

1 negligent in failing to warn users, consumers,
2 mechanics, et cetera, about the need to take
3 precautions during the replacement of brake materials
4 to prevent dust from being released and being breathed
5 into the air.

6 That is why our verdict form looks
7 different, I know, from the Grewe verdict form and
8 from verdict forms that have been submitted in the
9 past.

10 I will also tell Your Honor, and I told Mr.
11 Williams this, I am also concerned about the
12 possibility, given the specifics of the Wood case,
13 creating the possibility of an inconsistent verdict
14 with the jury given the problems and concerns I have
15 with the negligent instructions that Your Honor gives
16 and the strict liability instructions.

17 I think from reading the past instructions
18 that we have done many times together, I think your
19 instructions are proper for negligence and strict.

20 The problem I have is that I don't think we
21 can meet the test for strict liability. Rather than