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1 using the new Abex material, to get rid of or use up
 2 your supplies of old asbestos material?
 3 A. Well, sure. We didn't want to throw away
 4 good money. And we had no problem with getting out
 5 of asbestos, nor did we make the decision to pursue to
 6 get out of asbestos, because, again, we were doing
 7 everything internally to control that problem.
 8 Abex made this conscious decision and was not
 9 prepared for it.
 10 Q. What do you mean they were not prepared for
 11 it?
 12 A. The product didn't work properly, safely.
 13 And we're very concerned about safety.
 14 But what they offered us at the beginning did
 15 not work satisfactorily to us, so we refused to use it.
 16 Q. When you were notified that Abex was going to
 17 start ultimately discontinuing its use of asbestos, did
 18 you start to look for alternative suppliers at that
 19 time?
 20 A. Yes, we did.
 21 Q. Was Allied-Signal/Bendix one of the companies
 22 you turned to?
 23 A. Yes, it was.
 24 (Plaintiffs' Exhibit LeCour 18 was marked.)
 25 Q. (By Mr. Dumler) I show you what's been marked

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1 A. So --
 2 Q. I'm sorry. Professional?
 3 A. Professional quality.
 4 Q. What's the middle grade?
 5 A. Okay. The middle grade -- well, standard
 6 quality, okay, and then economy.
 7 Q. Which of those three grades are you talking
 8 about you were going to continue asbestos?
 9 A. Standard and economy.
 10 Q. So professional would be you would phase out
 11 asbestos and use the non-asbestos products; standard and
 12 economy, as of '91, you wanted to continue using
 13 asbestos?
 14 A. Well, in the professional quality line, we
 15 were also looking at a replacement, because we still did
 16 not have a suitable non-asbestos material. They didn't
 17 have all part numbers covered, so we would have to find
 18 another source in our first line, professional quality
 19 line.
 20 Then there were the questions of the formulas
 21 themselves. They were not performing correctly, so we
 22 might have had to stay with the asbestos in first
 23 professional quality as well.
 24 Q. At what point in time did you ever have a --
 25 did you ever implement a plan to say, by a certain date,

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1 as Exhibit No. 18. Let me ask you if you can identify
 2 that document for me?
 3 A. It's titled "Bendix/Allied-Signal, Bendix
 4 Friction Material Division, July 25th, 1991. It's
 5 addressed to Jack Hughes.
 6 Q. Who's Mr. Hughes?
 7 A. Mr. Hughes was the division purchasing
 8 inventory control manager.
 9 Q. Does this document have any connection to
 10 Abex's decision to phase out asbestos products?
 11 A. Yes.
 12 Q. What's the connection?
 13 A. The connection is that Abex said, we're not
 14 going to have asbestos products available. We were
 15 using them both in our first and second line. So we
 16 were pursuing the replacement, because we were not going
 17 to sever our relationships with Abex. But in our second
 18 line, we wanted to keep asbestos.
 19 Q. What do you mean your "second line"?
 20 A. Well, you had three grades. You had the
 21 professional quality, you had what we call stopper,
 22 okay. It depends on what time frame you're talking
 23 about. We initially had two grades, then we had three
 24 grades.
 25 Q. Okay.

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1 we're going to be out of the sale of asbestos-containing
 2 brake products?
 3 A. We were concerned on the ban of asbestos, so
 4 we were pushing for that date that was set by the EPA
 5 to ban asbestos, to be prepared to offer a non-asbestos
 6 product across the line.
 7 Q. So when did you first implement that plan to
 8 be prepared for the ban on asbestos?
 9 A. I can't recall the exact date, but it would
 10 have been during this time frame of the mid- to late
 11 '80s.
 12 (Plaintiffs' Exhibits LeCour 19 - 21 were marked.)
 13 Q. (By Mr. Dumler) Let me see if you can
 14 identify 19.
 15 A. 19 is a memorandum, Bendix Allied-Signal,
 16 Bendix Friction Material Division, February the 18th,
 17 1991, Sharon Parvana, P-A-R-V-A-N-A, Parvana, from
 18 Jim McCool.
 19 Q. And 20, that's also connected? Am I correct
 20 that these are simply more purchases from Bendix?
 21 A. Let me read and see.
 22 Q. All right. Take your time.
 23 A. Item 19, yes, I agree that it looks like
 24 purchasing of the product.
 25 Q. Okay. Is that a situation which Bendix had

33 (Pages 126 to 129)