21. Abex continued to manufacture and sell asbestos friction products through 1987 (*See* Exhibit RR, Interrogatory #14) even though alternatives were available for many years and did so without adequate warning. By the late 1940's, it was an active participant in efforts to falsify medical information concerning the hazards for the purpose of misleading the public and protecting its business interests. Abex continued, through its membership in FMSI and the AIA to oppose health and safety measures, disseminate misinformation and protect its business interests.

22. This evidence constitutes *prima facie* proof that Abex's acts and omissions were deliberate and in reckless disregard of the health and safety of Plaintiffs and others similarly situated. This is sufficient to satisfy the standard for leave to seek punitive damages, under 735 ILCS 5/2-604.1. Plaintiffs, at this juncture, are only seeking for leave to pray for such damages and are not required to prove their case or entitlement to punitive damages in order to do so.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray for leave to seek punitive damages against Defendant PNEUMO ABEX LLC, successor-in-interest to Abex Corporation and for such other and further relief as this Court deems appropriate.

By:_____

Ted N. Gianaris #6237156
Shelby C. Reed #6282362
SIMMONSCOOPER LLC
707 Berkshire Blvd., P.O. Box 521
East Alton, IL 62024
618-259-2222
618-259-2251 Fax
ATTORNEYS FOR PLAINTIFFS