

ROGER HOBBIE

Page 50 1 A Yes. 2 Q Do you agree with those two statements? 3 A Yes. 4 (Exhibit 7, internal correspondence-7/22/85, 5 was marked for identification.) 6 Q I will show you what I have now marked Hobbie 7. 7 Have you had a chance to look at that document? 8 A Yes. 9 Q Could you please generally describe what it is for 10 the record? 11 A It is an information document from one of the axle 12 brake division aftermarket parts people, Dave Schmitt, to 13 another aftermarket parts employee, Perry Johnston. And I 14 think it is basically just communicating all of the various 15 lining numbers and where, you know, what customers use them 16 and as an information piece to people that were dealing in the 17 aftermarkets parts area. 18 Q The individuals that prepared the memos, are you 19 familiar with them or were you familiar with them? 20 A Yes. 21 Q And you would agree that apparently what is listed 22 in this document are the specific brake lining mixes that are 23 used by the various OEMs? 24 A Yes. 25 Q That Eaton did business with at that time?	Page 52 1 (Exhibit 8, internal correspondence-5/1/85, 2 was marked for identification.) 3 Q I have marked Hobbie 8 for identification. I will 4 show that to Harry. Have you had a chance to look at that 5 exhibit? 6 A Yes. 7 Q Can you generally describe what that document is? 8 A It is a communication primarily to the field people 9 and some other marketing personnel as a document to show the 10 availability of different brake linings in the OEM channel and 11 also in the aftermarket channel just so they have something to 12 refer to, like a reference piece. 13 Q Dated May 1, 1985? 14 A Yes. 15 Q It is from L.J. Valentine, do you know who that was? 16 A Yes. 17 Q Who was he? 18 A He was the axle brake division sales coordinator I 19 believe at the time. 20 Q And what is this? It's an internal correspondence 21 with an attached list; is that correct? 22 A That's correct. 23 Q He describes it in his correspondence as a matrix 24 listing the standard lining on Eaton brakes at the OEM level; 25 is that correct?
Page 51 1 A Yes. 2 Q So in other words, if I wanted to know what 3 International Harvester was using in a certain size brake, I 4 could go to this list and it would show for me what brake 5 lining mix was actually being used by International in that 6 size brake? 7 A Yes. 8 MR. QUICK: I will object to the 9 characterization of the lining mix. All that does is identify 10 parts numbers. It doesn't speak to the lining mix. 11 Q Let me rephrase it then. What it does show is the 12 lining designation that is used by each particular OEM with 13 regard to the size of the brakes, correct? 14 A I would say that is correct. 15 Q So again, without using the word brake lining mix 16 which I think Harry is correct on, if I wanted to find out 17 what brake lining Kenworth was using in a 15 by 4 brake, I 18 could go to this list, look it up, and it would tell me what 19 brake lining was being used? 20 A Yes. 21 Q Thank you. 22 A The idea behind that was to make sure that the parts 23 people knew that they were replacing the OEM brake with an OEM 24 comparable product. 25 Q I will mark this as the next exhibit.	Page 53 1 A That's correct. 2 Q So how would this list be used? If you turn the 3 page, how would I use this list if I were a sales 4 representative for Eaton? 5 A Essentially, when they were contacting a fleet 6 account in this particular case, they would -- if the fleet 7 was specifying what brake lining they wanted, then our 8 representative, if he was being asked can you guys supply that 9 particular lining on an Eaton brake, this would give them the 10 information to say yes or no. 11 Q Now, the last page is a chart titled standard lining 12 used at Gallatin by OEM for 15-inch and 16-and-a-half inch 13 brakes, correct? 14 A Yes. 15 Q What is that referring to? 16 A It is basically the standard linings that a truck 17 manufacturer could specify. In other words, if they came in 18 and ordered either a 15-inch brake or 16-and-a-half-inch brake 19 with any one of these linings, those would have been at that 20 time the approved lining that would be available to that OEM 21 on the Eaton brake. 22 Q Let me ask you this, here is how I read this chart 23 and tell me if I'm incorrect. If I was reading this chart, if 24 I wanted to go to, for instance, International Harvester, 25 based on how this is titled, I had the impression that

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