

Defendant currently is not aware of any such Workers' Compensation claims before Warner Electric Brake & Clutch Company was acquired by Defendant and Defendant understands there have been none. Buyer considers employee and past employee medical records to be (or may be) confidential under federal law. Since Defendant acquired Warner Electric Brake & Clutch Company, there has been one such Workers' Compensation claim. The claim is asbestosis. The claim is disputed. The claim was pending as of November 1, 2003.

Defendant has been named in numerous lawsuits throughout the country involving claims of an asbestos-related disease. Accordingly, when Defendant acquired Warner Electric Brake & Clutch Company in 1985, Defendant had cases pending where similar claims were made. Defendant has never had occasion to defend, at trial, a Warner Electric product claimed by a plaintiff to have caused claimed asbestos-related disease. However, Defendant has had to defend at trial claims involving other products it manufactured. In each of those cases to date, the jury has found that Defendant's products are not defective and/or did not cause injury to plaintiffs and/or the plaintiffs did not have an asbestos-related disease. Those cases are:

1. *In Re Asbestos Plaintiffs, et al. v. Borden, Inc., et al.*, Civil District Court for the Parish of Orleans, Louisiana; Eugene D. Coincon, C.A. No. 93-16630;
2. *In Re Asbestos Plaintiffs, et al. v. Borden, Inc., et al.*, Civil District Court for the Parish of Orleans, Louisiana; Arthur Evans, C.A. No. 93-16958;
3. *Michael Ricci v. Dana Corporation, John Crane, Inc., et al.*, Superior Court of California, San Francisco County, Case No. 310389;
4. *Verda Sutton and P. D. Sutton v. Dana Corporation and Kelly-Moore Paint Company, Inc.*, Hardin County, Texas District Court, 356th Judicial District, Case