

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

IN RE: ASBESTOS LITIGATION

MASTER FILE

No. 09 L 00000

In Re: Asbestos Litigation

**DEFENDANTS' MASTER INTERROGATORIES
TO BE ANSWERED BY PLAINTIFF**

Pursuant to court order, the Illinois Code of Civil Procedure, and the Rules of the Supreme Court of Illinois, the defendants, by their respective attorneys, propound the following Interrogatories to the plaintiff to be answered under oath not later than 60 days after the filing of each case controlled by the Master Case Management Order No. 19 governing all personal injury asbestos litigation filed in Cook County, Illinois.

DEFINITIONS AND INSTRUCTIONS

As used herein:

- (A) "You" means the plaintiff and, if applicable, the plaintiff's decedent.
- (B) "Address" means the present or last known street name and number, city or town, state and zip code.
- (C) "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, or any writing or record of any type or description, including but not limited to the original and any copy of any book, pamphlet, periodical, letter, memorandum, telegram, report, record, study, handwritten or other note, working paper, chart, paper, graph, index, tape, disc, data sheet or data processing card, correspondence, table, analysis, schedule, diary, message (including but not limited to reports of telephone

conversations or conferences), magazine, booklet, circular, bulletin, instruction, minutes, other communication (including inter-office or intra-office communications), purchase order, bill of lading, bid tabulation, questionnaire, survey, contract, option to purchase, memorandum of agreement, assignment, license, book of account, order, invoice, statement, bill (including but not limited to telephone bills), check, voucher, notebook, film, photograph, photographic negative, phonorecord, tape recording, wire recording, transcript of recordings, drawing, catalogue, brochure, digital media, any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, transcribed, punched, taped, filed or graphic matter, however produced or reproduced, to which plaintiff or plaintiff's decedent has or has had access.

(D) "Person" or "persons" means a natural person, firm, proprietorship, association, corporation, or any other type of organization or entity.

(E) As used herein, "relative to," "relating to," "relates to," or "relevant to" shall mean directly or indirectly mentioning or describing, pertaining to, being connected with, or reflecting upon a stated subject matter.

(F) If you claim privilege as to any of the documents covered by these Interrogatories, identify the document by author, date and recipients of the original and all copies and specify the privilege being claimed.

(G) In construing these Interrogatories, the plural shall include the singular, the singular shall include the plural, and a masculine, feminine, or neuter pronoun shall not exclude the other genders.

(H) "Identify" means, but is not limited to, the name, telephone number, address, and relationship of the person identified to the plaintiff. It shall also mean the date originated, the

subject of, and the identity of the person presently exercising possession of any document identified.

INTERROGATORIES

1. State your full name, your present address, date and place of your birth, the last four digits of your social security number, and military serial number, if any. If you are bringing a claim on behalf of a decedent, state the date of death.

Answer:

2. State the name and date of marriage to each spouse or former spouse. List the names, current addresses, and ages, of all children, whether adopted or natural, and the names, current addresses and occupations of all persons dependent upon you for support or receiving monetary support from you within the last five years.

Answer:

3. Have you ever served in the armed forces, or performed services for any branch of the military? If so:

- a) Identify the branch of service;
- b) State the dates and location(s) of your service, including any ships.
- c) State the date(s) of your discharge and type of discharge from service;
- d) Identify your rank(s) and the type of work you performed while serving;
- e) State whether you received any injury or suffered any illness while in military service, and whether you claimed any disability for such injury or illness.

Answer:

4. State the specific disease that you allege to have sustained as a result of your alleged exposure to asbestos.

Answer:

5. State the date upon which you first suspected that the disease described in Interrogatory No. 3 was in any way related to asbestos exposure.

Answer:

6. State the date(s) on which the disease described in your answer to Interrogatory No. 3 was first diagnosed and communicated to you. Additionally, state the name and address of the physician, specialist, clinic, hospital, or similar institution that first diagnosed said injuries and/or disease.

Answer:

7. State the names and current or last known addresses of all physicians, specialists, clinics, hospitals, that have examined you or have rendered service or treatment to you for the disease you allege to have sustained as the result of the alleged exposure, and state further the date or dates on which each of them rendered you service.

Answer:

8. State the name and current or last known addresses of all physicians, specialists,

clinics, hospitals that have examined you or have rendered service, consultation, or treatment to you up to during the past ten years other than for the asbestos disease that you allege.

Answer:

9. State whether you have filed any actions under the Worker's Compensation or Occupational Disease Act of any State during the last 10 years, and, if you have, state the date of filing, the respondent, the reason for filing the claim or petition, and the disposition of any such claim.

Answer:

10. State whether you have ever filed a lawsuit for damages for personal injury and, if so, state the title, the court number, the reason for each lawsuit, and the disposition of each lawsuit.

Answer:

11. Were you a smoker of any tobacco products? If so, state the types of tobacco smoked and the amount consumed daily, and the years during which you smoked.

Answer:

12. Identify each occupation in which you worked and the years during which you worked in each occupation.

Answer:

13. Identify in chronological order every employer for which you have ever worked,

or provide your Social Security employment report. If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure. State separately for each employer:

- (a) the employer's name and address;
- (b) the nature of the employer's business;
- (c) the beginning and ending dates of your employment, including all periods of employment for that employer;
- (d) your position and job responsibilities if different from the occupation listed in your answer to Interrogatory No. 12.

Answer:

14. For each of the employers identified in the previous Interrogatory, identify each job site (including location) at which you claim to have worked with or around asbestos-containing products. If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure.

Answer:

15. For each of the job sites identified in the previous Interrogatory, state the following:

- (a) the date(s) you worked at that job site;
- (b) your co-workers on that job and their current or last known addresses.

If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure.

Answer:

16. For each of the job sites identified in Interrogatory No. 16, state the following:
- (a) the types of asbestos-containing products and equipment to which you allege exposure;
 - (b) the brand or trade name of the asbestos-containing products and equipment to which you allege exposure;
 - (c) the manufacturers, suppliers, distributors of each asbestos-containing product or equipment to which you allege exposure;
 - (d) for each piece of equipment, identify the component part(s) that you allege contained asbestos.

If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure.

Answer:

17. For each of the job sites identified in Interrogatory No. 16, identify the following:
- (a) the name and address of any companies, other than your employer, working with asbestos-containing materials at that job site; and
 - (b) all trades from which workers were present at that job site.

Answer:

18. List any respiratory protective devices used or worn by you in the handling of products allegedly manufactured by the defendants and state further the dates and job sites where used. If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure.

Answer:

19. State whether you were ever a member of any union and, if so, for each union please state:

- (a) the name and local number of the union;
- (c) the date you joined the union;
- (e) if you ever ran for or held office in the union;

If the claimed injury arises from secondary exposure, please answer this Interrogatory with respect to the person involved in the primary exposure.

Answer:

20. Are you alleging secondary or household exposure to asbestos? If so, identify the household member who exposed you, and state his/her occupation.

Answer:

21. Are you alleging exposure to asbestos while you were performing remodeling or repair to your home? If so, identify the products you used, their place of purchase, the nature of the tasks you performed, and the date(s) and location(s) of your household exposure.

Answer:

22. Are you alleging exposure to asbestos while you were performing personal automotive repair or restoration? If so, identify the products you used, their place of purchase, the nature of the tasks you performed, and the date(s) and location(s) of your exposure.

Answer:

23. Other than prior Cook County Consolidated Asbestos depositions previously

disclosed and/or produced to the defendants, state whether you or your attorneys or agents know of the existence of any statements, signed or unsigned, oral, written or court reported, from or by any person including any party hereto, who has or claims to have knowledge concerning the matters alleged in the complaint, or who was or claims to have been a witness to any part of the exposure alleged by you. If so, please state:

- (a) whether the statement was written, oral, recorded, reported by shorthand, or otherwise preserved;
- (b) the full name and current or last known address of the person or persons, or entity who or which took the statement and the date such statement was made; and
- (c) the full name and current or last known address of each person, firm or entity who or which has possession of the statement or copies thereof.

Answer:

24. Other than co-workers disclosed in response to No. 15, state the name and current or last known address of each and every person who was interviewed by or on behalf of you, your attorneys or agents with respect to the allegations contained in the complaint, stating for each person:

- (a) the name and current or last known address of the person interviewed
- (b) whether any notes, records, jottings, memoranda, tape recordings, or statements were ever made of any interviews with that person and, if so, the name and current or last known address of each and every person in custody or control of same.

Answer:

25. Other than exhibits and photos previously produced in Consolidated Cook County Asbestos litigation, list or describe each and every object or document, such as directories, catalogs, shipping slips, W-2 forms, tax records, diaries, calendars, photo albums, invoices,

packing slips, materials, publications or lists from whatever source that you used, or your attorneys or agents used, in identifying defendants and their products, the products(s) and/or premises associated with each defendant.

Answer:

26. Other than exhibits and photographs previously produced in Consolidated Cook County Asbestos litigation, state whether you, your attorneys or your agents have any of the following in your or their possession:

- (a) samples of asbestos-containing materials;
- (b) packaging from asbestos-containing materials;
- (c) photographs of your places of employment or products used at your places of employment; and
- (d) photographs of asbestos-containing products and/or their packaging.

Answer:

27. If, as a result of the alleged illness you claim to have sustained a loss of wages, earnings, income, or profit, state:

- (a) the dates on which you were unable to work due to the illness;
- (b) the name and address of your employer at the time you learned of the illness of which you complain;
- (d) the name of any potential employer who refused you work because of any illness or illnesses, injury or injuries allegedly sustained as a result of the claimed exposure; and

Answer:

28. If loss of wages, earnings, income or profit is claimed:
- (a) state the total amount of claimed loss and the manner or method of computing same;
 - (b) provide a complete itemized computation of such claimed loss; and
 - (c) state the nature and potential source of the lost wages, earnings, income, or profit and the date of the claimed deprivation thereof.

Answer:

29. State and list all monetary expenses, other than physician and hospital bills, and any and all other items of damages that have allegedly resulted from the illnesses or injuries you claim were caused by your alleged exposure to asbestos.

Answer:

30. State any and all other damages which you are claiming as a result of the disease alleged in the complaint.

Answer:

The plaintiff is reminded that Illinois Supreme Court Rule 213(i) imposes upon him/her the continuing duty to seasonably supplement or amend his/her answers to these interrogatories whenever new or additional information subsequently becomes known to either the plaintiff or plaintiff's counsel.