

**DEFENDANTS' STANDARD INTERROGATORIES TO PLAINTIFF
(FRICTION)**

PROPOUNDING PARTY: Defendants

RESPONDING PARTY: Plaintiff _____

DEFINITIONS

1. "ASBESTOS-CONTAINING FRICTION PRODUCTS" means "BRAKE LININGS" as defined below and MOTOR VEHICLE transmission parts such as clutches, clutch plates, clutch discs, clutch facings and linings, or any other MOTOR VEHICLE parts which contain or have parts made from asbestos.

2. "BRAKE LININGS" mean the metallic shoe and friction material attached thereto as well as disc brake pads and calipers.

3. "CONTAINER" means any package, cart, box, wrapping, bag or other material in which the ASBESTOS-CONTAINING FRICTION PRODUCTS came.

4. "FRICTION MATERIAL DEFENDANTS" means those defendants who plaintiff(s) has/have named in the complaint and who plaintiff(s) allege(s) are in the business of selling, manufacturing or distributing ASBESTOS-CONTAINING FRICTION PRODUCTS and/or any other MOTOR VEHICLE parts which plaintiff(s) allege(s) contain asbestos.

5. "IDENTIFY" as used in reference to documents means to give such specific descriptive information about each document with sufficient particularity as would enable plaintiff to respond to a request to produce such document.

6. "IDENTIFY" as used in reference to any individual or entity means to state their name, address, telephone number and, if appropriate, his/her employer, employer's address and relationship to plaintiff (co-worker, friend, relative, etc.).

7. "MOTOR VEHICLE" means any motor vehicle or mobile equipment and their systems or parts, including but not limited to a car, truck, tractor, trailer, bus or heavy motorized equipment upon which plaintiff claims he/she performed any repairs or work that resulted in an exposure to asbestos.

8. "WRITTEN INFORMATION" means any printing, writing, labeling, logos, imprints or stamps which might appear on ASBESTOS-CONTAINING FRICTION PRODUCTS or CONTAINERS.

9. "YOU" or "YOUR" in a personal injury case means the plaintiff. In a wrongful death case, they mean the decedent.

INTERROGATORIES

1. State the full name of each plaintiff answering these interrogatories.

2. Do YOU contend that YOU were exposed to asbestos from any ASBESTOS-CONTAINING FRICTION PRODUCTS at any place of employment? If so:

A. State the names and address of all places of employment where YOU contend such an exposure took place.

B. State the dates YOU worked at each place of employment;

C. IDENTIFY YOUR immediate supervisor(s) at each place of employment;

D. IDENTIFY all of YOUR co-workers at each place of employment (whose name YOU recall or whose identity is known to YOUR attorney);

E. IDENTIFY any other person with knowledge of YOUR alleged exposure at each place of employment;

- F. State YOUR job title at each place of employment;
- G. State YOUR job responsibilities at each place of employment;
- H. Provide a complete description of any work performed with ASBESTOS-CONTAINING FRICTION PRODUCTS by YOU which YOU contend caused an asbestos exposure to YOU at each place of employment.
- I. State the specific parts or components YOU worked with which YOU contend were ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment;
- J. State the frequency of YOUR exposure to each specific ASBESTOS-CONTAINING FRICTION PRODUCT at each place of employment;
- K. For brake replacements, describe the method used to clean the brake assembly at each place of employment, including the tools and equipment used;
- L. For clutch replacements, describe the method used to clean the clutch assembly at each place of employment, including the tools and equipment used;
- M. IDENTIFY by manufacturer and type each replacement ASBESTOS-CONTAINING FRICTION PRODUCT installed by YOU by manufacturer and type (e.g., brake linings by ABC Corp. and XYZ Corp.);
- N. State whether YOU did any arcing of ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment and, if so, the frequency of this activity;
- O. State whether YOU did any grinding of ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment and, if so, the frequency of this activity;

P. State whether YOU did any sanding of ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment and, if so, the frequency of this activity;

Q. State whether YOU did any cutting of ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment and, if so, the frequency of this activity;

R. State whether YOU did any drilling of ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment and, if so, the frequency of this activity at each place of employment;

S. State whether YOU removed any ASBESTOS-CONTAINING FRICTION PRODUCTS from MOTOR VEHICLES at each place of employment;

T. IDENTIFY by manufacturer and type each ASBESTOS-CONTAINING FRICTION PRODUCT by YOU removed by manufacturer and type (e.g., brake linings by ABC Corp. and XYZ Corp.);

U. Describe any WRITTEN INFORMATION which indicated the identity of the manufacturer of any ASBESTOS-CONTAINING FRICTION PRODUCTS YOU removed at each place of employment;

V. Describe the type of each MOTOR VEHICLE on which YOU performed work with ASBESTOS-CONTAINING FRICTION PRODUCTS (e.g., car, light truck, heavy truck, tractor, bus, etc.);

W. IDENTIFY the manufacturer of each MOTOR VEHICLE on which YOU performed work with ASBESTOS-CONTAINING FRICTION PRODUCTS;

X. Completely describe any work performed with ASBESTOS-CONTAINING FRICTION PRODUCTS by others which YOU contend caused an asbestos exposure to YOU;

Y. For each occasion on which YOU contend work performed with ASBESTOS-CONTAINING FRICTION PRODUCTS by others caused an asbestos exposure to YOU, state YOUR proximity to the work performed;

Z. IDENTIFY every supplier from whom YOU obtained ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment;

AA. For each supplier IDENTIFIED above, state the years in which you obtained ASBESTOS-CONTAINING FRICTION PRODUCTS from that supplier;

BB. Describe any safety equipment or protective devices for use with ASBESTOS-CONTAINING FRICTION PRODUCTS provided to YOU or YOUR co-workers at each place of employment;

CC. Describe any safety equipment or protective devices YOU or YOUR co-workers were required to use with ASBESTOS-CONTAINING FRICTION PRODUCTS at each place of employment;

DD. Describe any safety equipment or protective devices for use with ASBESTOS-CONTAINING FRICTION PRODUCTS used by YOU or YOUR co-workers at each place of employment;

EE. IDENTIFY all documents which support YOUR contention that YOU were exposed to asbestos from any ASBESTOS-CONTAINING FRICTION PRODUCT (not including documents obtained from other defendants through discovery);

3. Do YOU contend that YOU were exposed to asbestos from any ASBESTOS-CONTAINING FRICTION PRODUCTS anywhere other than a place of employment (i.e., during home auto repair)? If so, please state for each such exposure:

A. The location where YOU contend each such exposure took place;

B. The dates of each exposure;

C. For each such exposure, IDENTIFY the owner of the MOTOR VEHICLE on which YOU performed work with ASBESTOS-CONTAINING FRICTION PRODUCTS;

D. For each such exposure, IDENTIFY any person who observed YOU working with ASBESTOS-CONTAINING FRICTION PRODUCTS;

E. For each such exposure, IDENTIFY any other person with knowledge of YOUR alleged exposure to ASBESTOS-CONTAINING FRICTION PRODUCTS;

F. For each such exposure, provide a complete description of any work performed with ASBESTOS-CONTAINING FRICTION PRODUCTS by YOU which YOU contend caused an asbestos exposure to YOU;

G. For each such exposure, describe the specific parts or components YOU worked with which YOU contend were ASBESTOS-CONTAINING FRICTION PRODUCTS;

H. For each brake replacement, describe the method used to clean the brake assembly, including the tools and equipment used;

I. For each clutch replacement, describe the method used to clean the clutch assembly, including the tools and equipment used;

J. For each such exposure, IDENTIFY by manufacturer and type the replacement ASBESTOS-CONTAINING FRICTION PRODUCT installed by YOU (e.g., brake linings by ABC Corp. and XYZ Corp.);

K. For each such exposure, whether YOU did any arcing of ASBESTOS-CONTAINING FRICTION PRODUCTS;

L. For each such exposure, whether YOU did any grinding of ASBESTOS-CONTAINING FRICTION PRODUCTS;

M. For each such exposure, whether YOU did any sanding of ASBESTOS-CONTAINING FRICTION PRODUCTS;

N. For each such exposure, whether YOU did any cutting of ASBESTOS-CONTAINING FRICTION PRODUCTS;

O. For each such exposure, whether YOU did any drilling of ASBESTOS-CONTAINING FRICTION PRODUCTS;

P. For each such exposure, whether YOU removed any ASBESTOS-CONTAINING FRICTION PRODUCTS from a MOTOR VEHICLE;

Q. For each such exposure, IDENTIFY by manufacturer and type each ASBESTOS-CONTAINING FRICTION PRODUCT removed by YOU removed (e.g., brake linings by ABC Corp. and XYZ Corp.);

R. For each such exposure, describe any WRITTEN INFORMATION which indicated the identity of the manufacturer of any ASBESTOS-CONTAINING FRICTION PRODUCTS YOU removed;

S. For each such exposure, describe the type of MOTOR VEHICLE on which YOU performed work with ASBESTOS-CONTAINING FRICTION PRODUCTS (e.g ., car, light truck, heavy truck, tractor, bus, etc.);

T. For each such exposure, IDENTIFY the manufacturer and model year of MOTOR VEHICLE on which YOU performed work with ASBESTOS-CONTAINING FRICTION PRODUCTS;

U. For each such exposure, provide a complete description of any work performed with ASBESTOS-CONTAINING FRICTION PRODUCTS by others which YOU contend caused an asbestos exposure to YOU;

V. For each occasion on which YOU contend work performed with ASBESTOS- CONTAINING FRICTION PRODUCTS by others caused an asbestos exposure to YOU, state YOUR proximity to the work performed;

W. Please IDENTIFY every supplier from whom YOU obtained ASBESTOS-CONTAINING FRICTION PRODUCTS;

X. For each supplier IDENTIFIED above, state the years in which YOU obtained ASBESTOS-CONTAINING FRICTION PRODUCTS from that supplier;

Y. For each such exposure, describe any safety equipment or protective devices for use with ASBESTOS-CONTAINING FRICTION PRODUCTS used by YOU;

Z. IDENTIFY all documents which support YOUR contention that YOU were exposed to asbestos from any ASBESTOS-CONTAINING FRICTION PRODUCT (not including documents obtained from other defendants through discovery).

4. Have YOU ever received any formal instruction or training in MOTOR VEHICLE inspection, repair, maintenance or mechanics? If so, please state:
- A. Where YOU received such training;
 - B. When YOU received such training;
 - C. By whom the training was given, noting corporate identity as well as name and address;
 - D. The subject or topics involved;
 - E. The systems or parts of the MOTOR VEHICLE involved;
 - F. Whether any safety equipment or protective devices with respect to asbestos were discussed and/or advised and, if so, describe the equipment/devices; and
 - G. Whether the subject of asbestos (asbestos parts, asbestos health hazards, etc.) was discussed and, if so, what was said;

5. Were technical or shop manuals ever made available to YOU at any place of employment where YOU performed MOTOR VEHICLE repairs? If so, please state:

- A. At which place of employment or training or in what other circumstances the manuals were made available;
- B. The time periods during which the manuals were made available;
- C. The identity of the manual (i.e., Chilton's, etc.);
- D. What systems or components were covered in the manuals; and
- E. YOUR use of the manual (including the frequency of use, reasons for use, etc.).

6. Are YOU contending that any defect or defective condition exists with respect to ASBESTOS-CONTAINING FRICTION PRODUCTS other than a failure to warn? If so:

A. Set forth YOUR contention with respect to the alleged defect or defective condition;

B. State all facts upon which YOU base YOUR contention that a defect or defective condition (other than a failure to warn) exists with respect to ASBESTOS-CONTAINING FRICTION PRODUCTS;

C. IDENTIFY all documents and/or writings upon which YOU rely in so contending; and

D. IDENTIFY all witnesses who have knowledge of the facts upon which YOU rely in so contending.

7. Are YOU contending that any warnings regarding ASBESTOS-CONTAINING FRICTION PRODUCTS given were inadequate or insufficient? If so, please:

A. State YOUR contention as to each manufacturer or supplier of ASBESTOS-CONTAINING FRICTION PRODUCTS to which YOU contend YOU were exposed;

B. State YOUR contention as to how each warning was insufficient;

C. State YOUR contention as to what a proper warning should have been;

D. IDENTIFY the witnesses who have personal knowledge of the facts which support any of the contentions set forth above.

8. Do YOU contend that any misrepresentations were made to YOU by any manufacturer or supplier of ASBESTOS-CONTAINING FRICTION PRODUCTS? If so, please state:

- A. The nature or substance of the misrepresentation;
- B. By whom it was made;
- C. To whom it was made; and
- D. When it was made.

9. Do YOU contend that there was a violation of any state or federal law or regulation by any manufacturer or supplier of the ASBESTOS-CONTAINING FRICTION PRODUCTS to which YOU contend YOU were exposed? If so, state specifically and in detail and by citation each and every state or federal law or regulation YOU contend was violated and state the name of each manufacturer and/or supplier YOU contend committed the violations.

10. Were YOU/are YOU licensed or certified by any local, state or federal authority to perform work upon MOTOR VEHICLES? If so, please state:

- A. By whom YOU were or are licensed or certified;
- B. When YOU were licensed or certified;
- C. What the requirements were/are to become licensed or certified;
- D. Whether YOU had to pass any written examinations to become licensed or certified;
- E. Whether YOU had to pass any proficiency examinations to become licensed or certified;

F. Whether YOU were ever retested or recertified and, if so, the dates of the retesting or recertification; and

G. Whether YOUR license or certificate was revoked or suspended and, if so, when and why.

11. Did YOU ever complain about working conditions, specifically any potential hazards of working with ASBESTOS-CONTAINING FRICTION PRODUCTS? If so:

A. To whom did YOU complain;

B. When did YOU complain;

C. Describe the specific nature of YOUR complaint;

D. What action, if any, was taken to rectify the situation;

E. State when such action was taken;

F. State whether YOU repeated the complaints if no action was taken;

G. State whether YOUR co-workers joined in YOUR complaints;

H. IDENTIFY anyone who may have heard YOU make YOUR

complaints; and

I. State whether YOUR complaints were made orally or in writing.

12. To YOUR knowledge, were any air samplings for asbestos levels taken at any of the locations at which YOU worked? If so, please state:

A. The work location or place of employment where this occurred;

B. When the sampling(s) took place;

C. By whom the sampling was performed;

D. By what method the sampling was performed; and

E. The results of the sampling.

13. To YOUR knowledge, did any governmental agency, federal, state or local, conduct any inspection of any of YOUR work locations/places of employment? If so, please state:

- A. Name and address of each work place;
- B. Date(s) of inspection;
- C. Purpose of inspection;
- D. Findings of the inspection; and
- E. Whether any changes (of the facilities, equipment or in procedures)

were instituted in the work environment within three months of the inspection.

14. At any time, were YOU aware of or did YOU read any bulletins, newsletters or similar publications regarding ASBESTOS-CONTAINING FRICTION PRODUCTS or asbestos-related health hazards issued by any manufacturer, distributor or seller of ASBESTOS-CONTAINING FRICTION PRODUCTS, governmental agency, dealership association, union, organization of MOTOR VEHICLE mechanics or any other group, association or organization? If so, please state:

- A. The title of the publication;
- B. The date of the publication;
- C. The identity of the group publishing the document;
- D. Where YOU saw the document (at the place of employment or

mailed to YOUR home);

E. When YOU saw the document (received regularly or on an intermittent basis and the time frame of receipt);

F. The specifics or details of the information concerning asbestos health hazards allegedly arising from ASBESTOS-CONTAINING FRICTION PRODUCTS; and

G. What, if anything, YOU did in response to the information contained in this publication (including complaints to employers).

ATTACH THE FOLLOWING DOCUMENT TO YOUR RESPONSES:

[Verification under penalty of perjury]