

ORIGINAL NOV 19 1998¹

1
2 IN THE SUPERIOR COURT
3 OF THE STATE OF DELAWARE
4 IN AND FOR NEW CASTLE COUNTY
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7 IN RE: ASBESTOS LITIGATION)
8 Limited to:) C.A. 98C-05-047
9 Raymond Nack)
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15 DEPOSITION OF CARMEN SBEZZI
16 TAKEN ON NOVEMBER 3, 1998
17 STAMFORD, CONNECTICUT
18

19 ATKINSON-BAKER, INC.
20 CERTIFIED COURT REPORTERS
21 330 North Brand Boulevard, Suite 250
22 Glendale, California 91203

23 REPORTED BY: ESMERALDA NAZARIO
24 FILE NO.: 9826467
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17 DEPOSITION OF CARMEN SBEZZI, taken at
18 the request of the Plaintiff pursuant to Rule
19 30(b)(6) of the Delaware Rules of Civil
20 Procedure before Esmeralda Nazario, a Notary
21 Public in and for the State of Connecticut on
22 Tuesday, November 3, 1998, commencing at
23 10:55 a.m. at the offices of Silver & Galub, 184
24 Atlantic Street, Stamford, Connecticut.
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1
2 **STIPULATION**

3 The parties stipulate that the sealing,
4 certification and filing of the deposition are
5 waived, and that all objections except as to the
6 form of the question and all motions to strike
7 are reserved until the time of trial.

8
9 **CARMEN SBEZZI, SWORN**

10
11 (Exhibit 1, Notice of
12 Deposition, marked for
13 identification.)

14
15 **EXAMINATION BY MR. CRUMLAR:**

16 Q. And it's Mr. Sbezzi?

17 A. Sbezzi.

18 Q. Okay. My apologies if I
19 mispronounce it several times.

20 A. Everybody does.

21 Q. I am going to show you the notice of
22 the deposition and ask if you've ever seen this
23 document before or anything similar to this
24 document. It's the re-notice of the
25 deposition. You may have seen the original.

1 A. I don't think I've seen this.

2 Q. How did you find out about today's
3 deposition?

4 A. I was told through Mr. Spesolito
5 (phonetic).

6 Q. And that's your attorney?

7 A. No. That's one of the officers of
8 the corporation.

9 Q. Who's the one that told you about
10 it?

11 A. Vince Spesolito.

12 Q. And what's his position with the
13 company?

14 A. Vice president of finance.

15 Q. Okay. Was there a discussion among
16 you and the other people in the company as to
17 who would be the person who should best be the
18 spokesman for the corporation at this
19 deposition?

20 A. Yes.

21 Q. And it was decided that you should
22 be the one?

23 A. Yes.

24 Q. And can you tell me why it was
25 decided that you should be the one? What's

1 special about you, sir?

2 A. I have been with the company for the
3 longest period.

4 Q. Okay. And how long is that?

5 A. I started at Sexauer in 1963.

6 Q. Okay. Let me ask you. The request
7 for deposition asked to bring the person most
8 knowledgeable. And I understand -- I appreciate
9 the decision that you'd be of the people in the
10 company that -- the person that best fits the
11 bill.

12 It also asked that you bring with
13 you various documents dealing with Sexauer's
14 asbestos business. Did you go over the records
15 to see if there are any documents that were
16 responsive?

17 A. I did not bring any documents.

18 Q. Okay. Did you look through your
19 files or discuss with anyone else whether you
20 had any documents that were responsive to our
21 request or did you even note that we had even
22 made a request that you bring documents?

23 A. I wasn't aware of the documents.

24 Q. All right. So you weren't aware and
25 therefore you didn't look for them, all right.

1 How old are you, sir?

2 A. I'll be 63 this month.

3 Q. Okay. And you were born?

4 A. 1935.

5 Q. Okay. If you can basically go
6 through your educational background and your
7 employment background up to the present.

8 A. How far back you want to go on
9 education?

10 Q. Well, where you went to high school
11 and then from there.

12 A. I graduated North Tarrytown High
13 School 1954. I went to Manhattan College.
14 Graduated from Manhattan College in 1958 with a
15 BS degree in Labor Management.

16 Q. And what did you do at that point?

17 A. I went to work for a sporting good
18 store in North Tarrytown.

19 Q. That's in Connecticut. Right?

20 A. New York.

21 Q. All right. Tarrytown you said?

22 A. North Tarrytown. There's a
23 difference between Tarrytown and North
24 Tarrytown. As a matter of fact, North Tarrytown
25 has recently been changed to Sleepy Hallow.

1 Q. I've read about it in the papers.

2 A. Us old-timers who were born there
3 still insist it's North Tarrytown.

4 Q. And when did you -- how long were
5 you with the sporting store?

6 A. Approximately two years.

7 Q. Okay. And what did you do then?

8 A. From there, I went to a purchasing
9 position with Tinsel Light Insulated Wire.

10 Q. Okay. And where was that located?

11 A. In Tarrytown, New York.

12 Q. Okay. And how long were you with
13 Tinsel Light Insulated Wire?

14 A. About a year and a half. And then I
15 was employed in New York City under Western
16 Union, purchasing department, for a period of
17 two years.

18 Q. Okay. And what was your next
19 position?

20 A. J. A. Sexauer in 1963.

21 Q. Okay. Let me just ask. Prior to
22 1963, in any of your jobs, had you ever had any
23 involvement with asbestos?

24 A. No.

25 Q. Okay. Any of the companies that you

1 worked for as far as you know deal with asbestos
2 either in terms of selling it, manufacturing of
3 it, installing it, in any of their products?

4 A. No.

5 Q. Okay. Did you have any family
6 members that were ever involved in the asbestos
7 business?

8 A. No.

9 Q. I make that very broadly.

10 A. No.

11 Q. Have you ever worked with or been
12 involved with asbestos outside possible
13 involvement with J. A. Sexauer?

14 A. No.

15 Q. Have you ever studied asbestos?

16 A. No.

17 Q. Okay. What was your position when
18 you joined J. A. Sexauer in 1963?

19 A. Purchasing assistant.

20 Q. And where did you work?

21 A. Ten Hamilton Avenue, White Plains,
22 New York.

23 Q. Describe the nature of J. A.
24 Sexauer's business in 1963 when you joined that
25 organization.

1 A. It was a plumbing specialty
2 company. They sold replacement parts throughout
3 the United States to end users.

4 Q. Okay. Explain what you mean by
5 replacement parts?

6 A. The internal working parts of most
7 manufacturers such as American Standard Code.
8 We sold replacement handles, replacement stems.
9 We did not sell what we call new construction
10 business. What it was.

11 Anybody that was big enough to
12 have its own maintenance department that
13 required parts to conduct their business.

14 Q. Okay. So almost in a sense,
15 aftermarket business?

16 A. Aftermarket, yes. Like someone from
17 the automotive aftermarket.

18 Q. And so you would sell to somebody
19 who didn't necessarily need a four part, but it
20 was similar when you're replacing something in
21 your car?

22 A. Right.

23 Q. Okay. And the customers were I
24 think you said organizations that were large
25 enough to have a maintenance department?

1 A. And plumbers.

2 Q. And plumbers?

3 A. Yes.

4 Q. Would you sell both to what I'll say
5 companies such as Dupont, the large
6 organizations, as well as to plumbing supply
7 houses?

8 A. Not plumbing supply houses as much
9 as individual plumbers who needed merchandise to
10 carry on their business.

11 Q. Okay, all right.

12 A. Plumbing supply houses were very
13 often competitors of ours because they also
14 sold.

15 Q. Let me ask. How would -- are you
16 familiar with selling to the Dupont Corporation?

17 A. Yes.

18 Q. Okay. And how would, say, the
19 maintenance department at a Dupont plant in
20 Delaware or New Jersey get your products?

21 A. Through a service call from our
22 salesman.

23 Q. Okay. So your salesmen would call
24 and cover the entire United States basically?

25 A. Not one salesman.

1 Q. I know, but there were -- your sales
2 force covered the entire United States?

3 A. Right.

4 Q. Who was, if you can recall, the
5 salesman assigned to the territory which I'll
6 call the Mid Atlantic states: Delaware,
7 Maryland, Southern New Jersey, Southeastern
8 Pennsylvania?

9 A. During what period?

10 Q. Let's say from 1963 on.

11 A. They were -- that's a very broad
12 area, so there were many salesmen in that.

13 Q. How about salesman for Delaware?
14 And it may overlap with some other states.

15 A. Jack Flagg in 1963.

16 Q. What was his last name?

17 A. Flagg, F-L-A-G-G.

18 Q. And let me ask you. Was Delaware,
19 the Delaware sales market, was that with another
20 state or region?

21 A. I believe that was a sales territory
22 by itself.

23 Q. Okay. And Mr. Flagg, had he been --
24 he was with the company before you came?

25 A. Yes.

1 Q. Okay. Is he still alive today?

2 A. No, he passed away.

3 Q. Do you know who his predecessor was,
4 who was responsible for Delaware?

5 A. For a very short period, we had a
6 salesman called Drew Hoffman.

7 Q. Is he still alive?

8 A. I do not know.

9 Q. Who was Mr. Flagg's successor?

10 A. Mr. Hoffman.

11 Q. Oh, Mr. Hoffman. He followed
12 Mr. Flagg?

13 A. He followed Mr. Flagg.

14 Q. And you're not sure whether he's
15 alive or not?

16 A. No.

17 Q. When did Mr. Hoffman take over the
18 position?

19 A. I believe it was in the late '70s
20 for a very short time then. I don't have the
21 start and ending dates.

22 Q. That's fine. Do you know who was
23 the salesman responsible for Delaware before
24 Mr. Flagg?

25 A. No, I do not.

1 Q. Did Mr. Flagg and then later
2 Mr. Hoffman, did they work out of the White
3 Plains office or did they have --

4 A. Our salesmen worked out of their
5 homes.

6 Q. And do you know where Mr. Flagg
7 lived?

8 A. No, I do not.

9 Q. Now, as I understand it, you said
10 the salesman would call Dupont or the other
11 large companies and arrange for the sales
12 business.

13 In terms of -- besides the large
14 companies or companies large enough to have
15 their own maintenance departments, you also sold
16 to individual plumbers as I understand it.
17 Correct?

18 A. That was one of our markets,
19 although it was a small market.

20 Q. Okay. And how would the individual
21 plumbers hear about you and do business with
22 you?

23 A. I would say through word of mouth.
24 Sexauer has been in business since 1921.

25 Q. And you have a catalog that they

1 could pick up the phone and order?

2 A. Yes, we do. We always had a
3 catalog.

4 Q. Did Sexauer have at any time
5 distributors that they would send their product
6 to another store that would then sell the
7 product?

8 A. No. We always sold by direct
9 salesmen.

10 Q. Did Sexauer -- if you can tell me in
11 1963, how many offices or plants did Sexauer
12 have?

13 A. One home office.

14 MS. BRODOWAY: I am going to
15 ask you, if you don't mind, to
16 separate that into two questions.
17 Offices and then plants.

18 MR. CRUMPLAR: That's fine.

19 Q. (By Mr. Crumplar) You say you had
20 one home office?

21 A. That's correct.

22 Q. And where was that?

23 A. In '63?

24 Q. Yes.

25 A. Ten Hamilton Avenue, White Plains.

1 Q. Okay. Now, besides the office in
2 White Plains -- and that's where you worked.
3 Correct?

4 A. Yes.

5 Q. And that's where the president was?

6 A. That's correct.

7 Q. Was there any other operations of
8 Sexauer?

9 A. No.

10 Q. Okay. So you had the office at
11 White Plains and then the salesmen live --
12 worked out of their homes?

13 A. That's correct.

14 Q. Okay. Was there -- at the location
15 of White Plains, besides offices, was there a
16 warehouse?

17 A. Yes, there was.

18 Q. Now, Sexauer was founded in 1921, as
19 I understand it. Was it always in the White
20 Plains area?

21 A. No. It was founded in New York
22 City.

23 Q. Okay. And then it moved out to
24 White Plains?

25 A. It moved from New York City to

1 Bronx, New York.

2 Q. And when did it move from New York
3 City to Bronx, if you know?

4 A. I understand it's about three years
5 in New York City and then into Bronx.

6 Q. When did it go from Bronx to White
7 Plains?

8 A. 1962.

9 Q. Today, where is -- in 1976, as I
10 understand it, Sexauer was acquired by a company
11 now known as Dyson-Kissnar?

12 A. Moran.

13 Q. Moran.

14 A. DKM.

15 Q. Okay. I'll call it DKM. In 1976?

16 A. That's correct.

17 Q. And where is DKM's headquarters?

18 A. In New York City.

19 Q. Okay. Do they still have an
20 operation in White Plains?

21 A. They don't have an operation.

22 Q. Okay. Let's move to the period 1963
23 to 1976. During that period of time, did
24 Sexauer continue to operate basically the same
25 fashion as they had before; they were a plumbing

1 aftermarket business?

2 A. Yes.

3 Q. And they had one location in White
4 Plains, New York?

5 A. Yes.

6 Q. Okay. In 1976, after DKM acquired
7 them, how did their business change, if at all?

8 A. There was no change.

9 Q. Pardon?

10 A. There was no change.

11 Q. Okay, all right. They continued to
12 service the plumbing aftermarket out of their
13 White Plains facilities?

14 A. Yes.

15 Q. Okay.

16 A. Yes.

17 Q. Okay. Are those White Plains
18 facilities still in use?

19 A. No, they're not.

20 Q. When did they cease to be in use?

21 A. I don't recall the year, but we had
22 a warehouse in Louisville, Kentucky.

23 Q. So sometime you closed the White
24 Plains facility and opened up a warehouse in
25 Louisville, Kentucky?

1 A. We first opened up a warehouse in
2 Louisville, Kentucky, and operated from two
3 warehouses and then consolidated by closing
4 White Plains.

5 Q. Do you know about when you first
6 opened up the Louisville, Kentucky, warehouse?

7 A. Approximately 25 years ago.

8 Q. 1974. And about when was the White
9 Plains warehouse closed or consolidated?

10 A. Three or four years after.

11 Q. Okay. In the what I'll call the
12 headquarters or the business aspect of Sexauer
13 as opposed to simply the warehousing, after --
14 in 1974, you opened up two warehouses, but still
15 the administrative offices were still in White
16 Plains?

17 A. That's correct.

18 Q. Okay. In 1976, when DKM acquired
19 Sexauer, you had the administrative offices in
20 White Plains, a warehouse in White Plains, and a
21 warehouse in Louisville. What happened to the
22 administrative offices in White Plains after DMK
23 -- DKM acquired Sexauer?

24 A. They remained.

25 Q. Okay. And how long did the

1 administrative offices of the Sexauer division
2 of DKM remain at White Plains?

3 A. Until we moved from that building to
4 another building. We're now in Scarsdale, but
5 we have a P.O. Box called White Plains. Urban
6 Renewal took the building.

7 Q. All right. Have you ever been
8 deposed before, sir?

9 A. I have been deposed, yes.

10 Q. Have you ever been deposed in
11 asbestos litigation?

12 A. No.

13 Q. Okay. What type of litigation or
14 cases were you deposed in?

15 A. Sulfuric acid.

16 Q. Okay. Can you just tell me -- that
17 was a personal injury case?

18 A. Yes.

19 Q. What was that about without going
20 into great detail?

21 A. A consumer spilled some sulfuric
22 acid on them, and I was deposed.

23 Q. Sulfuric acid that they had
24 purchased from Sexauer?

25 A. No, they did not purchase it from

1 Sexauer.

2 Q. Why was Sexauer involved?

3 A. It was our product, and I'm not sure
4 where they were.

5 Q. And they were using the sulfuric
6 acid with the product, okay.

7 A. Drain cleaner.

8 Q. Okay, I understand. In 1963, about
9 how many employees were there of Sexauer
10 Corporation?

11 A. Internal or external or
12 salespeople?

13 Q. All three, I guess.

14 A. I'll start with the sales force.

15 Q. Okay.

16 A. Approximately 100 salesmen.
17 Approximately 75 to 80 people in warehouse and
18 office.

19 Q. Okay. Were the salesmen by in large
20 just Sexauer salesmen or would they carry
21 several other brands?

22 A. All Sexauer salesmen are not allowed
23 to carry any other brands. Strictly Sexauer.

24 Q. In 1976, what was the sales force of
25 Sexauer?

1 A. 110, 115.

2 Q. And how about the warehouse office
3 of personnel?

4 A. No major change.

5 Q. Okay. So about 75, 80, okay. And
6 let's just take it ten years later by 1985.
7 What were the salesmen now of the Sexauer
8 division and the office warehouse?

9 A. 125 salesmen.

10 Q. Okay.

11 A. My boss runs a tight ship. Not too
12 much increase in other personnel.

13 Q. Would it be fair to say that really
14 at least in terms of the type of business that
15 is being done and the basic method of doing the
16 business hasn't really changed since DKM
17 acquired Sexauer?

18 A. No, it hasn't.

19 Q. Okay. Sexauer, before it was
20 acquired by DKM, was it a publicly traded
21 corporation or was it a family corporation?
22 Just describe its ownership.

23 A. Family owned.

24 Q. And in 1976, the acquisition, was it
25 a merger or did DKM simply acquire the assets,

1 if you know?

2 A. As far as I know, DKM acquired the
3 company.

4 Q. Okay. So it bought the actual stock
5 of the company?

6 A. Yes.

7 Q. Okay. Do you have any family
8 connections to the Sexauer family?

9 A. Wish I did.

10 Q. Okay.

11 A. The answer is no.

12 Q. And is DKM now publicly traded?

13 A. No, it's not.

14 Q. Do you have any ownership in DKM?

15 A. Wish I did. No is the answer. I
16 could wish.

17 Q. The Sexauer Company was founded by,
18 I guess, Mr. Sexauer back in 1921?

19 A. John Sexauer.

20 Q. Okay. Between its founding and its
21 acquisition by DKM, did it always remain family
22 owned or was it ever owned or affiliated with
23 any other companies?

24 A. To the best of my knowledge, it was
25 always in the Sexauer family.

1 Q. And since 1976, the Sexauer business
2 has remained a part of DKM. Correct?

3 A. That's correct.

4 Q. Did Sexauer -- I mean both as an
5 independent corporation and then after 1976 as a
6 division of DKM -- ever manufacture any items?

7 A. No, it did not manufacture.

8 Q. Did you ever re-brand or re-label
9 any products so you would get -- someone else
10 would manufacture it, but you would put
11 Sexauer's label on it?

12 A. Yes.

13 Q. Okay. And why did you do that?

14 A. For recognition on the customer's
15 behalf. You know, we always built our business
16 on quality and service and the products that we
17 sold. We try to give a name identification so
18 that they were familiar and would reorder.

19 Q. Okay. And that's what I'll call
20 re-branding. How long had that gone on?

21 A. As long as I know.

22 Q. Okay, okay. Now, an active part of
23 the business when you were there in '63 and
24 continued on?

25 A. Yes.

1 Q. At any time, did any of the products
2 that Sexauer -- plumbing products that Sexauer
3 sold contain asbestos?

4 A. Yes.

5 Q. Okay. What products and when?

6 A. When you say "and when," I don't
7 know how far back.

8 Q. Let's start what products contained
9 asbestos as far as you know.

10 A. We have dye-formed packing rings.

11 Q. What was that?

12 A. Dye-formed.

13 Q. What do you mean by dye-formed
14 packing rings? Explain that.

15 A. It's a ring that's made for a
16 particular valve, and it's shaped to a certain
17 contours to fit a particular valve, be it a
18 Kolar faucet. Packing is made to fit in the
19 Kolar faucet.

20 Q. Okay. What else did you make that
21 contained -- excuse me -- did you sell that
22 contained asbestos?

23 A. Wicking.

24 Q. What exactly is wicking in layman's
25 terms, non-plumbing terms?

1 A. Very much like string.

2 Q. And what would be its purpose?

3 A. For packing. Not for a particular
4 faucet, but for packing valves.

5 Q. And the packing of a faucet or a
6 valve is basically to help seal the connection.
7 Correct?

8 A. Prevent water from coming out.

9 Q. Or any other fluids?

10 A. Yes.

11 Q. Okay. What other asbestos products?

12 A. Sheeting.

13 Q. Okay. Describe how the sheeting
14 would be used.

15 A. It would be used by a customer who
16 wanted to cut his own gasket or packing.

17 Q. Okay. So it's in a sheet and then
18 you can kind of customize the particular need
19 for the packing?

20 A. That's correct.

21 Q. Or gasket, okay, or any other
22 asbestos-containing products?

23 A. Yes.

24 Q. All right. In 1963 when you started
25 with the company, they were selling these three

1 types of asbestos products?

2 A. That's correct.

3 Q. Do you know how long they had been
4 selling those types of asbestos products?

5 A. No, I do not.

6 Q. But for a considerable time?

7 A. I would say so.

8 Q. And are they still selling those
9 asbestos-containing products today?

10 A. No.

11 Q. And when did they stop and if they
12 stopped at different times with different
13 products?

14 A. I do not have the dates, but I would
15 say sometime in the middle '70s, late '70s.

16 Q. Okay. Were you involved in the
17 decision to stop selling Sexauer's asbestos
18 products?

19 A. No. I was out of purchasing by that
20 time.

21 Q. Do you know why the decision was
22 made?

23 A. I would venture that it was on the
24 recommendation of vendors who had come up with
25 another product.

1 Q. Okay. You say you venture, so
2 that's just a guess on your part?

3 A. Yes.

4 Q. Let me ask in terms of -- you
5 started out in purchasing in '63. Let's briefly
6 go over your jobs with the company. How long
7 did you stay in purchasing?

8 A. In 1976, I was made vice president
9 of purchasing. In 1982, I was made vice
10 president of sales.

11 Q. And what is your position today?

12 A. Vice president of sales.

13 Q. Purchasing, I guess, is purchasing
14 the materials from the manufacturers and then
15 sales is selling those things?

16 A. Correct.

17 Q. Okay. And when you were in
18 purchasing in 1976, '76 you left from -- went
19 from purchasing -- excuse me. You went from
20 purchasing to sales in 1982. Is that correct?

21 A. That's correct.

22 Q. Sometime while you were in
23 purchasing, the shift went from asbestos to
24 non-asbestos?

25 A. No, I believe it was after.

1 Q. So sometime after you left
2 purchasing, so it would be after 1982?

3 A. Right.

4 Q. Can you tell me who the vendors or
5 the suppliers of the asbestos-containing
6 products, the packing, the sheets, and the
7 wicking, Sexauer -- and by Sexauer, I'm
8 referring both to Sexauer independent company as
9 well as the division of DKM -- purchase their
10 asbestos from?

11 A. During what period?

12 Q. Well, that's fair enough. From 19
13 -- in 1963, where did they get it?

14 A. While I was in purchasing?

15 Q. Yes.

16 A. The dye-formed packings were from
17 two sources: Johns Manville and Raybestos
18 Manhattan. The wicking came from a company
19 called Ureka Packing. And the asbestos sheeting
20 came from a company called Garlock.

21 Q. Okay. Now, was there ever a time
22 while you were there in purchasing up to '82
23 when the dye-formed packing came from a company
24 other than JM or Raybestos Manhattan?

25 A. Not that I recall.

1 Q. Did it continue to be both from JM
2 and Raybestos Manhattan?

3 A. Primarily from Johns Manville and
4 fewer products from Raybestos.

5 Q. Let me just ask if you can say
6 primarily. 70% JM? 30% Raybestos?

7 A. I don't know what the percentage is.

8 Q. But the majority was JM?

9 A. The majority, yes.

10 Q. Is it your understanding that before
11 1963 for a number of years JM and Raybestos
12 Manhattan had been suppliers of the dye-formed
13 packing?

14 A. Yes.

15 Q. Do you know if there had been any
16 other suppliers of the dye-formed packing other
17 than JM or Raybestos Manhattan?

18 A. Not that I know of.

19 Q. Did you deal with the JM people
20 regarding purchasing?

21 A. What do you mean by "deal with"?

22 Q. Fair enough. Let me ask. First of
23 all, where did the JM packing come from? What
24 plant? Do you know?

25 A. I believe it was from New Jersey.

1 Q. Okay. Manville, New Jersey?

2 A. I think so.

3 Q. And was there a person at the
4 company who was responsible for dealing with
5 Johns Manville, dealing with their supply of the
6 dye-formed packing?

7 A. Was there a person responsible in
8 Johns Manville?

9 Q. No, at Sexauer for Johns Manville.

10 A. I was the person.

11 Q. Okay, all right. And who did you
12 deal with at Johns Manville?

13 A. I could tell you his first name
14 right now. His last name is not familiar to
15 me. Frank. And it's an Irish name. He was
16 Johns Manville's salesman who called our
17 department.

18 Q. All right. Did you ever go to the
19 Johns Manville plant in New Jersey or Johns
20 Manville headquarters?

21 A. Yes, I was taken to the Manville
22 plant.

23 Q. When were you given a tour of the
24 Manville plant?

25 MS. BRODOWAY: I am going to

1 object because you're

2 characterizing it as a tour.

3 MR. CRUMPLAR: Okay, fine.

4 Q. (By Mr. Crumplar) When were you
5 taken through the Manville plant?

6 A. Sometime between 1963 and '65.

7 Q. Okay. Tell me what you remember of
8 that visit at the Manville plant. Describe it.

9 A. Not very much. He showed me his
10 ability to deliver product and satisfy the
11 customers' time request.

12 Q. Did you actually see the
13 manufacturing process?

14 A. No. I was entertained in the
15 executive office.

16 Q. So you didn't actually go into the
17 plant?

18 A. They wanted to introduce me to the
19 office personnel.

20 Q. All right.

21 A. Who I would be expediting orders
22 with so that we would have a relationship.

23 Q. Besides that one visit to the
24 Manville facility sometime between '63 and '65,
25 any other visits to the Manville location?

1 A. No.

2 Q. Okay. And I take it that the
3 Manville salesman would from time to time visit
4 you --

5 A. Yes.

6 Q. -- in New York? All right. Were
7 you the person at Sexauer who would deal with
8 Raybestos Manhattan?

9 A. That's correct.

10 Q. And what plant of Raybestos
11 Manhattan manufactured the dye-formed packing,
12 asbestos packing?

13 A. I don't know.

14 Q. Okay. Did you ever visit any
15 Raybestos Manhattan facilities?

16 A. No.

17 Q. No?

18 A. No.

19 Q. Do you recall the name of the
20 Raybestos Manhattan salesman?

21 A. No.

22 Q. A Mr. Skokroff (phonetic), does that
23 ring a bell?

24 A. No.

25 Q. Was it the Raybestos Manhattan

1 offices in Connecticut that you got products
2 from or you can't say?

3 A. I do not know.

4 Q. Ureka Packing, where are they
5 located?

6 A. They were in Brooklyn.

7 Q. Okay.

8 A. I don't have a street address.

9 Q. And did you ever visit their
10 location?

11 A. No.

12 Q. And Garlock, where were they
13 located?

14 A. I don't know.

15 Q. Did you ever visit their office?

16 A. No, I did not.

17 Q. Or plant?

18 A. No.

19 Q. Of the three types of asbestos
20 products, was there one type that you sold more
21 often?

22 A. I would say we sold more of the
23 dye-formed packing.

24 Q. Okay. Let me ask. How does the --
25 we'll take each of the three products. First

1 the dye-formed packing. How is that shipped to
2 your facility, your warehouse at White Plains?

3 A. Depending on which model, which
4 size, we would order them in quantities of
5 1,000, 2,500, 5,000 the real popular one is
6 10,000 pieces. They would come in what I call
7 bulk packing. It would be in a box.

8 Q. Okay.

9 A. Containing that quantity.

10 Q. And then let's say you got a box
11 with a large order with the 10,000 pieces.

12 A. That was the exception.

13 Q. Okay, all right. 1,000 let's just
14 say.

15 A. That's fine.

16 Q. In a size box with the packing from
17 JM or Raybestos Manhattan. The outside of the
18 box would show that it was JM or Raybestos
19 Manhattan, but when you opened up the box, the
20 actual packing itself did not have any labels of
21 JM or Raybestos?

22 A. No. The packings were very small.

23 Q. Were there any identifying marks on
24 the packing?

25 A. No, not on the packing itself.

1 Q. And that packing then would be
2 placed in Sexauer packages. Is that correct?

3 A. First they would go in a Sexauer
4 bin. It was assigned to that catalog number.

5 Q. The catalog number is the Sexauer
6 catalog number?

7 A. Right.

8 Q. So it would be sorted as to the
9 particular bin?

10 A. Because we did our picking by
11 catalog number. Now, we may not necessarily put
12 the whole 1,000 or 2,500 in these small bins.
13 There would be a backup stock in the warehouse,
14 but they would fill them in and maybe a couple
15 hundred pieces in a bin.

16 Q. Okay. And then if someone ordered
17 -- let's say I ordered fifty.

18 A. Right. We allowed any quantities.
19 We didn't have a minimum quantity number. You
20 could order three pieces, ten pieces.

21 Q. Let's say I ordered fifty pieces,
22 and I'm a Dupont maintenance person that
23 ordered. How would I get those from Sexauer
24 using the dye-formed packing?

25 A. It would probably come in a sealing

1 of plastic envelope. They would be counted, put
2 in there. A label would be put on that with the
3 Sexauer catalog numbers so that you know how to
4 reorder it quickly with the quantity. And that
5 would probably be put in a small Sexauer box.

6 Q. Okay. And they would be shipped by
7 truck or --

8 A. I would say 90% of our products were
9 shipped by UPS because of the nature of the
10 product. They were light and small. And most
11 of the times, we received orders with multiple
12 items. It's very rare to get a one-item order.

13 Q. All right. The wicking and asbestos
14 sheeting, similar kind of distribution process
15 as we had with the packing? It would come from
16 the manufacturer, be put in the catalog bin; and
17 then as it was ordered, it would be placed in a
18 Sexauer --

19 A. The wicking would not be loose as a
20 dye-formed packing. It would come on a spool.

21 Q. Okay.

22 A. We would place an order for a
23 hundred spools and then sell it one, two spools
24 at a time.

25 Q. Okay, all right. Let me just be

1 clear in my mind about the wicking. It's a
2 rope-like thing in a spool. Correct?

3 A. Correct.

4 Q. And you would get that spool, and
5 where would that be placed at the warehouse? In
6 a bin?

7 A. A small amount in a bin and the
8 reserve amount in the back of the warehouse.

9 Q. And then I would order so many feet
10 of --

11 A. No. You would order a spool, two
12 spools, three spools.

13 Q. All right, fine. And then the
14 spools would be put in some kind of small box
15 depending upon the size?

16 A. That's correct.

17 Q. With the Sexauer label and catalog
18 number?

19 A. That's correct.

20 Q. And the asbestos sheets, how would
21 they be packaged and shipped to the customer?

22 A. The sheets would come in. And I
23 don't know the exact amount, but the sheets were
24 like 36 inches wide and they may run 50 feet.

25 And it will come in one spool. And we would

1 sell it by the yard.

2 Q. Okay.

3 A. So if a customer ordered a yard or
4 two yards, it would be cut after it was measured
5 and just wound tight and the Sexauer label put
6 on it.

7 Q. And the Sexauer label would actually
8 be put on the sheet itself?

9 A. After it was wound into a small...

10 Q. Okay.

11 A. Tight wound.

12 Q. Do you recall -- in terms of when
13 you went to the Johns Manville facility, you
14 were in the office, so you didn't see the
15 manufacturing plant. Correct? As you can
16 recall?

17 A. I don't think they allowed outside
18 visitors as far as I know.

19 Q. Do you know why?

20 A. No, I don't know.

21 Q. Did anyone at Manville ever talk to
22 you about asbestos and health problems?

23 A. No.

24 Q. Whether it was full of bull or true
25 or just any comment dealing with asbestos and

1 health problems?

2 A. No.

3 Q. Okay. Did anyone connected with
4 Raybestos ever talk to you about asbestos and
5 health problems?

6 A. No.

7 Q. Did anyone in connection with Ureka
8 ever talk to you about asbestos and health
9 problems?

10 A. No.

11 Q. Did anyone in Garlock ever talk to
12 you about asbestos and health problems?

13 A. No.

14 Q. Did they ever talk to you at all
15 about lawsuits involving their products?

16 A. No.

17 Q. The labels on the Raybestos, Johns
18 Manville, Ureka, and Garlock asbestos products
19 that you got, did they say anything other than
20 the name of the company? Johns Manville
21 Asbestos Packing or Garlock Asbestos Sheeting
22 that you know?

23 A. Not that I know of.

24 Q. Okay. Any description as to the
25 product, how much asbestos it was in, the

1 weight, anything of that type?

2 A. No.

3 Q. Do you ever recall seeing any of the
4 asbestos materials that you got from these four
5 suppliers any sort of warning or health
6 statement that would comment that contains
7 asbestos; could be dangerous; anything of the
8 kind?

9 A. No.

10 Q. Is it your testimony that at no time
11 did you ever receive any information, either
12 orally or in writing, from any of your asbestos
13 suppliers about actual or potential health risks
14 from dealing with asbestos?

15 A. That's correct.

16 Q. Okay.

17 MS. BRODOWAY: Could you ask
18 that question again?

19 Q. (By Mr. Crumplar) It's my
20 understanding that at no time while you were
21 purchasing asbestos-containing products from
22 these four suppliers -- JM, Raybestos, Ureka,
23 and Garlock -- did you ever receive any
24 information from them regarding asbestos and
25 health, whether orally or in writing.

1 And your answer was you never
2 did. Correct?

3 A. Correct.

4 Q. All right. What is your
5 understanding today as to health risks of
6 asbestos, if you have any?

7 A. I don't know of any health risk.

8 Q. You're not aware that there are any
9 health risks from dealing with asbestos?

10 A. Correct.

11 Q. Okay. It's your testimony that you
12 have no knowledge; as far as you know, asbestos
13 is just as safe as any other material?

14 A. As far as I know.

15 Q. Okay. And if you were working with
16 an asbestos-containing product and generating a
17 lot of dust, there would be no special
18 precautions that would need to be taken as far
19 as you know?

20 MS. BRODOWAY: I'm going to --

21 THE WITNESS: I don't work
22 with any products that contains a
23 lot of dust.

24 Q. (By Mr. Crumplar) Okay. Have you
25 ever heard of a government organization or

1 program OSHA, Occupational Safety and Health
2 Administration?

3 A. Yes, I am.

4 Q. And have you ever had any dealings
5 with OSHA?

6 A. Personally?

7 Q. Yes.

8 A. No.

9 Q. Do you know whether the company,
10 first of all, Sexauer before it was acquired by
11 DKM ever had any dealings with OSHA?

12 A. Yes. There was an OSHA inspector in
13 our plant once.

14 Q. Okay. When do you recall the OSHA
15 inspector coming to your plant?

16 A. Oh, I would say 1980s, early 1990s.

17 Q. And do you know -- that was just an
18 inspection to see whether the plant met
19 government requirements?

20 A. They looked at some machinery that
21 needed some kind of plastic protector so the
22 person couldn't get his hand in the sealing of
23 bags.

24 Q. Okay. Now, the plant -- what you
25 just called the plant, that's the warehouse.

1 Correct?

2 A. Right.

3 Q. And they didn't produce anything,
4 but they would package things. Correct?

5 A. Yes.

6 Q. Okay. So the machinery that you're
7 talking about was a packaging machinery?

8 A. That's correct.

9 Q. How often would you actually, if at
10 all, go into the warehouse?

11 A. What period of time?

12 Q. Let's take '63 to '76 first.

13 A. On a daily basis.

14 Q. Okay. And then from '76 to '82, how
15 often would you go to the warehouse?

16 A. That's when the warehouse was in
17 Louisville. It would be maybe monthly or every
18 two months or every three months.

19 Q. Were there ever any warning or
20 caution signs in the warehouse giving
21 information to the workers or anyone who was
22 there in terms of potential risk of any kind?

23 A. Not that I recall.

24 Q. Okay. Was there ever any special
25 policy as far as you know of in terms of how

1 workers of Sexauer were to handle the asbestos
2 materials?

3 A. Not that I know of.

4 Q. Who would be the person who would
5 know whether there was a policy or not? Would
6 it be you or would it be someone else?

7 A. I would say the warehouse manager.

8 Q. Who was the warehouse manager, let's
9 say, from '63 to '76? And if there are
10 several.

11 A. Tom Imperato, Sr., James Hulsman,
12 H-U-L-S-M-A-N, Pat Sheridan. Are we going from
13 '63 to what year?

14 Q. Let's say 1976.

15 A. That's it.

16 Q. Okay. How long was Tom warehouse
17 manager?

18 A. He was there when I started.

19 Q. And how long did he stay?

20 A. Fifteen years.

21 Q. Okay. And about how many people
22 were under him? I know you told me there were
23 like 75 to 100 people in the warehouse office,
24 but how many were actually --

25 A. 35, 40.

1 MR. CRUMPLAR: Let's go off
2 the record.

3 (Off the record.)

4 (Exhibits 2 through 6,
5 Catalog Ads, marked for
6 identification.)

7 MR. CRUMPLAR: Back on the
8 record.

9 THE WITNESS: I just
10 remembered the salesman's name.

11 Q. (By Mr. Crumplar) And who's that?

12 A. Frank Egan, E-G-A-N.

13 Q. We were talking about OSHA a moment
14 ago, and you recall at least one time OSHA came
15 into the warehouse at White Plains. Do you know
16 whether OSHA ever had any regulations dealing
17 with asbestos?

18 A. Not that I know of.

19 Q. Okay. Do you know when OSHA came
20 into effect?

21 A. No, I don't.

22 Q. Okay. As far as you know, was there
23 ever a time -- strike that. Was there ever a
24 time when Sexauer was exempted from OSHA
25 regulations because it was too small?

1 A. Not that I know of.

2 Q. Okay. Was there someone in the
3 company that would deal with governmental
4 regulations and things like OSHA?

5 A. There was no one that I know that
6 was specifically assigned to that.

7 Q. Let me ask. In terms of if there
8 were injuries at the plant, who would deal with
9 that in the company?

10 A. The plant manager.

11 Q. Okay. Was there somebody in charge
12 of employee relations that might have
13 responsibility for safety?

14 A. The personnel department, but I
15 don't know that they were in charge of safety.

16 Q. Did the plant have a medical -- any
17 medical personnel: Plant nurse? Plant doctor?

18 A. No.

19 Q. Okay. Was there a regular company
20 doctor, although he wasn't employed, that people
21 would be sent to who would have some kind of
22 affiliation?

23 A. No.

24 Q. Was there any kind of formal safety
25 program with the corporation?

1 A. Not that I know of.

2 Q. All right. Let me show you what's
3 been marked as Sbezzi 2. Is this the Sexauer
4 wicking that you were speaking about earlier?

5 A. Yes.

6 Q. And you recognize that picture and
7 the writing?

8 A. Yes.

9 Q. Okay. Would that be something that
10 would appear in your catalogs?

11 A. Yes.

12 Q. Okay. And it talked in terms of
13 there was a trademark for this name, Sexauer
14 Wickings. Were you at all involved in the
15 trademarks?

16 A. No.

17 Q. Okay. The trademark actually talks
18 about Sexauer products and triangle donkey
19 design. Do you know what that refers to?

20 A. It refers to a mule kick which was
21 an expression used at Sexauer trademark.

22 Q. Okay. And did they actually have
23 some of the trademarks that would show a mule
24 kicking?

25 A. Yes. That was primarily for our

1 waste products, waste pipe products, and to show
2 the strength of the Sexauer product.

3 Q. Okay.

4 A. I believe that originated in the
5 1920s.

6 Q. Okay. The next document I show you
7 is Number 3 which shows a Teflon asbestos
8 packing. Do you recognize that description?

9 A. Yes.

10 Q. And that Teflon asbestos packing --
11 we talked about I guess we called it the dye
12 fold asbestos packing. Was Teflon a type of
13 asbestos packing that you sold?

14 A. This is not the dye-formed.

15 Q. Okay, all right. Let me just ask.
16 You had told me that there were three types of
17 products, asbestos products: The die fold --
18 dye-formed --

19 A. Dye-formed.

20 Q. -- asbestos packing, the wicking,
21 and the sheeting. This Teflon asbestos packing,
22 was that another asbestos product sold by
23 Sexauer?

24 A. I categorize it as part of the
25 wicking.

1 Q. Okay, fine, fine. And that was
2 supplied by Ureka?

3 A. That's correct.

4 Q. And you recognize that as a Sexauer
5 product, and you consider that under the
6 category of wicking. Correct?

7 A. Yes.

8 MS. BRODOWAY: Excuse me,
9 "that" meaning Exhibit 3?

10 MR. CRUMPLAR: Exhibit 3,
11 yes.

12 Q. (By Mr. Crumplar) And is that
13 pictorial also from the catalog?

14 A. It is.

15 Q. Let me ask in terms of the catalog.
16 There was a -- how large was the Sexauer
17 catalog?

18 A. What period?

19 Q. Oh, let's say 1970.

20 A. I have a hard time giving you the
21 number of pages, but I probably can give you the
22 number of items as the line grew. And then it
23 would grow a corresponding number of pages.

24 Q. Why don't we take 1963 first of
25 all.

1 A. Okay. And these are approximations.

2 Q. I understand, I understand.

3 A. There was approximately three
4 thousand items in the line.

5 Q. In 1963?

6 A. Yes.

7 Q. Okay. And of the asbestos products
8 -- I mean, we talked about the categories of
9 packing, wicking, and sheeting -- would they
10 account as three or would there be several
11 varieties so there might be thirty different
12 asbestos products?

13 A. I don't understand if you're asking
14 all three of the Teflon.

15 Q. Let me rephrase that, okay. In
16 1963, in the Sexauer catalog, there were about
17 three thousand items. Correct?

18 A. Correct.

19 Q. Now, some of the items in the
20 catalog in 1963 were asbestos-containing
21 products. Correct?

22 A. Yes.

23 Q. And how many approximately asbestos
24 items would there have been in 1963? Out of the
25 three thousand items, how many of those would be

1 asbestos-containing approximately?

2 A. Less than one percent.

3 Q. Okay.

4 A. If I can just make a comment.

5 Q. Sure.

6 A. I'm including the dye-formed rings
7 each different size as a product.

8 Q. I understand that.

9 A. It doesn't encompass, because then
10 it would be less than one quarter.

11 Q. Right, right. Okay. As the
12 catalogs are updated or replaced -- well, let me
13 ask you this. Would there be a catalog in 1963
14 that would be published and a new catalog
15 published in 1964?

16 A. It's not a yearly event. It's as we
17 saw the need, as the product line grew, as the
18 number of catalogs we ordered ran out, and if it
19 was necessary, we'd go into the next publishing,
20 but it was never a yearly event.

21 Q. All right. And the catalogs would
22 be then distributed to maybe one of your
23 customers; like a Dupont plant would have a
24 catalog?

25 A. Yes.

1 Q. In addition to the catalog, what
2 other promotional literature or sales literature
3 was there of Sexauer?

4 A. Occasionally, we published a small
5 brochure to include in the package that was sent
6 to the customers and trying to update them with
7 new products that he would not know about that
8 did not make the catalog printing.

9 Q. So you have the catalog which is
10 actually a bound book. Correct?

11 A. It's perfect bound the last
12 edition. Prior to that, they were all loose
13 leaf.

14 Q. Okay. You have the catalog which is
15 a fairly thick item, several pages?

16 A. Yes, it is.

17 Q. And in addition to other literature
18 that customers would have would be in the actual
19 shipment you might have a small brochure that
20 would just be inserted to give them new
21 information?

22 A. Pamphlets.

23 Q. Pamphlets, okay. Now, would those
24 pamphlets be sent to the customer besides with
25 the product?

1 A. No.

2 Q. Okay. Did Sexauer advertise?

3 A. Through the catalog mostly.

4 Q. How about in any type of magazines?

5 A. No, we didn't sell to the homeowner
6 or something like that. That was not our
7 market.

8 Q. Well, by magazines, I mean even
9 trade journals, certain industrial magazines
10 that companies might get.

11 A. No. The only other advertisement
12 was in college. There was a book for a football
13 team, and they want a \$200 donation, say, Best
14 of luck.

15 Q. So basically, a company -- let's say
16 there was a new company that was opening up in
17 Delaware 1972 or so. They would learn of
18 Sexauer because the salesman would come by and
19 promote the company. Correct?

20 A. Yes.

21 Q. Okay. Word of mouth basically?

22 A. Absolutely. Being in business since
23 1921, we have enjoyed a very good reputation.

24 Q. Who were -- what companies were into
25 major competitors of Sexauer?

1 A. What period?

2 Q. Let's say '63 to '76.

3 A. A company called Crest

4 Manufacturing.

5 Q. Crest?

6 A. Yes.

7 Q. Where are they located?

8 A. Long Island. Syosset, Long Island.

9 Q. They were your chief competitor?

10 A. I'm going to name a few. I don't

11 know how to --

12 Q. Okay, that's fine.

13 A. -- label them chief or secondary.

14 Q. List the other ones.

15 A. P&M out of California. Best

16 Products, Long Island. Give me the period

17 again.

18 Q. '63-'76.

19 A. Creed Manufacturing, Pennsylvania.

20 I'm not sure of the city. Mark's Plumbing,

21 Dallas, Texas -- Fort Worth, Texas. Those are

22 what we consider plumbing specialties. They

23 were in similar businesses.

24 Q. Was there -- you said that yours was

25 a national business. Was your business centered

1 more in any particular region in the country as
2 opposed to another one?

3 A. It's probably based on population
4 density.

5 Q. Okay.

6 A. California being a dense state, we
7 do a lot of business compared to Wyoming.

8 Q. But outside of population density,
9 you didn't do more business in, let's say, a
10 cluster of a million people in Florida than a
11 cluster of a million people in California?

12 A. No.

13 Q. Okay. So it was a truly national
14 business as opposed to a regional business?

15 A. Yes.

16 Q. And turn to Sbezzi 4. Do you
17 recognize the product that's shown there?

18 A. Yes.

19 Q. And that is your -- it's described
20 as a treated asbestos yarn. What category of
21 the three Sexauer asbestos products that you
22 categorize would you call the yarn? Was that
23 similar to the wicking?

24 A. Wicking.

25 Q. And Sbezzi 5 is a special asbestos

1 wicking. Do you recognize that as a Sexauer
2 product?

3 A. Yes.

4 Q. What is the difference between a
5 yarn, as Sexauer describes it in Sbezzi 4 and 5,
6 the asbestos yarn and the asbestos wicking? Is
7 there a difference in size?

8 A. Yeah. And more strands in the
9 wicking.

10 Q. And then finally Sbezzi 6. Do you
11 recognize the Sexauer Teflon valve stem packing
12 that's shown?

13 A. This is the category of dye-formed
14 packing rings.

15 Q. All right. And from Sbezzi 2
16 through 6, these are all the descriptions that
17 would appear in your catalogs?

18 A. That's correct.

19 Q. Can you recognize or date the
20 catalogs for any of these products? And I'm
21 referring 2 through 6. The time period?

22 A. I would categorize it in two groups.

23 Q. Okay, all right. If you could
24 identify it by number.

25 A. In an older group. Could have been

1 prior to 1963.

2 Q. Okay. That's 2, 4, and 5; you
3 recognize those as items that were in the
4 catalog as the description appears on the
5 exhibits in 1963 when you came with the company?

6 A. Right.

7 Q. Okay. And then 6 and 3 were later?

8 A. Later period, because it was Teflon
9 asbestos, which did not come into the picture
10 until after '63.

11 Q. Okay. Do you recall exactly when
12 Teflon -- you started carrying Teflon asbestos
13 products?

14 MR. MCCAGHEY: May I see
15 those, please?

16 MR. CRUMPLAR: Sure.

17 THE WITNESS: I'd say shortly
18 after '63.

19 Q. (By Mr. Crumplar) What you had was
20 Teflon was added to the asbestos product.
21 Correct?

22 A. I'm not sure. It replaced graphite.

23 Q. Do you know why the Teflon replaced
24 the graphite with the asbestos products?

25 A. Well, time period with Teflon was

1 discovered, different uses. And supposedly it
2 was a more superior product than graphite.
3 Graphite was black in color and came off on your
4 hands and your clothes.

5 And Teflon was becoming a
6 household word as housewives got to learn about
7 Teflon frying pans. Teflon is a cleaner
8 material, a more efficient material, a more
9 modern material.

10 Q. Now, the asbestos wicking, the
11 asbestos packing, the asbestos sheets that we
12 talked about, were they a hundred percent
13 asbestos or were they asbestos and some other
14 material?

15 A. I don't know the formulation.

16 Q. Okay, all right. Do you know what
17 -- I guess you said sometime after 1982 you
18 were carrying a similar product, but it didn't
19 contain asbestos. Correct?

20 A. Correct.

21 Q. What replaced the asbestos? Do you
22 know what material?

23 A. No, I don't.

24 Q. Do you know why asbestos was used in
25 the wicking and the sheets, what purpose it

1 served?

2 A. It was traditionally there, and I
3 don't know why it was put there. Before my
4 time.

5 Q. Pardon?

6 A. It was before my time.

7 Q. All right, all right. And you never
8 learned what functional purpose -- why asbestos
9 was used as opposed to something else?

10 A. No.

11 Q. Okay. Did Sexauer belong to any
12 trade associations or any groups?

13 A. What period?

14 Q. '63 to '76.

15 A. Not that I know of.

16 Q. Okay. Did you ever attend any
17 regional meetings of the plumbing industry?

18 A. Of the whole plumbing industry?

19 Q. That's a poor question, I'm sorry.
20 Was there ever a time when you were involved in
21 purchasing where you went to any kind of trade
22 association or any type of meeting where there
23 would be representatives of your competitors and
24 your customers?

25 A. No.

1 Q. Okay. You ever hear of a
2 Dr. Selacoff (phonetic)?

3 A. No.

4 Q. You ever hear of Mount Cyanide
5 Hospital in New York City?

6 A. Yes.

7 Q. How do you know Mount Cyanide
8 Hospital?

9 A. One of the best hospitals in New
10 York City.

11 Q. All right.

12 A. One of the many.

13 Q. All right, all right. Did Sexauer
14 sell to the U.S. government?

15 A. Yes.

16 Q. Okay. What type of products? Do
17 you know?

18 A. All our products.

19 Q. Okay, all right. Do you have any
20 dealings with anyone from the U.S. government?

21 A. No.

22 Q. You stated that Sexauer sold to
23 Dupont. Are there any --

24 MS. BRODOWAY: I'm going to
25 object. I don't think he ever said

1 that. You used it as an example.

2 Q. (By Mr. Crumplar) Are you familiar
3 with Dupont being a customer of Sexauer?

4 A. Yes.

5 Q. Any particular Dupont plants or
6 locations that you recall Sexauer shipped to or
7 did business with?

8 A. From what I understand, it was a
9 Dupont experimental lab.

10 Q. In Wilmington, Delaware?

11 A. I'm not sure.

12 Q. But a Dupont experimental station or
13 laboratory?

14 A. Yes.

15 Q. Do you recall shipping to any Dupont
16 plants -- excuse me -- Dupont nylon plants or
17 textile plants?

18 A. No. That doesn't mean it didn't
19 happen.

20 Q. I understand, I understand. I
21 realize the period I'm talking about you're in
22 purchasing as opposed to sales. You did know
23 that there was a Sexauer representative that was
24 assigned to Delaware, a sales representative?

25 A. What period?

1 Q. '63 to '76.

2 A. Yes.

3 Q. You spoke about him. Do you know
4 any other Delaware locations besides the Dupont
5 experimental station that Sexauer shipped
6 material to?

7 A. No, I don't.

8 Q. Okay. And I understand that wasn't
9 your area.

10 A. Yeah.

11 Q. As I understand it, in terms of
12 Sexauer sales, both to very large companies as
13 well as to small companies or solo practitioners
14 or plumbers?

15 A. Right. Maintenance, chief
16 engineers, hospitals.

17 Q. And the same type of products that
18 you would sell to them; you'd sell large and
19 small. Correct?

20 A. That's correct.

21 Q. And how you treated the customer
22 wasn't any different, whether they were large or
23 small?

24 A. As long as they paid their bill.

25 Q. Right. Sometimes the small people

1 paid their bills better than the large ones.

2 A. Right.

3 Q. Did you ever subscribe or regularly
4 read the New Yorker magazine?

5 A. I've read it. I do not subscribe.

6 Q. Okay. You ever read it in the late
7 '60s?

8 A. I don't recall.

9 Q. The name Paul Brodeur, does that --

10 A. No.

11 Q. Okay. Was there -- is there any
12 type of smoking policy, an anti-smoking policy,
13 of Sexauer Corporation?

14 MS. BRODOWAY: Excuse me, what
15 time period?

16 MR. CRUMPLAR: Presently.

17 Q. (By Mr. Crumplar) Is smoking allowed
18 on the premises?

19 A. It's a no smoking building.

20 Q. When did it become a no smoking
21 building?

22 A. Last two or three years.

23 Q. Very recently, okay. Any policy to
24 assist individuals to quit smoking?

25 A. Not that I know of.

1 Q. Do you know whether Sexauer ever had
2 any patents as opposed to trademarks?

3 A. I believe there was a patent on a
4 tool that goes back to the 1920s or '30s.

5 Q. Okay. What type of tool?

6 A. It was a tool to smooth out the
7 seating surface on a toilet fixture.

8 Q. Okay. Was that a product that
9 Sexauer manufactured?

10 A. Sexauer didn't manufacture any
11 products.

12 Q. But they just had the patent?

13 A. Yeah.

14 Q. Okay. Did they assign the patent to
15 some other company that you know of?

16 A. I don't know if it was assigned.

17 Q. Did anyone else manufacture that
18 product that Sexauer had the patent on?

19 A. When I came in 1963, we had some of
20 these tools. They were cutters manufactured for
21 us. And as far as I know, there was an old
22 salesman who was receiving a royalty, like 50 a
23 piece on what we sold.

24 Q. I see.

25 A. But that tool very quickly lost its

1 popularity in use.

2 Q. Okay. So Sexauer would own the
3 patent, had someone else manufacture it, and
4 they sold it for a period of time?

5 A. Yes.

6 Q. Did you ever sell an asbestos shower
7 head gasket?

8 A. Not as such, but any of our gaskets
9 could -- you take the wicking and make your own.

10 Q. Who is Clem Wallace?

11 A. Clem Wallace was an employee of
12 Sexauer in the finance department. He's no
13 longer with Sexauer.

14 Q. When did he leave Sexauer?

15 A. Twelve to eighteen months ago.

16 Q. Do you know what his job was in the
17 finance department?

18 A. No, I do not.

19 Q. The catalog that was in use in 1963,
20 are you aware of whether that catalog is still
21 in existence at Sexauer?

22 A. It could be. We try for old time
23 sake keep catalogs. Sentimental reasons.

24 Q. I'm just going to show you Page 31
25 in the interrogatories which were filed in the

1 Russell case by Dyson. It talks about an
2 investigation of OSHA.

3 And they say: "The files contain
4 a reference to a" -- this is Page 31 --
5 "10/11/79 complaint filed with the Kentucky
6 Department of Labor regarding ventilation of
7 protective clothing related to sulfuric acid."

8 Do you recall that? Do you know
9 anything at all about that?

10 A. No, I don't.

11 Q. It says: "This document contains a
12 handwritten reference to possible asbestos
13 testing." You've never seen that document?

14 A. No.

15 MR. CRUMPLAR: Okay. I would
16 like to have a copy of that
17 document, Barbara.

18 MS. BRODOWAY: I'm going to
19 have to see if that is anything --
20 I don't know what that document
21 is. I've never seen it.

22 MR. CRUMPLAR: Okay, fine.

23 Q. (By Mr. Crumplar) Do you know if
24 there was ever any type of product warning given
25 to the customers dealing with anything? We've

1 already talked about asbestos, but I'm talking
2 about any other health or warning dealing with
3 any of your products.

4 A. Yes.

5 Q. Okay. What type of warnings?

6 A. Sulfuric acid.

7 Q. So there would be a warning dealing
8 with sulfuric acid?

9 A. Yes.

10 Q. Anything other than sulfuric acid?

11 A. Not that I know of.

12 Q. When did that warning start
13 appearing in your catalogs?

14 A. I would think it was sometime in the
15 '70s.

16 Q. Okay. Who was involved and decided
17 to put that warning of the company?

18 A. It could have been the plant
19 manager.

20 Q. Okay. Interrogatory Number 38, Page
21 42, talks about gasket packing products
22 containing asbestos discontinued in 1978, it
23 says, "why alternative products were available
24 through vendors."

25 It says: "The decision to

1 provide non-asbestos-containing products
2 involved over time Gil Silva, Carmen" --
3 S-B-E-Z-Z-I -- "and Anthony Shiavo (phonetic)
4 were instrumental in this process."

5 MS. BRODOWAY: I am going to
6 object, first of all, because the
7 Interrogatory says 87.

8 MR. CRUMPLAR: What did I
9 say?

10 MS. BRODOWAY: 78.

11 MR. CRUMPLAR: 87. If we can
12 correct that.

13 Q. (By Mr. Crumplar) Who is Mr. Silva?

14 A. The president of the company.

15 Q. Okay. And I think probably Carmen
16 -- that's a misspelling of your name, but
17 that's your first name. Correct?

18 A. The misspelling is the first name.
19 The spelling of the second name is correct.

20 Q. Okay, fine.

21 A. The misspelling was here earlier.

22 Q. And then who is Anthony?

23 A. He's the purchasing agent.

24 Q. Okay. Now, it talks about that they
25 believe that these three gentlemen were

1 instrumental in the process of substituting
2 non-asbestos for asbestos.

3 As I understand your previous
4 testimony, you really weren't involved in that
5 decision making. Correct?

6 A. I could have sat in on a meeting or
7 something.

8 Q. Okay. Do you have any recollection
9 of meetings discussing that?

10 A. No, I don't.

11 Q. Okay. Do you know whether the
12 asbestos was encapsulated in your products?

13 A. Yes, it was.

14 Q. Okay. What does encapsulated mean
15 as you understand it?

16 A. The way I understand it is some form
17 of binding agent that prevents it from fiber
18 material floating in the air.

19 Q. Do you know why it was encapsulated?

20 A. No, I don't.

21 Q. Okay. Do you know how effective the
22 encapsulation process was preventing fiber
23 material from floating in the air?

24 A. Well, I heard of a test Dr. Langer,
25 I believe, made to check the fiber material

1 going into the air. And from what I know, the
2 results was his testing showed that the
3 encapsulation prevented any fiber.

4 Q. When did Dr. Langer do those tests?

5 A. I don't know the period that it
6 happened.

7 Q. Was that fairly recently?

8 A. Yes.

9 Q. Was that after you stopped selling
10 asbestos material?

11 A. I would say so.

12 Q. Okay. In connection with the
13 asbestos litigation?

14 MS. BRODOWAY: I'm going to
15 object.

16 Q. (By Mr. Crumplar) Sir, who is
17 Dr. Langer?

18 A. I would think he's an expert.

19 Q. Okay. Have you ever met Dr. Langer?

20 A. No, I have not.

21 Q. Have you ever read any of his test
22 results?

23 A. No, I have not.

24 Q. You just heard that Dyson somehow
25 arranged Dr. Langer to test some of their

1 products. Correct?

2 A. Yes.

3 Q. And it's my understanding that he
4 tested the products after they stopped selling
5 those products; this is more recently in the
6 past several years. Correct?

7 A. I would say so.

8 Q. Okay. And it's your understanding
9 that he tested those products because of issues
10 involved in lawsuits such as this one?

11 MS. BRODOWAY: I'm going to
12 object.

13 Q. (By Mr. Crumplar) Correct?

14 MS. BRODOWAY: I ask you not
15 to answer the question.

16 MR. CRUMPLAR: On what
17 grounds?

18 MS. BRODOWAY: It could be
19 attorney/client privilege.

20 Q. (By Mr. Crumplar) If you learned
21 about what Dr. Langer did from an attorney, you
22 don't have to answer that. But what is your
23 understanding as to why Dr. -- strike that.

24 Is it your understanding that
25 Dr. Langer was involved in testing as a result

1 of lawsuits?

2 MS. BRODOWAY: Again,
3 continuing objection.

4 MR. CRUMPLAR: That's fine.
5 He can answer.

6 MS. BRODOWAY: Well --

7 Q. (By Mr. Crumplar) Unless an attorney
8 told you these facts.

9 MS. BRODOWAY: No, that's not
10 strictly true. He's a member, he's
11 an officer of the corporation.

12 MR. CRUMPLAR: He may be an
13 officer of the corporation, but he
14 can tell me of decisions -- how he
15 understands Dr. Langer got
16 involved.

17 Let me just finish. Any
18 discussions that he had with
19 attorneys is protected.

20 But if the president said,
21 "We're going to get Dr. Langer to
22 test this for litigation purposes"
23 and that president is not his
24 attorney, that's not protected.

25 I mean, individuals can make

1 all sorts of decisions on
2 litigation purposes. What is
3 protected is advice that their
4 attorneys give them.

5 MS. BRODOWAY: He can answer.

6 Q. (By Mr. Crumplar) You may not know
7 the answer anyway, but --

8 A. I may not know the question.

9 Q. Let me repeat the question. Do you
10 know whether Dr. Langer got involved in testing
11 -- his involvement predated -- was before the
12 asbestos litigation against your company or was
13 after it?

14 A. I don't know.

15 Q. Okay. Do you know the first time
16 Sexauer or Dyson-Kissnar-Moran was sued in an
17 asbestos related matter?

18 A. No, I do not.

19 Q. Do you know how many times it's been
20 sued?

21 A. No, I do not.

22 Q. Have you ever heard of the term
23 "mesothelioma"?

24 A. No.

25 Q. Are members of the Sexauer family

1 still involved in the business?

2 A. No, they're not.

3 Q. Okay. In the interrogatories, we
4 asked about industrial business organizations
5 which Sexauer belonged to since 1963. It
6 mentioned they joined NAPSD in 1983. Can you
7 tell me what that organization is?

8 A. National Association Plumbing
9 Specialty Dealers.

10 Q. Okay. Where is that office --
11 association headquartered out of?

12 A. It's not headquartered. It's made
13 up of similar companies to Sexauer, and they
14 have annual meetings.

15 Q. And whoever is the president is
16 handling all the coordination, and that may
17 rotate from group to group?

18 A. That's correct.

19 Q. Have you ever been an officer of
20 that organization?

21 A. Yes, I was.

22 Q. When?

23 A. In either the first, second, or
24 third year. I was treasurer of the
25 organization.

1 Q. Have you ever heard of a Dr. Gee,
2 G-E-E, at Yale University?

3 A. No, I have not.

4 Q. You ever heard of a Dr. Kreghead at
5 the University of Vermont?

6 A. No, I have not.

7 Q. You ever heard of a Dr. Fowler, a
8 Ph.D., in California?

9 A. No, I have not.

10 Q. Dr. Langer you mentioned. Do you
11 know what type of doctor he is?

12 A. No, I do not.

13 Q. Do you know where he's located?

14 A. No, I do not.

15 Q. Dr. Lockey, have you ever heard of
16 him?

17 A. No, I have not.

18 Q. A Dr. Wilson, Richard Wilson, have
19 you ever heard of him?

20 A. No, I have not.

21 Q. You said no; you have not?

22 A. No, I have not.

23 Q. Tony Shiavo, is he still with the
24 company?

25 A. No, he retired.

1 Q. Okay. When did he retire?

2 A. It was in the past year.

3 MR. CRUMPLAR: Let's take a
4 few minutes break. I might be
5 finished.

6 (Off the record.)

7 MR. CRUMPLAR: Back on the
8 record.

9 Q. (By Mr. Crumplar) You had mentioned
10 a moment ago that you tried to save old
11 catalogs. Is there any formal record retention
12 or record destruction policy at the company?

13 A. Not that I know of.

14 Q. Okay. If there were any documents
15 from Johns Manville that we talked about,
16 asbestos in the products and whether it's
17 dangerous or not dangerous, going back to the
18 1960s, where would those documents be kept?

19 A. I have no idea if they're kept.

20 Q. Okay. Any of those kinds of what
21 I'll call historical documents would be at the
22 headquarters, the office in Scarsdale?

23 A. Yes.

24 Q. Okay. Was there any sort of
25 research and development arm or aspect of the

1 Sexauer business? And this is before 1976.

2 A. No, we had no such department.

3 Q. Okay. Anybody that would be
4 involved in coming up with new products or new
5 uses?

6 A. It would be mostly the purchasing
7 agent, which I was; and if any vendor came in
8 with a new product and presented it and if we
9 felt that it fitted our products, our markets,
10 we bought it.

11 Q. All right. Do you know where the
12 asbestos that was used in the products that were
13 supplied to you by Johns Manville, Raybestos,
14 Garlock, and Ureka where the asbestos came from?

15 A. No, I do not.

16 Q. Do you know the type of asbestos
17 they were using?

18 A. No, I do not.

19 Q. Do you know that there are several
20 different types of asbestos?

21 A. I wasn't aware of that.

22 Q. Tell me what your understanding of
23 what asbestos is.

24 A. Asbestos is a material that was used
25 in breaking material and sealing products. I

1 believe its original form is a fiber type of
2 product and is usually mixed with others in a
3 composition.

4 Q. Do you know whether in its raw state
5 whether its mined or synthetic material?

6 A. No, I do not.

7 Q. Do you know whether asbestos was and
8 used or present at the Sexauer facility like on
9 piping or insulation? I'm not talking about the
10 products that you carry, but whether there was
11 asbestos elsewhere in the warehouse.

12 A. Well, every faucet carries a
13 packing, and if there was asbestos packing in
14 those days, I would imagine we had an asbestos
15 packing in our faucets.

16 Q. But besides the plumbing and the
17 valves, products similar to what you sold being
18 actually in the warehouse, you're not aware of?

19 A. No.

20 Q. And this plumbing and valve would
21 both be for hot and cold water?

22 A. There was no distinction.

23 MR. CRUMPLAR: Okay. Sir, I
24 thank you very much for your
25 patience and your candor and the

1 fact that I think you were trying
2 to be cooperative and the
3 deposition went faster.

4 MS. BRODOWAY: I have no
5 questions.

6 (Whereupon the
7 deposition concluded at 12:38 p.m.)
8
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25

1 Excerpt from Rule 30 (e):

2 Submission to Witness; Changes; Signing.
3 When the testimony is fully transcribed, the
4 deposition shall be submitted to the witness for
5 examination and shall be read to or by him/her,
6 unless such examination and reading are waived
7 by the witness and by the parties. Any changes
8 in form or substance which the witness desires
9 to make shall be entered upon the deposition by
10 the officer with a statement of the reasons
11 given by the witness for making them. This
12 procedure must be accomplished within 30 days of
13 receipt of the transcript.

14 *****

15
16 I have read the foregoing, and it is a true
17 transcript of the testimony given by me at the
18 taking of the subject deposition.

19

20

21

22

WITNESS

23

24

25

DATE

26

CASE NAME: ASBESTOS LITIGATION

27

DATE TAKEN: November 3, 1998

28

29

30

31

1 STATE OF CONNECTICUT
2 HARTFORD, SS.

3 I, Esmeralda Nazario, a Notary
4 Public in and for the State of Connecticut, do
5 certify that pursuant to appropriate notice of
6 taking a deposition, there came before me the
7 following-named person, to wit: CARMEN SBEZZI,
8 who was by me duly sworn; that he was thereupon
9 examined upon his oath and his examination
10 reduced to writing by me; and that the
11 deposition is a true record of the testimony
12 given by the witness.

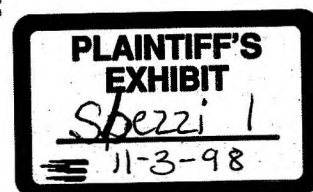
13 I further certify that I am not a
14 relative or employee or counsel or attorney for
15 any of the parties, or a relative or employee of
16 such counsel or attorney, nor am I financially
17 or otherwise interested in the outcome of the
18 action.

19 Witness my hand and official seal
20 at Hartford, Connecticut this 5th day of
21 November 1998.
22 My Commission Expires
23 October 31, 2002

Esmeralda Nazario
Notary Public

24 The foregoing certification of this transcript
25 does not apply to any reproduction of the same
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and/or direction of the certifying reporter.

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY



IN RE: ASBESTOS LITIGATION :
: Limited to: :
Raymond Nack : C.A. NO. 98C-05-047

**PLAINTIFFS' VACATION AND RE-NOTICE OF 30 (b) (6) DEPOSITION
DUCES TECUM OF DYSON-KISSNAR-MORAN CORP. THROUGH ITS PERSON
OR PERSONS MOST KNOWLEDGEABLE AS TO THE
SPECIFIC AREAS ENUMERATED BELOW**

TO: ALL COUNSEL

PLEASE TAKE NOTICE that pursuant to Delaware Superior Court Rule 30(b)(6), the oral deposition duces tecum of Dyson-Kissner-Moran Corp. through Carmelo Spezzi, its person most knowledgeable regarding the specific areas enumerated below, is re-noticed for November 3, 1998 at 10:00 a.m., in the offices of Ryan, Ryan, Johnson, McCaghey & Deluca, Stanford, CT. The deposition will continue from day to day until completed:

(1) knowledge of the manufacture of asbestos-containing products sold by Dyson-Kissner-Moran Corp.;

(2) the purchase of asbestos or asbestos-containing products;

(3) the sale, supply and/or distribution of asbestos-containing products;

(4) packaging and labeling of asbestos products sold; when and what type of warnings, if any, were placed on any asbestos-containing products;

(5) person most knowledgeable about safety;

(6) when and how defendant first became aware of the fact that asbestos, if released into a respirable form, can be dangerous to individuals utilizing asbestos-containing products.

(7) person most knowledgeable about OSHA;

(8) Worker's Compensation claims filed against defendant at any time with respect to asbestos-related disease.

(9) the presentation of information to trade associations or state or federal governments concerning regulations of asbestos-containing products from 1930 to 1990.

DUCES TECUM

If correspondence or documents or material requested in this duces tecum is claimed as privileged, it should be brought to the deposition for identification.

1. Copies of all documents, memos, invoices, photographs, diagrams or other records (in your possession or available to you) which indicate the type of asbestos or asbestos-containing material or products which were manufactured, supplied, sold and/or distributed by defendant.

2. Copies of all documents, memos, records or other written material (in your possession or available to you) which indicate the type and brands of asbestos and asbestos containing materials used in defendant's products.

3. Copies of all correspondence, memos, invoices, brochures or other written materials (in your possession or available to you) pertaining to your receipt, from any company or distributor, U.S. or foreign, of raw asbestos fibers or asbestos-containing materials which were used by you in defendant's manufacturing process.

4. Copies of all documents, brochures, pamphlets, correspondence or other documents (in your possession or available to you) which indicate the manner in which defendant's asbestos-containing product(s) were to be used, applied and/or handled.

5. Copies of purchase records and ledgers evidencing purchases (in your possession or available to you) of asbestos and/or asbestos-containing products.

6. Copies of all brochures, product information sheets, product labels, packaging, warning labels or advertising copy (in your possession or available to you) which mention asbestos or asbestos-containing materials or products that defendant manufactured, sold, supplied and/or distributed.

7. Copies of all brochures, pamphlets, correspondence, diagrams, records or any other document (in your possession or available to you) which indicates the testing done on defendant's asbestos-containing products as to safety of the product, including but not limited to the release of asbestos.

8. Samples or product bags or containers (in your possession or available to you) for the asbestos-containing products manufactured, sold, supplied and/or distributed by defendant, including but not limited to, photographs, slides, sketches or other pictorial depiction of said products, bags or containers are also requested.

9. Copies of any depositions or any testimony given before any government or quasi-government body or Court regarding asbestos, and any similar document (including but not limited to speeches, pamphlets, brochures, articles, books and the like) which refer to asbestos or asbestos-containing materials.

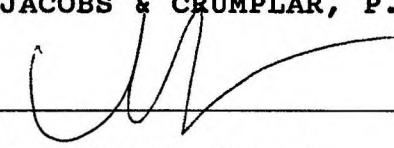
10. Any documents, including but not limited to letters, agreements, memorandums, contracts and/or invoices (in your

(possession or available to you) regarding knowledge of the dangers of and/or health hazards of asbestos and/or asbestos-containing products.

11. Copies of all records, correspondence, petitions, agreements and/or other written material regarding worker's compensation claims filed against defendant with respect to asbestos-related disease.

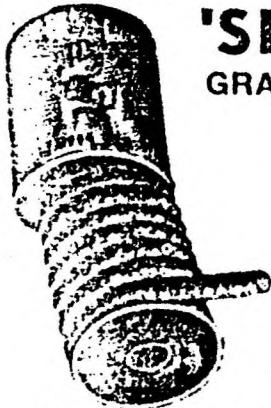
12. All documents dealing with membership and involvement with any of the following organizations: The National Insulation Manufacturers Association (NIMA); Thermal Insulation Manufacturers Association (TIMA); Industrial Health Foundation and Industrial Hygiene Foundation (IHF); Asbestos Textile Institute (ATI); Magnesita Insulation Manufacturers Association (MIMA); Quebec Asbestos Mining Association (QAMA); Asbestos Information Association (AIA); Spray Mineral Fibers Manufacturers Association (SMFMA); and National Insulation Contractors Association (NICA).

JACOBS & CRUMPLAR, P.A.

By: 

2 East 7th Street
P.O. Box 1271
Wilmington, DE 19899
(302) 656-5445
Attorney for Plaintiffs

Date: 9-11-98



'SEXAUER' WICKINGS

GRAPHITED ASBESTOS STEM PACKINGS

Wrapped on a metal spool encased
in protective outer metal shield.

BRAIDED PACKING
1/2 Lb. Spool

Cat.No. 6824 1/8"
Cat.No. 6825 3/16"
Cat.No. 6826 1/4"

TWISTED PACKING
1/2 Lb. Spool

Cat.No. 6827 1/16"
Cat.No. 6828 1/8"
Cat.No. 6829 1/4"

Each individual strand, whether braided or twisted, is thoroughly graphite-lubricated prior to forming the finished packing. For use on water, steam, air or oil valves - rods or shafts. Strands of Twisted Packing can be separated to make smaller packings.

NEG. NO. AL-14

TRADEMARK FILE INFORMATION

Trademark:	Sexauer Products & Triangle Donkey Design
Trademark Owner:	J. A. Sexauer Mfg. Co., Inc.
Last Assignee:	J. A. Sexauer, Inc.
Date of First Use in Commerce:	1966
Registration No.:	896,495
Date Trademark Registered:	August 11, 1970
Size of Label in Trademark File:	N/A

Receipt of Pictured Label by Patent Office: N/A

**PLAINTIFF'S
EXHIBIT**

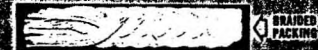
Spezzi 3

11-3-98

TEFLON ASBESTOS PACKING

Teflon Asbestos packing assures maximum sealability with low friction in the packing of valves, reciprocating rods, and pumps.

In a perfect combination of materials, lubricated with pure mineral oils, this packing will provide the excellent sealing and heat resistant qualities of asbestos, plus the immunity of Teflon to almost all chemical and solvent action and is non-toxic when used in temperature ranges up to 500° F.



Packings in various sizes in both twisted and braided construction. It is excellent for use in the chemical, refining, paper, power, and food industries. The braided packing is highly recommended for use on pumps and for installations that require a perfect seal or cool running pump shafts even at speeds up to 3600 R.P.M.

NEG. NO. AL-9

TRADEMARK FILE INFORMATION

Trademark:	Sexauer
Trademark Owner:	J. A. Sexauer Mfg. Co. Inc.
Last Assignee:	J. A. Sexauer, Inc.
Date of First Use	
in Commerce:	1922
Registration No.:	536,341
Date Trademark	
Registered:	January 16, 1951
Size of Label in	
Trademark File:	N/A

Receipt of Pictured Label by Patent Office: N/A

PLAINTIFF'S
EXHIBIT

Spezzi 4

11-3-98

TREATED ASBESTOS YARN



CLEAN-CONVENIENT-ECONOMICAL

Cat.No. 6834 1/4 Lb. Spools
1/16" Dia. - approx. 70 Yds.

Made of 3-strand long-staple
asbestos, impregnated with
special waterproofing agent.
For packing faucet or valve
bonnets and all connections
where resistance to heat is
not of major importance.

NEG. NO. AL-11

TRADEMARK FILE INFORMATION

Trademark:	Sexauer Products & Triangle Donkey Design
Trademark Owner:	J. A. Sexauer Mfg. Co., Inc.
Last Assignee:	J. A. Sexauer, Inc.
Date of First Use in Commerce:	1966
Registration No.:	896,495
Date Trademark Registered:	August 11, 1970
Size of Label in Trademark File:	N/A

Receipt of Pictured Label by Patent Office: N/A

PLAINTIFF'S
EXHIBIT

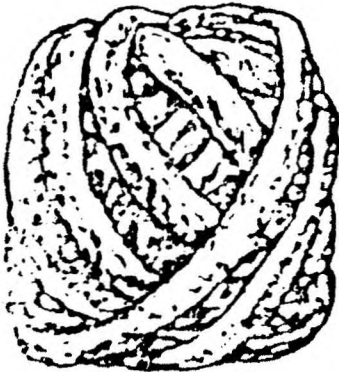
Spezzi 5

11-3-98

SPECIAL ASBESTOS WICKING

Cat.No. 6835 1/2 Lb. Balls

1/4" diameter



Made from strands of heavy roving twisted together. Principally used for packing on hot water lines. When dipped in hot tallow or paraffin, it also is excellent for use on cold water lines.

NEG. NO. AL-13

TRADEMARK FILE INFORMATION

Trademark:	Sexauer Products & Triangle Donkey Design
Trademark Owner:	J. A. Sexauer Mfg. Co., Inc.
Last Assignee:	J. A. Sexauer, Inc.
Date of First Use in Commerce:	1966
Registration No.:	896,495
Date Trademark Registered:	August 11, 1970
Size of Label in Trademark File:	N/A

Receipt of Pictured Label by Patent Office: N/A

**PLAINTIFF'S
EXHIBIT**

Spezzi b

11-3-98

**SEXAUER TEFLON
VALVE STEM PACKINGS**



Made of asbestos (impregnated with Teflon) for use in steam and hot water valves.
Split type produced with a special process which waves into the asbestos yarn and holds it in place.
These die formed packings have unusual long life, toughness, flexibility and resistance to service.

**TEFLON GLOBE
VALVE DISCS**

- For Long Service and Water
- For All Types of Service
- For Low and High Temperatures
- Flame Resistant

Sexauer Teflon Globe Valve Discs will handle all services from water, steam, acids, alkalis, petroleum, refrigerants and food products.

Standard sizes and weights for all globe valves.
Fit many popular make valves such as Pennell, Crane, Cross, Walworth, Kennedy, Wray, Webster, etc.



NEG. NO. AL-10

TRADEMARK FILE INFORMATION

Trademark:	Sexauer
Trademark Owner:	J. A. Sexauer Mfg. Co., Inc.
Last Assignee:	J. A. Sexauer, Inc.
Date of First Use in Commerce:	1922
Registration No.:	536,341
Date Trademark Registered:	January 16, 1951
Size of Label in Trademark File:	N/A

Receipt of Pictured Label by Patent Office: N/A