- a. those that are now or were formerly in the possession, custody, or control of Defendant, and
- b. those that are known or believed to be responsive to these discovery requests regardless of who now has or formerly had possession, custody, or control of the documents.

Documents include, by way of example only, any memorandum, request envelope, correspondence, electronic mail, report, note, Post-It, message, telephone message, telephone log, diary, journal, appointment calendar, calendar, group scheduler calendar, drawing, painting, accounting paper, minutes, working paper, financial report, accounting report, work papers, drafts, facsimile, facsimile transmission report, contract, invoice, record of sale or purchase, Teletype message, chart, graph, index, directory, computer directory, computer disk, computer tape, or any other written, printed, typed, punched, taped, filmed, or graphic matter however

produced or reproduced. Documents also include the file, folder tabs, and labels appended to or containing any documents.

3. The term, “person,” includes natural persons, firms, partnerships, associations, joint ventures, corporations, and any other form of business organization or arrangement, as well as officers, directors, shareholders, employees, agents, and contractors of any business organization or arrangement.

4. The term, “meeting,” means any act or process of persons coming together for the purpose of discussing and/or acting upon some matter, whether such gathering was formal or informal, in person or through other means.

5. The term, “asbestos,” means any of the naturally-occurring fibrous silicate minerals, including both serpentine forms (chrysotile) and amphibole forms (amosite, crocidolite, tremolite, anthophyllite, and actinolite), whether referred to by their scientific names or by synonyms such as brown (amosite), white (chrysotile) or blue (crocidolite) asbestos.

6. The term, “asbestos-containing product,” means any product or material that contains asbestos in any form. Such products include, but are not limited to, pipe covering, turbines, blankets, cement, block, gaskets, packing, plaster, joint compound, floor and ceiling tiles, mastics, raw fibers, fireproofing, shingles, panels, sheets, boards, millboard, refractory cement, boilers, pressure vessels, firebrick, brake and clutch linings, finishing compound, texture, drilling mud, “hot tops,” and other construction, building, drywall, lath, and insulation materials.

7. The term, “equipment,” means any apparatus including but not limited to pumps, valves, boilers, turbines, piping, furnaces, compressors, generators, steam traps, strainers, heat exchangers, chillers and component parts of these apparatuses.

8. The term, “asbestos-in-place,” means any asbestos-containing product that was used, applied, or installed on any part of a premises or on any improvements made to a premises, and that remained on that premises at any time during the period in which Plaintiff has alleged exposure to asbestos.

9. The terms, “trade organization” and “trade association,” mean any organization or association of business, industrial, or governmental entities that were associated and/or met for the purpose of achieving common goals, exchanging or disseminating information related to common needs or interests, and/or learning information or facts of interest to the various members of the organization or association.

10. The terms, “plant” and “facility,” mean any location where materials are refined, converted, chemically altered, changed, assembled, manufactured, constructed, or fabricated as well as locations where products are fabricated, assembled, or manufactured or prepared for further fabrication or assembly. This definition also includes office spaces, storage spaces, control rooms, undeveloped land, and similar areas within the larger plant or facility.

11. The term, “manufacture,” means to fabricate, construct, assemble, prepare for fabrication or assembly, or take any other action prior to completion of a product or material.

12. The terms, “medical department,” “safety department,” and “industrial hygiene department,” mean an individual or a group of individuals working for Defendant, either directly or in a contractual capacity, whose purpose was or is to provide guidance, assistance, or advice concerning any aspect of medical health including, but not limited to, the safety of Defendant's workers and the safety of individuals using or exposed to asbestos or asbestos-containing products.

13. The term, “hazards of asbestos,” means any potential or actual asbestos-related injury, effect, damage, scarring, wound, impairment, or disability of any part of human or nonhuman anatomy including, but not limited to, the lungs and associated tissue.

14. The term, “test,” includes, but is not limited to, studies of atmospheric dust samples, studies of the concentration of asbestos in airborne test samples, studies of the lung conditions of workers (by x-ray or other means), pulmonary function studies of workers, animal studies, pathological studies, industrial hygiene studies, risk assessment studies, cost-benefit analyses, and any other studies concerning health and safety.

15. The terms, “identify” and “identity,” mean:

- a. in reference to a natural person the person’s full name, present or last known business address, present or last known home address, telephone numbers, employer, the years of employment and positions held during employment (if employed by Defendant), the locality(ies) where the person was so employed, and any other information that may be helpful in locating the person;
- b. in reference to any business entity the full legal name and form of organization, all other names under which it conducts business, its present or last known address, and the name and address of its registered agent;
- c. in reference to a document or tangible thing its date of creation, its author or creator, the type of document or tangible thing, the nature and substance of the document or tangible thing, its present location, and the identity of its present custodian;
- d. in reference to a communication the identity of the persons involved or participating in the communication, the date of the communication, and the general subject matter of the communication; and
- e. in reference to a product the name and type of product, its identifying features and characteristics, the name of the manufacturer, and the date of manufacture.

16. The term, “communication,” means any transmission or exchange of information, whether oral or written, and whether face to face, by telephone, mail, fax, personal delivery, electronic means, or otherwise.

17. The term, “premises,” means:

- a. real property, as well as any structures or other improvements located on the property, and
- b. a ship or other floating vehicle, vessel, or structure.

18. The terms, “abate” and “abatement,” mean any removal and/or cleanup of asbestos-containing products on a premises.

19. The term, “utilize,” when referring to asbestos-containing products and/or asbestos job site(s) means to install, inspect, apply, maintain, repair, replace, or remove.

20. The term, “breathing zone” means that physical area of the surrounding environment in which a person performs the normal respiratory function.

21. The term, “work histories of plaintiffs previously provided” means the documents provided by the Plaintiffs in response to paragraph (1) of the Order of Referral to Magistrate Judge Hey by the Hon. Eduardo C. Robreno, dated June 29, 2010.

22. The definitions stated above shall also apply to other grammatical forms of the word defined, such as singular and plural, masculine and feminine, and various verb tenses.

23. Any word not specifically defined above is to be given its meaning as contained in the most recent edition of the American Heritage Dictionary, published by the Houghton Mifflin Company.

Plaintiffs' Master Request For Disclosure
(Applicable to All Types of Defendants)

Pursuant to Federal Rule of Civil Procedure 26, Defendant is hereby requested to disclose, in compliance with the Federal Rules of Civil Procedure and the Case Scheduling Order, the information or material described in Rule 26(a)(1) through (a)(3).

Plaintiffs' Master Interrogatories to ALL Defendants

1. Identify the registered name of the answering defendant as well as all prior names or predecessor entities by which the defendant has existed:
 - a. For each give the current address and the state of incorporation and whether or not it is an active corporation.

2. Please identify all documents and tangible things used, related to, or referred to in connection with the preparation of these discovery answers. For all such documents and tangible things state the number of the interrogatory.

3. Please identify each person who has supplied any information or assisted in locating any documents or tangible things used in answering or responding to this discovery, and provide a year-by-year list of all positions or job titles held by each person.

4. Give the names and addresses of persons known to defendants or to counsel that have knowledge concerning the jobsites of the plaintiff or, otherwise, the facts of this case and indicate whether or not written or recorded statements have been taken from such witnesses and indicate who has possession, custody or control of such statements.

5. When and how did Defendant first learn that inhalation of asbestos fibers can lead to the development of each of the following asbestos-related diseases:
 - a. asbestosis;
 - b. pleural plaques;
 - c. pleural thickening;
 - d. interstitial fibrosis;
 - e. scarring of the lungs;
 - f. colon cancer;
 - g. laryngeal cancer;
 - h. esophageal cancer;
 - i. lung cancer; and
 - j. mesothelioma (pleural, peritoneal, or pericardial)

6. Please list all trade organizations, trade associations, and any other groups to which Defendant belonged in which information relating to the hazards of asbestos or nuisance dust in general was discussed, disseminated, or in any way published before 1980. This list should include (but is not limited to) any membership in the American Hygiene Foundation, Industrial Hygiene Foundation, Chemical Manufacturer's Association (or its predecessor, the MCA),

American Chemical Council, American Petroleum Institute, National Safety Council, American National Standards Institute (ANSI), Asbestos Information Association, Industrial Medical Association, American Society of Mechanical Engineers; American Society for Testing and Materials, Chlorine Institute, American Industrial Hygiene Association, National Insulation Manufacturers Association, Asbestos Textile Institute, Society of Automotive Engineers, Society of Petroleum Engineers, ACGIH, American Occupational Medicine Association, American Public Health Association, Friction Materials Standards Institute, Brake Lining Manufacturer's Association, American Medical Association, NIOSH and any state safety organizations. As to each listed group, please state:

- a. the time period when Defendant was a member;
- b. the identity of Defendant's employees, former employees, or representatives who attended any of the meetings held by each listed group, as well as the dates and locations of the meetings they attended;
- c. the identity of Defendant's employees, former employees, or representatives who served on any committees or subcommittees of any listed group (e.g., a medical advisory committee or legal committee); and
- d. the name of the committee or subcommittee on which such person served and the position occupied on the committee, if applicable.

7. Please identify each of Defendant's employees, former employees, or representatives who attended any proceeding, symposium, or conference of a scientific, medical, or technical nature, before 1972, during which information relating to the hazards of asbestos or nuisance dust in general was discussed, disseminated, or in any way published (e.g., the effects of human or nonhuman exposure to asbestos, populations at risk, etc.). A response to this Interrogatory should include any attendance at the Seventh Saranac Symposium in 1952, the Proceedings of the New York Academy of Sciences in October of 1964, any meetings held by any organization listed in Defendant's response to Interrogatory No. 6. For each person identified in the response to this Interrogatory, please also list the proceeding, symposium, or conference the person attended; provide the date and location of the proceeding, symposium, or conference; provide the identity of the person within Defendant's organization who received or was designated to receive the attending person's report of the information gathered at such proceeding, symposium, or conference; and describe the manner in which such reports were made.

8. Please describe Defendant's medical, safety, and industrial hygiene programs from the Defendant's inception through the current time. Specifically, please state when Defendant first established each of its medical departments, safety departments, and/or industrial hygiene departments. Please also provide the name or designation of each department. For each department identified in the response to this Interrogatory, please identify each person associated with the department, including, but not limited to, the director, manager, physician, nurse, medical personnel, safety engineer, industrial hygienist, safety personnel, and other employees in such department who were employed by Defendant or contracted with Defendant at any time.

9. Has Defendant ever been investigated or cited by OSHA or any other local, state, or federal governmental agency for any matter related to asbestos or asbestos exposure? If so, please provide the dates of such investigations, the results that were communicated to Defendant, and the remedial measures (if any) which were undertaken by Defendant.

10. When was the first time Defendant became familiar with the concept of a threshold limit value, or TLV, for airborne dust, and how was Defendant first made aware of this concept?

11. Prior to 1970, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessor companies alleging that he/she contracted a disease from inhaling asbestos fibers? If so, please provide:

- a. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim;
- b. The disease alleged in each such claim;
- c. A brief summary of the disposition of each such claim; and
- d. The name, address, and title of the person having custody of the records pertaining to each such claim.

12. Please identify any and all statements made by Defendant's employees or past employees related to or concerning asbestos, asbestos health effects, asbestos civil litigation and asbestos industrial hygiene.

13. Please identify each distributor or wholesaler located or authorized to sell or distribute your products (1) in or for Mississippi and (2) in or for any jobsite outside of Mississippi identified in plaintiffs' work histories previously provided. For each distributor or wholesaler, please state:

- a. Name and last known address;
- b. The years of, and the geographical area encompassed by the relationship;
- c. Whether there was a written distributorship agreement;
- d. Whether the distributorship was exclusive; and
- e. The extent to which sales to customers in this state were handled through distributors or wholesalers located outside this state.

14. Identify the names and addresses of all lay witnesses whom you presently intend to call to testify at trial, and briefly identify the subject matter of their testimony and what connection each such person has with matters relevant to this lawsuit (e.g., former co-workers of Plaintiff, former plant manager of plant X, etc.). Please supplement this list as you ascertain any additional witnesses.

15. Please identify any and all affidavits, depositions, written statements, and trial transcripts of all individuals, including but not limited to plaintiffs, co-workers and product witnesses in lawsuits alleging asbestos disease or property damage from asbestos, both concluded and pending, (1) at jobsites in Mississippi and (2) at jobsites in other states listed on the work histories of the Plaintiffs previously provided, in which Defendant is or was a party.

16. Please identify each asbestos-containing product that Defendant mined, manufactured, marketed, produced, researched, sold, distributed, or patented at any time. For each product identified, please provide the following information:

- a. the trade name or brand name of the product mined, manufactured, marketed, produced, researched, sold, distributed, and/or patented;

- b. the date the product was patented (if patented), placed on the market (if marketed), and the inclusive dates of the product's manufacture or sale (if manufactured or sold);
- c. each and every asbestos fiber supplier to this Defendant for these products;
- d. the physical and chemical composition of the product, including the type of asbestos contained in the product and the percentage or amount of asbestos in each product;
- e. the date Defendant stopped mining, manufacturing, marketing, producing, researching, selling, and/or distributing the product;
- f. the date the product was removed from the market (if marketed) and no longer sold or distributed and the reasons therefore;
- g. the date asbestos was removed from the product, if ever, and the reasons for removing it;
- h. the seller(s), distributor(s) and/or supplier(s) from whom Defendant purchased the asbestos used in each particular product, and the type (example: amosite, chrysotile) and quantity of asbestos Defendant purchased from the seller(s);
- i. whether Defendant ever conducted any testing on the product to determine whether it posed any potential hazard to human or non-human health;
- j. the plant or facility where the product was mined, manufactured, produced, or researched;
- k. the foreseeable users of the product (such as insulators, helpers, pipefitters, boilermakers, welders, machinists, plasterers, drywall finishers, carpenters, shipwrights, etc.); and
- l. a description of any warnings that Defendant placed on the product or its packaging, operating manuals, brochures, catalogs, or other related printed material. This description should include the precise language of the warning, the size of the warning, the location on the product or its packaging where the warning was printed, and when the warning was first placed on the product.

17. As to any asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time, were such products ever further distributed, marketed, packaged, labeled, or sold by companies or individuals other than Defendant? If so, please identify such companies or individuals, provide the dates those companies or individuals further distributed, marketed, packaged, labeled, or sold Defendant's asbestos-containing products, and identify the specific asbestos-containing products involved.

18. As to each asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time, was such product ever distributed, shipped, sold, or removed from any of the worksites listed in work histories of plaintiffs previously provided? If yes, please identify the product, the worksites, and the time period of such distribution, shipping, sale, or removal.

19. As to each asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time, does Defendant contend that any of the products can be generally utilized without liberating asbestos fibers into the air? If so,

please identify each such product, generally describe the intended use of the product, and explain how such use would not tend to liberate asbestos fibers into the air.

20. As to each asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time, when, if ever, did Defendant become aware of asbestos-free substitutes or alternatives for such product (e.g. mineral wool), regardless of Defendant's belief of the viability of such substitutes or alternatives?

21. If it is your contention that you took the proper precautions to protect users of your asbestos-containing product(s) from potential hazards associated with the use of said asbestos containing-product(s), please identify any such precautions and actions taken by you.

22. Please identify all persons with knowledge of facts relevant to the presence or absence of Defendant's asbestos and/or asbestos-containing products at any worksites or locations identified in discovery where Plaintiff, Plaintiff's decedent, or (in a household exposure case) exposed family member was present, please include a short statement as to the nature of the individual's knowledge as it relates to this subject matter.

23. Beginning in the year that Defendant first manufactured, marketed, produced, researched, sold, distributed, or patented any asbestos-containing product, and continuing through the present day, please identify each person who has held the position of corporate medical director, corporate safety director, and corporate industrial hygienist, however characterized. For each person identified, please also provide the person's current or last known address and whether the person is currently alive or dead, if known.

24. Please indicate whether or not there are any documents, including but not limited to, invoices, billing records, sales records, contracts, purchase orders, or any other like document that reflect the distribution of your product(s) (1) to jobsites in Mississippi and (2) to jobsites in states other than Mississippi identified in the work histories of the plaintiffs previously provided.

25. If it is your contention that your product was not or could not have been sold, distributed or otherwise present on any job site at which Plaintiff claims exposure to asbestos, please state the reasons for this contention, the underlying basis for it, and identify the individual or individuals who will testify to this contention.

26. Please identify each and every piece of equipment that Defendant manufactured, marketed, sold or distributed in which Defendant ever incorporated asbestos containing parts or specified the use of asbestos or asbestos-containing products or otherwise utilized asbestos containing component parts in the design manufacture, construction, erection, operations, service, and/or repair of such equipment? For each type or piece of equipment identified, please provide the following information:

- a. the trade name or brand name of the equipment manufactured, marketed, sold or distributed by Defendant;
- b. the type and/or brand name of asbestos or asbestos-containing product specified for use with the equipment;

- c. the date the equipment was placed on the market, and the inclusive dates of the equipment's manufacture, sale, and distribution;
- d. a detailed description of the equipment, including a description of how and why the equipment involved the use of asbestos or asbestos-containing products;
- e. the date Defendant stopped manufacturing, marketing, selling, and/or distributing the equipment;
- f. if applicable, the date the equipment was removed from the market and no longer sold or distributed and the reasons therefore;
- g. if applicable, the date asbestos was no longer specified for use with the equipment, and the reasons for no longer specifying it;
- h. if applicable, the seller from whom Defendant purchased the asbestos used in the equipment, and the type (example: amosite, chrysotile) and quantity of asbestos Defendant purchased from the seller;
- i. whether Defendant ever conducted any testing on the equipment to determine whether it posed any potential asbestos-related hazard to human or non-human health;
- j. the plants or facilities where the equipment was manufactured;
- k. the foreseeable users of the equipment (such as insulators, helpers, pipefitters, boilermakers, welders, machinists, plasterers, drywall finishers, carpenters, shipwrights, etc.); and
- l. a description of any warnings that Defendant placed on the equipment or its packaging, operating manuals, brochures, catalogs, or other related printed material. This description should include the precise language of the warning, the size of the warning, the location on the equipment or its packaging where the warning was printed, and when the warning was first placed on the equipment.

27. As to any equipment identified in response to Interrogatory No. 26 above, was such equipment ever further distributed, marketed, packaged, labeled, or sold by companies or individuals other than Defendant? If so, please identify such companies or individuals, provide the dates those companies or individuals further distributed, marketed, packaged, labeled, or sold Defendant's asbestos-containing products, and identify the specific asbestos-containing products involved.

28. As to any equipment identified in response to Interrogatory No. 26 above, was such equipment ever distributed, shipped, sold, or removed from any of the worksites listed in work histories of plaintiffs previously provided? If yes, please identify the equipment, the worksites, and the time period of such distribution, shipping, sale, or removal.

29. As to any equipment identified in response to Interrogatory No. 26 above, does Defendant contend that such equipment can be generally utilized without liberating asbestos fibers into the air? If so, please identify such equipment, generally describe the intended use of the equipment, and explain how such use would not tend to liberate asbestos fibers into the air.

30. As to any equipment identified in response to Interrogatory No. 26 above, did Defendant ever use any type of written sales contract between Defendant and the buyer of such equipment?

If so, did such written sales contract ever include a clause that Defendant would agree to repair and/or service the equipment if necessary?

31. Did Defendant ever enter into any agreement with any manufacturer of asbestos-containing products to use or recommend the use of that manufacturer's asbestos-containing products with any equipment identified in response to Interrogatory No. 26 above?

32. Beginning in the year that Defendant first manufactured, marketed, sold, or distributed the equipment identified in response to Interrogatory No. 26 above, and continuing through the present day, please identify each person who has held the position of (a) corporate medical director, (b) corporate safety director, and (c) corporate industrial hygienist, however characterized. For each person identified, please also provide the person's current or last known address and whether the person is currently alive or dead, if known.

33. Was it foreseeable to Defendant, at the time each type or piece of equipment identified in response to Interrogatory No. 26 above was released for sale and distribution, that the asbestos or asbestos-containing products specified for use with such equipment might be removed, stripped, ripped out, or replaced at some time after installation?

34. For each type or piece of equipment identified in response to Interrogatory No. 26, were asbestos gaskets, asbestos packing, or asbestos insulation utilized as component parts?

35. Please provide the serial numbers for any of your equipment or products identified in your responses to Interrogatories No. 16 and No. 26 above (1) located in Mississippi and (2) located at jobsites in states other than Mississippi identified in the work histories of the Plaintiffs previously provided.

36. Before or after distributing, selling, specifying, installing or placing the products or equipment identified in your answers to these Interrogatories into the stream of commerce, were any tests conducted by you or on behalf of you to determine potential health hazards associated with the use of or exposure to asbestos fibers associated with these products. If the answer is in the affirmative, please state:

- a. The names of the products tested and the date of each test;
- b. The name, address, and job title of each person conducting the tests or involved with conducting the tests;
- c. The results of each such test; and
- d. Actions taken upon receipt and analysis of the results of each such test.

37. Does defendant maintain records of the sales, shipment or delivery of products or equipment it manufactured or sold? If yes, please identify:

- a. the manner in which these records are organized (ie by site, by state, by serial number);
- b. the location(s) of these records;
- c. the temporal limitations of these records;
- d. the manner in which these records have been maintained;
- e. any policies pertaining to the retention of these documents

**PLAINTIFFS' MASTER REQUESTS FOR PRODUCTION OF DOCUMENTS
AND THINGS TO ALL DEFENDANTS**

1. Produce any documents identified in, referred to or relied on in responding to Plaintiff's Master Interrogatories served in this matter.

2. Produce any written or recorded statements by anyone referenced in your answers to the Interrogatories immediately above.

3. Please produce all documents and tangible things that indicate the time and/or manner in which Defendant learned inhalation of asbestos fibers can lead to the development of the following asbestos-related diseases:

- a. asbestosis,
- b. pleural plaques,
- c. pleural thickening,
- d. interstitial fibrosis,
- e. scarring of the lungs,
- f. colon cancer,
- g. laryngeal cancer,
- h. esophageal cancer,
- i. lung cancer,
- j. mesothelioma, (pleural, peritoneal, or pericardial)

4. Please produce all documents and tangible things containing any information Defendant received before 1980, relating to the hazards of asbestos or nuisance dust in general that was discussed, disseminated, or in any way published by any organization, association, or group listed in Defendant's response to the Interrogatory concerning trade organizations, governmental agencies or departments or other groups.

5. Please produce all documents and tangible things related to any meeting, attended by any of Defendant's employees, former employees, or representatives, that indicate any discussion, consideration, or information regarding asbestos or nuisance dust in general. This Request for Production specifically seeks, but is not limited to meeting agendas, minutes, notes or memoranda from any proceeding, symposium or conference listed in Defendant's Response to the Interrogatories, as well as from safety committees, purchasing committees or other groups within Defendant's organization generated before 1972.

6. Please produce all documents and tangible things relating to health or safety inspections of Defendant, by local, state or federal regulatory agencies, including but not limited to OSHA. This Request for Production specifically seeks, but is not limited to all documents and tangible things relating to any violations, citations, or warnings, and includes inspections for asbestos and other dust hazards.

7. Please produce all documents and tangible things, received or obtained by Defendant before 1980, that indicate that inhaled asbestos fibers can be hazardous to human or non-human health. This Request for Production specifically seeks, but is not limited to all responsive books, articles, reports, pamphlets and manufacturer's instructions.

8. Please produce all documents and tangible things relating to the inventories of all Defendant's libraries, research repositories, or other archives that contain magazines, journals, books, publications or other documents related to asbestos, pneumoconiosis, or any other dust related disease (including, but not limited to, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information or research relating to asbestos or its effects on animals or humans, populations at risk, etc.). This Request for Production specifically seeks, but is not limited to all card catalogs, indices, holding lists, databases, other record management systems, and subscription lists for periodicals such as Journal of the American Medical Association, Industrial Medicine, Journal of Industrial Hygiene and Toxicology, National Safety News, Industrial Hygiene Foundation Digest, and Public Health Reports of the United States.

9. Please produce all documents and tangible things containing information concerning the hazards of asbestos or nuisance dust in general that Defendant received or published at any time.

10. Please produce all exhibits and demonstrative aids that Defendant plans to use at trial in this matter.

11. Please produce all documents and tangible things relating to communications between Defendant and any of its worker's compensation insurance carriers or any other insurance companies, made at any time, regarding asbestos-containing products, the hazards of asbestos or nuisance dust in general and any asbestos-related studies, analyses or testing conducted by any insurance carriers.

12. Please produce all any and all statements made by Defendant employees or past employees related to or concerning asbestos, asbestos health effects, asbestos civil litigation and asbestos industrial hygiene.

13. Please produce all documents and tangible things that indicate Defendant's participation in, or funding of, any research regarding the health effects of asbestos exposure including but not limited to asbestos medical research and asbestos industrial hygiene research.

14. Please produce all documents and tangible things Defendant's counsel provided to any of Defendant's expert or fact witnesses as a result of the filing of this case or in preparation for deposition or trial testimony.

15. Please provide any and all affidavits, depositions, written statements, and trial transcripts of all individuals, including but not limited to plaintiffs, co-workers and product witnesses in lawsuits alleging asbestos disease or property damage from asbestos, both concluded and pending, from exposure (1) at jobsites in Mississippi and (2) at jobsites in other states listed on the work histories of the Plaintiffs previously provided, in which Defendant is or was a party.

16. Please produce any and all affidavits, depositions, written statements, and trial transcripts of all individuals, including but not limited to plaintiffs, co-workers and product witnesses, in lawsuits for asbestos disease or property damage from asbestos, both concluded and pending, that relate to or concern Defendant's products or equipment (1) at jobsites in Mississippi and (2) at jobsites in other states listed on the work histories of the Plaintiffs previously provided.

17. If Defendant contends it has not been sued in the proper capacity or does not hold liability for the exposures alleged in this matter, please produce all documents and tangible things that support this contention.

18. Please produce all documents which defendant or their attorneys have relied upon in answering discovery in this litigation, other pending litigation or any prior litigation.

19. Please produce all documents and tangible things relating to Defendant's mining, manufacture, marketing, production, research, sale, distribution, or patenting of any asbestos-containing product at any time. This Request for Production specifically seeks, but is not limited to: packaging, instructions, package inserts, warnings, advertisements, and records of safety or health testing for each such product.

20. Please produce all documents and tangible things that indicate, in any way, each and every asbestos fiber supplier to this Defendant for any asbestos-containing product identified in response to Interrogatory No. 16.

21. Please produce all documents and tangible things that indicate, in any way, Defendant's knowledge or awareness of asbestos-free substitutes or alternatives for any product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant regardless of Defendant's belief of the viability of such substitutes or alternatives.

22. Please produce any and all documents identifying precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

23. Please produce the documents showing the terms of any re-branding, re-packaging or distribution agreements concerning asbestos containing products, including:

- a. contracts;
- b. rebranding agreements;
- c. shipping documents which are relevant to the terms of said agreement;
- d. purchase orders which are relevant to the terms of said agreement; invoices which are relevant to the terms of said agreement;
- e. requisitions which are relevant to the terms of said agreement, or correspondence which is relevant to the terms of said agreement.

24. Please produce all documents or tangible things which show the presence or absence of Defendant's asbestos and/or asbestos-containing products or equipment at any worksites or locations identified in discovery where Plaintiff and/or Plaintiff's decedent was allegedly exposed to asbestos.

25. Please produce any and all documents, including but not limited to, invoices, billing records, sales records, contracts, purchase orders or any other like document that reflect the distribution, sale, use, installation, maintenance or removal of your product or equipment to or from any of the jobsites identified in the Plaintiffs' work histories.

26. Please produce any and all documents, including but not limited to, sales records, invoices, billing records, shipping records, and any other type of document that supports your contention that your products were not or could not have been present on jobsites listed on the Plaintiffs' work histories.

27. For each product identified in Defendant's written discovery responses, please produce any and all documents identifying precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

28. For each product identified in Defendant's written discovery responses, please produce any and all advertisements, brochures, pamphlets, product manuals, or any other such documents relating to any asbestos containing product(s) manufactured, sold, specified or otherwise distributed by you.

29. Please produce all documents and tangible things relating to Defendant's manufacture, marketing, sale and distribution of any equipment identified in response to Interrogatories served in this matter including but not limited to, all contracts, purchase agreements, subcontracts, turbine files, pressure vessel files, boiler files, boiler cards, log books, field erection drawings, field erection notes/logs, blueprints, specifications, invoices and shipping documentation, for any of the jobsites identified in plaintiffs' work histories previously provided.

30. For each model of equipment identified in Defendant's Interrogatory responses, please produce all operation and repair manuals, packaging, instructions, package inserts, warnings, advertisements, and records of safety or health testing for each such type or piece of equipment.

31. Please produce all documents and tangible things that indicate health surveys, epidemiological studies, environmental testing at any location, air monitoring at any location, or dust level counts at any location conducted at any time at Defendant's request, or involving any equipment identified in response to Plaintiff's Interrogatories.

32. Please produce any and all brochures, sales manuals, pamphlets, advertisements, equipment manuals, or the like that relate to any equipment manufactured by you sold to (1) to jobsites in Mississippi and (2) to jobsites in states other than Mississippi identified on the work histories of the Plaintiffs previously provided.

33. Please produce any documents relating to the utilization of asbestos insulation, gaskets or packing on or around your equipment located at the jobsites listed on the work histories of the Plaintiffs previously provided.

34. Please produce or allow Plaintiff access to any and all product identification databases whether based upon Defendant's sales invoices, receipts, records and other written documentation together with any and all databases derived from witness testimony, including but not limited to previous co-worker and/or plaintiff testimony.

35. Please produce or allow Plaintiff access to any and all product identification databases whether based upon Defendant's sales invoices, receipts, records and other written documentation together with any and all databases derived from witness testimony, including but not limited to previous co-worker and/or plaintiff testimony which could contain records of the sales, shipment or delivery of products or equipment Defendant manufactured or sold to worksites listed on work histories of plaintiffs previously provided.

36. Please produce or allow Plaintiff access to any and all records of the sales, shipment or delivery of products or equipment Defendant manufactured or sold.

37. Please produce or allow Plaintiff access to any and all records which could contain records of the sales, shipment or delivery of products or equipment Defendant manufactured or sold to worksites listed on work histories of plaintiffs previously provided.

38. Please provide any and all naval records, specifications or other documentation relating to the presence of your equipment on any vessel identified on the work histories of the Plaintiffs previously provided.

39. Please produce all liability insurance policies providing potential coverage to defendant for liabilities related to asbestos-containing products, including but not limited to, any policy under which coverage has been refused or declined.

40. Please produce all documents obtained by Defendant or Defendant's counsel through the use of Plaintiffs' signed authorizations or obtained by subpoena in this matter.