UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

THE SECRETARY
FILED
1998 MAR 26 P 4:01

IN THE MATTER OF CENTRAL SPRINKLER CORP. and CENTRAL SPRINKLER CO., Respondents	CPSC DOCKET NO. 98-2

RESPONDENTS' FIRST SET OF INTERROGATORIES

Respondents Central Sprinkler Corp. ("CSC") and Central Sprinkler Co. ("Central") (collectively, "Respondents"), through their undersigned counsel, hereby propound the following interrogatories to the Consumer Product Safety Commission (the "CPSC" or the "Complainant") pursuant to 16 C.F.R. § 1025.32. Complainant is requested to respond within thirty (30) days of the service of these interrogatories. Complainant's responses should be sent to the offices of Morgan, Lewis & Bockius LLP, 2000 One Logan Square, Philadelphia, PA 19103.

For the purposes of these Interrogatories, the following definitions and instructions apply:

INSTRUCTIONS

A. In answering these Interrogatories, Document Requests, and/or Requests for Admissions (collectively, the "Discovery Requests"), furnish all information available to you, including any such information in possession of your attorneys or anyone acting on your behalf, and not merely such information known of your own personal knowledge. If you cannot answer the Discovery Requests in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible.

B. If the answer to any of the Discovery Requests is that you lack knowledge of some or all of the requested information, describe all efforts made by you to obtain the information necessary to answer that Discovery Request.

C. If any matter responsive to any of the Discovery Requests is withheld based on any claim of privilege, describe generally the matter withheld, state the privilege being relied upon, and identify all persons or entities who have or have had access to said matters. If you refuse to describe and/or produce any document on the basis of a claim of privilege or protection from discovery of any kind, with respect to each such document, set forth the following information:

(i) the date of the document;

(ii) its authors;

(iii) all recipients of the document;

(iv) the present location and custodian of the document; and

(v) the basis of the claim of privilege or protection from discovery.

D. Each lettered sub-part of a numbered Discovery Request is to be considered a separate Discovery Request for the purpose of Complainant's answers and objections. You must object separately to each sub-part and must answer any other sub-parts.

E. These Discovery Requests are to be deemed continuing in nature, and you shall promptly supply, by way of supplemental response, any additional responsive information that may become known to you or anyone acting on your behalf after your answers have been prepared or served.

F. For all documents produced by Complainant, identify by Bates number which document or documents are responsive to each separate Interrogatory and/or each separate Request for Documents.

DEFINITIONS

A. The "Complaint" means whichever version of the Complaint was last filed and in effect at the time of service of the relevant Discovery Request.

B. "Complainant" and/or the "CPSC" refers to the Consumer Product Safety Commission, the Legal Division of the Office of Compliance of the CPSC, and any employees or agents thereof.

C. "Respondents" refers to Central Sprinkler Corp. and Central Sprinkler Co., all corporate affiliates thereof, and all current or former employees of Central and corporate affiliates

thereof.

D. "CSC" refers to Central Sprinkler Corporation.

E. "Central" refers to Central Sprinkler Company.

F. "Omega" or "Omegas" refers to the line of sprinkler heads identified in the Complaint, including the following models: C-1; C-1A; C-1A PRO; C-1A PRO ID; EC-20; EC-20A; EC-20 AID; HEC-12; HEC-12 ID; HEC-12 PRO; HEC-12A PRO; HEC-12 RES; HEC-20; HEC-20 ID; R-1; R-1A; R-1M; AC; M; and Flow Control.

G. "Person" or "persons" means all individuals and entities, including natural persons, representative persons, public or private corporations, companies, unincorporated associations, partnerships, organizations, government entities or groups, plus any divisions, departments, or units thereof.

H. "Document" or "documents" means any written, printed, typed, recorded, or graphic matter, whether produced or reproduced or stored on paper, cards, tapes, film, electronic facsimile, computer storage devices or any other devices or media, including, but not limited to papers; books; letter; photographs; objects; tangible things; correspondence; telegrams; cables; telex messages; memoranda; notes; notations; records; work papers; transcripts; minutes; reports and recordings of telephone or other conversations, or of interviews, or of conferences, or of other meetings; affidavits; statements; opinions; proposals; reports; studies; analyses; audits; evaluations; contracts; agreements; journals; statistical records; ledgers; books of account; bookkeeping entries; financial statements; tax returns; vouchers; checks; check stubs; invoices; receipts; desk calendars; appointment books; diaries; lists; tabulations; summaries; sound recordings; computer printouts; data processing input and output; microfilms; all records kept by electronic, photographic, or mechanical means; and things similar to any of the foregoing, however denominated. When one or more of the following documents is requested or referred to, the request or reference shall include, but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections, or markings unique to such copy or draft.

I. "Oral communication" means any and all non-written forms of expression or communication, whether face-to-face or by telephone, in a conference or otherwise.

J. "Identify" or "identification", when used in reference to a document, means to:

1. state the type of document (e.g., letter, log, report, etc.);

2. state its date;

3. state its title, heading or other designation and any other information (e.g., index or file number) which would facilitate the identification thereof;

4. identify the person(s) who prepared and/or signed the document;

5. identify the persons (or if widely distributed, the organization or classes of persons) to whom it was sent;

6. identify the last known location of the document and of each copy thereof having notations or markings unique to such copy;

7. if the document was, but no longer is, in your possession or subject to your control, identify its last know custodian, describe the circumstances under which it passed from your control to that person, and identify each person having knowledge of such circumstances;

8. describe its general subject matter and contents; and

9. if the document exceeds one page in length, or is contained in a series of documents or a larger portion, identify the specific document by appropriate identifying name or symbol, the number of the particular page or pages (or other descriptive aid) and of the line or lines thereof upon which the information referred to in the Discovery Request or your response appears.

K. "Identify" or "identification", when used in reference to a natural person, means to provide the following information:

1. his or her full name;

2. his or her business affiliation(s), position(s), title(s), and job description(s) during the period delineated in the Discovery Request (and the dates during which each affiliation, position, title, and job description applied to him or her);

3. his or her present or last known business address (and the date of that last knowledge); and

4. his or her present or last known residence address (and the date of that last knowledge).

L. "Identify" or "identification", when used in reference to an oral communication or statement, means to:

1. state the date of the oral communication or statement;

2. state the place where it occurred;

3. identify the persons(s) making and listening to the oral communication or statement;

4. identify all other persons present at the time it was made;

5. if by telephone, identify the persons participating in the conversation and where each was located at the time of the call; and

6. describe the substance of the oral communication or statement.

M. "Date" means the exact day, month, and year if ascertainable, or, if not, the best approximation thereof or best approximation in relation to other events.

N. "Describe" means to set forth fully and clearly every relevant fact and/or event, including particulars of time, place and manner.

O. Where the context so requires:

1. the terms "and" and "or" mean "and/or";

2. the plural of a word includes the singular, and the singular includes the plural;

3. the past tense of verb includes the present, and the present tense includes the past;

4. the masculine gender includes feminine and neuter genders, and the neuter gender include the masculine and feminine.

P. All other words are to be given their ordinary and usual meanings, according to a current edition of Webster's Dictionary.

INTERROGATORIES

A. Allegations of the Complaint

1. (a) State whether CSC manufactures Omegas.

If so:

(b) identify and describe any such manufacturing;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such manufacturing;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such manufacturing; and

(e) describe in detail the substance of each such person's knowledge and/or information.

2. (a) State whether CSC sells Omegas.

If so:

(b) identify and describe any such sales;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such sales;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such sales; and

(e) describe in detail the substance of each such person's knowledge and/or information.

3. (a) State whether CSC markets Omegas.

If so:

(b) identify and describe any such marketing;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such marketing;

(d) identify each and every person whom Complainant knows and/or believes to

have knowledge of such marketing; and

(e) describe in detail the substance of each such person's knowledge and/or information.

4. With respect to the allegation of Paragraph 5 of the Complaint that CSC is a "manufacturer" of consumer products:

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

5. (a) State whether the C-1 model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

6. (a) State whether the C-1A model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

7. (a) State whether the C-1A PRO model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

8. (a) State whether the C-1A PRO ID model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or

information.

9. (a) State whether the EC-20 model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

10. (a) State whether the EC-20A model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

11. (a) State whether the EC-20 AID model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

12. (a) State whether the HEC-12 model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

13. (a) State whether the HEC-12 ID model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

14. (a) State whether the HEC-12 PRO model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

15. (a) State whether the HEC-12A PRO model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

16. (a) State whether the HEC-12 RES model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

17. (a) State whether the HEC-20 model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

18. (a) State whether the HEC-20 ID model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

19. (a) State whether the R-1 model of the Omegas constitutes a "consumer product"

pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

20. (a) State whether the R-1A model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

21. (a) State whether the R-1M model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to

have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

22. (a) State whether the AC model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

23. (a) State whether the M model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

24. (a) State whether the Flow Control model of the Omegas constitutes a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

25. With respect to the allegation of Paragraph 6 of the Complaint that the Omegas are "consumer products":

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

26. (a) Separately for each model of the Omegas listed in the Complaint, state whether such model is sold by Respondents directly to consumers.

If so:

(b) identify all documents which describe, evidence, refer, or relate to any such sales;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such sales; and

(d) describe in detail the substance of each such person's knowledge and/or information.

27. (a) Separately for each model of the Omegas listed in the Complaint, state whether Respondents market such a model to consumers.

If so:

(b) identify all documents which describe, evidence, refer, or relate to any such marketing;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such marketing; and

(d) describe in detail the substance of each such person's knowledge and/or information.

28. (a) Separately for each model of the Omegas listed in the Complaint, state whether such a model is installed by consumers themselves (as opposed to professional contractors).

If so:

(b) identify all documents which describe, evidence, refer, or relate to any such installation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such installation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

29. (a) Separately for each model of the Omegas listed in the Complaint, state whether such a model is serviced by consumers themselves (as opposed to professional contractors).

If so:

(b) identify all documents which describe, evidence, refer, or relate to any such servicing;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such servicing; and

(d) describe in detail the substance of each such person's knowledge and/or

information.

30. (a) Separately for each model of the Omegas listed in the Complaint, state whether such a model is repaired by consumers themselves (as opposed to professional contractors). If so:

(b) identify all documents which describe, evidence, refer, or relate to any such repairs;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such repairs; and

(d) describe in detail the substance of each such person's knowledge and/or information.

31. State whether Omegas installed in buildings used only as storage facilities constitute "consumer products" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

32. State whether Omegas installed in warehouses constitute "consumer products" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates

in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

33. State whether Omegas installed in factories constitute "consumer products" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

34. State whether Omegas installed in computer facilities constitute "consumer products" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) set forth the factual basis for this assertion;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this assertion;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this assertion;

(e) describe in detail the substance of each such person's knowledge and/or information.

35. State whether there are any factual circumstances under which any Omegas would not constitute a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) identify and describe any such circumstances;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such circumstances;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such circumstances; and

(e) describe in detail the substance of each such person's knowledge and/or information.

36. (a) State whether there are any factual circumstances under which any non-Omega sprinkler heads would not constitute a "consumer product" pursuant to 15 U.S.C. § 2052(a)(1).

If so:

(b) identify and describe any such circumstances;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such circumstances;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such circumstances; and

(e) describe in detail the substance of each such person's knowledge and/or information.

37. (a) Separately for each model of the Omegas listed in the Complaint, describe any and all ways in which consumers use, consume, and/or enjoy such a model.

(b) identify all documents which describe, evidence, refer, or relate to any such use, consumption, or enjoyment;

(c) identify each and every person whom Complainant knows and/or believes to

have knowledge of any such use, consumption, or enjoyment; and

(d) describe in detail the substance of each such person's knowledge and/or information.

38. With respect to the allegation of Paragraph 8 of the Complaint that the Omegas are "designed to perform in accordance with" NFPA Standard 13:

(a) identify which specific sub-sections of NFPA Standard 13, if any, address the operating water pressure at which previously installed sprinkler heads should activate when such heads are removed and tested;

(b) identify which specific sub-sections of NFPA Standard 13, if any, address the operating water pressure at which installed sprinkler heads should activate when such heads are still incorporated into the sprinkler system;

(c) identify which specific sub-sections of NFPA Standard 13, if any, address the required residual water pressure at the most remote sprinkler head in a system after the other sprinkler heads are open and flowing;

(d) identify which specific sub-sections of NFPA Standard 13, if any, are applicable to the allegations of the Complaint; and

(e) describe in terms of psi (pounds per square inch) the testing standard that Complainant contends is created by NFPA Standard 13 that applies to the Omegas.

39. With respect to the allegation of Paragraph 8 of the Complaint that the Omegas are "designed to perform in accordance with" UL Standard 199:

(a) identify which specific sub-sections of UL Standard 199, if any, address the operating water pressure at which previously installed sprinkler heads should activate when such heads are removed and tested;

(b) identify which specific sub-sections of UL Standard 199, if any, address the operating water pressure at which installed sprinkler heads should activate when such heads are still incorporated into the sprinkler system;

(c) identify which specific sub-sections of UL Standard 199, if any, address the required residual water pressure at the most remote sprinkler head in a system after the other sprinkler heads are open and flowing;

(d) identify which specific sub-sections of UL Standard 199, if any, are applicable to the allegations of the Complaint; and

(e) describe in terms of psi the testing standard that Complainant contends is created by UL Standard 199 that applies to the Omegas.

40. With respect to the allegation of Paragraph 8 of the Complaint that the Omegas are "designed to perform in accordance with" UL Standard 199 and NFPA Standard 13:

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

41. With respect to the allegation of Paragraph 8 of the Complaint that the Omegas are designed to perform in accordance with certain standards "when exposed to certain temperatures":

(a) describe in terms of both degrees Fahrenheit and Celsius what temperatures are meant by the phrase "certain temperatures";

(b) set forth the factual basis for this allegation;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(e) describe in detail the substance of each such person's knowledge and/or

information.

42. (a) State whether Complainant contends that there is a single standard of water pressure (in psi) at which previously installed sprinkler heads must activate when tested to be deemed by the Complainant as not presenting any substantial risk of injury to the public and/or substantial product hazard;

If so:

(b) identify and describe any such standard;

(c) identify all documents which describe, evidence, refer, support, or relate to any such a standard;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such standard; and

(e) describe in detail the substance of each such person's knowledge and/or information.

43. (a) State whether Complainant contends that there is a single standard of temperature at which previously installed sprinkler heads must activate when tested to be deemed by the Complainant as not presenting any substantial risk of injury to the public and/or substantial product hazard;

If so:

(b) identify and describe any such standard;

(c) identify all documents which describe, evidence, refer, support, or relate to any such standard;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such standard; and

(e) describe in detail the substance of each such person's knowledge and/or information.

44. (a) Describe the percentage of previously installed sprinkler heads that must activate at the standards described in Interrogatory Nos. 42-43 when tested in order to be deemed by the Complainant as not presenting any substantial risk of injury to public and/or substantial product hazard;

(b) identify all documents which describe, evidence, refer, support, or relate to such a percentage;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of such a percentage; and

(d) describe in detail the substance of each such person's knowledge and/or information.

45. (a) State whether Complainant contends that there is a standard of "failure" that will accurately predict whether a particular Omega will fail to activate in a fire when used in a particular building without regard to the actual hydraulic pressure that exists in the building. If so:

(b) identify and describe any such standard;

(c) identify all documents which describe, evidence, refer, support, or relate to any such standard;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such standard; and

(e) describe in detail the substance of each such person's knowledge and/or information.

46. (a) State whether Complainant contends that if a particular Omega does not activate at a minimum of 7 psi when tested, such an Omega would not activate if a fire occurred in a building where such Omega was installed.

(b) set forth the factual basis for any such contention;

(c) identify all documents which describe, evidence, refer, support, or relate to

any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

47. Describe the average static water pressure (in psi) present in the sprinkler systems of most residential buildings.

48. Describe the average residual water pressure (in psi) present at the most remote sprinkler head in the sprinkler systems of most residential buildings, after the system has been activated.

49. Describe the average static water pressure (in psi) present in the sprinkler systems of most commercial buildings.

50. Describe the average residual water pressure (in psi) present at the most remote sprinkler head in the sprinkler systems of most commercial buildings, after the system has been activated.

51. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas "do not and/or will not function":

(a) separately for each Omega model listed in the Complaint, describe in detail all of the causes and/or reasons that the Omegas "do not and/or will not function";

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

52. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas do not and/or will not function in a "significant percentage" of instances:

(a) expressed in terms of a specific percentage, describe what constitutes "a significant percentage" regarding this allegation;

(b) set forth the factual basis for this allegation;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(e) describe in detail the substance of each such person's knowledge and/or information.

53. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the C-1 model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

54. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the C-1A model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

55. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the C-1A PRO model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

56. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the C-1A PRO ID model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

57. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the EC-20 model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

58. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the EC-20A model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

59. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the EC-20 AID model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

60. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-12 model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

61. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-12 ID model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

62. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-12 PRO model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

63. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-12A PRO model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

64. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-12 RES model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

65. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-20 model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

66. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the HEC-20 ID model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

67. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the R-1 model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

68. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the R-1A model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

69. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the R-1M model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

70. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the AC model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

71. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the M model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

72. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) state whether Complainant contends that the Flow Control model of the Omegas is defective;

If so:

(b) identify and describe any such defect;

(c) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or information about any such contention.

73. With respect to the allegation of Paragraph 10 of the Complaint that the Omegas are "defective":

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to

have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

74. State whether the failure of any Omega to function has resulted in any bodily injury or injuries.

75. State whether the failure of any Omega to function has resulted in any death or deaths.

76. With respect to the allegation of Paragraph 13 of the Complaint that "failure of the Omegas to function exposes the public to bodily injury and/or death":

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

77. With respect to the allegation of Paragraph 15 of the Complaint that the defect or the defects in the Omegas create a "substantial risk of injury to the public":

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or

information.

78. (a) State whether the Complainant contends that any Omegas used with plastic piping systems installed after 1990 have ever failed to activate in a fire.

If so:

(b) identify and describe any such failures;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

79. (a) State whether the Complainant contends that any Omegas used with plastic piping systems installed after 1990 have ever failed to activate under any type of testing.

If so:

(b) identify and describe any such a contention;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

80. (a) State whether the Complainant contends that any Omegas used with copper piping systems installed after 1990 have ever failed to activate in a fire.

If so:

(b) identify and describe any such failures;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

81. (a) State whether the Complainant contends that any Omegas used with copper piping systems installed after 1990 have ever failed to activate under any type of testing.
If so:

(b) identify and describe any such testing;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

82. (a) State whether the Complainant contends that any Omegas manufactured from 1996 through the present and using silicone o-rings have ever failed to activate in a fire.
If so:

(b) identify and describe any such failures;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

83. (a) State whether the Complainant contends that any Omegas manufactured from 1996 through the present and using silicone o-rings have ever failed to activate in any type of testing.

If so:

(b) identify and describe any such testing;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

84. (a) State whether the Complainant contends that any Omegas used with plastic piping systems installed after 1990 constitute a "substantial product hazard" pursuant to 15 U.S.C. § 2064(a).

If so:

(b) identify and describe any such hazards;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

85. (a) State whether the Complainant contends that any Omegas used with copper piping systems installed after 1990 constitute a "substantial product hazard" pursuant to 15 U.S.C. § 2064(a).

If so:

(b) identify and describe any such hazards;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

86. (a) State whether Complainant contends that any Omegas manufactured using silicone o-rings constitute a "substantial product hazard" pursuant to 15 U.S.C. § 2064(a).

If so:

(b) identify and describe any such hazards;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or information.

87. (a) State whether the Complainant contends that the performance of Omegas declines or deteriorates over time.

If so:

(b) identify and describe any such performance decline or deterioration;

(c) identify each and every document that describes, evidences, refers, or relates in any way to such a contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such a contention; and

(e) describe in detail the substance of each such person's knowledge and/or

information.

88. With respect to the allegation of Paragraph 16 of the Complaint that the Omegas present a "substantial product hazard":

(a) set forth the factual basis for such an allegation;

(b) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(d) describe in detail the substance of each such person's knowledge and/or information.

89. With respect to the allegation of Paragraph 16 of the Complaint that "action under these provisions is in the public interest":

(a) identify and describe all of the public interest factors which Complainant believes favor "action under these provisions";

(b) set forth the factual basis for such an allegation;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to this allegation;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of this allegation; and

(e) describe in detail the substance of each such person's knowledge and/or information.

90. With respect to the allegation of Paragraph B(1) of the Complaint that Respondent give prompt "public notice of the defect in the Omegas," identify and describe the "public notice" that the Complainant seeks to impose.

91. With respect to the allegation of Paragraph C(3) of the Complaint regarding repair of all Omegas so they will "perform properly," identify and describe what would constitute "performs properly" for purposes of the Complainant.

92. With respect to the allegation of Paragraph C(3) of the Complaint regarding the replacement of all Omegas "with a like or equivalent product which performs properly":

(a) identify and describe any and all "like or equivalent product which performs properly";

(b) state whether Complainant believes that Omegas with a silicone o-ring qualify as a "like or equivalent product which performs properly"; and

(c) state whether Complainant believes that Omegas with a spring collar qualify as a "like or equivalent product which performs properly."

93. With respect to the allegation of Paragraph C(3) of the Complaint regarding a "refund to consumers [of] the purchase price of the Omegas," identify and describe how Complainant would calculate or determine a "refund to consumers [of] of the purchase price of the Omegas."

94. (a) If the Commission orders Respondents to repair some or all of the Omegas pursuant to 15 U.S.C. § 2064(d)(1), identify and describe the nature and amount of the "reasonable and foreseeable expenses" under 15 U.S.C. § 2064(e)(1) that Complainant contends should be reimbursed to persons by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(d) describe in detail the substance of each such person's knowledge and/or information about any such contention.

95. (a) If the Commission orders Respondents to replace some or all of the Omegas pursuant to 15 U.S.C. § 2064(d)(2), identify and describe the nature and amount of the "reasonable and foreseeable expenses" under 15 U.S.C. § 2064(e)(1) that Complainant contends should be reimbursed to persons by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(d) describe in detail the substance of each such person's knowledge and/or information about any such contention.

96. (a) If the Commission orders Respondents to refund some or all of the Omegas pursuant to 15 U.S.C. § 2064(d)(3), identify and describe the nature and amount of the "reasonable and foreseeable expenses" under 15 U.S.C. § 2064(e)(1) that Complainant contends should be reimbursed to persons by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(d) describe in detail the substance of each such person's knowledge and/or information about any such contention.

97. (a) If the Commission orders Respondents to repair some or all of the Omegas pursuant to U.S.C. § 2064(d)(1), identify and describe the nature and amount of the reimbursement to "any other person who is a manufacturer, distributor, or retailer of such product for such other person's expenses in connection with carrying out the order" that Complainant contends should be made by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to

any such contention;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(d) describe in detail the substance of each such person's knowledge and/or information about any such contention.

98. (a) If the Commission orders Respondents to replace some or all of the Omegas pursuant to U.S.C. § 2064(d)(2), identify and describe the nature and amount of the reimbursement to "any other person who is a manufacturer, distributor, or retailer of such product for such other person's expenses in connection with carrying out the order" that Complainant contends should be made by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(c) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(d) describe in detail the substance of each such person's knowledge and/or information about any such contention.

99. (a) If the Commission orders Respondents to refund the purchase price to some or all of the Omegas pursuant to U.S.C. § 2064(d)(3), identify and describe the nature and amount of the reimbursement to "any other person who is a manufacturer, distributor, or retailer of such product for such other person's expenses in connection with carrying out the order" that Complainant contends should be made by Respondents.

(b) identify all documents which describe, evidence, refer, support, or relate to any such contention;

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of any such contention; and

(e) describe in detail the substance of each such person's knowledge and/or

information about any such contention.

B. Potential Witnesses

100. Identify all former and/or current employees of Respondents with whom Complainant has had any contact regarding the Omegas. For each such person, identify and describe:

(a) the person's name;

(b) the person's last known home and business address;

(c) the person's last known telephone number;

(d) the person's last known position with Respondents;

(e) the date of any such contacts;

(f) the nature of any such contacts (e.g., letter, telephone conversation, in-person interview);

(f) a detailed description of the subject matter of such communication; and

(g) the identity of any other persons who were present during such contacts.

101. For each and every contact describe an response to Interrogatory No. 100, identify each and every document that describes, evidences, refers, or relates to such contacts, including without limitation any notes of such contacts, documents shown during the course of such contacts, lists of questions or answers given, or any reports of such communications.

102. Identify each and every person whom Complainant knows and/or believes to have knowledge or information concerning or related to the subject matter of the Complaint or other discoverable information. For each such person, describe:

(a) the person's name;

(b) the person's last known home and business address;

(c) the person's last known telephone number;

(d) the corporate or government affiliation of the person;

(e) whether the Complainant has contacted such person; and

(e) the specific subject matter of the person's knowledge.

103. Identify each and every fact witness that Complainant expects to testify on its behalf at the hearing in this matter. For each such fact witness, identify and describe:

(a) the name, title, business address, and home address for each such witness; and

(b) the subject matter about which each witness is expected to testify.

104. Identify each and every expert witness whom the Complainant expects to testify on its behalf at the hearing in this matter. For each such expert, identify and describe:

(a) the expert's name, title, home address, business address, education, employment since graduation from high school, and all publications authored or edited by the expert;

(b) the subject matter on which each expert is expected to testify;

(c) the substance and facts upon which the expert relies in forming his or her opinion;

(d) the opinions to which the expert is expected to testify;

(e) a summary of the grounds for each such opinion; and

(f) a statement and description of all information and documents upon which the expert relies or expects to rely.

105. Identify and describe any and all oral or written statements made by Respondents that the Complainant contends constitute an admission with reference to any of the issues raised in the Complaint. For each such statement, identify and describe:

(a) the person making the alleged statement;

(b) that person's relationship to Respondents;

(c) the content of the statement;

(d) the date, time, and place of the statement;

(e) the nature of the alleged statement (e.g., written or oral); and

(f) the identity of each person who heard the statement or otherwise has personal knowledge of the statement.

C. Other Allegations Made By the CPSC

106. In a November 24, 1997 letter from Eric Singer of the CPSC to Kathleen Sanzo, Singer states, "based on multiple random inquiries of sprinkler contractors across the nation in the recent past, we believe that Central's proposed labor payment falls considerably short of what has been, and remains, customarily required to remove and install sprinklers . . . ." With respect to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify each and every document that constitutes, evidences, refers, or relates in any way to the "multiple random inquiries of sprinkler contractors";

(d) identify each and every person whom Complainant knows and/or believes to have knowledge of such "multiple random inquires of sprinkler contractors";

(e) describe in detail the substance of each such person's knowledge and/or information of such "multiple random inquiries of sprinkler contractors";

(f) identify and describe in terms of a specific monetary amount "what has been, and remains, customarily required to remove and install sprinklers";

(g) identify each and every document that constitutes, evidences, refers, or relates in any way to "what has been, and remains, customarily required to remove and install sprinklers";

(h) identify each and every person whom Complainant knows and/or believes to have knowledge of "what has been, and remains, customarily required to remove and install sprinklers"; and

(i) describe in detail the substance of each such person's knowledge and/or

information of "what has been, and remains, customarily required to remove and install sprinklers."

107. In a November 24, 1997 letter from Eric Singer of the CPSC to Kathleen Sanzo, Singer states, "the evidence we have gathered does not support the view that dezincification alone is the cause of above-required operating pressures in Omegas from plastic pipe . . . ." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe all of the "evidence we have gathered";

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to this statement;

(e) identify each and every person whom Complainant knows and/or believes to have knowledge of this statement; and

(f) describe in detail the substance of each such person's knowledge and/or information.

108. In a November 24, 1997 letter from Eric Singer of the CPSC to Kathleen Sanzo, Singer states, "the evidence we have gathered does not support the view . . . that swollen o-rings due to cutting oil exposure are the exclusive cause of non-activation in Omegas manufactured before 1996." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe all of the "evidence we have gathered";

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to this statement;

(e) identify each and every person whom Complainant knows and/or believes to

have knowledge of this statement; and

(f) describe in detail the substance of each such person's knowledge and/or information.

109. In a November 24, 1997 letter from Eric Singer of the CPSC to Kathleen Sanzo, Singer states, "rather, primarily, the data points to multiple failure modes rooted in the design and construction of these sprinklers." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe the "multiple failure modes rooted in the design and construction of these sprinklers";

(d) identify and describe "the data" referenced in the statement;

(e) identify and describe each and every document that constitutes, evidences, refers, or relates in any way to this statement;

(f) identify each and every person whom Complainant knows and/or believes to have knowledge of this statement; and

(g) describe in detail the substance of each such person's knowledge and/or information.

110. In a February 19, 1998 letter from Eric Stone of the CPSC to Kathleen Sanzo, the CPSC refuses to accept a "testing based corrective action proposal" from Respondents. With regard to this rejection:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for rejecting a "testing based corrective action proposal";

(c) identify and describe any and all reasons that the CPSC believes are correct in

rejecting such a proposal;

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to the rejection of this proposal;

(e) identify each and every person whom Complainant knows and/or believes to have knowledge of the rejection of this proposal; and

(f) describe in detail the substance of each such person's knowledge and/or information.

111. In a February 19, 1998 letter from Eric Stone of the CPSC to Kathleen Sanzo, the CPSC states that "Central continues to insist on selling Omega sprinklers with silicone o-rings despite serious concerns about whether they will function in the long term." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe all "serious concerns" that the CPSC has regarding the functioning of Omega sprinklers with silicone o-rings;

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to such "serious concerns"; and

(e) identify each and every person whom Complainant knows and/or believes to have knowledge of such "serious concerns."

112. In a February 24, 1998 letter from Eric Stone of the CPSC to Kathleen Sanzo, Stone states, "x-ray examination of the unit showed that the internal shaft was cocked or tipped slightly and jammed in that position" and that the CPSC "plans to conduct non-destructive analysis of the unit . . . ." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe any evidence that Omegas may be "cocked or tipped slightly and jammed in that position";

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to the statement that Omegas are "cocked or tipped slightly and jammed in that position";

(e) identify each and every person whom Complainant knows and/or believes to have knowledge of any such problems;

(f) describe in detail the substance of each such person's knowledge and/or information; and

(g) describe any "non-destructive analysis of the unit" performed by or on behalf of the CPSC.

113. In a January 6, 1998 letter from Eric Singer of the CPSC to the state attorneys general, Singer states, "this contrasts with automatic fire sprinklers' historical rate of proving 99.5 percent effective." With regard to this statement:

(a) state whether Complainant intends to rely on this contention in any way at the hearing in this matter;

(b) set forth the factual basis for this statement;

(c) identify and describe all evidence that automatic fire sprinklers have an "historical rate of proving 99.5 percent effective";

(d) identify each and every document that constitutes, evidences, refers, or relates in any way to such historical rate of effectiveness;

(e) identify each and every person whom Complainant knows and/or believes to have knowledge of such historical rate of effectiveness; and

(f) describe in detail the substance of each such person's knowledge and/or information.

114. (a) State whether Complainant deems any corrective action proposal to be acceptable that is based in part on testing of a sample of sprinkler heads from a building and comparing the results of the sample to the hydraulically calculated operating pressure of that building.

If so:

(b) identify and describe such an acceptable corrective action proposal;

If not:

(c) identify and describe all reasons for such unacceptability;

(e) identify each and every document that constitutes, evidences, refers, or relates in any way to such unacceptability;

(f) identify each and every person whom Complainant knows and/or believes to have knowledge of such unacceptability; and

(g) describe in detail the substance of each such person's knowledge and/or information.

D. CPSC Investigation

115. Identify all persons employed or otherwise retained by the CPSC who in any way participated in the CPSC's investigation of the Omegas. For each person identified, describe his or her role in the investigation.

116. Describe the circumstances surrounding, and the reasons giving rise to the CPSC's decision to investigate alleged risks associated with the Omegas. Your response should include, without limitation, the following:

(a) the date that the CPSC decided to investigate the Omegas;

(b) the identity of all persons at the CPSC involved in the decision to investigate the Omegas; and

(c) the identity of all information (including, but not limited to, any consumer complaints) available to or otherwise relied upon by the CPSC in deciding to initiate an

investigation of the Omegas.

117. Describe in detail any investigation by the CPSC relating to consumer complaints and/or consumer reports of personal injury, property damage, non-activation, or any other problems allegedly associated with the Omegas. Your response should include, without limitation, the following:

(a) the identity of any and all persons employed or otherwise retained by the CPSC who participated in this aspect of the investigation;

(b) the identity of all consumers with whom the CPSC communicated in connection with this aspect of the investigation;

(c) the identity of all consumers who complained of or reported an incident relating to the Omegas;

(d) the identification of any consumer questionnaires or other surveys used by the CPSC in conducting this aspect of the investigation; and

(e) the identification of any and all data, reports, survey results, or other information revealing the results of this aspect of the investigation.

118. Identify and describe any and all incidents known to the CPSC in which a consumer or other person has reported a fire in connection with use of the Omegas. For each such incident, state the following:

(a) the name and address of the consumer;

(b) the date of the incident involving the fire;

(c) a description of any and all property damage, if any, caused by or associated with the fire; and

(d) a description of any and all personal injuries, if any, sustained as a result of or associated with the fire.

119. To the extent not already identified in response to Interrogatory Nos. 117-118,

identify and describe any and all incidents known to the CPSC in which a consumer or other person has reported any form of property damage or personal injury in connection with the Omegas. For each such incident, state the following:

(a) the name and address of the consumer;

(b) the date of the incident involving the alleged property damage and/or personal injury;

(c) a description of the type of property damage allegedly sustained; and

(d) a description of any and all personal injury allegedly sustained.

120. Describe in detail any and all communications between the CPSC and any dealer, retailer, or distributor in connection with the Omegas. Your response should include, without limitation, the following:

(a) the identity of any and all persons employed or otherwise retained by the CPSC who participated in this aspect of the investigation;

(b) the identity of any and all dealers, retailers, or distributors with whom the CPSC communicated in connection with this aspect of the investigation of the Omegas;

(c) a description of the content of the CPSC's communications with each such dealer, retailer, or distributor;

(d) the identification of any questionnaires or other surveys used by the CPSC in communicating with each such dealer, retailer, or distributor; and

(e) the identification of any and all data, reports, surveys results, or other information revealing the results of this aspect of the investigation.

121. Describe in detail any and all communications between the CPSC and any Authority Having Jurisdiction ("AHJ") in connection with the Omegas. Your response should include, without limitation, the following:

(a) the identity of any and all persons employed or otherwise retained by the CPSC who participated in this aspect of the investigation;

(b) the identity of any and all AHJ's with whom the CPSC communicated in connection with this aspect of the investigation;

(c) a description of the content of the CPSC's communication with each such AHJ;

(d) the identification of any questionnaires or other surveys used by the CPSC in communicating with each such AHJ; and

(e) the identification of any and all data, reports, surveys results, or other information revealing the results of this aspect of the investigation.

122. Describe in detail any and all communications between the CPSC and any state law enforcement authorities in connection with the Omegas. Your response should include, without limitation, the following:

(a) the identity of any and all persons employed or otherwise retained by the CPSC who participated in this aspect of the investigation;

(b) the identity of any and all state law enforcement authorities with whom the CPSC communicated in connection with this aspect of the investigation of the Omegas;

(c) a description of the content of the CPSC's communications with each such state law enforcement authority;

(d) the identification of any questionnaires or other surveys used by the CPSC in communicating with each such state law enforcement authority; and

(e) the identification of any and all data, reports, surveys results, or other information revealing the results of this aspect of the investigation.

123. Describe in detail any and all communications between the CPSC and any federal law enforcement authorities in connection with the Omegas. Your response should include, without limitation, the following:

(a) the identity of any and all persons employed or otherwise retained by the CPSC who participated in this aspect of the investigation;

(b) the identity of any and all federal law enforcement authorities with whom the CPSC communicated in connection with this aspect of the investigation of the Omegas;

(c) a description of the content of the CPSC's communications with each such federal law enforcement authority;

(d) the identification of any questionnaires or other surveys used by the CPSC in communicating with each such federal law enforcement authority; and

(e) the identification of any and all data, reports, surveys results, or other information revealing the results of this aspect of the investigation.

E. **Design and Testing**

124. Identify and describe any and all testing of the Omegas conducted by or on behalf of the CPSC. Your response should include, without limitation, the following:

(a) a description of any testing protocols used by the CPSC in testing the Omegas;

(b) the identity of the person(s) who created or established any such testing protocols for the Omegas;

(c) a description of the methodology employed during each and every test of the Omegas;

(d) the date of each and every test of the Omegas;

(e) an identification of the person(s) who conducted, participated in, or were otherwise present during each test of the Omegas;

(f) a description of the results of each and every test of the Omegas; and

(g) the identification of any and all documents (including videotapes and audiotapes) relating to any testing of the Omegas.

125. Identify any and all outside consultants, experts, or other persons who assisted, advised, or otherwise communicated with the CPSC with respect to any testing of the Omegas. For each such person, describe his or her role in the testing, and the communications between that

person and the CPSC.

126. For each test of the Omegas conducted by the CPSC, describe in detail the condition and age of the specific Omegas used in the test. Your response should include, without limitation, the following:

(a) an identification of each specific Omega by model number;

(b) a description of how and when the CPSC obtained each specific Omega used in the testing;

(c) a description of the condition of each specific Omega used in the testing (e.g., new, used, damaged, dented, etc. . .);

(d) a statement of the age of each specific Omega used in the testing;

(e) a statement of whether the CPSC has retained and the current location of each specific Omega used in the testing; and

(f) if the CPSC has since destroyed or discarded any Omegas used in its testing, a statement of the reasons for that action.

127. For each test of the Omegas conducted by the CPSC, describe in detail the piping used in the sprinkler system from which the Omegas were removed. Your response should include, without limitation, the following:

(a) the material constituting the piping;

(b) the presence of any treatments or substances applied to the piping;

(c) the contents of any and all materials or substances inside the piping; and

(d) a description of the overall condition of the piping.

128. For the time period 1990 through the present, identify and describe any and all testing of any non-Omega sprinkler heads conducted by or on behalf of the CPSC. Your response should include, without limitation, the following:

(a) a description of any testing protocols used by the CPSC in testing the non-

Omega sprinkler heads;

(b) the identity of the person(s) who created or established any such testing protocols for the non-Omega sprinkler heads;

(c) a description of the methodology employed during each and every test of the non-Omega sprinkler heads;

(d) the dates of each and every test of the non-Omega sprinkler heads;

(e) an identification of the person(s) who conducted, participated in, or were otherwise present during each test of the non-Omega sprinkler heads;

(f) a description of the results of each and every test of the non-Omega sprinkler heads; and

(g) the identification of any and all documents (including videotapes and audiotapes) relating to any testing of the non-Omega sprinkler heads.

129. To the extent that you contend, or otherwise intend to present at the hearing in this matter, the feasibility and/or propriety of any alternative design features for the Omegas, identify and describe any such proposed alternative design features. Your response should include, without limitation, a description of all data, testing, reports, or other information supporting this contention.

F. <u>Risk Assessment</u>

130. Set forth the factual basis of your contention in Paragraph 15 of the Complaint that the Omegas "create a substantial risk of injury to the public within the meaning of Section 15(a)(2) of the CPSA, 15 U.S.C. § 2064(a)(2)." Your response should include, without limitation, the following:

(a) a description of the specific risks of injury that you contend are presented by the Omegas;

(b) a description of the criteria or factors used by the CPSC in determining that each risk allegedly associated with the Omegas constitutes a "substantial risk" within the meaning of 15 U.S.C. § 2064(a)(2); and

(c) an identification of any and all data, survey information, or testing relating to the alleged risks associated with the Omegas.

131. Describe in detail any and all measures taken by the CPSC to determine the severity of the risk allegedly associated with the Omegas, including, without limitation:

(a) a description of how the CPSC measures the severity of the risk allegedly associated with the Omegas;

(b) a statement of whether the measurement employed by the CPSC incorporates, considers, or is in any way adjusted to reflect the number of products in use and the frequency of use of the Omegas;

(c) a description of all efforts taken by the CPSC to measure the severity of the risk or probability of injury allegedly associated with the Omegas; and

(d) an identification of all data, studies, and reports that quantify or otherwise provide an assessment of the risk or probability of injury allegedly associated with the Omegas.

132. Describe the CPSC's preliminary determination of the alleged risks associated with the Omegas. Your response should include, without limitation, the following:

(a) the date the CPSC Staff issued its preliminary determination of the alleged risks associated with the Omegas;

(b) the identity of all persons involved in the Staff's preliminary determination;

(c) the level of hazard assigned to the Omegas in accordance with the applicable provisions of the CPSC Recall Handbook; and

(d) an identification of all data, studies, reports, and/or testing upon which CPSC relied in making its preliminary determination.

133. Explain the factual basis underlying the level of hazard assigned to the Omegas in the CPSC Staff's preliminary determination of the alleged risks associated with the Omegas. Your response should include a statement of the specific factors considered, and the data or information

relied upon, by the CPSC Staff in determining the level of hazard assigned to the Omegas.

134. State whether CPSC's preliminary determination and/or initial assignment of the level of hazard allegedly presented by the Omegas has changed over time. If so, describe any such change and the information or testing giving rise to the change.

135. For the period from 1990 through the present, identify all consumer products classified by the CPSC as presenting a hazard level equal to, or greater than, the hazard level assigned to the Omegas. For example, if the Omegas have been classified as a "Class B" hazard, identify all other consumer products that have been classified as "Class B" hazards and all consumer products identified as "Class A" hazards. For each consumer product identified in your response, you should provide the following:

(a) the identity of the consumer product by brand name or other description;

(b) the identification of the manufacturer of each such consumer product;

(c) the date of the CPSC's classification of the consumer product as presenting a hazard;

(d) the hazard level assigned each such consumer product;

(e) a description of the hazard presented by each such consumer product;

(f) for each such consumer product, the estimated total number of units manufactured as of the date the CPSC made its determination of the hazard level;

(g) for each such consumer product, the estimated total number of units in the hands of the consumers as of the date the CPSC made its determination of the hazard level;

(h) the number and severity of any and all personal injuries associated with each such consumer product;

(i) the number of deaths associated with each such consumer product; and

(j) the nature and number of property damage reports associated with each such consumer product.

G. Sufficiency of Corrective Action

136. For each consumer product identified in your response to Interrogatory No. 135, describe any and all corrective action taken with respect to that product. Your response should include, without limitation, the following:

(a) a statement of the CPSC's role in effecting the corrective action;

(b) a statement of whether the corrective action that was taken was completely voluntary on the part of the manufacturer, retailer, or distributor, was the result of a negotiated corrective action plan with the CPSC, or otherwise was compelled by the CPSC through the initiation of an adjudicative proceeding pursuant to 15 U.S.C. § 2064; and

(c) the identification of all documents evidencing the corrective action taken with respect to each such consumer product.

137. For each consumer product identified in your response to Interrogatory No. 135, describe the nature and extent of the public notice provided as part of the corrective action taken. Your response should include, without limitation, the following:

(a) the specific nature of the notice given (e.g., written notice to consumers and retailers, press releases, bill-boards, posters, etc. . .);

(b) a description of the media coverage associated with the corrective action (e.g., newspaper ads and reports, magazine ads and reports, wire services, other print media, television coverage, radio coverage, and/or internet exposure);

(c) a description of the extent of media coverage and exposure of the corrective action (e.g., a list of all newspapers, magazines, wire services, television stations, radio stations, and internet services that provided notice or otherwise covered the corrective action);

(d) a description of the frequency and amount of media coverage associated with the corrective action (e.g., the number of days newspapers carried a written notice, or the number of days the notice appeared on television); and

(e) a description of any and all point of purchase notification to consumers associated with the corrective action (e.g., posters and notices provided to retailers to display at

stores).

138. For each consumer product identified in your response to Interrogatory No. 135, describe the nature of the recall component, if any, of the corrective action taken. Your response should include, without limitation, the following:

(a) the number of individual units recalled;

(b) the remedy options offered to consumers (e.g., replacement, refund, substitute products);

(c) an assessment of consumer participation in the recall (e.g., percentage of units in the hands of consumers that were actually received by the recall);

(d) identification of any and all documents revealing the level of consumer participation in the recall; and

(e) a description of any studies conducted by the manufacturer, distributor, or retailer of the consumer product, or by the CPSC, or by both, or by any other person or entity, assessing the effectiveness of the recall program.

139. Explain the factual basis of your contention, if any, that the corrective action proposal of Respondents in connection with the Omegas is insufficient to protect the public or otherwise fails to provide adequate remedial measures under 15 U.S.C. § 2064.

140. Describe in detail the public notice, recall, and/or other remedial measures that you contend are necessary with respect to the Omegas to constitute a sufficient remedy and/or corrective action proposal under 15 U.S.C. § 2064.

141. Identify and describe all efforts taken by the CPSC (including, without limitation, consumer surveys, press surveys, and public opinion polls) to evaluate, test, or otherwise determine the sufficiency of the corrective action proposal of Respondents with respect to the Omegas.

142. Identify and describe all criteria and factors considered by the CPSC in measuring the sufficiency of the corrective action proposal of Respondents with respect to the Omegas.

143. Identify all public statements, press releases, or other information released to the public by the CPSC that in any way relates to or otherwise refers to the Omegas and/or Respondents.

H. Initiation of Adjudicative Proceedings

144. For the time period beginning January 1, 1982 to the present, identify all incidents in which the CPSC has filed an administrative complaint pursuant to Section 15 of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2064. Your response should include, without limitation, the following:

(a) the date the administrative action was filed;

(b) the identity of the manufacturers, distributors, or retailers of the consumer product named as respondents in the administrative action;

(c) the identity of the consumer product at issue;

(d) a description of the alleged "substantial product hazard" at issue in each case; and

(e) a description of the outcome of the administrative action and the nature of the remedy awarded.

145. Identify all persons employed or otherwise retained by the CPSC who in any way participated in the CPSC's decision to initiate the instant adjudicative proceeding against the Respondents.

146. State the date on which the CPSC authorized Complaint Counsel to initiate the instant adjudicative proceeding against the Respondents.

147. Identify all communications and documents (including internal memoranda and correspondence) relating to the CPSC's decision to initiate the instant adjudicative proceeding against the Respondents.

148. State the reasons for the CPSC's authorization of, and decision to initiate, the instant adjudicative proceeding against the Respondents.

DATED: March 26, 1998

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CERTIFICATE OF SERVICE

I, Michael F. Healy, hereby certify that on this date a true and correct copy of the foregoing Respondents' First Set of Interrogatories was served by hand upon the following:

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Date: March 26, 1998

Michael F. Healy