

AFFIDAVIT

Plaintiffs' Exhibit
MC 5002

Plaintiffs' Exhibit
BX 5069

Plaintiffs' Exhibit
ABEX 5018

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

I, Margaret J. Baumgardner, being of full age and first duly sworn do hereby state:

1. I am not a party to this action. I have personal knowledge of the facts set forth in this affidavit, and if called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I am the Research Coordinator for the Claims Resolution Management Corporation ("CRMC"), a wholly owned subsidiary of the Manville Personal Injury Settlement Trust ("Trust"). The CRMC was created in December 1998 and is staffed by former Trust employees. On January 1, 1999, CRMC began providing claims resolution facility services to the Trust.

3. In this position, I manage the Asbestos Claims Research Facility ("Facility"), a document and records repository located at 3390 Peoria Street, Suite 304, Aurora, Colorado. The Facility contains the business records including but not limited to correspondence, memoranda, reports, records and data compilations ("record") of Manville Corporation or related entities ("Manville"), generally, as well as Manville records relevant to litigation of asbestos liability. The Trust has managed and operated the Facility from November 28, 1988, the date on which the Manville bankruptcy plan was consummated.

4. My experience and familiarity with the documents at the Facility began in 1983 while working for Manville. In my work as a paralegal for Manville, I assisted in locating, indexing and packing many of the records which became the foundation documents for the Facility. I continued to work for Manville until September 1987. From March 1988 to September 1988, I was hired to supervise and assist in the indexing of the first 20,000 boxes which were turned over to the Trust in November 1988. From September 1988 to January 1989, I assisted in the privilege review of documents to be given to the Trust. From November 1988 to April 1994, I worked for Freeborn & Peters and was put in charge of the Facility, managing all productions and "new" acquisitions. In September 1995, I was hired by the Trust to manage the Facility. In December 1998, I was hired by

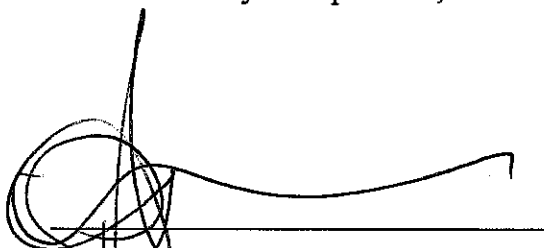
the CRMC to manage the Facility for the Trust. Accordingly, I am personally familiar with many of the records stored at the Facility, as well as how the records have been gathered.

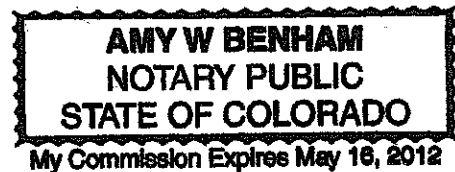
5. To the best of my knowledge, information and belief, I certify that these records were made at or near the time by, or from information transmitted by, a person with knowledge, were kept in the course of the regularly conducted business activity of Manville, and it was the regular practice and the business activity of Manville to make the records.

6. Documents from this Facility were copied for the firm of Simon, Eddins & Greenstone. The copies have come from files at the Facility and are bates labeled CRMC-SEG-007353 through CRMC-SEG-007402 and these documents are true and correct copies of documents found at the Facility.


Margaret J. Baumgardner

Subscribed and sworn to before
me this 17th day of September, 2009.


Notary Public

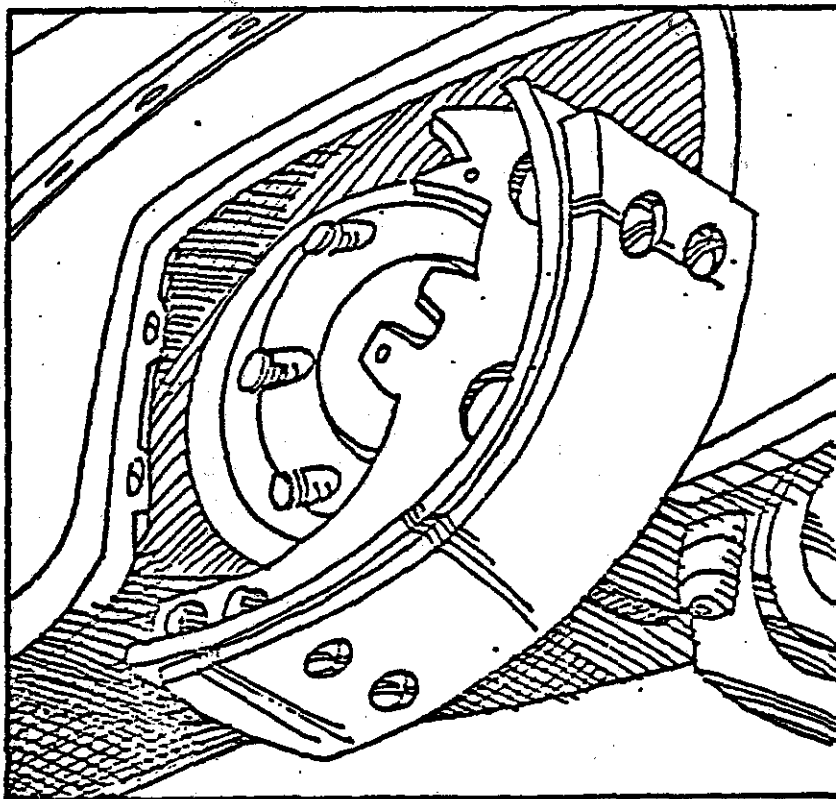


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Wagner Electric Corporation

Attachment G

October 1978

FRICTION MATERIALS WORK PRACTICES GUIDE



Friction Materials Standards Institute, Inc.

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USDC/SC
9/26/80 WNC 8001

0050297

CRMC-SEG-007362

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USE DUST COLLECTION EQUIPMENT WHEN MACHINING



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INTRODUCTION

The purpose of this booklet is to provide practical guidelines for brake and clutch service mechanics in the handling and processing of asbestos containing friction materials and in the maintenance and repair of brake and clutch assemblies on which the materials are installed.

Adherence to the recommended work practices will reduce employee exposure to airborne concentrations of asbestos dust and will assist employers in complying with government regulations.

This area is regulated by federal, state and local authorities. We caution that you may not rely on strict adherence to the work practices recommended herein as assuring compliance with these regulations, because (a) they are subject to amendment; (b) there are on-going administrative interpretations of these regulations; and (c) particular field conditions may vary. You should direct all questions relating to compliance with regulations to the appropriate regulatory agencies.

ASBESTOS AND FRICTION MATERIALS

Most molded friction materials contain about 50% asbestos - some woven materials over 90%. In molded materials, resin binders prevent the release of asbestos fibers during normal handling. Woven friction materials, normally used only in construction and industrial applications, must be handled with care to avoid creating dust as the asbestos fibers are less firmly bound into the product.

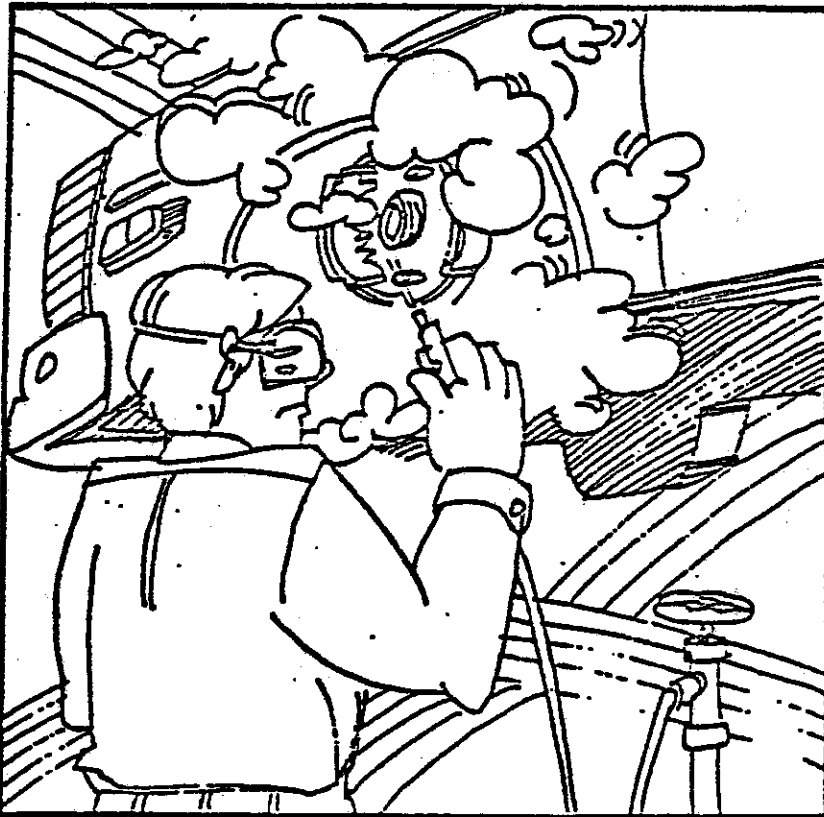
Potentially hazardous airborne concentrations of asbestos dust can be created by improper cleaning and handling of worn brake and clutch assemblies, uncontrolled machining operations and poor housekeeping.

Breathing excessive quantities of asbestos fiber can cause respiratory disease and cancer. Smoking greatly increases the risk of lung cancer among asbestos workers. Prevention of asbestos dust exposure is the only known method of eliminating asbestos-related disease among those working with asbestos containing products.

Proper work practices offer the best assurance of providing exposure safeguards for workers removing, installing and machining asbestos containing friction materials.

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DO NOT USE AN AIR HOSE FOR CLEANING



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WHY?

SUMMARY OF OSHA ASBESTOS STANDARD EFFECTIVE JULY 1, 1976

Under the current standard, it is the employer's responsibility to assure that exposure of employees does not exceed the following permissible exposure levels.

- a. Eight-hour time-weighted average: Two fibers, longer than five micrometers, per cubic centimeter.
- b. Ceiling (Peak) concentrations: Ten fibers, longer than five micrometers, per cubic centimeter.

Engineering controls such as isolation, enclosure, exhaust ventilation and dust collection are the preferred methods for meeting the prescribed exposure limits. All external surfaces must be maintained free of asbestos fiber accumulation.

Respiratory protection is required whenever airborne fiber concentrations exceed either the permissible time weighted average level or the permissible ceiling concentration. Protective clothing is required whenever airborne fiber concentrations exceed the permissible ceiling level. Caution signs, change rooms and employee notification are required where asbestos fiber concentrations exceed permissible exposure limits. The standard requires that all workplaces where asbestos fibers may be released shall be monitored to determine exposure levels, and regular monitoring is required where exposure levels are expected to exceed permissible limits. Employers must maintain records of monitoring required by the standard. They must also provide or make available medical examinations for employees exposed to airborne concentrations of asbestos fibers.

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USE VACUUM OR WET METHODS FOR CLEANING



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HANDLING NEW FRICTION MATERIALS

Handling new disc brake assemblies, lined brake shoes, clutch facings and brake blocks purchased in individual boxed sets is unlikely to create significant airborne concentrations of asbestos dust. If the parts are purchased in bulk quantities, abrasion during shipment may result in the accumulation of dust in shipping containers. Dust should be removed by vacuuming or cleaning with a damp cloth.

Whenever possible, purchase friction materials preground and ready for installation. This may keep dust levels below OSHA maximums and eliminate the need for respiratory protection, restricted areas, regular monitoring, special clothing, change rooms and employee notification.

REMOVING WORN FRICTION MATERIALS

Asbestos fibers in disc brake linings, drum brake linings, blocks and dry clutch facings are locked into the product with resin binders which prevent the release of asbestos fiber during normal installation. Heat and abrasion during normal use may generate dust containing asbestos. Some dust will accumulate in brake and clutch assemblies.

When removing worn friction materials, remove the accumulated dust in the assemblies with an industrial vacuum cleaner equipped with a high efficiency filter system. If such equipment is not available, dust can be removed with a damp cloth. Do not use compressed air or dry brushing for cleaning.

Use a NIOSH approved respirator when removing worn friction materials, or cleaning brake or clutch assemblies.

MACHINING FRICTION MATERIALS

There is an increasing trend for manufacturers and rebuilders to provide brake lining and clutch facings pre-drilled and pre-ground in final assembly form. In the case of truck brake blocks, various oversize thicknesses are available. However, there are some instances where field machining is necessary. This is particularly true for construction and industrial equipment applications which may require machining of blocks, slab stock or roll lining.

Dust generation can be minimized or eliminated during arcing of brake blocks by lathe turning at low speed rather than grinding. Whenever possible friction materials should be cut to length with a shear rather than a saw or abrasive cut-off wheel.

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DO NOT SWEEP. IN WORK AREA - USE VACUUM METHOD



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DUST COLLECTION METHODS

When asbestos-containing friction materials are machined, i.e., drilled, ground, grooved, cut or beveled, the dust created contains asbestos fibers which may become airborne unless adequate dust controls are employed. The preferred method for minimizing airborne dust from machining operations is local exhaust ventilation. A local exhaust ventilation system consists of dust collection hoods or enclosures connected by duct work or piping to a dust collection filter and a suction source.

The two operations that offer the greatest potential for generation of excessive amounts of airborne asbestos fiber are arc grinding and beveling of lined brake shoes and linings or brake blocks. Grinding machines used for these operations must be provided with exhaust ventilation to maintain worker exposures within permissible levels.

If a central exhaust system is not available, NIOSH (National Institute for Occupational Safety and Health) has stated that, at a minimum, the dust bag of the arcing machine shall be removed and replaced with the hose from a high efficiency industrial vacuum.

For large volume machining operations that operate on a continuous basis, the preferred dust collection device is a fabric filter or baghouse, with a heavy-duty exhaust fan as the suction source. The dust collector must meet the air-cleaning requirements of the Federal Environmental Protection Agency Emission Standard for Asbestos. Approval must be obtained from EPA for installation and operation of each system.

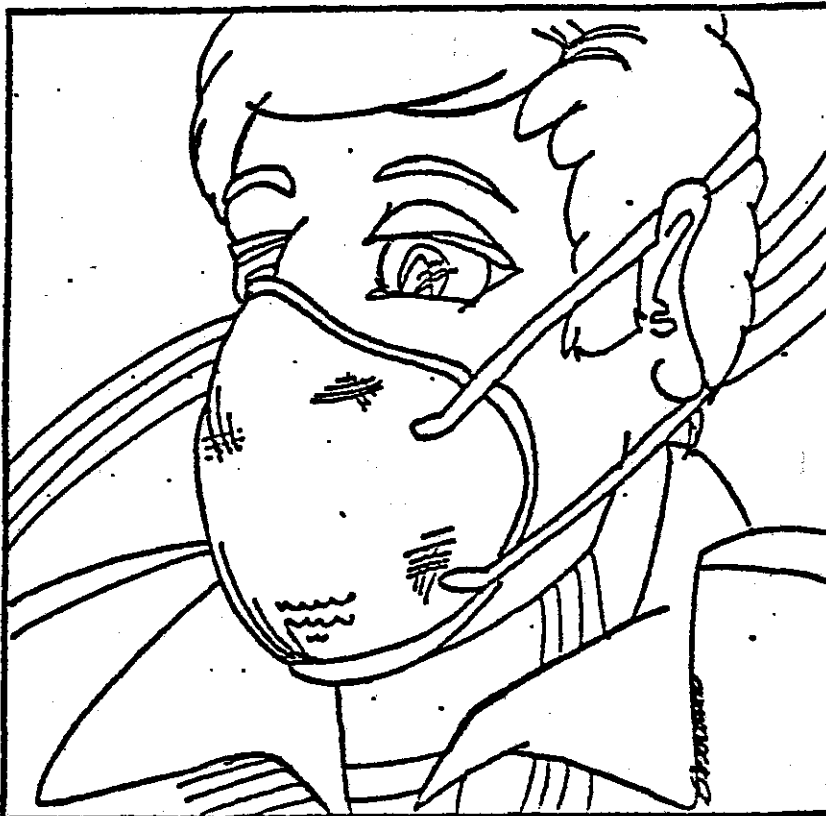
OTHER METHODS OF MINIMIZING DUST EXPOSURE

Whenever possible machining and repair operations should be isolated from other work areas in a restricted area to prevent unnecessary exposure of other workers. Entrances to restricted areas shall be posted with asbestos exposure warning signs as follows:

Asbestos
Dust Hazard
Avoid Breathing Dust
Wear Assigned Protective Equipment
Do Not Remain In Area Unless Your Work Requires It
Breathing Asbestos Dust
May Be Hazardous To Your Health

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**WEAR
AN APPROVED
RESPIRATOR
IF UNABLE TO
AVOID DUST**



Good housekeeping is essential in a workplace where asbestos containing materials are handled. Industrial vacuum cleaners equipped with multiple stage high efficiency filters should be used for removing accumulations of asbestos dust and waste.

Never use compressed air or dry sweeping for cleaning. Water or other dust suppressants should be applied if brooms are used.

Good personal hygiene practices are important in minimizing asbestos dust exposure. Do not smoke. Wash before eating. Shower after work. Change to work clothes upon arrival at work and change from work clothes at conclusion of work. Work clothing should not be taken home. Laundering of asbestos contaminated clothing shall be done so as to prevent the release of airborne asbestos fibers in excess of the exposure limits.

DISPOSAL OF FRICTION MATERIAL DUST AND WASTE

Dispose of vacuum cleaner waste and asbestos containing cleaning materials in plastic bags or other sealed containers, with the following warning label printed on the container:

Caution
Contains Asbestos Fibers
Avoid Creating Dust
Breathing Asbestos Dust May Cause Serious Bodily Harm

Use a NIOSH approved respirator when servicing vacuum cleaners, dust collectors, or handling any asbestos-containing waste materials.

Asbestos-containing waste materials must be collected, processed, packaged, transported and deposited in such fashion that no visible emissions are generated to the atmosphere. All wastes must be disposed of at sites operated in accordance with applicable laws and regulations.

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SOURCES OF ADDITIONAL INFORMATION

"Standard for Exposure to Asbestos Dust" (Code of Federal Regulations, Title 29, 1910.1001)—OSHA

"National Emissions Standards for Hazardous Air Pollutants—Asbestos and Mercury" (Code of Federal Regulations Title 40, Chapter 1, Subchapter C, Part 61, Subparts A, B)—EPA

"Fundamentals Governing the Design and Operation of Local Exhaust Systems," ANSI Z9.2-1971 (\$7.00) and "Practices for Respiratory Protection," ANSI Z88.2-1969 (\$5.50)—ANSI

"Industrial Ventilation Manual" (\$8.00)—ACGIH

For other information, a user may contact the manufacturer supplying his friction materials, the Asbestos Information Association or the Friction Materials Standards Institute.

ACGIH
 American Conference of Governmental
 Industrial Hygienists
 Committee on Industrial Ventilation
 P.O. Box 16153
 Lansing, MI 48901

ANSI
 American National Standards Institute
 1430 Broadway
 New York, NY 10018

AIA
 Asbestos Information Association
 1745 Jefferson Davis Highway
 Arlington, VA 22202

EPA
 Environmental Protection Agency
 Public Information Center
 401 M Street SW
 Washington, DC 20460

FMSI
 Friction Materials Standards
 Institute
 East 210 Route 4
 Paramus, NJ 07652

OSHA
 Occupational Safety and Health
 Administration
 Office of Information
 Washington, DC 20210

October 1978