

In the Court of Common Pleas of Allegheny County, PA

Faith Craig, Executrix of the	)	Civil Division - Asbestos
Estate of Robert Baird,	)	
Plaintiff	)	Civil Action No. GD-20-001966
	)	
Vs.	)	
	)	
Armstrong World Industries, Inc.	)	Interrogatories, Request to Admit, to
Now Known As	)	Requests to Produce to
Armstrong World Industries	)	Defendant Armstrong World Industries, Inc.
Asbestos Personal Injury Trust	)	Now Known As Armstrong World Industries
	)	Asbestos Personal Injury Trust
and	)	
	)	
Armstrong World Industries, Inc.	)	Lee W. Davis, Esquire (PA 77420)
	)	Law Offices of Lee W. Davis, Esquire, L.L.C.
and	)	5239 Butler Street, STE 201
	)	Pittsburgh, PA 15201
Trustees of the Armstrong World Industries	)	(412) 781-0525
Asbestos Personal Injury Trust	)	lee@leewdavis.com
and	)	
Anne M. Ferazzi, individually,	)	
and	)	
Harry Huge, individually,	)	
and	)	
Richard E. Neville, individually	)	
	)	
and	)	
	)	
Trust Advisory Committee of the	)	
Armstrong World Industries Asbestos	)	
Personal Injury Trust	)	
and its members,	)	
John D. Cooney, individually	)	
and	)	
Russell D. Budd, individually	)	
and	)	
Joseph F. Rice, individually	)	
and	)	
Steven Kazan, individually	)	
and	)	
Perry Weitz, individually	)	

and )  
 )  
 )  
 Future Claimants' Representative of )  
 Armstrong World Industries Asbestos )  
 Personal Injury Trust )  
 and )  
 Dean M. Trafelet, Esquire, individually, )  
 )  
 and )  
 )  
 Delaware Claims Processing Facility )  
 and its Director of Claimant Relations, )  
 Mary Ellen Nickel, individually )

PLAINTIFF'S INTERROGATORIES, REQUESTS TO PRODUCE DOCUMENTS AND THINGS,  
 and REQUESTS FOR ADMISSION DIRECTED TO  
DEFENDANT ARMSTRONG WORLD INDUSTRIES, INC. NOW KNOW AS ARMSTRONG  
WORLD INDUSTRIES ASBESTOS PERSONAL INJURY TRUST

AND NOW comes the Plaintiff, by and through his attorneys Lee W. Davis, Esquire and the Law Offices of Lee W. Davis, L.L.C. and hereby request that the Defendant, Armstrong World Industries, Inc. now known as Armstrong World Industries Asbestos Personal Injury Trust, hereinafter the Defendant, answer and respond, in writing and under oath, to the following interrogatories, requests to produce and request to admit and that service of the defendant's answers be made upon the undersigned.

Instructions

A. "Asbestos" as used herein shall include all asbestos or asbestoiform minerals of either the amphibole or serpentine group, and shall include chrysotile, amosite, crocidolite, tremolite, anthophyllite and actinolite.

B. "Asbestos-containing product" is an inclusive term and includes, but is not limited to, asbestos, raw asbestos, mined asbestos, milled asbestos, asbestos compounds, materials and products containing asbestos and asbestos particles, and dust and fibers resulting therefrom.

"Asbestos-containing product" is specifically not limited with respect to product type or form, such as thermal insulation, refractories, mastics, raw asbestos, etc. and shall include all product types and/or forms.

C. "Industrial insulation product" is an inclusive term and includes, but is not limited to pipecoverings, block, cements, blankets, felts, textiles, rovings, paper, sheets, fireproofing materials, spray materials, mastics, emulsions, coatings, primers, paints, adhesives, sealers, and barrier compounds. "Industrial insulation product" is specifically not limited with respect to; (a) the material components of any such product, (b) the surfaces, instrumentalities, equipment or things on or to which such products are/were to be applied, (c) any temperature range at which any such products are/were to be applied.

D. "Defendant", "this defendant", "you" or "your" means the defendant separately and individually answering these interrogatories, its subsidiaries and its merged or acquired predecessors and predecessors-in-interest, whether admitted or alleged in the Complaint, its present or former officers, agents and all other persons acting on behalf of the defendant or such subsidiaries or such predecessors including a corporation, sole proprietorship, general or limited partnership, association for profit or any other business venture.

E. "Document" is an all-inclusive term and means the original or any copy of a writing or other form of record preserving system and shall include, but not be limited to, any and all things either typed, printed, handwritten or otherwise visually reproduced, electronically stored, including but not limited to, books, records, lists, papers, memoranda, correspondence, telegrams, communications, schedules, photographs, drawings, graphs, charts, reports, films, cables, wires, inter-office communications, recordings, patents, applications, assignments, contracts, agreements, legal instruments, vouchers, ledgers, invoices, bills, checks, receipts, files, computer

tapes and cards, magnetic tapes, microfilms, videotapes, or any other forms of preserved information which are or may be in the possession, custody or control of the defendants, its agents, servants, employees, attorneys, insurance carriers or any other person acting on defendant's behalf or of which defendant has knowledge of whether or not in the possession, custody or control of the defendant and whether or not claimed to be privileged against discovery on any ground.

F. As used herein, present tense shall include past tense and past tense shall include present tense.

G. Singular should be construed as also including the plural, if applicable. As used herein, the singular shall include the plural and the plural shall include the singular.

H. These interrogatories should be answered to the best of this defendant's ability based on knowledge and information available to this defendant and are deemed to be continuing requiring defendant to supplement such information as it becomes known and/or as such becomes available or is discovered.

I. "Name", "identify", "identity" or "identification", when used in reference to an individual means to state his or her full name and present address, if known, and his or her present or last known business position, affiliation and address, if known. "Identify", "identity" or "identification" when used in reference to a document means to state the type of document (e.g. letter, memorandum, telegram, chart, etc.), or some other means of identifying it and its present location or custodian. If any such document was, but is no longer, in your possession or subject to your control or has been destroyed, state what disposition was made of it, the content of said document, the location of any copies of said document, the date of destruction or when you lost control of said document and the name of the person who ordered or authorized destruction.

J. Beaver Falls facilities includes any and all property owned, operated, leased, rented, used in the production process, and/or for storage of finished product or raw materials or commodities including but not limited to asbestos fibers or asbestos containing products, by Defendant Armstrong

World Industries, Inc. Now Know As Armstrong World Industries Asbestos Personal Injury Trust, or any of its present or former officers, agents and all other persons acting on behalf of the Defendant or such subsidiaries or such predecessors including a corporation, sole proprietorship, general or limited partnership, association for profit or any other business venture in Beaver Falls, PA formerly known as 13<sup>th</sup> Street facility of Armstrong World Industries, Inc. and/or 27<sup>th</sup> Street facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania.

K. "TDP" refers to the Second Amended Trust Distribution Procedures of the Armstrong Personal Injury Settlement Trust.

L. "CCR" refers to Defendant's membership in the Center for Claims Resolution.

M. "ACF" refers to the Agreement Concerning Asbestos-Related Claims, generally known as "the Wellington Agreement" and under the terms of the Wellington Agreement, the Asbestos Claims Facility ("ACF").

#### INTERROGATORIES AND REQUESTS TO PRODUCE

1. Identify each person who has provided any information used in answering these Interrogatories on behalf of the Defendant.

ANSWER:

2. List the name and addresses of any and/or all of the suppliers of asbestos containing products to Defendant or any site listed on Exhibit A where Plaintiff Robert Baird was employed and, for each, provide:

- (a) The dates on which asbestos containing products were supplied, and
- (b) The types of asbestos containing product that were supplied.

Provide All Documentation of the Same

ANSWER:

3. State whether or not Defendant is a corporation; if so, please state your correct corporate name, the state of your incorporation and the address of your principal place of business.

ANSWER:

4. Describe in detail Defendant's complete corporate history including any mergers, consolidations, divisions, subsidiaries, predecessors, prior names, asset purchases, and/or acquisitions.

ANSWER:

5. Describe any spin-offs having to do with the mining of asbestos fibers, distribution, fabrication, installation, manufacture, marketing, sale, supply, use or otherwise placing in the stream of commerce any asbestos-containing products. In addition:

- A. If you have sold any asbestos product line or stock in a company dealing in asbestos-containing products, state the date of the sale and identify the purchaser;
- B. Identify each document related to the history of any transaction(s) set forth in answer to this Interrogatory.

ANSWER:

6. Please state whether or not the Defendant or any of its predecessors, divisions or subsidiaries at any time purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity engaged in the mining of asbestos fibers, distribution, fabrication, installation, manufacture, marketing, sale, supply, use or otherwise placing into the stream of commerce asbestos-containing products. If so, please identify each document governing the terms and conditions of any such transaction and/or acquisition, and state:

- A. The name of each corporation or entity acquired by Defendant and the name of Defendant at the time of acquisition;
- B. The manner in which each such corporation or entity, or interest therein, was acquired (e.g., assets purchased, merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);
- C. The date of each such acquisition;
- D. The state in which each such acquisition was effected;
- E. The state law governing each such acquisition if specified by contract;
- F. The state of incorporation and principal place of business of each corporation acquired or of each corporation in which an interest was acquired; and
- G. Whether Defendant became legally responsible for the past torts of each such corporation or entity.

ANSWER:

7. Please state which of the following are encompassed by Defendant answers to these Interrogatories:

- A. Organizational units of the Defendant;
- B. Predecessors of the Defendant;
- C. Subsidiaries of the Defendant;

D. Corporations or entities purchased, assumed or in any other manner acquired by the Defendant or any of its predecessors or subsidiaries at any time.

ANSWER:

8. If Defendant has declined to answer these Interrogatories with respect to any corporation, subsidiary, predecessor, assets and/or liabilities referenced in the preceding Answers to Interrogatory, state the basis for refusing to answer.

ANSWER:

9. Please state whether or not Defendant, Defendant's predecessors, divisions or subsidiary companies at any time engaged in the distribution, marketing, mining, milling, producing, processing, supply, sale or otherwise placed asbestos fibers in the stream of commerce. If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area into which you claim the asbestos was sold.
- F. The type of asbestos fiber.
- G. The name of the business entity involved.

ANSWER:



10. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, engaged in the fabrication, manufacture or production of asbestos containing products? If so, please state;

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why.
- E. The geographical area into which these activities took place.
- F. The name of business entity involved.

ANSWER:

11. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, engaged in the distribution, marketing, supply, sale and/or otherwise placed in the stream of commerce asbestos-containing products? If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area which you claim the activities took place;
- F. The name of the business entity involved.

ANSWER:

12. Has Defendant, Defendant's predecessors or any of Defendant's divisions or subsidiary companies, at any time, at any location, engaged in the installation, removal and or use of asbestos-containing products? If so, please state:

- A. The date such activity began;
- B. The years during which such activity took place;
- C. The date when such activity was terminated;
- D. If such activity was terminated, the reason why;
- E. The geographical area which you claim the activities took place;
- F. The name of business entity involved.

ANSWER:

13. Please identify any goods, machinery, and/or equipment, which Defendant ever manufactured, supplied, designed, engineered, constructed, caused to be constructed, used in the normal course of business, including but not limited to at the Beaver Falls facilities which contained any asbestos components or asbestos parts, or which had engineering specifications which incorporated or called for the use of asbestos-containing products. As to each such product, please state the following:

- A. The identity and/or description of the goods, machinery and/or equipment;
- B. The identity of the asbestos-containing components or parts;
- C. The location on the goods, machinery and/or equipment where asbestos was used, applied and/or called for by the design or specifications;
- D. The identity and location of any documents concerning the design, construction, specifications, blueprints and/or work orders concerning the product, machinery and/or equipment discussed in this interrogatory;
- E. The name of the business entity involved.

ANSWER:

14. If interrogatory number 13 above is not answered in the affirmative, has Defendant ever acted as a supplier/distributor or placed in the stream of commerce pre-manufactured asbestos products, equipment, or goods? If so, please state:

- A. The date such activity began;
- B. The date when such activity was terminated;
- C. The geographical area such activity took place;
- D. The name of the business entity involved.

ANSWER:

15. Has Defendant ever utilized or incorporated pre-manufactured asbestos-containing products on any jobs they have been involved with, either directly or indirectly, as a service provider, subsidiary, related company, contractor, designer or engineering firm? If so, please state:

- A. The date such activity began;
- B. The date when such activity was terminated;
- C. The type(s) of asbestos-containing products utilized;
- D. The names and addresses of all suppliers of said asbestos-containing products;
- E. The reason for such use of these asbestos-containing products;
- F. The geographical location where such activity took place;
- G. The name of the business entity involved.

ANSWER:

16. Has Defendant ever designed, engineered, manufactured, built and/or supplied equipment that specified, incorporated and/or utilized in its design, construction, specifications and/or installation the use of any asbestos-containing products? If so, state:

- A. What type of equipment (i.e. boilers, cranes, furnaces, ceiling tile ovens, ceiling tile furnaces, presses, pumps, turbines, etc.) and tradename of equipment;
- B. Whether the defendant was the designer, engineer, manufacturer, installer or contractor of equipment;
- C. For each piece of equipment, what type of asbestos-containing products were specified, incorporated and/or utilized in this equipment?
- D. Who was the manufacturer and/or supplier of the asbestos-containing products?
- E. The name of the business entity manufacturing the equipment.

ANSWER:

17. For the period 1920 to date, state the addresses of each facility, building, mine/mill or location which was used by you as a fabricating, mining, milling, manufacturing or processing facility of asbestos or asbestos-containing products; and further state the inclusive dates such facilities were in operation.

ANSWER:

18. Please list each asbestos-containing product utilized, purchased, purchased for use as a service provider, contractor, subcontractor, transportation provider, by Defendant, Defendant's predecessors, and Defendant's divisions or subsidiaries at any time since 1930; and please state the following for each named product:

- A. The year the asbestos containing product was first utilized, purchased, purchased for use, and if discontinued, the year and the reason such utilized, purchased, purchased for use at a Site listed in Exhibit A;
- B. The years during which the product was utilized, purchased, mined, manufactured, sold, marketed or distributed;

- C. The name and address, per year, and per product, of each Distributor or Supplier from which Defendant purchased an asbestos containing product during any year;
- D. The address(es) at which the product was mined or manufactured;
- E. Whether any documents of any kind indicating or reflecting such sale or supply exist (including, but not limited to, invoices, bid and specification sheets, purchase records, confirmations, bills of lading, accounts payable or accounts receivable records, etc.) and if so, please identify each such document;
- F. Produce any and all listings, job books or compilations of customers or potential end user work sites that identify where Defendants products were used or sold;
- G. Identify and Produce any and all listings, job books or compilations of customers or potential end user work sites that identify where Defendants have settled in litigation or otherwise had its products identified at a particular work site;

ANSWER:

19. Please list each asbestos-containing product utilized, purchased, purchased for use as a service provider, contractor subcontractor, or transportation provider, by Defendant that was distributed, fabricated, installed, manufactured, marketed, mined, processed, produced, sold, supplied or otherwise placed in the stream of commerce by Defendant, Defendant's predecessors, and Defendant's divisions or subsidiaries at any time since 1930; and please state the following for each named product:

- A. The year the asbestos containing product was first mined, manufactured, sold, marketed, distributed, and if discontinued, the year and the reason such mining, manufacturing, sale, marketing or distribution stopped;

- B. The years during which the product was utilized, purchased, mined, manufactured, sold, marketed or distributed;
- C. The name and address, per year, and per product, of each Distributor or Supplier from which Defendant purchased an asbestos containing product during any year;
- D. The address(es) at which the product was mined or manufactured;
- E. Whether any documents of any kind indicating or reflecting such sale or supply exist (including, but not limited to, invoices, bid and specification sheets, purchase records, confirmations, bills of lading, accounts payable or accounts receivable records, etc.) and if so, please identify each such document;
- F. Produce any and all listings, job books or compilations of customers or potential end user work sites that identify where Defendant's products were used or sold;
- G. Identify and Produce any and all listings, job books or compilations of customers or potential end user work sites that identify where Defendants have settled in litigation or otherwise had its products identified at a particular work site.

ANSWER:

20. Please state the following for each asbestos-containing product distributed, fabricated, incorporated, installed, manufactured, marketed, mined, processed, sold, supplied, used and/or otherwise placed in the stream of commerce by Defendant, Defendant's predecessors, and Defendant's divisions or subsidiaries at any time since 1930:

- A. Its generic name, trade and/or brand name;
- B. Any common, popular or slang names by which the product was referred;
- C. Its chemical composition (including the specific asbestos fiber type(s) – e.g., amosite, chrysotile, or crocidolite – and percentage by weight of each asbestos fiber type

contained in the product, as well as the identity and percentage by weight of all other ingredients of the product);

- D. The intended use of the product, including the temperature ranges for which the product was recommended;
- E. The form in which the product was shipped (i.e., burlap bags, paper bags, drums, cardboard boxes, wooden crates, etc.), including the size of the container(s);
- F. The name of the company distributing, fabricating, installing, incorporating, manufacturing, marketing, mining, processing, selling, supplying and/or placing product(s) in stream of commerce said product(s), if not the Defendant;
- G. A detailed description of the intended method of preparation and application of the product;
- H. A description of the physical appearance of the product, including color and texture;
- I. A description of any logos, writing, impressions or identifying markings which appeared on the product, as well as describing the package used, the date that type of package was used, and any writings, trademarks, etc. which appeared on the package;
- J. Identify each individual who participated in the design, preparation and approval of the company manufacturing specifications for the product;
- K. Whether the product has been altered in chemical composition since first being made. If so, please state as to each such alteration:
  - (1) The date of alteration;
  - (2) The nature of the alteration;
  - (3) The reason for the alteration;
  - (4) Identify the person recommending or approving such alteration;
  - (5) Whether there were any studies, evaluations or tests made in connection with the alteration, and if so, identify each such study.

- L. Whether the product could be used interchangeably with products of other manufacturers, distributors or sellers and if so, please identify each such product and its manufacturer.
- M. Identify and produce any and all documents, catalogs, brochures, pamphlets, etc. which describe, depict and or mention the product and its uses.

ANSWER:

21. Please state whether any of the asbestos-containing products in the preceding Interrogatory was ever distributed, incorporated, installed, manufactured, marketed, sold, supplied or placed in the stream of commerce to any location listed on Exhibit A, and if so, please state the following as to each such sale or occasion on which each product was provided:

- A. Date of sale or supply;
- B. Amount supplied;
- C. Purchaser or organization supplied, including location of shipment.
- D. Identify and produce any documents that exist or reflect such sale or supply.

ANSWER:

22. Please identify each agent, distributor or wholesaler of your asbestos-containing equipment, components, products and/or asbestos-related services since 1930. For each agent, distributor or wholesaler, please state:

- A. Their last known address;
- B. The years of the relationship;
- C. Whether there was a written distributorship agreement;
- D. Whether the distributorship was exclusive;



E. Identify and produce all documents pertaining to the distributor or wholesaler relationship.

ANSWER:

23. Do any documents, including written memoranda, company specifications, product catalogs, parts manuals, blueprints or other written materials of any kind or character relating to the design, preparations, or chemical composition of the products, components listed in answer to Interrogatories 1 through 22 above now exist? If so, please identify and provide each such document.

ANSWER:

24. Please state whether any of the asbestos-containing products in the preceding Interrogatory was ever used, handled, distributed, incorporated, installed, manufactured, marketed, sold, supplied or placed in the stream of commerce to any location listed on Exhibit A, and if so, please state the following as to each such sale or occasion on which each product was provided:

- A. Date of sale or supply;
- B. Amount supplied;
- C. Purchaser or organization supplied, including location of shipment;
- D. Identify and produce any documents that exist or reflect such sale or supply.

ANSWER:

25. List the name(s) of all contractor(s) who installed asbestos-containing products at your plant, including any jobsite or worksite where Defendant employed Plaintiff Robert Baird and, for each, provide:

- (a) The date(s) when the contractor(s) worked in your facilities, and
- (b) The nature of the work performed by each contractor.

ANSWER:

26. State when you first provided training to your employees and/or business invitees at your plant concerning the hazards of exposure to asbestos, and

(a) State the nature of the training, and

(b) List the materials that were provided to your employees and business invitees as part of the training.

ANSWER:

27. State when you first implemented a medical screening program for your employees exposed to asbestos at your plant, and state:

(a) The categories of employees eligible to participate in the screening program;

(b) The nature of the screening program;

(c) The names of the healthcare providers who participated in the screenings, and

(d) The manner in which your employees/invitees were informed of the results.

Answer:

28. State whether any safety movies, films or slideshows were shown to your employees regarding the hazards of exposure to asbestos at your plant. If the answer is in the affirmative, state the title of the movie, film or slideshow and the subject matter covered therein.

Answer:

29. List the precautions that you took to protect Plaintiff Robert Baird from exposure to asbestos fibers and dust while working in your plant.

Answer:

30. List all known Worker's Compensation Claims for Occupational Disease, Lung Cancer or Mesothelioma claims for employees, contractors and/or business invitees at any plant (i.e. Facilities owned and operated by Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust, or Armstrong World Industries, Inc. (reorganized AWI) where Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust or Armstrong World Industries, Inc. (reorganized AWI) employed, contracted for pay, hired any person. State the date of each claim, how the claim was resolved, the amount and date when the claim was paid. Provide Documentation of aforementioned Claims.

Answer:

31. List All Inspections, Reports, Citations, Fines, Or Any Other Documentation Regarding The Inspection Of The Facility Where By Any United States, State Or Any Governmental Agency, Governmental Group Or Private Inspection Company Or Group When Installed Asbestos In Your Facility Or You Sold, Installed, Supplied, And/or Distributed Asbestos containing Equipment Incorporating Asbestos Products To Customers. Provide Documentation of aforementioned Inspections, Reports, Citations, Fines, Or Any Other Documentation Regarding The Inspection Of The Facility Where You Employed Plaintiff Robert Baird during any time period.

Answer:

32. List all known, past or presently pending, Negligence, Premises or Products Liability Lawsuits in any Court in any Jurisdiction in the United States for Asbestos related disease including but not limited to Asbestosis, Lung Cancer or Mesothelioma for end users, bystanders,

purchasers, employees, contractors and/or business invitees for products produced and manufactured and/or assembled at any facility in the United States. For each state

- (a) the date of such Lawsuit,
- (b) how the Lawsuit was resolved,
- (c) the amount and
- (d) date when the Lawsuit was paid.

Provide Documentation of aforementioned Lawsuit.

Answer:

33. When did you make available to claimants and other interested parties the number of claims by disease levels that have been resolved both by individual review and by arbitration, as well as by trial, indicating the amounts of the awards and the averages of the awards by jurisdiction pursuant to § 7.10 of the TDP? Provide Documentation of the number of claims by disease levels that have been resolved both by individual review and by arbitration, as well as by trial, indicating the amounts of the awards and the averages of the awards by jurisdiction pursuant to § 7.10 of the TDP during any time period.

Answer:

34. Did you provide warnings to your employees and business invitees, including employees of contractors, about the locations of asbestos at your Beaver Falls facilities?

ANSWER:

35. What warnings did you provide to your employees or business invitees, including employees of contractors, at your Beaver Falls facilities about the dangers of asbestos?

ANSWER:

36. State whether you have ever undertaken an asbestos abatement at the 13th Street facility of Armstrong World Industries, Inc. and/or the 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania during any time period. If your answer is in the affirmative, state:

- (a) the year the abatement began;
- (b) the year the abatement was finished;
- (c) the name of the company that did the work;
- (d) the type of asbestos materials that were abated (i.e.; pipecovering, block, gaskets, etc.), and
- (e) whether any asbestos materials were not abated.

ANSWER:

37. Identify by Name, Location, Media (Paper or Digital) any and all records of employment of Plaintiff Robert Baird by Defendant and the dates of employment for each. Produce All Documentation, Electronic or Otherwise.

ANSWER:

38. Identify by name and last known address of all your medical directors since 1930 and include the dates of employment for each.

ANSWER:

39. Identify by name and last known address, all industrial hygienists employed by Defendant since 1930 and include the dates of employment for each.

ANSWER:

40. Identify by name and the last known addresses of all of the plant physicians employed by Defendant at 13th Street facility of Armstrong World Industries, Inc. and/or 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania.

ANSWER:

41. Identify by all deponents' name(s) and date(s) the depositions and trial testimony of your employees or former employees relative to asbestos litigation.

ANSWER:

42. List the name of all contractors who installed asbestos-containing products at your plant, and, for each, provide:

- (a) The date(s) when the contractor worked in your facilities, and
- (b) The nature of the work performed by each contractor.

ANSWER:

43. State when Defendant first provided training to Defendant's employees and/or business invitees at your plant concerning the hazards of exposure to asbestos, and

- (a) State the nature of the training, and
- (b) List the materials that were provided to your employees and business invitees as part of the training.

ANSWER:

REQUESTS TO ADMIT DIRECTED TO DEFENDANT

1. Admit That Defendant, Armstrong World Industries, Inc. now known as Armstrong World Industries Asbestos Personal Injury Trust, Employed Plaintiff Robert Baird at 13th Street facility of Armstrong World Industries, Inc. and/or 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

2. Admit That Defendant Supplied, Installed, Used, Removed, Specified, Ordered, And/or Distributed, Asbestos-containing Products To 13th Street facility of Armstrong World Industries, Inc. and/or 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

3. Admit That Dust Was Created When The Asbestos-containing Products That You Sold, Supplied Or Distributed to the 13th Street facility of Armstrong World Industries, Inc. and/or 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania Were Installed Or Repaired.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

4. Admit That You Did Not Provide A Warning On The Asbestos-containing Products You Sold To 13th Street facility of Armstrong World Industries, Inc. and/or 27th Street Facilities of Armstrong



World Industries, Inc. in or near Beaver Falls, Pennsylvania Regarding The Health Hazards Of Exposure To Asbestos.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

5. Admit That You Did Not Provide A Warning on The Packaging Of Your Asbestos- Containing Product Regarding the Health Hazards Of Exposure To Asbestos.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

6. Admit That Dust Was Created During the Normal Operation of The Asbestos-containing Product That Defendant Sold, Used, Installed, Specified, or Engineered To the 13th Street facility of Armstrong World Industries, Inc. and/or the 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

7. Admit That Defendant Did Not Provide A Warning To Those Working In The Vicinity Of The Asbestos-containing Products Installed, Supplied, Specified, And/or Distributed, By You Or Others At the 13th Street facility of Armstrong World Industries, Inc. and/or the 27th Street Facilities of Armstrong World Industries, Inc. in or near Beaver Falls, Pennsylvania Warning Of The Hazards Of Exposure To Asbestos.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

8. Admit That You Never Conducted Any Tests On any Asbestos-containing equipment including but not limited to Ceiling Tile Ovens or Furnaces That You Sold, Installed, Caused to be installed, constructed, engineered And/or Distributed, at the 13th Street facility of Armstrong World Industries, Inc. and/or the 27th Street Facilities of Armstrong World Industries, Inc. in or near

Beaver Falls, Pennsylvania To Determine The Amount Of Dust Released From Those Products During Their Normal Use.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

9. Admit That Defendant Never Issued A Recall For any Asbestos-containing Product that Defendant manufactured.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

10. Admit That Asbestos-containing Products Release Asbestos Fibers During The Normal Use, Installation, Handling, Manipulation, Removal Or Repair Of The Product.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

11. Admit That Defendant, Armstrong World Industries, Inc. now known as Armstrong World Industries Asbestos Personal Injury Trust Were A Member Of The Industrial Hygiene Foundation (IHF).

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

12. Admit That You Were A Member Of The National Safety Council.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

13. Admit That You Were A Member Of The American Ceramic Society.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

14. Admit That You Were A Member Of The Refractories Institute.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

15. Admit That You Were A Member Of The Asbestos Information Association.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

16. Admit That You Caused To Be Used, Handled, Manipulated, Sold, Installed Or Distributed Asbestos-containing Products That Contained Chrysotile To The Sites Listed In Interrogatory 21 Above.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

17. Admit That You Caused Employees, including but not limited to Plaintiff Robert Baird, To Be Exposed To Asbestos-containing Equipment That Contained Crocidolite That Was Used, Handled, Manipulated, Sold, Installed, Supplied Or Distributed To The Sites Listed on Exhibit A Attached.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

18. Admit That You Caused Employees To Be Exposed To Asbestos-containing Equipment That Contained Amosite That Was Used, Handled, Manipulated, Sold, Installed, Supplied Or Distributed To The Sites Listed on Exhibit A Attached.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

19. Admit That You Knew That Exposure To Asbestos Could Cause Asbestosis When You Caused Employees, including but not limited to Plaintiff Robert Baird, To Be Exposed To The Use, Handling, Manipulation, Installation, Supply And/or Or Distribution Of Asbestos-containing Products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

20. Admit That You Knew That Exposure To Asbestos Could Cause Lung Cancer When You Caused Employees including but not limited to Plaintiff Robert Baird, To Be Exposed To The Use, Handling, Manipulation, Installation, Supply And/or Or Distribution Of Asbestos-containing Products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

21. Admit That You Knew That Exposure To Asbestos Could Cause Mesothelioma When You Caused Employees To Be Exposed To The Use, Handling, Manipulation, Installation, Supply, Removal And/or Or Distribution Of Asbestos-containing Products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

22. Admit Plaintiff Robert Baird Was Employee At Facility Under Your Control.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

23. Admit That You Knew That Exposure To Asbestos Could Cause Lung Cancer or Mesothelioma To Plaintiff Robert Baird When You Caused Employees To Be Exposed To The Use, Handling, Manipulation, Installation, Supply And/or Or Distribution Of Asbestos-containing Products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

24. Admit That You Knew The Manufacturing Process Or Work Practices In Your Facility Or Jobsite, Where You Employed Plaintiff Robert Baird Would Cause Exposure To Asbestos In Excess Of The PEV TLV Or Any Other Safety Standard Propounded By Any United States, State Or Any Governmental Agency, Governmental Group Or Industry Group When You Sold, Installed, Supplied, And/or Distributed Asbestos-containing Equipment Incorporating Asbestos Products To Customers.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

25. Admit That You Knew Equipment And Plant Maintenance In Your Facility, Where Defendant Employed Plaintiff Robert Baird Would Cause Exposure To Asbestos In Excess Of The PEV TLV Or Any Other Safety Standard Propounded By Any United States, State Or Any Governmental Agency, Governmental Group Or Industry Group When You Sold, Installed, Supplied, And/or Distributed Asbestos-containing Equipment Incorporating Asbestos Products To Customers.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

26. Admit That You Purchased Asbestos Containing Products For Equipment And Plant Maintenance In Your Facility, Where You Controlled And Employed Robert Baird Knowing Your Employment And Direction Of Robert Baird Would Knowingly Cause Frequent, Regular Exposure To Asbestos In Close Proximity In Excess Of The PEV, TLV Or Any Other Safety Standard Concerning Asbestos Propounded By Any United States, State Or Any Governmental Agency,

Governmental Group Or Industry Group When You Sold, Installed, Supplied, And/or Distributed Asbestos-containing Equipment Incorporating Asbestos Products To Customers.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

27. Admit That Your Company Or Organization Employed Robert Baird In The Normal Course Of Business As An Employee.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

28. Admit that Plaintiff Robert Baird's claim for exposure to asbestos causing his Mesothelioma and death was accepted as a valid Mesothelioma claim by Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

29. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust evaluated the Mesothelioma claim of Plaintiff Robert Baird and determined that the Plaintiff's claim of Mesothelioma met the accepted standard by the TDP for Mesothelioma for exposure to asbestos containing products manufactured or supplied by Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

30. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust, evaluated the Mesothelioma claim of Plaintiff Robert Baird and determined that the Armstrong World Industries, Inc. now known as Armstrong World Industries

Personal Injury Trust is liable to Plaintiff Robert Baird for frequent, regular and proximate exposure to asbestos containing products manufactured or supplied by Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

31. Admit That Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Personal Injury Trust evaluated the Mesothelioma claim of Plaintiff Robert Baird determined that Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury is liable to Plaintiff Robert Baird for frequent, regular and proximate exposure to asbestos containing products as an employee while employed by Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

32. Admit That Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Personal Injury Trust or Armstrong World Industries, Inc. (reorganized AWI) knowingly, willfully frequently, regularly incorporated, used and installed asbestos containing products in the in close proximity to employees, including Plaintiff Robert Baird, at facilities it owned or operated.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

33. Admit That Defendant Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust evaluated the Mesothelioma claim of Plaintiff Robert Baird made on behalf of Plaintiff Robert Baird that demonstrated meaningful and credible frequent, regular and proximate exposure, which occurred prior to December 5, 1980, to asbestos or asbestos- containing products manufactured, produced, distributed, sold, fabricated, installed, released, maintained, repaired,

replaced, removed, or handled by Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust and/or any entity, including Armstrong World Industries, now known as Armstrong World Industries Personal Injury Trust, contracting entity, for which Defendant is responsible.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

34. Admit that the frequent, regular and proximate exposure to asbestos during the Plaintiff Robert Baird's employment at Defendant Armstrong World Industries, Inc.'s, now known as Armstrong World Industries Asbestos Personal Injury Trust's facilities was a significant contributing factor causing Mesothelioma and ultimately the death of Plaintiff Robert Baird.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

35. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust ,uses valuations of cases or settlements the tort system in its evaluation algorithm exclusively from before June 19,1985 to evaluate present Mesothelioma claims.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

36. Admit That Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Personal Injury Trust, has never made available, periodically, but not less often than once a year, to claimants and other interested parties the number of claims by disease levels that have been resolved both by individual review and by arbitration, as well as by trial, indicating the amounts of the awards and the averages of the awards by jurisdiction pursuant to § 7.10 of the TDP.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_



37. Admit That Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Personal Injury Trust values claims for claimants based on the law firm filing the claim.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

38. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust values the claims of particular firms in existence at the time of the formation of the Armstrong World Industries Personal Injury Trust at higher level than law firms that came into existence after the formation of Defendant Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

39. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust or Armstrong World Industries, Inc. (reorganized AWI) demolished the 13<sup>th</sup> Street Facility in Beaver Falls, PA without performing abatement of asbestos containing products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

40. Admit That Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust or Armstrong World Industries, Inc. (reorganized AWI) demolished the 13th Street Facility in Beaver Falls, PA while aware of the presence of asbestos containing products.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

41. Admit that Defendant Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust has actual knowledge that all cases settled or resolved as part of the ACF or

CCR did not involve actual liability for Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust, i.e. there was no exposure to an underlying asbestos containing product or contractor using asbestos that was the responsibility of Defendant Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

42. Admit that Defendant Armstrong World Industries, Inc. now known as Armstrong World Industries Personal Injury Trust has actual and subjective knowledge that CCR confidentially weights members' votes according to each members' share of liability and expenses.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

43. Admit that Defendant Armstrong World Industries now known as Armstrong World Industries Personal Injury Trust has actual and subjective knowledge that under the ACF share of such costs was borne by those of its insurers that were also subscribers to the Wellington Agreement, to the extent of the insurance coverage afforded to Defendant Armstrong World Industries, Inc., now known as Armstrong World Industries Asbestos Personal Injury Trust under its policies and pursuant to the terms of the Wellington Agreement.

Admitted \_\_\_\_\_ Denied \_\_\_\_\_

Respectfully Submitted:  
Counsel for Plaintiff  
Law Offices of Lee W Davis, Esquire, LLC



Lee W. Davis, Esquire (PA ID 77420)  
5239 Butler Street, STE 201

Pittsburgh, PA 15201  
(412) 781-0525  
Exhibit A

Babcock & Wilcox, Beaver Falls, PA	1/1/1951 to 6/1/1951
Armstrong Ceiling Tile Plant, Beaver Falls, PA	6/1/1951 to 12/31/1963
Baird Pump, Ellwood City, PA	1/1/1963 to 12/31/1995
Baird Home Inspection, Ellwood City, PA	1/1/1996 to 1/1/2005
Baird Furnace Repair, Ellwood City, PA	1/1/1996 to 1/1/2005