

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

- - -

IN RE:
HAWAII STATE ASBESTOS CASES

Civil No. 10-1-ACM-001 (EEH)

ALAPASCO, JULIAN
BRISSON, BERNARD J.
CORDERO, ALAN
NERI, ERIC W.
OLSON, HARLAND C.
SANTOS, DANIEL JR.
UYEDA, GEORGE (D)

-----/

VIDEOTAPED DEPOSITION OF LESLIE CONTROLS, INC.

BY AND THROUGH MATTHEW WROBEL

SAN FRANCISCO, CALIFORNIA

TUESDAY, DECEMBER 1, 2009

Atkinson-Baker, Inc.
Court Reporters
(800) 288-3376
www.depo.com

REPORTED BY: JOANNE BALBONI, CSR NO. 10206

FILE NO.: A309C8E

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1 IN THE CIRCUIT COURT OF THE FIRST CIRCUIT 2 STATE OF HAWAII 3 - - - 4 5 IN RE: 6 HAWAII STATE ASBESTOS CASES 7 8 Civil No. 10-1-ACM-001 (EEH) 9 10 ALAPASCO, JULIAN 11 BRISSON, BERNARD J. 12 CORDERO, ALAN 13 NERI, ERIC W. 14 OLSON, HARLAND C. 15 SANTOS, DANIEL JR. 16 UYEDA, GEORGE (D) 17 18 19 20 21 22 23 24 25 Page 2	1 A P P E A R A N C E S: 2 (Continued): 3 FOR THE DEFENDANTS UNION CARBIDE CORPORATION, 4 BAYER CROPSCIENCE, INC.: 5 6 AYABE, CHONG, NISHIMOTO, SIA & NAKAMURA 7 BY: GAIL M. KANG, ESQ. (Via telephone) 8 Pauahi Tower, Suite 2500 9 1003 Bishop Street 10 Honolulu, Hawaii 96813 11 (808) 537-6119 12 MICHAEL MACK, videographer 13 14 15 16 17 18 19 20 21 22 23 24 25 Page 4
1 A P P E A R A N C E S: 2 3 FOR THE PLAINTIFFS: 4 GALIHER, DEROBERTIS, ONO 5 BY: GARY O. GALIHER, ESQ. 6 BY: L. RICHARD DEROBERTIS, ESQ. 7 BY: ILANA K. WAXMAN, ESQ. 8 610 Ward Avenue, Second Floor 9 Honolulu, Hawaii 96814-3308 10 (808) 597-1400 11 FOR THE DEFENDANT LESLIE CONTROLS, INC.: 12 BRYDON, HUGO & PARKER 13 BY: EDWARD HUGO, ESQ. 14 135 Main Street, 20th Floor 15 San Francisco, California 94105 16 (415) 808-0300 17 FOR THE DEFENDANT JOHN CRANE, INC.: 18 O'CONNELL, TIVIN, MILLER & BURNS 19 BY: DANIEL J. O'CONNELL, ESQ. 20 135 S. LaSalle Street, Suite 2300 21 Chicago, Illinois 60603 22 (312) 256-8800 23 FOR DEFENDANT LESLIE CONTROLS, INC.: 24 WORSFOLD, MACFARLANE & MCDONALD 25 BY: EVAN L. MACFARLANE, ESQ. 26 1001 Monroe Avenue, N.W. 27 Grand Rapids, Michigan 49503 28 (616) 977-9200 29 FOR DEFENDANTS WARREN PUMPS, IMO INDUSTRIES, INC.: 30 KESSNER, UMEBAYASHI, BAIN & MATSUNAGA 31 BY: MARIE A. SHELDON, ESQ. (Via telephone) 32 1900 Central Pacific Plaza 33 220 South King Street 34 Honolulu, Hawaii 96813 35 (808) 536-1900 36 37 38 39 40 Page 3	1 I N D E X 2 WITNESS: MATTHEW WROBEL 3 Examination Page 4 By Mr. Galiher 10, 174 195 5 By Mr. Hugo 134, 192 6 EXHIBITS 7 PLAINTIFFS' 8 NUMBER DESCRIPTION PAGE 9 1- Document entitled "Plaintiffs' Notice 10 of Taking Deposition Upon Oral Examination 11 pursuant to Rule 30(b)(6) of the Hawaii 12 Rules of Civil Procedure of a Corporate 13 Representative of Defendant Leslie 14 Controls, Inc., a Division of Circor 15 International, Inc., to be Taken 16 Stenographically and by Videotape; 17 Exhibits 1-7; Certificate of Service" 26 18 2- Document entitled "Plaintiffs' First 19 Amended Notice of Taking Deposition Upon 20 Oral Examination Pursuant to Rule 30(b)(6) 21 of the Hawaii Rules of Civil Procedure of 22 a Corporate Representative of Defendant 23 Leslie Controls, Inc., a Division of 24 Circor International, Inc., to be Taken 25 Stenographically and by Videotape; 26 Certificate of Service" 26 27 3- Document entitled "Plaintiffs' Third 28 Amended Notice of Taking Deposition Upon 29 Oral Examination Pursuant to Rule 30(b)(6) 30 of the Hawaii Rules of Civil Procedure of 31 a Corporate Representative of Defendant 32 Leslie Controls, Inc., a Division of 33 Circor International, Inc., to be Taken 34 Stenographically and by Videotape; 35 Certificate of Service" 26 36 4- Document entitled "From Snow Plows to 37 Automation" 26 38 39 40 Page 5

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	I N D E X	1	I N D E X
2	(Continued):	2	
3	EXHIBITS	3	EXHIBITS
4	PLAINTIFFS'	4	PLAINTIFFS'
5	NUMBER DESCRIPTION PAGE	5	NUMBER DESCRIPTION PAGE
6	5- Document entitled "Instructions for the Operation and Maintenance of Leslie Pump Governors for DD-445 Class United States Destroyers" 35	6	(Continued):
7		7	24- Document entitled "Matthew Wrobel - Leslie Controls Exhibit List to Deposition Taken 8-1-2006 199
8	6- Document entitled "Federal Register," dated Wednesday, June 7, 1972 39	8	25- Document entitled "Deposition of Matthew Wrobel, August 1, 2006. Exhibits: 7 thru 23, 44, 52, 53, 65, 69 thru 72, 75, 79 thru 94" 199
9	7- Document entitled "Affidavit of Document Authentication, State of Texas, County of Dallas, Exhibits 5002-5005, Southern Power and Industry Journal" 57	9	
10		10	EXHIBITS
11	8- Document entitled "Affidavit of Document Authentication, State of Texas, County of Dallas, Plaintiff Exhibit WK CC 5078" 57	11	DEFENDANT'S
12		12	DESCRIPTION PAGE
13	9- Photocopy of excerpts from Southern Power and Industry entitled "Industrial Hygiene, Importance of Dust" 57	13	A- Document entitled "Military Specification, Valves, Pressure Reducing, Steam Service" dated 12 November 1968 150
14		14	B- Photocopy of a certificate of conformance dated 9-21-71 155
15	10- Document entitled "Transactions of the American Society of Mechanical Engineers, 1940, Volume 62, Fondren Library, Southern Methodist University, Dallas, Texas" 66	15	C- Document entitled "Military Specification Inspection System Requirements, MIL-I-45208A" dated 16 December 1966 159
16	11- Document entitled "ASME Membership List, December 1948" 67	16	D- Photocopy of a Warren pump order 165
17		17	
18	12- Photocopy of excerpts from Mechanical Engineering published by The American Society of Mechanical Engineers entitled "Reviews of Books" 72	18	
19	13- Document entitled "Silicosis and Asbestosis By Various Authors, Edited by A.J. Lanza, M.D." 78	19	
20		20	
21		21	
22		22	
23		23	
24		24	
25		25	
Page 6		Page 8	
1	I N D E X	1	MATTHEW WROBEL,
2	(Continued):	2	having first been duly sworn, was
3	EXHIBITS	3	examined and testified as follows: 09:16:54
4	PLAINTIFFS'	4	THE VIDEOGRAPHER: Good morning. We are now 09:16:54
5	NUMBER DESCRIPTION PAGE	5	going on the record. My name is Michael Mack, your 09:18:33
6	14- Document entitled "NAVSHIPS 0949-056-9010, Technical Manual Type - I for Air Priority Valve, Department of the Navy, Naval Ships Systems Command" 104	6	videographer, and I represent Atkinson-Baker, 09:18:36
7		7	Incorporated, in Glendale, California. I'm a notary 09:18:38
8	15- Document entitled "Engineering Operating Maintenance Data" 106	8	public. I'm not financially interested in this action, 09:18:41
9	16- Document entitled "Bulletin 467-A" entitled "Engineering Data and Reference Tables" 108	9	nor am I a relative or employee of any of the parties. 09:18:44
10		10	Today's date is December 1st, 2009, and the 09:18:52
11	17- Photocopy of excerpts from Leslie entitled "Engineering Data Reference Tables, Formulas for Valve Sizing, Computations and Formulas" 111	11	time on the video monitor is 9:18 a.m. This deposition 09:18:56
12	18- Document entitled "Installation, Operation and Maintenance of Leslie Pressure Reducing Valves, S4866" 111	12	is taking place at Regus, 425 Market Street, Suite 2200, 09:19:00
13		13	in San Francisco, California. This is case number 10-1- 09:19:08
14	19- Document entitled "Defendant Leslie Controls Inc.'s Response to Plaintiffs' Amended Master Set of Interrogatories" 120	14	ACM-001 (EEH) entitled Hawaii State Asbestos Cases. The 09:19:13
15		15	deponent is Matthew Wrobel. This deposition is being 09:19:22
16	20- Document entitled "Marine Engineering Log, New Era for Marine Industries - The Evolution of Great Lakes Self-Unloaders, 1902-1957" 132	16	taken on behalf of the plaintiffs. Your court reporter 09:19:26
17		17	today is Joanne Balboni with Atkinson-Baker. 09:19:28
18		18	Counsel, now please introduce themselves for 09:19:31
19		19	the record. 09:19:36
20	21- Document entitled "Military Specification, Valves, Pressure Regulating, Steam Service, MIL-V-17848A (SHIPS), 17 October 1955" 174	20	MR. GALIHER: Good morning. My name is Gary 09:19:36
21		21	Galiher, and I'm present with Ilana Waxman and Richard 09:19:38
22	22- Document entitled "Military Specification, Valves, Pressure Regulating, Steam Service, MIL-V-17848 (SHIPS), 17 October 1955" 174	22	DeRobertis on behalf of the plaintiffs. 09:19:42
23		23	MR. HUGO: Edward Hugo for Leslie Controls, 09:19:45
24	23- Document entitled "Military Specification Manual, Technical, for Mechanical and Electrical Equipment (Less Electronics), MIL-M-15071C (SHIPS), 16 August 1954" 184	24	Inc., a Delaware corporation. For the record, Leslie 09:19:48
25		25	Controls, Inc., is not a division of Circor. Circor 09:19:53
Page 7		Page 9	

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	International is the parent company of Leslie Controls,	09:19:57	1	and nine months in the air force. Most of my service	09:22:13
2	Inc.	09:20:01	2	was on the Pacific Rim, Southeast Asia at that period of	09:22:17
3	MR. O'CONNELL: Daniel O'Connell on behalf of	09:20:03	3	time.	09:22:17
4	John Crane, Incorporated, and Cleaver Brooks.	09:20:04	4	My job in the air force -- I was in ordnance.	09:22:22
5	THE VIDEOGRAPHER: On the telephone?	09:20:12	5	So it had a lot to do with hardware and mechanical	09:22:25
6	MS. SHELDON: Marie Sheldon on behalf of Warren	09:20:13	6	things. And when I got out, I -- actually, my	09:22:30
7	Pumps, LLC, Imo Industries Inc., and Aurora Pump	09:20:16	7	brother-in-law was working for the company. I really	09:22:35
8	Company.	09:20:20	8	didn't know what I was going to do. I applied -- at	09:22:39
9	MS. KANG: Gail Kang for Bayer Cropscience,	09:20:22	9	that time they gave you a mechanical, I guess,	09:22:42
10	Inc., and Union Carbide Corporation.	09:20:25	10	adaptability test or something and said, "Would you like	09:22:46
11	THE VIDEOGRAPHER: If there are no	09:20:27	11	a job?" And I said, "Sure." "When can you start?" And	09:22:49
12	stipulations, the court reporter may now administer the	09:20:31	12	I think that was a Tuesday. And I said, "I can start	09:22:52
13	oath.	09:20:31	13	tomorrow or Thursday. I got out on a Tuesday and	09:22:55
14	(Whereupon the witness was sworn in.)	09:20:40	14	interviewed on a Thursday. And they said, "Well, why	09:22:59
15	EXAMINATION	09:20:40	15	don't you take the weekend off," and I started the	09:23:00
16	BY MR. GALIHER:	09:20:42	16	following week.	09:23:03
17	Q. Good morning, Mr. Wrobel.	09:20:42	17	Q. And so it was on-the-job training then at	09:23:05
18	A. Good morning, sir.	09:20:44	18	Leslie that you learned what they did in your position;	09:23:10
19	Q. Am I pronouncing your name right?	09:20:45	19	is that correct?	09:23:14
20	A. That is correct.	09:20:48	20	A. Well, once I started that job, I kind of liked	09:23:14
21	Q. W-r-o-b-e-l, but the W is silent?	09:20:48	21	what I was doing. So I went to Essex Tech at Newark and	09:23:18
22	A. That's correct.	09:20:50	22	studied metrology, and that was for a couple of years.	09:23:25
23	Q. Okay. Mr. Wrobel, can you tell us where you	09:20:50	23	That's the science of measurement. And then it was	09:23:26
24	live?	09:20:53	24	on-the-job training. I did some college later after the	09:23:29
25	A. I live in Wesley Chapel, Florida.	09:20:54	25	kids were born.	09:23:32
Page 10			Page 12		
1	Q. Are you currently employed?	09:20:58	1	Q. Back up a little bit.	09:23:34
2	A. Yes, sir.	09:21:00	2	You studied metrology?	09:23:36
3	Q. And who are you employed by?	09:21:00	3	A. Metrology, the science of measurement.	09:23:38
4	A. Leslie Controls.	09:21:03	4	Q. And where was that?	09:23:41
5	Q. And can you tell us what your current position	09:21:03	5	A. Essex Tech.	09:23:42
6	is at Leslie Controls?	09:21:06	6	Q. And did you get a degree from that, or you just	09:23:43
7	A. The current title is quality and legal liaison.	09:21:07	7	--	09:23:46
8	Q. And when did you start with Leslie Controls?	09:21:12	8	A. It wasn't a degree. It was like a tech school,	09:23:46
9	A. In May of 1966.	09:21:16	9	and I finished it.	09:23:48
10	Q. Okay. And what was your first position when	09:21:19	10	Q. Okay. And then later on, you went to college?	09:23:49
11	you started there?	09:21:22	11	A. Yes. I never completed it. I went for a year	09:23:51
12	A. I started there as a mechanical inspector or	09:21:22	12	or two on and off. I took -- well, some of the basic	09:23:55
13	trainee.	09:21:26	13	courses, but also I took courses in manufacturing	09:24:01
14	Q. And can you describe for us what those	09:21:28	14	engineering.	09:24:05
15	responsibilities entailed?	09:21:30	15	Q. Okay. You started as a mechanical inspector.	09:24:06
16	A. I was being trained to be a mechanical	09:21:32	16	What was your next position at Leslie?	09:24:13
17	inspector, which is doing dimensional inspections of	09:21:37	17	A. Well, from mechanical inspector -- and that was	09:24:15
18	components, both manufactured in the plant and	09:21:42	18	both in final inspection. These are components coming	09:24:19
19	purchased.	09:21:48	19	out of the machine shop. Also, I worked in the	09:24:24
20	Q. What was your background and training that	09:21:52	20	receiving inspection. That was kind of -- sometimes	09:24:27
21	enabled you to get that position with Leslie Controls	09:21:54	21	you'd work in final. Sometimes you'd work in receiving.	09:24:32
22	back in 1966?	09:21:58	22	We also did in-process inspection, and that was a roving	09:24:33
23	A. I took directing in high school. But when I	09:21:59	23	inspection within the machine shop going from machine to	09:24:37
24	got out of high school, I wasn't ready to go to college	09:22:05	24	machine doing spot checks and first piece inspection on	09:24:39
25	yet. So I joined the air force, and I spent four years	09:22:07	25	different components.	09:24:42
Page 11			Page 13		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Then I was asked to take the position of like	09:24:44	1	A. Yes, sir.	09:28:01
2	an inspection assembly troubleshooter. Basically, what	09:24:47	2	Q. Okay. But you, yourself, would physically go	09:28:02
3	that was was if assembly had to put a valve together and	09:24:51	3	there and inspect the equipment and make sure it was	09:28:05
4	put it on test, and it didn't pass the test, it was my	09:24:54	4	properly installed or operating or --	09:28:07
5	job to take that valve, disassemble it, do dimensional	09:24:57	5	A. Or, you know, if someone would call and say,	09:28:09
6	inspection, and try to determine why the valve didn't	09:25:05	6	"Hey, I'm having a problem with this piece of equipment.	09:28:12
7	work. And once I found out, then I would feed that	09:25:09	7	Can you send us over a person?"	09:28:16
8	information to quality control to take corrective action	09:25:12	8	Q. Was it in conjunction with that that you had an	09:28:18
9	to preclude reoccurrence.	09:25:17	9	opportunity actually to go aboard naval vessels and	09:28:21
10	Q. That inspection involving assembly	09:25:18	10	actually go in some sea trials?	09:28:25
11	troubleshooting, what year was that approximately?	09:25:23	11	A. Yes, sir.	09:28:28
12	A. It was prior to 1968. So it had to be	09:25:26	12	Q. Okay. And one of those experiences would have	09:28:28
13	somewhere in '67, '68. Because in '68, we moved from	09:25:33	13	been aboard a destroyer up at Bath Iron Works?	09:28:33
14	the original Lyndhurst plant to the Parsippany plant.	09:25:39	14	A. Yes, sir.	09:28:39
15	THE COURT REPORTER: I'm sorry. What was the	09:25:39	15	Q. I have some information, so I'll try to get it	09:28:41
16	name?	09:25:39	16	correct.	09:28:45
17	THE WITNESS: P-a-r-s-i-p-p-a-n-y, I believe.	09:25:51	17	A. It was like January or February in the North	09:28:45
18	BY MR. GALIHER:	09:25:54	18	Atlantic. It wasn't a pleasant experience.	09:28:49
19	Q. How far apart were those two locations? How	09:25:54	19	Q. This was a brand-new DLG, was it?	09:28:53
20	far --	09:25:57	20	A. I believe so, sir.	09:28:56
21	A. They were about 30 miles. 25, 30 miles.	09:25:57	21	Q. And that's a new, fancy -- at least at that	09:28:57
22	Q. Was it a bigger facility?	09:26:01	22	point in time, it was a new, fancy destroyer?	09:29:00
23	A. Yes, sir. The original plant was built around	09:26:04	23	A. Yes, sir.	09:29:02
24	1905 in Lyndhurst. It's a town that overlooks Giants	09:26:07	24	Q. And you got to ride on the new, fancy destroyer	09:29:04
25	Stadium. And the plant was getting larger and larger.	09:26:14	25	out in the North Atlantic?	09:29:06
Page 14			Page 16		
1	And John Leslie who -- it was a family-owned company at	09:26:18	1	A. I got to lay on a bunk a lot.	09:29:08
2	that time -- built 180,000-square-foot facility, I	09:26:20	2	Q. But basically your job was -- the Navy wanted	09:29:11
3	believe it was, in Parsippany.	09:26:25	3	you over there to monitor and repair or any ship-board	09:29:14
4	Q. After your position as an inspection assembly	09:26:30	4	repairs of their --	09:29:18
5	troubleshooter, what was your next position?	09:26:44	5	A. If there was a problem during the sea trial, it	09:29:19
6	A. I applied somewhere around '69 -- at least '68,	09:26:47	6	was our job to do what we could to correct it.	09:29:22
7	there was an opening for a field service technician, a	09:26:53	7	Q. Okay. And you had occasion at that point in	09:29:24
8	service rep -- I forgot the exact title -- and I got	09:27:00	8	time to actually be around or actually work in the	09:29:29
9	that position.	09:27:07	9	machinery spaces aboard ships; is that correct?	09:29:33
10	Q. And what did that involve in 1968 as a field	09:27:12	10	A. I was down in machinery spaces for a while.	09:29:36
11	service technician?	09:27:15	11	Yes, sir.	09:29:39
12	A. I would go out to the field, both land-based	09:27:17	12	Q. And that would include the engine rooms and the	09:29:39
13	and on ships, to basically make sure the equipment was	09:27:22	13	fire rooms and the boiler rooms?	09:29:41
14	working, or -- actually, I would be called out if a	09:27:30	14	A. I don't remember each machinery space I was in,	09:29:43
15	piece of equipment was not working to go out there and	09:27:33	15	but I was down there.	09:29:45
16	do service work on it.	09:27:35	16	Q. Have you testified in the past that the	09:30:00
17	Q. And that would be anywhere that Leslie sold	09:27:37	17	machinery spaces include engine rooms, fire rooms, and	09:30:06
18	their equipment?	09:27:46	18	boiler rooms?	09:30:09
19	A. It would be anywhere that -- anywhere that the	09:27:46	19	A. I could have.	09:30:10
20	equipment was at that particular time. Yes, sir.	09:27:50	20	Q. Okay. Does that refresh your memory, or are	09:30:11
21	Q. What I mean by that is: Some of it might be	09:27:52	21	you familiar with those general descriptions?	09:30:14
22	aboard a ship, and --	09:27:57	22	A. I'm familiar with the general descriptions.	09:30:15
23	A. Oh, yes, sir.	09:27:57	23	But if you ask me where they were on the ship when we	09:30:18
24	Q. -- some might be land-based or at some	09:27:58	24	are talking, you know, 30 something years ago, I really	09:30:20
25	industrial site?	09:27:58	25	don't remember.	09:30:23
Page 15			Page 17		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. Okay.	09:30:23	1	Q. Okay. In fact, they were insulated back then	09:34:17
2	A. I wasn't very well that day.	09:30:24	2	because it was good piping practice, wasn't it?	09:34:21
3	Q. If you testified before that -- "When you say	09:30:27	3	MR. HUGO: Same objections.	09:34:25
4	machinery spaces, do you include the fire rooms and	09:30:40	4	THE WITNESS: Insulation is good piping	09:34:27
5	boiler rooms," and your answer was, "Yes, I do," would	09:30:44	5	practice. Yes, sir.	09:34:28
6	that refresh your recollection?	09:30:47	6	BY MR. GALIHER:	09:34:29
7	A. Yes, sir.	09:30:48	7	Q. And when we say "piping," we are talking about	09:34:29
8	Q. Okay. Is that generally the type of places	09:30:48	8	steam piping that we are discussing; is that correct?	09:34:34
9	that Leslie Controls equipment was located?	09:30:51	9	A. That's where I saw the insulation. Yes, sir.	09:34:36
10	A. Pretty much.	09:30:55	10	Q. And the steam piping means in excess of	09:34:37
11	Q. Okay. And those would be the parts of the ship	09:30:56	11	212 degrees Fahrenheit; is that correct?	09:34:42
12	-- if it was steam-powered, that would be insulated; is	09:31:08	12	A. If that's -- water turns to steam. Yes, sir.	09:34:45
13	that correct?	09:31:11	13	Q. And sometimes that can exceed 600 degrees	09:34:49
14	A. I have seen insulations down in those areas.	09:31:11	14	Fahrenheit; is that correct?	09:34:53
15	Yes, sir.	09:31:16	15	A. I believe so.	09:34:54
16	Q. Okay. And besides that destroyer you	09:31:16	16	Q. And your understanding behind insulating those	09:34:55
17	described, you've also been aboard aircraft carriers; is	09:31:29	17	pipes was, for one, to protect the workers working	09:34:59
18	that correct?	09:31:33	18	around those pipes; is that correct?	09:35:01
19	A. Yes, sir. It was -- I can relate to the time	09:31:33	19	A. I'd have to say yes.	09:35:03
20	because my wife was eight and a half months pregnant.	09:31:39	20	Q. And did Leslie Controls understand that there	09:35:07
21	So it would have been sometime -- late '69, early '70,	09:31:43	21	would be workers working around those steam piping	09:35:17
22	maybe 1970, I think. I went aboard the USS America	09:31:51	22	systems and the pressure regulators in the machinery	09:35:20
23	after she was refitted. I think it was Norfolk Naval	09:31:55	23	spaces aboard US naval vessels?	09:35:23
24	Shipyard or Newport News. I forget. Because they were	09:31:58	24	A. I would have to say yes.	09:35:26
25	close together, I forgot which one.	09:32:01	25	Q. And when you visited aboard a ship to look at	09:35:28
Page 18			Page 20		
1	Q. And the aircraft carrier the USS America had a	09:32:03	1	the pressure regulator on the USS America, insulation	09:35:44
2	Leslie pressure regulator on it, didn't it?	09:32:06	2	had been taken off the Leslie pressure regulator, had it	09:35:51
3	A. Yes, sir.	09:32:09	3	not?	09:35:55
4	Q. And at that point it was good practice to	09:32:10	4	A. That is correct, sir.	09:35:55
5	insulate the steam piping -- wasn't it? -- to protect	09:32:17	5	Q. Okay. And you'd assume they had to put it back	09:35:56
6	the workers?	09:32:20	6	on after the work was done?	09:35:59
7	MR. HUGO: Objection; vague ambiguous, "good."	09:32:21	7	A. Yes, sir.	09:36:00
8	Whose practice?	09:32:24	8	Q. Okay. After your position as a Leslie service	09:36:01
9	THE WITNESS: When I went aboard, I saw	09:32:26	9	technician, did you become manager of quality assurance	09:36:07
10	insulation on the piping that I was working around.	09:32:28	10	for Leslie?	09:36:12
11	Yes, sir.	09:32:36	11	A. Oh, no, sir.	09:36:13
12	BY MR. GALIHER:	09:32:38	12	Q. I'm sorry?	09:36:14
13	Q. Back when you went aboard that ship, you in	09:33:39	13	A. No, sir.	09:36:15
14	fact knew that the piping and valves did get insulated	09:33:43	14	Q. What happened? Trace for me your career then.	09:36:16
15	because you saw them aboard the ship, did you not?	09:33:48	15	A. Well, what happened is, as a service	09:36:18
16	A. Yes.	09:33:52	16	technician, I kind of implied before -- I have a	09:36:21
17	MR. HUGO: Objection; compound, vague and	09:33:53	17	tendency to get seasick aboard the vessels. So it	09:36:25
18	ambiguous. Go ahead.	09:33:57	18	wasn't a pleasant experience. And I asked my boss if I	09:36:28
19	BY MR. GALIHER:	09:33:57	19	could do land-based duty, and he said no, that wasn't	09:36:31
20	Q. And do you know why they were insulated?	09:34:00	20	going to happen.	09:36:35
21	MR. HUGO: Same objection.	09:34:02	21	And I really didn't know what I was going to	09:36:36
22	THE WITNESS: My personal -- I assume they were	09:34:09	22	do. And in fact at one point in time, I said, "Well,	09:36:38
23	insulated because kind of the heat and, you know, kind	09:34:11	23	I'm going to have to go find other employment." They	09:36:40
24	of the Navy wanted it that way.	09:34:14	24	said no because you did inspection. Instead they	09:36:42
25	BY MR. GALIHER:	09:34:16	25	offered me like an entry-level job in quality control.	09:36:45
Page 19			Page 21		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	And I kind of worked up the ladder in quality control as	09:36:50	1	Somewhere in the '90s, maybe, late '90s, I was	09:41:59
2	a technician, as a specialist. Ultimately, I became a	09:36:54	2	promoted to quality assurance director. I was director	09:42:10
3	supervisor in the inspection department -- I mean, in	09:36:58	3	of quality assurance, which ultimately led to the	09:42:18
4	quality control.	09:37:00	4	position of group director of quality assurance.	09:42:26
5	I stayed there until around -- it was 1979,	09:37:04	5	Q. About when was that, the group director of	09:42:31
6	1978, maybe. And then I was made supervisor of	09:37:13	6	quality assurance?	09:42:34
7	in-process inspection. I got a new boss. And he wanted	09:37:17	7	A. What's now? 2009. So 2001, 2002, maybe. I	09:42:35
8	me to be in charge of the in-process inspectors out at	09:37:20	8	don't actually remember.	09:42:49
9	the machine shop. And I did that for a while.	09:37:24	9	Q. Okay. Here today you are testifying as a	09:42:49
10	And then prior to moving to Tampa, the quality	09:37:26	10	corporate representative of Leslie; is that correct?	09:42:56
11	manager who was there elected to retire or not come to	09:37:35	11	A. Yes, sir.	09:42:58
12	Florida -- I don't remember which -- and I was offered	09:37:40	12	Q. And you understand that your testimony will	09:42:59
13	the job as a quality control manager. I'm sorry. Let	09:37:42	13	bind Leslie to what you say was a corporate position; is	09:43:02
14	me back up. I missed the part there. Hold on a second.	09:37:47	14	that correct?	09:43:07
15	What did I say? I kind of -- I think I missed	09:37:47	15	A. Yes, sir.	09:43:07
16	one in there somehow.	09:37:59	16	Q. And your testimony here today is based both on	09:43:08
17	Q. I didn't take --	09:37:59	17	your personal knowledge and any investigations you may	09:43:12
18	MR. HUGO: You can ask the court reporter to	09:38:01	18	have done; is that correct?	09:43:16
19	read back your answer and explain it.	09:38:01	19	A. Yes, sir.	09:43:17
20	(Record read.)	09:38:01	20	Q. As I understand it, Leslie has microfilm of	09:43:19
21	THE WITNESS: Okay. I missed one in there.	09:39:44	21	approximately six decades of sales orders; is that	09:43:31
22	Somewhere around 1975, I was asked to be test	09:39:45	22	correct?	09:43:36
23	supervisor. I did that for about a year and a half. I	09:39:50	23	A. That's about right. Yes, sir.	09:43:36
24	kind of would like -- I forgot the title on that one.	09:39:58	24	Q. And that would be some 7.5 million documents on	09:43:41
25	Then I came back as a quality control supervisor.	09:40:05	25	file?	09:43:44
Page 22			Page 24		
1	BY MR. GALIHER:	09:40:09	1	A. Close to that, sir. Yes, sir.	09:43:45
2	Q. Approximately what year was that?	09:40:10	2	Q. Okay. With respect to the history of Leslie,	09:43:47
3	A. This is all like between 1975 and '79, and then	09:40:12	3	as I understand it, Leslie Controls has sold valves for	09:43:53
4	I was, as I said before, in-process inspection	09:40:22	4	steam equipment to the United States Navy for about 100	09:44:00
5	supervisor. And then right around 1980-ish, I got	09:40:25	5	years; is that correct?	09:44:03
6	offered a job as assistant manager of manufacturing,	09:40:30	6	A. Yes, sir.	09:44:04
7	which entailed the entire machine shop, the welding	09:40:36	7	Q. Okay. And I believe I read that in 1903,	09:44:05
8	department, the deburring department reported to me.	09:40:40	8	Leslie reducing valves were first applied to ships in	09:44:13
9	Q. Approximately how many employees would have	09:40:49	9	the United States Navy; is that correct?	09:44:17
10	been under you at that point in time?	09:40:53	10	A. I think you are referring -- I think it was	09:44:19
11	A. I think I had -- best recollection: I think I	09:40:54	11	1905. I think it was the USS Georgia built in Bath,	09:44:23
12	had six supervisors, two shifts, and probably about 150	09:41:01	12	Maine, a battleship. It might have been 1905.	09:44:28
13	people.	09:41:05	13	Somewhere around there.	09:44:34
14	Q. And from 1980, as assistant manager of	09:41:06	14	(Discussion off the record.)	09:45:40
15	manufacturing, how long did you keep that position, or	09:41:12	15	MR. GALIHER: I apologize there. I'm going to	09:46:30
16	what was your next position?	09:41:15	16	mark four exhibits to this deposition to start out with.	09:46:33
17	A. I kept that until around 1985, I believe.	09:41:16	17	First I'll mark as Exhibit 1 the original notice for	09:47:15
18	That's when I was offered the position of quality	09:41:24	18	taking of deposition 30(b)(6) for defendant Leslie	09:47:28
19	control manager, and I kind of wore two hats for a	09:41:29	19	Controls that was filed October 15th, 2009, in the First	09:47:34
20	while. There was a transition period there. I think	09:41:37	20	Circuit State Court of Hawaii.	09:47:41
21	officially it was somewhere around '86. I may be off a	09:41:39	21	Exhibit 2 will be the first amended notice for	09:47:48
22	little bit, but somewhere around there that I got rid of	09:41:44	22	this same deposition.	09:47:54
23	all the manufacturing responsibilities and just had	09:41:47	23	And Exhibit Number 3 will be the third amended	09:48:02
24	quality. And then I kept that -- let's see. That's	09:41:49	24	notice for taking this 30(b)(6) deposition. I think	09:48:05
25	'86, '87.	09:41:56	25	that's a complete record to get us up to date as to what	09:48:14
Page 23			Page 25		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	deposition we are taking, and then I'll get back to my	09:48:16	1	control equipment aboard naval and merchant marine	09:51:22
2	questions.	09:48:19	2	vessels during the war and its war record for	09:51:26
3	I'll mark as Exhibit 4 a document entitled	09:48:20	3	reliability of its equipment under war --	09:51:28
4	"From Snow Plows to Automation," a previous exhibit	09:48:28	4	A. I'm sorry. I'm trying to follow --	09:51:30
5	Number 18 to a deposition of Mr. Wrobel taken on	09:48:34	5	Q. I'm sorry.	09:51:33
6	8-1-2006. It has Bates numbers KR 001250 through KR	09:48:39	6	A. -- where you are.	09:51:34
7	001256. These are the notices as well. I'm not going	09:48:52	7	Q. It's the very next paragraph after -- not the	09:51:36
8	to ask any questions on those. I'm just making it part	09:49:03	8	one that says "1903," but --	09:51:38
9	of the record.	09:49:07	9	A. Okay. I'm just trying to follow you.	09:51:40
10	(Plaintiffs' Exhibits 1, 2, 3, 4 marked.)	09:49:29	10	Q. No. That's okay. I want you to catch up and	09:51:43
11	BY MR. GALIHER:	09:49:29	11	see where I'm reading from.	09:51:44
12	Q. Mr. Wrobel, have you seen that Exhibit 4	09:49:29	12	Basically, it indicates that Leslie was	09:51:50
13	before?	09:49:31	13	established as a leading supplier for steam controls	09:51:53
14	A. Yes, sir, I believe I have.	09:49:32	14	aboard ships; is that correct?	09:51:57
15	Q. Okay. And I'm going to direct your attention	09:49:33	15	A. That's what it says, sir, yes.	09:51:58
16	to page 2, the fourth paragraph that starts in 1903.	09:49:37	16	Q. Again, was that your understanding?	09:52:00
17	Can you read that to yourself?	09:49:48	17	A. Yes, sir.	09:52:03
18	A. Yes, sir.	09:49:51	18	Q. On page 5 of that article under a paragraph	09:52:03
19	Q. Okay. It indicates that "In 1903, Leslie	09:49:51	19	entitled -- the page number is up at the top.	09:52:21
20	reducing valves were first applied to ships of the US	09:49:55	20	A. I'm with you.	09:52:25
21	Navy and were included in the design of the battleship	09:49:59	21	Q. -- "Conversion to Peacetime Business," do you	09:52:25
22	Georgia built in 1905."	09:50:03	22	see that?	09:52:29
23	Do you see that?	09:50:04	23	A. Yes, sir.	09:52:29
24	A. Yes, sir.	09:50:05	24	Q. In February of 1946, Inglis Leslie was elected	09:52:30
25	Q. Does that refresh your recollection as to 1903	09:50:05	25	chairman of the board.	09:52:36
Page 26			Page 28		
1	being the first year that Leslie reducing valves were	09:50:10	1	Who was Inglis --	09:52:39
2	first applied to ships of the US Navy?	09:50:13	2	A. S. Inglis Leslie, everybody called him Pop. He	09:52:41
3	A. Yes, sir, in this context. You see where I got	09:50:16	3	was the son of the founder.	09:52:45
4	the 1905 from. So --	09:50:18	4	Q. Okay. Did you ever meet him?	09:52:50
5	Q. I understand that.	09:50:20	5	A. Yes, sir.	09:52:53
6	Your recollection was they were included in the	09:50:22	6	Q. So he was the second generation that was still	09:52:53
7	design of that battleship Georgia -- is that correct --	09:50:25	7	there when you came on board?	09:52:57
8	A. Yes.	09:50:25	8	A. He'd just retired, and in fact he passed away	09:53:00
9	Q. -- that was built in 1905?	09:50:28	9	about a year or two after I started.	09:53:05
10	A. Yes, sir.	09:50:30	10	Q. Okay. Was he an engineer?	09:53:07
11	Q. And is that the one you happen to have a	09:50:30	11	A. Off the top of my head, I don't know if Pop was	09:53:10
12	picture of in your office?	09:50:33	12	or not.	09:53:16
13	A. It used to be. It's outside of the office.	09:50:34	13	Q. How about the founder Leslie? Was he an	09:53:17
14	It's actually the original article from the newspaper,	09:50:36	14	engineer?	09:53:19
15	and it's outside of my old office when I was in quality	09:50:39	15	A. I don't believe so. I've never seen anything	09:53:20
16	assurance.	09:50:42	16	to it.	09:53:23
17	Q. Okay. And then it follows up and says, "Since	09:50:42	17	Q. How about John S. Leslie?	09:53:24
18	that time, Leslie regulators and controllers have been	09:50:50	18	A. Yes. John was an engineer.	09:53:28
19	used by the Navy for all kinds of services"; is that	09:50:53	19	Q. Okay. And here it goes on to say that John S.	09:53:30
20	correct?	09:50:59	20	Leslie was a graduate mechanical -- a graduate	09:53:35
21	A. Yes, sir.	09:50:59	21	mechanical engineer from Cornell University; is that	09:53:39
22	Q. And is that your understanding?	09:51:00	22	correct?	09:53:42
23	A. Yes, sir.	09:51:02	23	A. That's my understanding. Yes, sir.	09:53:42
24	Q. And it goes on then in the next paragraph to	09:51:03	24	Q. Okay. And he was a member of the Mechanical	09:53:44
25	say that Leslie was an important supplier of automatic	09:51:18	25	Engineering Society?	09:53:49
Page 27			Page 29		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. I've seen things that John was a member of	09:53:50	1	designing steam controls for pressures more deadly than	09:56:56
2	ASME.	09:53:55	2	a machine gun if improperly controlled; is that correct?	09:57:00
3	Q. Okay. And you've seen publications of theirs?	09:53:56	3	A. That's what it says here, sir.	09:57:04
4	A. Oh, yes. I've seen publications from ASME.	09:53:58	4	Q. Okay. With respect to Leslie's efforts to	09:57:05
5	Q. Okay. That actually wouldn't be a surprise to	09:54:04	5	market their products to the United States Navy, they	09:57:20
6	you since Leslie was involved in the engineering and	09:54:07	6	were very successful, were they not?	09:57:24
7	design of valves; is that correct?	09:54:14	7	A. Yes, sir, I believe so.	09:57:25
8	MR. HUGO: Objection. It's vague and	09:54:16	8	Q. In fact, the United States Navy was the number	09:57:30
9	ambiguous.	09:54:16	9	one customer of Leslie Controls, was it not?	09:57:32
10	THE WITNESS: It's a mechanical thing that	09:54:20	10	A. It was the largest single customer. Yes, sir.	09:57:35
11	makes sense.	09:54:22	11	Q. And with respect to Leslie Controls aboard	09:57:38
12	BY MR. GALIHER:	09:54:23	12	ships, if they were steam powered, they were virtually	09:57:46
13	Q. Okay. It indicates that John S. Leslie was the	09:54:24	13	on every steam-powered ship the United States Navy had;	09:57:48
14	vice president and general manager during World War II	09:54:40	14	is that correct?	09:57:52
15	and became president; is that correct?	09:54:43	15	A. I would be surprised if there was a steamship	09:57:52
16	A. Yes, sir.	09:54:45	16	that the Leslie equipment was not aboard.	09:57:56
17	Q. And is that your understanding?	09:54:45	17	Q. Okay. And on those steamships the United	09:57:59
18	A. Yes, sir.	09:54:47	18	States Navy operated, you'd expect them to have Leslie	09:58:01
19	Q. And following the war, Leslie had efforts that	09:54:48	19	controls on board?	09:58:04
20	were directed towards developing products and markets	09:54:58	20	A. If it was a steamship, as I said, I would be	09:58:05
21	for industrial applications, in addition to meeting the	09:55:00	21	surprised if they were not on it.	09:58:08
22	company's obligation of leadership and designing	09:55:04	22	Q. Okay. And Leslie customers included the United	09:58:10
23	controls for marine and naval vessels in the post-war	09:55:07	23	States naval shipyards, did they not?	09:58:15
24	era; is that correct?	09:55:11	24	A. Yes, sir.	09:58:18
25	A. Yes, sir.	09:55:12	25	Q. They sold equipment to Bath Iron Works?	09:58:18
Page 30			Page 32		
1	Q. Besides its Navy work, "A prime effort was made	09:55:13	1	A. Yes, sir.	09:58:25
2	to develop controls for the steam-generating power	09:55:18	2	Q. Portsmouth's Naval Shipyard?	09:58:25
3	plants that light the nation"; is that correct?	09:55:21	3	A. Yes, sir.	09:58:28
4	A. Yes, sir.	09:55:26	4	Q. San Diego?	09:58:29
5	Q. And Leslie was aware, was it not, in the '40s	09:55:26	5	A. I believe so, sir.	09:58:30
6	and '50s, that as the boiler pressures reached new	09:55:34	6	Q. Okay. Newport News?	09:58:33
7	heights, that the steam controls were being designed for	09:55:38	7	A. Yes, sir.	09:58:35
8	pressures that were very deadly?	09:55:49	8	Q. Brooklyn?	09:58:35
9	A. They knew it was high pressure. Does it say	09:56:02	9	A. Yes, sir.	09:58:37
10	deadly here? I don't see that word. Oh, yes. It says	09:56:06	10	Q. Okay. In fact, anywhere where steam-powered	09:58:38
11	that there.	09:56:08	11	naval vessels were being constructed, Leslie valves	09:58:43
12	Q. In fact, they knew that they were designing	09:56:09	12	would be sold; is that correct?	09:58:46
13	equipment that was to be around steam lines and steam	09:56:12	13	A. I believe so, yes.	09:58:48
14	systems that could be extremely dangerous if they	09:56:17	14	Q. And along with those Leslie valves to the	09:58:49
15	weren't properly controlled; is that correct?	09:56:20	15	United States Navy, they would also supply replacement	09:58:52
16	A. Yes, sir.	09:56:22	16	parts; is that correct?	09:58:56
17	Q. And Leslie said that they keep abreast of	09:56:24	17	A. Yes, sir.	09:58:56
18	changes in technology and prior work they've learned at	09:56:28	18	Q. And the replacement parts for Leslie steam	09:58:58
19	their own manufacturing facilities, as well as the	09:56:31	19	equipment would generally include things like asbestos	09:59:01
20	products that they made for others; is that correct?	09:56:34	20	packing and asbestos gaskets; is that correct?	09:59:05
21	A. To my knowledge, sir, yes.	09:56:36	21	A. It would contain -- some of the spare parts	09:59:07
22	Q. In fact, they said that the upper boiler	09:56:38	22	were gaskets and packing that contained asbestos. Yes,	09:59:12
23	pressures in the '40s and '50s were going to new heights	09:56:42	23	sir.	09:59:15
24	which had never before been controlled other than the	09:56:46	24	Q. Okay.	09:59:15
25	laboratory basis, and Leslie Company soon found itself	09:56:52	25	THE WITNESS: Can we take five?	09:59:19
Page 31			Page 33		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	MR. GALIHER: Sure, absolutely. Let's go off	09:59:21	1	A. Yes, sir.	10:15:08
2	the record. It's 10:00 o'clock, 8:00 o'clock in Hawaii.	09:59:23	2	Q. And then on the bottom, it has an additional	10:15:09
3	10:00 o'clock here.	09:59:27	3	four built by the Bethlehem Steel Company at Terminal	10:15:11
4	THE VIDEOGRAPHER: We are going off the record.	09:59:28	4	Island, California. Do you see that?	10:15:16
5	The time on the screen is 9:59.	09:59:30	5	A. Yes, sir.	10:15:18
6	(Recess.)	10:12:00	6	Q. So just on the front of that one page, it	10:15:18
7	THE VIDEOGRAPHER: We are now back on the	10:12:05	7	itemized 24 destroyers that had Leslie equipment; is	10:15:23
8	record. The time on the screen is 10:12.	10:12:20	8	that correct?	10:15:28
9	BY MR. GALIHER:	10:12:23	9	A. If that totals up to it, yes.	10:15:28
10	Q. Mr. Wrobel, Leslie designed and manufactured	10:12:30	10	Q. And then going to the next page, there are four	10:15:31
11	valves that went aboard United States Navy destroyers,	10:12:36	11	destroyers and their hull numbers that are built at Gulf	10:15:36
12	did it not?	10:12:42	12	Shipbuilding, Mobile, Alabama. Do you see that?	10:15:41
13	A. Yes, sir.	10:12:43	13	A. Yes, sir.	10:15:45
14	Q. And there were various classes of destroyers.	10:12:43	14	Q. And followed by another 14 that were built by	10:15:45
15	They just didn't build one. Often they would build them	10:12:48	15	Seattle-Tacoma Shipbuilding Company in Seattle,	10:15:49
16	in groups, and frequently those were entire classes of	10:12:52	16	Washington. Do you see that?	10:15:53
17	ships?	10:12:55	17	A. Yes, sir.	10:15:54
18	A. Yes, sir.	10:12:56	18	Q. And then on the bottom, it has an additional 12	10:15:55
19	Q. And one of those classes of ships was referred	10:12:57	19	that were built by Consolidated Steel Company, Orange,	10:15:59
20	to as Fletcher class. Do you recall that?	10:13:01	20	Texas. Do you see that?	10:16:03
21	A. I believe that's World War II destroyers.	10:13:05	21	A. Yes, sir.	10:16:04
22	Q. I'm going to hand you what I've marked as	10:13:08	22	Q. That second page says 30. That's my addition	10:16:05
23	Exhibit 5 entitled "Instructions for the Operation and	10:13:11	23	of 14, 4, and 12. And the 24 from the previous page,	10:16:10
24	Maintenance of Leslie Pump Governors for DD-445 Class	10:13:14	24	that would be 54 destroyers itemized there; is that	10:16:18
25	United States Destroyers." It has "Leslie Company,	10:13:20	25	correct?	10:16:22
Page 34			Page 36		
1	Lyndhurst, New Jersey," at the bottom.	10:13:29	1	A. Yes, sir.	10:16:22
2	(Plaintiffs' Exhibit 5 marked.)	10:14:07	2	Q. Okay. What was the purpose of these	10:16:23
3	BY MR. GALIHER:	10:14:07	3	instructions?	10:16:29
4	Q. Do you recognize that document?	10:14:07	4	A. They gave the principal operation of how the	10:16:30
5	A. I've seen documents like this before. Yes,	10:14:08	5	pump pressure or the pump governor worked. It gave	10:16:41
6	sir.	10:14:11	6	installation instructions.	10:16:46
7	Q. Okay. And that would be typical of the type of	10:14:11	7	Q. M-hm.	10:16:49
8	document that Leslie would prepare for use with their	10:14:13	8	A. And then it went into the operation of how to	10:16:50
9	equipment aboard the US naval ships?	10:14:18	9	start up the pump governor, and it also went into	10:16:56
10	A. For this period of time, I've seen these --	10:14:21	10	cleaning and repairing.	10:16:59
11	Q. Okay.	10:14:25	11	Q. Okay. And was that typical of the type of	10:17:00
12	A. -- of this format.	10:14:26	12	instruction Leslie would give the US Navy sailors who	10:17:04
13	Q. Okay. And as you open that up, on the second	10:14:27	13	are working on this equipment, instructions on how to	10:17:14
14	page and the third page, it has listings of various hull	10:14:31	14	maintain and operate this equipment?	10:17:16
15	numbers and the various shipyards where those hull	10:14:39	15	A. This is the format that I've seen for World War	10:17:18
16	numbers of the Fletcher class destroyers were built; is	10:14:42	16	II.	10:17:22
17	that correct?	10:14:46	17	Q. Okay. Do you know whether the Leslie equipment	10:17:22
18	A. Yes, sir.	10:14:46	18	that was aboard the Fletcher class made its way to Pearl	10:17:51
19	Q. And on page 2, for instance, it has six	10:14:47	19	Harbor Naval Shipyard?	10:17:59
20	destroyers that were built by Bethlehem Steel, Staten	10:14:54	20	A. I personally don't know. I assume if these	10:18:03
21	Island, New York; is that correct?	10:14:59	21	destroyers came to Pearl Harbor, the equipment came with	10:18:06
22	A. Yes, sir.	10:15:00	22	it.	10:18:10
23	Q. And then below that, it has an additional 16	10:15:00	23	Q. Okay. Are you aware that the Fletcher class	10:18:10
24	that were built by Bethlehem Steel here in San	10:15:04	24	that was named for the DD-445, the Fletcher itself, was	10:18:16
25	Francisco; is that correct?	10:15:08	25	stationed at Pearl Harbor Naval Shipyard?	10:18:21
Page 35			Page 37		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. I don't know that for a fact, sir.	10:18:24	1	contains asbestos," did they?	10:22:03
2	Q. Okay. But the fact that if these	10:18:25	2	A. No. Sir, I have a question.	10:22:04
3	steam-powered naval destroyers were overhauled or	10:18:30	3	Q. Sure.	10:22:05
4	repaired at Pearl Harbor Naval Shipyard, the fact that	10:18:37	4	A. Are we talking about asbestos in general, or	10:22:06
5	they would have Leslie equipment on them would not	10:18:41	5	are we talking about the gaskets and packing that were	10:22:09
6	surprise you; is that correct?	10:18:44	6	included in the equipment that contained asbestos?	10:22:15
7	A. It would not surprise me.	10:18:45	7	Q. I'll ask my question first. Any kind of	10:22:18
8	Q. By the way, when you were the assistant manager	10:18:46	8	asbestos.	10:22:20
9	of manufacture, I believe that was in 1980?	10:18:59	9	A. Not to my knowledge, sir.	10:22:21
10	A. I believe so, sir, yes.	10:19:03	10	Q. Okay. With respect to asbestos insulation, you	10:22:24
11	Q. And prior to that, you were -- in your other	10:19:04	11	know what I'm describing when I talk about that?	10:22:31
12	positions, you were supervisor of process inspection.	10:19:10	12	A. I'm assuming you are talking about the lagging,	10:22:33
13	You were test supervisor. You were a quality control	10:19:16	13	what's on the ships?	10:22:37
14	supervisor.	10:19:19	14	Q. For instance, 85 percent mag, when I refer to	10:22:38
15	In all of that period during the 1970s, you	10:19:20	15	that, you understand that, what that is?	10:22:44
16	worked around the new shop -- is that correct? -- or in	10:19:27	16	A. No, I really don't, what the term is.	10:22:45
17	the shops where this equipment was being manufactured?	10:19:30	17	Q. Do you understand that the asbestos thermal	10:22:47
18	A. Oh, yes, sir.	10:19:33	18	insulation, in fact, contained asbestos, the lagging?	10:22:50
19	Q. During that period of time, no one from Leslie	10:19:34	19	A. I do currently. In fact, I didn't. When I	10:22:54
20	told you that asbestos was dangerous; is that correct?	10:19:41	20	went aboard the America or aboard the other one, when I	10:22:59
21	A. I don't remember, sir. I don't remember that.	10:19:45	21	went aboard, no one told me it was asbestos. In fact,	10:23:03
22	Q. And likewise, Leslie didn't tell any of those	10:19:48	22	the only thing -- we had like a safety thing before you	10:23:08
23	180 people under you that worked on that floor that	10:19:57	23	go in. The only thing they told us is to watch where we	10:23:12
24	asbestos was dangerous?	10:20:00	24	walked, and the only thing they asked me to bring, the	10:23:15
25	A. Not to my knowledge, sir.	10:20:01	25	shipyard itself, was a hard hat.	10:23:18
Page 38			Page 40		
1	Q. Okay. And OSHA came out in 1972. Are you	10:20:03	1	Q. Okay. Likewise, the steam-powered whistles	10:23:21
2	aware of that?	10:20:06	2	that Leslie Controls sold had asbestos insulation on	10:23:27
3	A. Okay. I'll take your word for it.	10:20:07	3	them, did they not?	10:23:32
4	Q. Okay. Have you seen documents that indicate	10:20:10	4	MR. HUGO: Objection --	10:23:35
5	that?	10:20:12	5	THE WITNESS: Not on them.	10:23:36
6	A. Possibly, I might have. I don't remember the	10:20:12	6	MR. HUGO: -- vague and ambiguous as to	10:23:36
7	exact date.	10:20:18	7	"insulation" and "on them." Go ahead.	10:23:37
8	MR. GALIHER: Next I'll mark as Exhibit 6 a	10:20:23	8	BY MR. GALIHER:	10:23:38
9	Federal Register dated Wednesday, June 7, 1972.	10:20:29	9	Q. As a component part?	10:23:39
10	(Plaintiffs' Exhibit 6 marked.)	10:21:10	10	A. They had insulation internally that was covered	10:23:40
11	BY MR. GALIHER:	10:21:10	11	by a shroud that was riveted to the body.	10:23:47
12	Q. Does that refresh your memory as to when OSHA	10:21:11	12	Q. And that was asbestos insulation?	10:23:49
13	came into existence?	10:21:13	13	A. Up until somewhere in the 1960s, I believe.	10:23:51
14	A. I guess.	10:21:14	14	Q. And Leslie Controls sold that asbestos	10:23:55
15	Q. Okay. In any event, Leslie Controls didn't	10:21:16	15	insulation as a component replacement part for those	10:24:00
16	inform their employees about the hazards of asbestos	10:21:22	16	steam-powered whistles, did they not?	10:24:04
17	between 1972 and 1980, did they?	10:21:26	17	A. It could be ordered.	10:24:07
18	A. Not to my knowledge.	10:21:30	18	Q. Okay.	10:24:12
19	Q. Okay. Likewise, Leslie Controls never told	10:21:30	19	A. In all the years I was with Leslie, I never saw	10:24:12
20	their customers about the hazards of asbestos, did they?	10:21:38	20	any ordered, to my knowledge, which would make sense	10:24:15
21	A. Not to my knowledge.	10:21:41	21	because it wasn't a wearing part, and you really	10:24:18
22	Q. Okay. And during the entire time that Leslie	10:21:44	22	couldn't take off the shroud. It was kind of like the	10:24:23
23	Controls supplied and sold asbestos-containing steam	10:21:50	23	old iron your grandmother had. You know, inside it had	10:24:25
24	control products to the United States Navy, they never	10:21:57	24	insulation, but it was completely sealed. On the	10:24:29
25	affixed a warning label on there, "Caution: This	10:22:00	25	whistles, it was like that.	10:24:33
Page 39			Page 41		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. Did you ever advise customers that they should	10:24:35	1	governors and their instructions for the operation and	10:27:29
2	not use compressed air to blow out packing glands and	10:24:46	2	maintenance of those, Leslie instructed the mechanics to	10:27:31
3	flanges where gaskets where Leslie gasket and packing	10:24:54	3	blow out steam lines thoroughly before installing Leslie	10:27:37
4	were being removed and replaced?	10:25:00	4	pump governors, did it not?	10:27:41
5	A. In all the documents that I've seen, I've never	10:25:02	5	A. Yes, sir. It's a common practice before	10:27:42
6	seen it said that way. In some of the tech manuals,	10:25:07	6	installing any type of a valve into the line. Because	10:27:44
7	there has been some instructions on how to do things.	10:25:10	7	as you know, when they weld lines together, there might	10:27:48
8	But I've never seen, you know, somebody say, "Don't do	10:25:14	8	be a little slag or lagging in there. So you really	10:27:51
9	that."	10:25:17	9	want -- I mean slag, not lagging.	10:27:54
10	Q. Okay. Leslie never warned the mechanics,	10:25:17	10	Weld slag, foreign materials, somebody dropped	10:27:57
11	whether they were in the United States Navy or outside	10:25:24	11	something in the pipe, you'd really want that out before	10:28:01
12	facilities, not to use compressed air when cleaning out	10:25:26	12	it's sold. It wouldn't get into the internal groove	10:28:03
13	their products; is that correct?	10:25:30	13	valve.	10:28:05
14	A. I've never seen anything like that, sir.	10:25:31	14	Q. And during World War II, the steam lines were	10:28:06
15	Q. In fact, Leslie told the mechanics just the	10:25:34	15	insulated with asbestos lagging, were they not?	10:28:08
16	opposite. They told them to blow the things out, didn't	10:25:39	16	A. I know that today, sir.	10:28:11
17	they?	10:25:41	17	Q. Okay. And would you consider it good practice	10:28:12
18	MR. HUGO: Objection; vague and ambiguous as to	10:25:43	18	to blow out steam lines that contained asbestos	10:28:15
19	"the things."	10:25:45	19	insulation on the outside before installing Leslie pump	10:28:21
20	THE WITNESS: Are we talking about during this	10:25:46	20	governors?	10:28:25
21	assembly, or are we talking about --	10:25:48	21	A. I don't know if a Leslie pump governor was	10:28:26
22	BY MR. GALIHER:	10:25:50	22	installed before or after the insulation, but really it	10:28:30
23	Q. Maintenance and repair.	10:25:51	23	shouldn't make any difference because we are talking	10:28:33
24	A. I don't believe in that context. I think in	10:25:52	24	about the internal part of the pipe, which is not	10:28:36
25	some of the manuals, it says prior to installation, the	10:26:00	25	insulated, and you are just trying to clear any debris	10:28:39
Page 42			Page 44		
1	line should be blown out to preclude any foreign matter	10:26:04	1	that might be in there.	10:28:43
2	from getting inside the valve. I don't remember seeing	10:26:08	2	Q. So it's your testimony here today it doesn't	10:28:43
3	it saying blow the valve out as a valve.	10:26:11	3	matter or you don't think it's good or bad practice to	10:28:48
4	Q. Okay. The point being is, in order to remove	10:26:12	4	use compressed air to clean out steam lines before	10:28:51
5	or get access to the Leslie control equipment that was	10:26:22	5	installing Leslie pump governors?	10:28:55
6	in the steam lines, insulation would frequently have to	10:26:28	6	A. Sir, I wasn't talking about the compressed air.	10:28:58
7	be removed; is that correct?	10:26:31	7	I believe the manual says, you know -- in other words,	10:29:00
8	A. I'm sorry. Can you repeat that?	10:26:32	8	what they are saying basically is, before you put the	10:29:03
9	Q. Sure.	10:26:35	9	valve in, there is usually stop valves before the valve.	10:29:05
10	With respect to Leslie valves and their steam	10:26:37	10	Before you put the Leslie valve in, open, correct the	10:29:09
11	control equipment, insulation would frequently have to	10:26:43	11	valve, let steam run through the valve. So if there is	10:29:13
12	be removed, would it not, in order to get access to that	10:26:46	12	any debris inside the pipe itself, the inside of the	10:29:16
13	equipment?	10:26:51	13	pipe, let it blow out before you install the valve, so	10:29:18
14	A. Depending on the type of valve and the amount	10:26:51	14	any of those contaminants do not get in the valve.	10:29:21
15	of insulation that the Navy had put on it, it's possible	10:26:56	15	Q. And that air that you are suggesting that it be	10:29:24
16	that you had to take some insulation off, like the	10:27:00	16	blown out, that steam that's being blown out, that's	10:29:28
17	reducing valve that I worked on on the USS America.	10:27:03	17	blown out under high pressure into the area where the	10:29:31
18	Q. Okay. That was a pressure regulator?	10:27:07	18	workmen are working?	10:29:35
19	A. Pressure reducing valve/pressure regulator.	10:27:09	19	A. I've seen it done -- actually, there's really	10:29:36
20	Q. And that was insulated and that insulation had	10:27:12	20	nobody working around. When they are doing this, they	10:29:41
21	to be removed before it could be worked on or repaired;	10:27:14	21	are installing it. The fitters are putting the valves	10:29:44
22	is that correct?	10:27:18	22	in, and it's, you know, common practice to open the stop	10:29:47
23	A. Before they could work on that valve, the way	10:27:18	23	valve, let some steam come through. And it may not, you	10:29:52
24	it was insulated, they have to take it off. Yes, sir.	10:27:21	24	know -- I don't know what the pressure is. Okay? It's	10:29:57
25	Q. Okay. And with respect to Leslie pump	10:27:23	25	not when they are underway. This is like when the ship	10:29:59
Page 43			Page 45		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	is being built or partially built or in for repair. You	10:30:03	1	Q. And the packing?	10:32:50
2	crack the line to blow out anything that may be inside	10:30:06	2	A. If the valve had packing in it, yes.	10:32:51
3	the pipe.	10:30:10	3	Q. Okay. And Leslie, in fact, in their operating	10:32:57
4	Q. Okay. And as you sit here today, do you think	10:30:10	4	manual or their instruction manual for the operation and	10:33:41
5	it's good practice to blow out high pressure in the	10:30:16	5	maintenance of the -- I'm trying to read it upside down	10:33:44
6	closed air spaces of where the workers are working on	10:30:23	6	-- the pump governor that I've marked as Exhibit 5 told	10:33:50
7	the Leslie equipment that's been insulated?	10:30:27	7	the mechanics to use Leslie equipment and gaskets -- is	10:33:54
8	MR. HUGO: Objection; vague, overbroad,	10:30:30	8	that correct? -- replacement parts?	10:34:01
9	presumes facts.	10:30:33	9	A. Yes, sir. It says, "When renewing diaphragms	10:34:03
10	THE WITNESS: I'm sorry, sir. It's a	10:30:37	10	and gaskets, be sure to use standard parts made by	10:34:09
11	recommended practice to blow out steam lines prior to	10:30:39	11	Leslie Controls, Leslie Company."	10:34:10
12	putting new equipment in. This is -- in all the years	10:30:45	12	Q. So it's clear, Leslie sold replacement parts to	10:34:17
13	I've been -- when I was aboard a ship, it's something	10:30:51	13	the Navy; is that correct?	10:34:33
14	that's done.	10:30:54	14	A. Yes, sir.	10:34:34
15	BY MR. GALIHER:	10:30:54	15	Q. And, in fact, even though Leslie said in their	10:34:35
16	Q. And that's what Leslie recommended be done	10:30:54	16	instruction manual to the mechanics to use Leslie	10:34:43
17	before installing their Leslie governors; is that	10:30:57	17	replacement parts, Leslie actually bought asbestos	10:34:49
18	correct?	10:30:57	18	gaskets and packing from other manufacturers and sold	10:34:53
19	A. Leslie wanted to ensure that foreign matter did	10:31:00	19	them as replacement parts; is that correct?	10:34:56
20	not get into the pump governor.	10:31:03	20	A. Yes, sir. We didn't manufacture gaskets or	10:34:58
21	Q. And this was the same practice during repair?	10:31:05	21	packing. They were bought from manufacturers or	10:35:01
22	MR. HUGO: Objection; vague, ambiguous, and	10:31:14	22	distributors.	10:35:04
23	overbroad.	10:31:15	23	Q. Okay. Leslie had its own line of packing, did	10:35:05
24	THE WITNESS: Repair of the valve itself, or --	10:31:18	24	they not?	10:35:11
25	BY MR. GALIHER:	10:31:21	25	A. Leslie had a packing that was purchased that	10:35:11
Page 46			Page 48		
1	Q. Repair of the Leslie pump governors.	10:31:21	1	was labeled Leslie Lubrisoft.	10:35:20
2	A. Okay. I have a question. You are talking	10:31:24	2	Q. Okay. And that contained asbestos?	10:35:23
3	about the pump cutter has been taken out, repaired, and	10:31:27	3	A. It contained rings that contained asbestos.	10:35:25
4	put back in again?	10:31:29	4	Yes, sir.	10:35:29
5	Q. Or it's in the process of being repaired. As I	10:31:30	5	Q. And Leslie itself was not on the qualified	10:35:29
6	understand it, it can be repaired after it's been	10:31:32	6	products list; is that correct?	10:35:38
7	installed and insulated?	10:31:36	7	A. That is correct, sir.	10:35:39
8	A. Depending how much insulation is on it.	10:31:38	8	Q. So Leslie was not even on the QPL?	10:35:39
9	Example: When I worked on that pump pressure regulator	10:31:42	9	A. Not for gaskets and packing. No, sir.	10:35:48
10	-- excuse me -- the pressure reducing valve, it was	10:31:46	10	Q. But Leslie sold asbestos gaskets; is that	10:35:48
11	already in the line. And I only had to disturb certain	10:31:49	11	correct?	10:35:52
12	components. You don't take that out and blow the line	10:31:53	12	A. We sold gaskets that contained asbestos if	10:35:52
13	out again. It's like a first-shot deal.	10:31:56	13	somebody ordered them, yes.	10:35:57
14	Q. Is this the one that you break the joint at the	10:31:59	14	Q. And then Leslie bought gaskets from the gasket	10:35:58
15	top cap gasket?	10:32:01	15	manufacturer, marked them up, and sold them to the Navy	10:36:02
16	A. That particular valve, yes --	10:32:03	16	when the Navy asked it to supply gaskets and spare	10:36:05
17	Q. Okay.	10:32:14	17	parts; is that correct?	10:36:10
18	A. -- when I worked on that valve.	10:32:17	18	A. Yes, sir.	10:36:11
19	Q. And in renewing the diaphragms and gaskets,	10:32:18	19	Q. And this is because Leslie wanted to sell spare	10:36:12
20	Leslie told the mechanics to be sure they used standard	10:32:32	20	parts; is that correct?	10:36:22
21	parts made by Leslie Company, did they not?	10:32:35	21	A. Yes, sir.	10:36:23
22	A. Yes, sir. That's what said in there.	10:32:38	22	Q. And the Navy could order two, three, or four	10:36:23
23	Q. And those would include asbestos gaskets?	10:32:40	23	from Leslie instead of ordering a whole batch from the	10:36:26
24	A. They would include the gaskets that contained	10:32:43	24	original manufacturer; is that correct?	10:36:30
25	asbestos that were original to the equipment.	10:32:46	25	A. Yes. If they needed a few, they could order	10:36:31
Page 47			Page 49		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	them from us.	10:36:35	1	correct?	10:39:38
2	Q. Okay. And Leslie instruction manuals never	10:36:35	2	A. We hoped so.	10:39:38
3	mentioned that the Navy could get replacement gaskets	10:36:40	3	Q. And that was the same on the outside? Meaning	10:39:39
4	and packing from the original manufacturers?	10:36:43	4	on the commercial, pressure reducing valve instructions,	10:39:49
5	A. I've never seen that in the manual, sir, no.	10:36:45	5	that says, "Play it safe. Use only genuine Leslie	10:39:53
6	Q. But you agree that the Navy could get the same	10:36:48	6	replacement parts"?	10:39:58
7	gaskets from another manufacturer cheaper than Leslie?	10:36:51	7	A. I've seen that. Yes, sir.	10:39:59
8	A. Yes, sir, and I know they have.	10:36:55	8	Q. And the only reason that Leslie advised the	10:40:00
9	Q. And Leslie recommended to the Navy that the	10:37:00	9	Navy to buy Leslie replacement gaskets and packing was	10:40:14
10	Navy purchase replacement packing from Leslie?	10:37:07	10	so Leslie could make money on the sale?	10:40:18
11	A. Yes, sir.	10:37:10	11	A. That was the intent, yes.	10:40:20
12	Q. And valves were Leslie's specialty?	10:37:11	12	Q. Is it your understanding from approximately	10:40:21
13	A. Yes, sir.	10:37:20	13	1900 until 1979 or 1980, Leslie was a family business?	10:41:11
14	Q. And Leslie designed and manufactured valves	10:37:20	14	A. '79 is a good year, I think. Right around	10:41:18
15	primarily?	10:37:23	15	there.	10:41:25
16	A. Primarily, sir, yes.	10:37:24	16	Q. Okay. And then --	10:41:25
17	Q. And you've never seen a control valve that said	10:37:26	17	A. That's when John sold the business.	10:41:26
18	designed by the Navy?	10:37:29	18	Q. Sold the stock or the business, and someone	10:41:28
19	A. I've never seen one, sir, no.	10:37:31	19	else took over?	10:41:30
20	Q. And you are not aware of the Navy designing a	10:37:36	20	A. Well, he actually sold it to the executive	10:41:31
21	control valve, you are not aware of the Navy designing	10:37:43	21	operating board. They actually bought it.	10:41:33
22	pressure regulators, and you are not aware of the Navy	10:37:47	22	Q. Did it go public at that point in time?	10:41:37
23	designing temperature regulators. In fact, Leslie did	10:37:49	23	A. No, sir, it did not.	10:41:40
24	the design for all these types of equipment?	10:37:52	24	Q. Did it ever go public?	10:41:42
25	A. For the Leslie type of equipment, yes, sir.	10:37:56	25	A. '79 -- I think -- some of these dates kind of	10:41:43
Page 50			Page 52		
1	Q. And one of the reasons you find Leslie	10:37:58	1	get -- okay. I think it was 1989, 1989-ish that Watts	10:41:48
2	equipment on all Navy steam-powered ships is because	10:38:07	2	Industries bought Leslie, and then it went public.	10:41:55
3	Leslie had expertise in steam-powered valves? That is,	10:38:11	3	Q. Are you familiar with the American Society of	10:42:02
4	valves that control steam; is that right?	10:38:14	4	Mechanical Engineers?	10:42:43
5	A. Yes, sir.	10:38:17	5	A. I'm familiar with them. Yes, sir.	10:42:45
6	Q. And Leslie sent tech representatives to service	10:38:17	6	Q. What is that?	10:42:48
7	people and was giving classes to the Navy on how to	10:38:27	7	A. It's a society of engineers, and they publish	10:42:49
8	repair valves; is that correct?	10:38:33	8	documents, standards.	10:42:55
9	A. Yes, sir.	10:38:34	9	Q. Did they have publications that were sent out	10:43:00
10	Q. In the 1946 book entitled "Naval Machinery,"	10:38:34	10	to the members?	10:43:02
11	Leslie is listed as being credited for supplying	10:38:48	11	A. I know they had publications. I don't know if	10:43:03
12	technical information to them. Are you aware of that?	10:38:51	12	they were sent to the members or members requested them.	10:43:09
13	A. I believe I've seen that document. Yes, sir.	10:38:55	13	I was never a member. So I really don't know.	10:43:13
14	Q. Okay. And do you agree that they supplied	10:38:57	14	Q. Mr. John Leslie was a member, was he not?	10:43:15
15	technical information for that book?	10:39:02	15	A. I've seen documents that said John was a	10:43:19
16	A. Yes. There was credit given for it. There	10:39:04	16	member, yes.	10:43:23
17	were some drawings in there.	10:39:08	17	Q. Okay. And in your capacity as a representative	10:43:23
18	Q. And you agree that Leslie supplied technical	10:39:09	18	of Leslie Controls, as far as giving this testimony,	10:43:35
19	advice and information to the Navy for the Navy's	10:39:13	19	have you done any investigation as to where these	10:43:41
20	authoring of training manuals?	10:39:17	20	publications from the American Society of Mechanical	10:43:47
21	A. I've seen credit in those also, sir --	10:39:18	21	Engineers would be stored?	10:43:51
22	Q. Okay.	10:39:21	22	A. The only ASME documents that I know of -- okay?	10:43:53
23	A. -- along with other manufacturers actually.	10:39:27	23	-- that I have ever seen at Leslie were like standards,	10:44:01
24	Q. And it was Leslie's intention that all	10:39:29	24	ASME 16.5. They are different standards that ASME wrote	10:44:14
25	replacement parts be ordered from Leslie; is that	10:39:35	25	for flange configurations, for design criteria. I was	10:44:19
Page 51			Page 53		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	familiar with the ASME specifications for nuclear power	10:44:25	1	foundry -- we had a foundry department -- was in the	10:47:39
2	plants, and also like the ASME Section 3, which covered	10:44:29	2	back. So in Lyndhurst, it would have been located in	10:47:42
3	making components for nuclear power plants. Because	10:44:35	3	the office.	10:47:46
4	when I was in quality assurance, we had to get our N	10:44:38	4	I didn't work in the office in Lyndhurst, but I	10:47:46
5	stamp and worked exclusively with those -- mainly dealt	10:44:42	5	had occasion to go up there and see who was there.	10:47:49
6	with the quality system and their requirements.	10:44:46	6	Q. Who worked in the office in Lyndhurst?	10:47:51
7	Q. Was there a technical library at Leslie	10:44:54	7	A. Sales, marketing, accounting. Let's see. Who	10:47:54
8	Controls?	10:45:03	8	else?	10:48:03
9	A. Not per se a technical library. There were	10:45:03	9	Q. Where was --	10:48:03
10	books in engineering in the cabinet.	10:45:10	10	A. Production control. Quality control was in the	10:48:04
11	Q. Where were those kept?	10:45:12	11	office.	10:48:06
12	A. There was a rack, and there were different	10:45:14	12	Q. Where would Mr. Leslie and his father work?	10:48:06
13	books in there like, as I am saying, ASME Section 3.	10:45:22	13	A. I believe their office was in that office.	10:48:10
14	There were ASTM books in there. There were some ASME	10:45:28	14	Being only there a year and a half, I never got to get	10:48:14
15	books in QA when I was QA manager that had to do with	10:45:31	15	into their office, sir.	10:48:18
16	the quality systems. There were ASTM books in quality.	10:45:34	16	Q. You didn't inspect their personal library?	10:48:18
17	Q. Where were these books located?	10:45:39	17	A. No, sir.	10:48:26
18	A. Some were located in the engineering	10:45:42	18	Q. Okay. With respect to Leslie, are you aware	10:48:27
19	department. Some were located in quality assurance.	10:45:47	19	that they advertised in a publication called Southern	10:48:44
20	Q. Was there an advertising or a marketing	10:46:01	20	Power and Industry magazine?	10:48:49
21	department?	10:46:03	21	A. Yes, sir.	10:48:53
22	A. We had a marketing department, yes, sir.	10:46:03	22	Q. What are you aware of as to what kind of ads	10:48:53
23	Q. Where was that located?	10:46:07	23	they ran in that?	10:48:56
24	A. It was -- in which plant?	10:46:08	24	A. I've seen ads for pressure reducing valves.	10:48:57
25	Q. Well, you tell me. I am interested in all of	10:46:15	25	For valves generally.	10:49:00
Page 54			Page 56		
1	them. You can start with the first plant.	10:46:18	1	Q. Okay. And would that have included during the	10:49:01
2	Was there a marketing department back then?	10:46:20	2	1940s?	10:49:03
3	A. As far as I know, there was.	10:46:22	3	A. I've probably seen articles from that period of	10:49:09
4	Q. Okay. Where was it located?	10:46:23	4	time. Yes, sir.	10:49:13
5	A. In the office. In the office in Lyndhurst.	10:46:25	5	Q. Okay.	10:49:14
6	Q. I apologize. The first plant was located	10:46:30	6	A. Or --	10:49:16
7	where?	10:46:33	7	MR. GALIHER: I'm going to mark as Exhibit 7 an	10:49:23
8	A. Lyndhurst, New Jersey.	10:46:33	8	ad in Southern Power and Industry for December 1945.	10:49:30
9	Q. And that was from 1903 to when?	10:46:36	9	It's a three-page document. Authentication is on the	10:49:40
10	A. No. I think it was built in 1905.	10:46:41	10	first page, the ad is on the second, and the	10:49:43
11	Q. 1905 to when?	10:46:43	11	advertisers' index is on the third page.	10:49:45
12	A. To 1968.	10:46:44	12	(Plaintiffs' Exhibit 7 marked.)	10:51:08
13	Q. It had one office?	10:46:45	13	MR. GALIHER: I'll mark as Exhibit Number 8 an	10:51:08
14	A. Well, it was typical older type plants that	10:46:51	14	article that comes from the January addition of Southern	10:51:12
15	you've been aware of in the northeast, and it had one	10:46:58	15	Power and Industry for 1946, and Number 9 will be	10:51:23
16	building that housed like production control, sales and	10:47:01	16	another article that appears in Southern Power and	10:51:28
17	marketing, all the office functions, excluding	10:47:07	17	Industry for November 1946, and see if you've seen these	10:51:36
18	engineering. Engineering, when we were in Lyndhurst,	10:47:12	18	before.	10:51:44
19	actually was on the second floor. Part of it was on the	10:47:15	19	(Plaintiffs' Exhibits 8, 9 marked.)	10:51:44
20	second floor. There were some drafters on the first	10:47:24	20	(Brief pause in proceedings.)	10:53:21
21	floor. It was kind of like -- because it was being	10:47:26	21	BY MR. GALIHER:	10:53:22
22	added to -- a typical old-type company -- it just wasn't	10:47:28	22	Q. Going back to Exhibit 7, do you have that	10:53:24
23	one building. A lot of small buildings.	10:47:32	23	there? That's the one with the ad?	10:53:26
24	The machine shop was separate by itself.	10:47:34	24	A. Yes, sir.	10:53:29
25	Welding was adjacent to it. Assembly was there. The	10:47:37	25	Q. Have you seen that ad before?	10:53:29
Page 55			Page 57		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. I believe I have, sir.	10:53:31	1	is just as toxic as free silica."	10:57:05
2	Q. Okay. And so it would come as no surprise to	10:53:32	2	Do you see that?	10:57:08
3	you that Leslie Controls advertised in that publication?	10:53:38	3	MR. HUGO: Same objections.	10:57:10
4	A. No surprise, sir.	10:53:41	4	THE WITNESS: I see that written here. Yes,	10:57:11
5	Q. Okay. And are you aware that that very same	10:53:43	5	sir.	10:57:11
6	publication published articles that talked about the	10:53:49	6	BY MR. GALIHER:	10:57:14
7	hazards of asbestos and asbestos dust?	10:53:54	7	Q. Okay. And then down there in the next	10:57:14
8	A. In here?	10:54:03	8	paragraph following that paragraph, it starts with,	10:57:24
9	Q. Not in that exhibit. That same publication. I	10:54:04	9	"Asbestos dust, although specifically toxic, does not	10:57:26
10	have Exhibit 8 and 9 coming next. You may look at	10:54:08	10	result in a numerically great number of exposures due to	10:57:30
11	those.	10:54:11	11	the infrequent industrial applications. However, in the	10:57:35
12	A. But may I see which article you are referring	10:54:11	12	production of asbestos cloth and other products, a	10:57:38
13	to?	10:54:14	13	serious problem of dust control is presented."	10:57:41
14	Q. Sure.	10:54:14	14	Do you see that?	10:57:43
15	MR. HUGO: Let him ask you a question so that	10:54:17	15	MR. HUGO: Same objections.	10:57:44
16	you know what he is asking you about.	10:54:20	16	THE WITNESS: That's what's written here. Yes,	10:57:45
17	MR. GALIHER: I'm sorry. 8, I only have one.	10:54:22	17	sir.	10:57:48
18	I apologize.	10:54:25	18	BY MR. GALIHER:	10:57:48
19	(Brief pause in proceedings.)	10:55:27	19	Q. Okay. And this article appears in the same	10:57:49
20	BY MR. GALIHER:	10:55:29	20	publication that many Leslie Controls had run ads; is	10:57:53
21	Q. I'm going to hand you Exhibit 8. On page 74 of	10:55:29	21	that correct?	10:57:53
22	that publication, in the first column, there is a	10:55:35	22	MR. HUGO: Objection; misstates facts. The	10:58:04
23	heading that says "Silica and dust."	10:55:48	23	documents speak for themselves.	10:58:06
24	Do you see that?	10:55:51	24	BY MR. GALIHER:	10:58:08
25	A. Yes, sir. May I see the whole document, the	10:55:52	25	Q. Not the same exact month, but the same	10:58:08
Page 58			Page 60		
1	whole article?	10:55:55	1	publication. Can you see the name of the publication,	10:58:10
2	Q. I just have the -- you might have the whole	10:55:56	2	the title of it?	10:58:13
3	one. Do you want to take a look at it?	10:56:00	3	A. I can see the name of the publication.	10:58:14
4	A. No, it's not. I just have excerpts, a couple	10:56:01	4	Q. And what is that?	10:58:16
5	of pages. I don't even have the title of the article.	10:56:06	5	A. It's Southern Power and Industry, sir.	10:58:18
6	Q. I apologize.	10:56:10	6	Q. And that's the one -- Exhibit 7 indicated that	10:58:19
7	MR. HUGO: This document has what appears to be	10:56:11	7	Leslie advertised in it; is that correct?	10:58:24
8	a cover page from January 1946, and then the next page	10:56:13	8	A. Was it the same -- it's the same publication,	10:58:27
9	numerically is 74. There is 75, 76, and 158.	10:56:18	9	but it's not the same date.	10:58:33
10	MR. GALIHER: I think we just have the pages	10:56:25	10	(Discussion off the record.)	10:58:39
11	referenced that talk about asbestos in that publication	10:56:29	11	BY MR. GALIHER:	10:58:41
12	for January 1946. I apologize.	10:56:32	12	Q. Okay. And then --	10:58:42
13	THE WITNESS: Well, I'd like to see the whole	10:56:38	13	(Discussion off the record.)	10:58:44
14	document to see what the title was.	10:56:39	14	BY MR. GALIHER:	10:58:46
15	BY MR. GALIHER:	10:56:41	15	Q. If you go back to Exhibit 7 -- I'm sorry --	10:58:46
16	Q. Well, just bear with me for this question.	10:56:41	16	Exhibit 8 -- I apologize. It has -- I don't have copies	10:58:53
17	Does it indicate there under the heading	10:56:46	17	of it. That's why I'm stumbling around a little bit.	10:58:58
18	"Silica and Dust: Exposures to free silica are more	10:56:47	18	On Exhibit 8 -- do you have that in front of	10:59:00
19	important from the standpoint of population exposed and	10:56:50	19	you? -- on the last page of Exhibit 8 -- can you turn to	10:59:02
20	deserve more consideration than those to asbestos dust?"	10:56:54	20	that? -- does it have an advertisers index?	10:59:05
21	Do you see that?	10:56:58	21	A. Yes, sir, it does.	10:59:09
22	MR. HUGO: Objection. The document speaks for	10:56:58	22	Q. And under the L's, do you see Leslie Company?	10:59:10
23	itself. It's hearsay.	10:57:00	23	A. Yes, sir, I do.	10:59:20
24	BY MR. GALIHER:	10:57:01	24	Q. Okay. And that is in the same month,	10:59:20
25	Q. And it goes on to say, "However, asbestos dust	10:57:02	25	January 1946, is it not?	10:59:26
Page 59			Page 61		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. Yes, it is, sir.	10:59:27	1	Q. Leslie did not discuss with you the maximum	11:03:28
2	Q. Okay.	10:59:31	2	working concentration for asbestos, did they, in the	11:03:32
3	MR. HUGO: Just for the record, after Leslie	10:59:37	3	1960s?	11:03:35
4	Company, there is an asterisk or a black dot, which	10:59:40	4	A. Not to my knowledge sir.	11:03:37
5	indicates that there is no Leslie ad present in the	10:59:44	5	Q. Okay. And Leslie did not indicate to you that	11:03:39
6	January 1946 publication.	10:59:52	6	the only way of determining both the nature of the dust	11:03:42
7	MR. GALIHER: Your point is noted.	11:00:01	7	and the actual concentration is by direct sampling and	11:03:45
8	Q. Can I have you take a look at Exhibit 9? And	11:00:10	8	similar procedures for counting the dust, did they?	11:03:49
9	this is another article from that same publication,	11:00:47	9	A. Not to my knowledge, sir.	11:03:52
10	Southern Power and Industry, for November 1946.	11:00:50	10	Q. And with respect to the Southern Power and	11:03:53
11	Do you see that on the first page?	11:00:55	11	Industry magazine, you agree that Leslie probably got	11:04:11
12	A. Yes, sir.	11:00:57	12	this magazine, don't you?	11:04:14
13	Q. And in the first paragraph, do you see where	11:00:59	13	A. I don't know if they did or not, sir.	11:04:16
14	asbestos is identified as one of these dusts the article	11:01:13	14	MR. HUGO: Just for the record, Exhibit 9 also	11:04:18
15	is concerned with?	11:01:19	15	has an advertisers index. And across from the words	11:04:20
16	A. Where, sir?	11:01:20	16	"Leslie Company," there is a black dot or an asterisk	11:04:24
17	Q. About two-thirds of the way down, it says,	11:01:22	17	which indicates that there is no Leslie Company ad in	11:04:27
18	"This is especially true of dust containing a high	11:01:26	18	the November 1946 edition of Southern Power and	11:04:31
19	percentage of free silica, asbestos, and other toxic	11:01:29	19	Industry.	11:04:36
20	materials." Do you see that?	11:01:35	20	BY MR. GALIHER:	11:05:01
21	A. Yes, sir. I've read this article.	11:01:36	21	Q. Would you agree with me that Leslie Controls	11:05:01
22	Q. Okay.	11:01:39	22	would have gotten copies of a magazine in which it was	11:05:04
23	A. And this article, you know, it doesn't talk	11:01:40	23	listed as an advertiser?	11:05:07
24	about gaskets and packing. It just talks about asbestos	11:01:46	24	A. Probably, yes.	11:05:09
25	dust in general and other dusts in the industry.	11:01:49	25	Q. Okay. As of January of 1946, Leslie Controls	11:05:11
Page 62			Page 64		
1	MR. GALIHER: Move to strike as nonresponsive.	11:01:55	1	would have gotten a copy of that document; is that	11:05:40
2	Q. You are familiar with this article?	11:02:02	2	correct?	11:05:43
3	A. I've read it before, sir.	11:02:03	3	MR. HUGO: Objection; lacks foundation, calls	11:05:43
4	Q. Okay. And with respect to asbestos, by 1946,	11:02:05	4	for speculation.	11:05:44
5	the article indicates that there have been	11:02:19	5	THE WITNESS: As I say, if Leslie advertised in	11:05:45
6	concentrations established, that workers should stay	11:02:29	6	the document, it would make sense that Leslie would get	11:05:50
7	below established concentrations; is that correct?	11:02:34	7	a copy of that document.	11:05:53
8	A. In this article?	11:02:36	8	BY MR. GALIHER:	11:05:54
9	Q. Yes.	11:02:37	9	Q. Have you given sworn testimony under oath with	11:05:55
10	A. Can you point that out to me? I don't remember	11:02:38	10	respect to the January -- as of January 1946, Leslie	11:05:58
11	where it was.	11:02:40	11	would have gotten a copy of that document?	11:06:05
12	Q. Sure. There's two, three references. We'll	11:02:40	12	A. I could have said that. Yes, sir.	11:06:07
13	start on page 64 of the article on the third full	11:02:47	13	Q. Okay. With respect to the American Society of	11:06:09
14	paragraph that starts with "Permissible concentrations."	11:02:50	14	Mechanical Engineering articles, would you agree that if	11:06:27
15	A. Yes, I see that, sir.	11:03:02	15	John Leslie had read them, then he had known about	11:06:33
16	Q. And it says, "For both Silica and asbestos,	11:03:03	16	asbestos hazards?	11:06:37
17	five million particles per cubic foot is considered the	11:03:06	17	MR. HUGO: Objection; lacks foundation, calls	11:06:40
18	maximum working concentration." Do you see that?	11:03:09	18	for speculation.	11:06:42
19	A. Yes, sir.	11:03:12	19	THE WITNESS: I believe if John would have read	11:06:43
20	Q. Leslie did not tell you anything about this	11:03:13	20	an article about asbestos in general being hazardous, he	11:06:47
21	standard, did they, when you went to work for them in	11:03:16	21	would have known about it. Yes, sir.	11:06:51
22	the 1960s?	11:03:19	22	BY MR. GALIHER:	11:06:52
23	A. No, sir. The article has nothing to do with	11:03:20	23	Q. Okay.	11:06:52
24	us.	11:03:26	24	(Discussion off the record.)	11:07:23
25	MR. GALIHER: Move to strike as nonresponsive.	11:03:26	25	BY MR. GALIHER:	11:07:33
Page 63			Page 65		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. Next I'll show you what we'll mark as Exhibit	11:07:33	1	Q. Yes. On the right-hand column in the middle.	11:24:25
2	10, "Transactions of the American Society of Mechanical	11:07:37	2	A. I found it.	11:24:27
3	Engineers, 1940."	11:07:39	3	Q. Okay. And can you identify Mr. John S. Leslie?	11:24:28
4	(Plaintiffs' Exhibit 10 marked.)	11:08:45	4	A. Yes, sir. That's what it says here.	11:24:33
5	BY MR. GALIHER:	11:08:45	5	Q. And it indicates he is the president of Leslie	11:24:35
6	Q. Can I direct your attention to the last page,	11:08:46	6	Company?	11:24:40
7	and can you find on there where John Leslie is	11:08:48	7	A. Yes, sir.	11:24:40
8	identified as a member of the American Society of	11:08:53	8	Q. And that's located in Lyndhurst, New Jersey?	11:24:40
9	Mechanical Engineers?	11:08:56	9	A. Yes, sir.	11:24:43
10	A. Yes, sir, I have.	11:08:57	10	Q. And, again, he indicates that he first became a	11:24:43
11	Q. And he is a member of the Lyndhurst	11:08:59	11	member in 1935; is that correct?	11:24:46
12	Metropolitan Section?	11:09:07	12	A. Again, it looks like maybe 1945.	11:24:47
13	A. That's what it says here. Yes, sir.	11:09:09	13	Q. Well, we can go up to the front where I think	11:24:50
14	Q. And Lyndhurst is, in fact, where the Leslie	11:09:11	14	it explains that. I think somehow it's stated it's	11:24:53
15	manufacturing plant was located; is that correct?	11:09:13	15	changed, but we're happy to do that. I'm just	11:24:58
16	A. Yes, sir.	11:09:15	16	interested in the first date, but we'll go to the second	11:24:59
17	Q. And it indicates there that he was a member	11:09:16	17	one, too, if you want to explore that.	11:25:02
18	since 1935; is that correct?	11:09:20	18	A. I'm just saying I don't know what that means.	11:25:06
19	A. That's what it looks like, sir, yes. I can	11:09:23	19	Q. Okay. It indicates that --	11:25:08
20	partly read it, but yes.	11:09:27	20	A. Was that a break in -- I don't know.	11:25:12
21	MR. GALIHER: And then next I will mark as	11:09:44	21	Q. It says on page Roman numeral VII, Roman	11:25:15
22	Exhibit 11 --	11:09:47	22	numeral VII, alphabetical list. Did you find that?	11:25:25
23	THE WITNESS: Is this a good time to take --	11:09:48	23	A. Yes, sir.	11:25:31
24	MR. GALIHER: Good time. I'll take that back.	11:09:50	24	Q. It says, "Each entry of the alphabetical list	11:25:31
25	We'll take our recess. We went a little longer. I	11:09:53	25	covers the member's grade and year of membership. The	11:25:35
Page 66			Page 68		
1	apologize.	11:09:57	1	dates and symbols in parentheses immediately following	11:25:39
2	THE WITNESS: It's okay.	11:09:57	2	the name of a member indicate the grade of his	11:25:42
3	MR. GALIHER: We'll break for ten minutes.	11:09:59	3	membership and the year or election or promotion to each	11:25:45
4	THE VIDEOGRAPHER: This marks the end of	11:10:01	4	grade." Do you see that?	11:25:48
5	videotape number one in the deposition of Matthew Wrobel	11:10:03	5	A. Yes, sir. I don't know if I understand what	11:25:49
6	on December 1st, 2009. We are now off the record. The	11:10:08	6	that means, but I see it.	11:25:53
7	time on the screen is 11:10.	11:10:12	7	Q. And it would appear that he had some sort of	11:25:55
8	(Recess.)	11:22:14	8	different grade of membership as of --	11:25:59
9	THE VIDEOGRAPHER: We are now on the record.	11:22:14	9	A. 1946.	11:26:01
10	The time on the screen is 11:23 a.m. This marks the	11:23:16	10	Q. '45, but the original membership would have	11:26:02
11	beginning of tape two in the deposition of Matthew	11:23:20	11	been in 1935.	11:26:05
12	Wrobel on December 1st, 2009.	11:23:23	12	A. Okay.	11:26:06
13	(Plaintiffs' Exhibit 11 marked.)	11:23:26	13	MR. HUGO: It lacks foundation, calls for	11:26:06
14	BY MR. GALIHER:	11:23:26	14	speculation.	11:26:08
15	Q. Next I'll hand you what I've marked as	11:23:27	15	BY MR. GALIHER:	11:26:09
16	Exhibit 11, an American Society of Mechanical Engineers	11:23:30	16	Q. Do you interpret that meaning he first joined	11:26:11
17	membership list dated December 1948. Do you see that?	11:23:38	17	in 1935?	11:26:14
18	A. Yes, sir.	11:23:42	18	MR. HUGO: Same objections.	11:26:15
19	Q. You can take whatever time you want to review	11:23:44	19	THE WITNESS: Yes.	11:26:16
20	that, and then I'm going to direct your attention to the	11:23:47	20	BY MR. GALIHER:	11:26:16
21	last page, 140, and have you see if you can identify	11:23:51	21	Q. Okay. Thank you.	11:26:17
22	John S. Leslie as an ASME member on that page.	11:24:02	22	Did you know a Mr. Boettiger, Russell? William	11:26:36
23	MR. HUGO: Do you want to direct him to the	11:24:21	23	Boettiger?	11:26:43
24	column?	11:24:24	24	A. Boettiger I think was the right pronunciation.	11:26:43
25	BY MR. GALIHER:	11:24:24	25	Q. I apologize.	11:26:46
Page 67			Page 69		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. That's okay.	11:26:48	1	Q. Okay. That's fine. I will show these to you.	11:29:16
2	Q. He was a sales manager?	11:26:49	2	I have them highlighted, those names, and you can just	11:29:20
3	A. I don't believe I ever met the man, but I heard	11:26:50	3	review those real quick and make sure we were talking	11:29:23
4	the name.	11:26:53	4	about the same people. Then I'll staple those two to	11:29:26
5	Q. Okay. You knew he was affiliated with the	11:26:53	5	Exhibit -- I think it was 11.	11:29:31
6	Leslie Company somehow?	11:26:55	6	MR. O'CONNELL: Yes.	11:29:33
7	A. Yes, sir.	11:26:56	7	THE WITNESS: The pronunciation was Scelba.	11:29:41
8	MR. GALIHER: This goes to that exhibit?	11:27:00	8	BY MR. GALIHER:	11:29:44
9	MS. WAXMAN: Yeah.	11:27:02	9	Q. Scelba?	11:29:44
10	MR. GALIHER: I apologize. I --	11:27:03	10	A. (Witness nods head.)	11:29:46
11	MR. HUGO: You want him to go back to 11?	11:27:03	11	MR. GALIHER: I don't have a staple, but I have	11:30:07
12	MR. GALIHER: 11, and I'm going to have to add	11:27:07	12	the paper clip. I'll affix those to Exhibit 11, and I	11:30:09
13	some pages to 11 that weren't there. I have them here	11:27:10	13	would ask the court reporter if you would kindly staple	11:30:18
14	in my hand. And I will staple them on, but I'm going to	11:27:13	14	those for me together so they don't get mixed up.	11:30:21
15	hand them to you.	11:27:17	15	THE COURT REPORTER: Sure.	11:30:43
16	Q. Boettiger, Russell, appears on page 22. On	11:27:20	16	MR. GALIHER: Next I'll mark as Plaintiffs'	11:30:47
17	page 79, there is a Fuhro, F-u-h --	11:27:24	17	Exhibit 12 a mechanical engineering publication entitled	11:32:11
18	A. Fuhro.	11:27:32	18	"Mechanical Engineering," published by the American	11:32:24
19	Q. Fuhro?	11:27:33	19	Society of Mechanical Engineers dated May 1939.	11:32:27
20	A. Yeah.	11:27:33	20	(Plaintiffs' Exhibit 12 marked.)	11:32:36
21	Q. Alfred?	11:27:35	21	BY MR. GALIHER:	11:33:12
22	A. Yeah.	11:27:35	22	Q. You can take a look at that for however long	11:33:13
23	Q. He was the plant manager?	11:27:37	23	you want. I'm going to direct your attention to the	11:33:16
24	A. Okay.	11:27:38	24	last page. I think it's 405. On the far right-hand	11:33:18
25	Q. Did you know him or know of him?	11:27:39	25	column, see if you find a textbook reviewed entitled	11:33:26
Page 70			Page 72		
1	A. I heard -- I don't remember if I ever met the	11:27:47	1	"Silicosis and Asbestosis."	11:33:34
2	man or not, but I heard his name.	11:27:50	2	A. This appears to be a list of books or articles.	11:33:45
3	Q. Okay. And on page 227, there is a Sten	11:27:52	3	Q. Okay. That were reviewed in that publication,	11:33:47
4	Soderberg, S-o-d --	11:28:10	4	"Mechanical Engineering"?	11:33:51
5	A. Sten Soderberg.	11:28:10	5	MR. HUGO: Lack of foundation, calls for	11:34:01
6	Q. -- Soderberg, chief engineer of Leslie Company,	11:28:14	6	speculation, hearsay.	11:34:03
7	Lyndhurst.	11:28:16	7	THE WITNESS: It says, "Reviews of Books and --	11:34:11
8	Did you know him or know of him?	11:28:17	8	Notes and Books Received in the Engineering Society's	11:34:13
9	A. I knew of him. He was not there when I -- I	11:28:18	9	Library." So I have to assume these are books that the	11:34:17
10	don't believe he was there.	11:28:21	10	ASME has.	11:34:20
11	THE COURT REPORTER: What's the spelling?	11:28:21	11	BY MR. GALIHER:	11:34:21
12	THE WITNESS: Soderberg. Spell it	11:28:28	12	Q. Okay. And that they reviewed in their	11:34:21
13	phonetically.	11:28:28	13	publication; is that correct?	11:34:23
14	MR. HUGO: Gary, can you spell it?	11:28:29	14	A. It says, "Reviews of Books and Books Received."	11:34:23
15	MR. GALIHER: I'm sorry. S-o-d-e-r-b-e-r-g	11:28:34	15	So I'm assuming that the ones on this page have been	11:34:29
16	first name Sten, S-t-e-n.	11:28:39	16	reviewed unless I'm reading it wrong.	11:34:35
17	Q. And last, Anthony Scelba, S-c-e-l-b-a, did you	11:28:45	17	Q. No. That's fine.	11:34:37
18	know Mr. Scelba or know of a Mr. Scelba?	11:28:55	18	A. This has been reviewed -- well, let me look	11:34:38
19	A. I've heard the name. I've never met the	11:28:59	19	what it says for the one you are pointing out to me.	11:34:41
20	gentleman.	11:29:02	20	Well, it gives a description of the book itself. So --	11:34:45
21	Q. Would it be common for these gentlemen we just	11:29:02	21	Q. Just so we are clear, the exhibit that you have	11:34:50
22	discussed also to be members of the American Society of	11:29:07	22	in front of you, Exhibit 12, is entitled "Mechanical	11:35:02
23	Mechanical Engineers?	11:29:11	23	Engineering," and it says it's published by the American	11:35:08
24	A. I don't know if the word "common" is. They	11:29:13	24	Society of Mechanical Engineers; is that correct?	11:35:10
25	are.	11:29:16	25	A. Yes, sir, it does.	11:35:12
Page 71			Page 73		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. It says, "Contents for May," what year?	11:35:15	1	(Brief pause in proceedings.)	11:37:22
2	A. May 1939.	11:35:18	2	THE WITNESS: Okay. I've read it, sir.	11:37:24
3	Q. Okay. And on that title page, on the front	11:35:20	3	BY MR. GALIHER:	11:37:31
4	page where the index is, what does it indicate appears	11:35:26	4	Q. What is the title of the book?	11:37:32
5	on page 402?	11:35:30	5	A. "Silicosis and Asbestosis." I believe that's	11:37:33
6	A. It says, "Reviews of Books."	11:35:31	6	what it says.	11:37:36
7	Q. Okay. And if we go to 402, is that, in fact,	11:35:35	7	Q. And who is the author?	11:37:37
8	what the page is entitled, "Review of Books"?	11:35:41	8	A. It says, "By various authors."	11:37:40
9	MR. HUGO: It says, "Reviews." There is an	11:35:44	9	Q. And who edited it?	11:37:45
10	"s."	11:35:46	10	A. Well, is that Lanza?	11:37:48
11	THE WITNESS: I'm trying to understand because	11:35:49	11	Q. A.J. Lanza?	11:37:49
12	--	11:35:51	12	A. That's what it says.	11:37:51
13	MR. HUGO: He just want you to look -- for now,	11:35:51	13	Q. And who published it?	11:37:52
14	this question, he just wants you to look at the title on	11:35:54	14	A. Oxford University Press. Is that what it is?	11:37:53
15	that page.	11:35:57	15	London?	11:38:04
16	THE WITNESS: It says, "Reviews of Books."	11:35:57	16	Q. That would be both in London and New York?	11:38:04
17	BY MR. GALIHER:	11:35:59	17	A. That's what it says here. Yes, sir.	11:38:06
18	Q. It's plural, "Reviews"?	11:36:00	18	Q. And what year was this book entitled "Silicosis	11:38:08
19	A. "Books," correct.	11:36:01	19	and Asbestosis" published both in New York and London?	11:38:12
20	Q. And if you would go to page 405 of those	11:36:02	20	MR. HUGO: It presumes facts, calls for	11:38:16
21	Reviews of Books.	11:36:08	21	speculation, lacks foundation.	11:38:18
22	A. Yes, sir. This is where I have a little	11:36:11	22	THE WITNESS: The date here is either 1936 or	11:38:19
23	hang-up if you don't mind me explaining.	11:36:14	23	1938. It's hard to read on this copy. Yeah, one or the	11:38:22
24	Q. Sure.	11:36:16	24	other.	11:38:27
25	A. If you look at that page where it says,	11:36:17	25	BY MR. GALIHER:	11:38:27
Page 74			Page 76		
1	"Reviews of Books," it says -- let's just take the	11:36:19	1	Q. And are the diseases asbestosis and silicosis	11:38:28
2	internal combustion engine. That's an article that	11:36:21	2	described as industrial dust diseases?	11:38:36
3	reviewed the book. The following, just says, "Books	11:36:25	3	A. It says it's "A comprehensive presentation of	11:38:40
4	Received in the Library." It doesn't necessarily say	11:36:28	4	the medical and public health aspects of these	11:38:44
5	they were reviewed. That's all I'm saying.	11:36:31	5	industrial dust diseases is provided in this book to	11:38:47
6	Q. Good point.	11:36:32	6	which several physicians have contributed. The history	11:38:52
7	So this was a book that was available -- in	11:36:32	7	of the disease, their symptoms, and diagnosis, their" --	11:38:55
8	fact, was actually received -- by the Society of	11:36:34	8	is that "pathology"? I can't read it -- "and their	11:39:01
9	Mechanical Engineers for their library, and this	11:36:40	9	prevalence in various occupations are discussed, as well	11:39:04
10	publication was informing their readership that this	11:36:42	10	as methods of prevention and control. This section has	11:39:08
11	book was available and giving them more details on it;	11:36:46	11	a bibliography."	11:39:12
12	is that correct?	11:36:50	12	Q. I will just ask you to keep that page open on	11:39:14
13	MR. HUGO: Lack of foundation, calls for	11:36:50	13	that exhibit, and then I'm going to hand you this book,	11:39:17
14	speculation, and hearsay.	11:36:52	14	and see if that appears to be the book that is reviewed,	11:39:20
15	THE WITNESS: I read it the same way, that they	11:36:53	15	or that is identified as what has been received by the	11:39:24
16	received a book. It's in their library.	11:36:55	16	mechanical engineering library.	11:39:27
17	BY MR. GALIHER:	11:36:57	17	MR. HUGO: Lacks foundation, calls for	11:39:30
18	Q. Okay. What did they share with their readers	11:36:58	18	speculation, and hearsay.	11:39:31
19	on page 405 about a book entitled "Silicosis and	11:37:00	19	THE WITNESS: It appears to be the book, sir.	11:39:58
20	Asbestosis"?	11:37:05	20	BY MR. GALIHER:	11:40:01
21	MR. HUGO: You just want him to read it?	11:37:11	21	Q. Okay. And it indicates that it's edited by	11:40:01
22	BY MR. GALIHER:	11:37:11	22	A.J. Lanza, M.D.; is that correct?	11:40:10
23	Q. Yeah. You can read it to yourself, and then	11:37:15	23	A. That's what it says here, sir.	11:40:13
24	I'll ask you some questions.	11:37:17	24	Q. I'm going to hand counsel what I've marked as	11:40:17
25	A. Okay.	11:37:19	25	Exhibit 13, and that will have the excerpts that I'm	11:40:22
Page 75			Page 77		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	going to refer you to in that book.	11:40:25	1	Leslie started selling its products to the United States	11:43:04
2	(Plaintiffs' Exhibit 13 marked.)	11:40:25	2	Navy; is that correct?	11:43:08
3	BY MR. GALIHER:	11:40:25	3	A. Yes, sir.	11:43:08
4	Q. On the second page of that exhibit, does it	11:40:34	4	Q. And then it says, "A second case was reported	11:43:09
5	indicate the year that it was published?	11:40:44	5	by Cooke in 1924 and again in 1927"; is that correct?	11:43:13
6	A. There's no page number, but the second page	11:40:52	6	A. Yes, sir. But this is talking about asbestos	11:43:17
7	that I've turned to says, "Copyright 1938." And then	11:40:55	7	in general, not gasket or packing.	11:43:21
8	the other one, it has a date of February 24th, 1938.	11:41:00	8	MR. GALIHER: I move to strike as	11:43:24
9	Q. Does it appears to indicate that it was, in	11:41:05	9	nonresponsive.	11:43:26
10	fact, 1938 and not 1936?	11:41:08	10	Q. In the United States -- when were the first	11:43:31
11	MR. HUGO: Objection; lacks foundation, calls	11:41:10	11	cases reported in the United States? And I'll direct	11:43:41
12	for speculation, and hearsay.	11:41:12	12	your attention to the third paragraph?	11:43:44
13	THE WITNESS: Well, this reads 1938. The other	11:41:13	13	MR. HUGO: Objection; hearsay, lacks	11:43:46
14	one looks like 1938 also. So --	11:41:14	14	foundation.	11:43:46
15	BY MR. GALIHER:	11:41:18	15	THE WITNESS: It says first reported in 1930.	11:43:50
16	Q. Okay.	11:41:19	16	BY MR. GALIHER:	11:43:54
17	A. Okay.	11:41:19	17	Q. Okay. Going ahead to page 244 in the text, and	11:43:54
18	Q. On page 23 of the text, see if I have that --	11:41:19	18	I have copies in Exhibit 13 of those pages. Can you	11:44:07
19	hopefully, I have that copied in Exhibit 13.	11:41:29	19	find that, where it says 244 and 245 up at the top?	11:44:12
20	A. I'm sorry. What page again, sir?	11:41:34	20	A. Yes, sir. I believe it's last page of this	11:44:17
21	Q. Page 23.	11:41:37	21	exhibit.	11:44:22
22	MR. HUGO: On the upper right-hand corner.	11:41:43	22	Q. Okay. And in 1938, can you tell us what is	11:44:23
23	THE WITNESS: I'm looking. They are Roman	11:41:45	23	listed as a complication and sequela of the disease	11:44:28
24	numerals.	11:41:46	24	under subparagraph (f)?	11:44:33
25	BY MR. GALIHER:	11:41:46	25	MR. HUGO: Objection; calls for hearsay, lacks	11:44:35
Page 78			Page 80		
1	Q. The page numbers would be in the upper	11:41:47	1	foundation.	11:44:45
2	right-hand corner, I think.	11:41:49	2	THE WITNESS: How do you pronounce that?	11:44:45
3	A. You are talking about Roman numeral 23?	11:42:03	3	BY MR. GALIHER:	11:44:47
4	MR. HUGO: No. I think he is talking about --	11:42:05	4	Q. Carcinoma?	11:44:48
5	MR. GALIHER: Hold on. Let me get back here.	11:42:08	5	A. Okay. "Has been found in six cases examined by	11:44:49
6	Do we have --	11:42:11	6	the writer at autopsy." I'm sorry. And your question,	11:44:51
7	THE WITNESS: Oh, okay.	11:42:11	7	again, was, sir?	11:45:00
8	MR. HUGO: Page 23, right here.	11:42:13	8	Q. What was Dr. Lanza reporting in 1938 as a	11:45:01
9	BY MR. GALIHER:	11:42:18	9	complication and sequela of the disease under	11:45:06
10	Q. Yes, I do?	11:42:19	10	subparagraph (f)?	11:45:10
11	A. Okay.	11:42:19	11	MR. HUGO: Well, I object. That calls for	11:45:14
12	Q. See where it says, "History," and then it has	11:42:20	12	hearsay, and the question is misleading because the next	11:45:16
13	--	11:42:24	13	sentence is "Until more statistics are available, it is	11:45:20
14	A. It's on 22 and then goes over to 23.	11:42:24	14	impossible to draw any very definite conclusions as to	11:45:23
15	Q. Okay. On page 23 of this 1938 text on the	11:42:28	15	the relationship of the two diseases, et cetera."	11:45:28
16	second full paragraph, when does Dr. Lanza indicate that	11:42:37	16	BY MR. GALIHER:	11:45:32
17	the first reported death resulting from asbestos dust	11:42:44	17	Q. My question again: What does Dr. Lanza	11:45:32
18	was reported?	11:42:48	18	indicate is a complication and sequela under	11:45:36
19	MR. HUGO: Objection; calls for hearsay, lacks	11:42:49	19	subparagraph (f)?	11:45:41
20	foundation.	11:42:51	20	MR. HUGO: Same objections.	11:45:41
21	THE WITNESS: I'll read from this. It says,	11:42:51	21	THE WITNESS: Why don't I just read this?	11:45:42
22	"The first report of death resulting from asbestos dust	11:42:54	22	MR. GALIHER: Okay.	11:45:52
23	inhalation was presented by Murray in 1900."	11:42:57	23	(Brief pause in proceedings.)	11:45:54
24	BY MR. GALIHER:	11:43:02	24	THE WITNESS: "Has been found in six cases	11:45:56
25	Q. Okay. So that was actually three years before	11:43:03	25	examined" --	11:45:57
Page 79			Page 81		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	BY MR. GALIHER:	11:45:58	1	Q. And Leslie never tested regarding the hazards	11:48:58
2	Q. Back up.	11:45:58	2	of asbestos?	11:49:01
3	MR. HUGO: "Carcinoma."	11:46:02	3	A. Not to my knowledge, sir.	11:49:02
4	MR. GALIHER: Carcinoma.	11:46:03	4	Q. And after OSHA, 1972, you have no idea if	11:49:03
5	THE WITNESS: "Carcinoma has been found in six	11:46:04	5	Leslie knew asbestos killed people?	11:49:08
6	cases examined by the writer at autopsy. Until more	11:46:07	6	A. I don't know that, sir, no.	11:49:11
7	statistics are available, it is impossible to draw any	11:46:10	7	Q. And Leslie does not know when it first learned	11:49:13
8	definite conclusions as to the relation of the two	11:46:13	8	that asbestos was hazardous?	11:49:19
9	diseases. The point noted up to the present are (1)	11:46:17	9	A. I know when I first learned. I believe it was	11:49:21
10	five out of six cases of carcinoma have been of the	11:46:22	10	mid-'80s -- somewhere around there -- through oral	11:49:29
11	squamous" --	11:46:26	11	conversation.	11:49:29
12	MR. HUGO: Squamous.	11:46:27	12	Q. My question to you is: Leslie Corporation does	11:49:32
13	THE WITNESS: -- "squamous variety, the sixth	11:46:28	13	not know when it first learned that asbestos was	11:49:35
14	being an oat cell carcinoma." Yeah. Okay. "Four out	11:46:29	14	hazardous?	11:49:38
15	of the six have been associated with asbestos (sic)	11:46:37	15	A. Not to my knowledge, sir.	11:49:39
16	which was fairly and long-standing" --	11:46:38	16	Q. And you don't know if Leslie had knowledge of	11:49:40
17	MR. HUGO: "Asbestosis."	11:46:42	17	asbestos hazards when OSHA came out?	11:49:47
18	THE WITNESS: -- "asbestosis -- in four cases"	11:46:45	18	A. Not to my knowledge, sir.	11:49:50
19	--	11:46:47	19	Q. And you would agree that -- with the American	11:49:51
20	MR. HUGO: "Carcinoma."	11:46:47	20	Society of Mechanical Engineers articles, you would	11:49:55
21	THE WITNESS: "the carcinoma consisted of an	11:46:48	21	agree if John Leslie had read them, then he would know	11:50:01
22	isolated nodule only; the nodules were in the portions	11:46:51	22	about asbestos hazards?	11:50:04
23	of the lung most affected by the asbestosis. I.e. --	11:46:56	23	A. Asbestos hazards in general, yes, sir.	11:50:05
24	MR. HUGO: "Basal or peripheral."	11:47:05	24	Q. With respect to -- Leslie sold to the Navy	11:50:07
25	THE WITNESS: -- "basal or peripheral; only	11:47:07	25	self-contained pressure regulators?	11:50:18
Page 82			Page 84		
1	showed secondary growths, one in" --	11:47:07	1	A. Yes, sir.	11:50:21
2	MR. HUGO: "Pericardium."	11:47:12	2	Q. Self-contained pump pressure regulators?	11:50:22
3	THE WITNESS: Thank you.	11:47:13	3	A. Yes, sir.	11:50:26
4	MR. HUGO: "Thoracic wall."	11:47:13	4	Q. Self-contained control valves?	11:50:26
5	THE WITNESS: "Thoracic wall, liver, and kidney	11:47:17	5	A. Does it say self-contained because control	11:50:28
6	and other in thoracic vertebrae. I'm not a doctor. So	11:47:18	6	valves weren't self-contained? By that, I mean it	11:50:37
7	--	11:47:42	7	doesn't work by itself.	11:50:40
8	BY MR. GALIHER:	11:47:42	8	Q. It sold control valves --	11:50:42
9	Q. Okay. In any event, no one from Leslie told	11:47:42	9	A. It sold control valves --	11:50:45
10	you about any hazards associated with asbestos prior to	11:47:46	10	Q. -- containers?	11:50:45
11	the 1980s; is that correct?	11:47:53	11	A. -- yes, sir.	11:50:46
12	A. Not to my knowledge, sir.	11:47:55	12	Q. How about air-reducing valves?	11:50:47
13	Q. In your capacity as a witness for Leslie	11:47:56	13	A. Yes, sir.	11:50:49
14	Corporation, have you investigated and spoken to former	11:48:05	14	Q. And catapult valves?	11:50:50
15	employees about the hazards of asbestos?	11:48:10	15	A. Yes, sir. Through what date, sir?	11:50:58
16	A. I've researched all -- you know, thousands of	11:48:16	16	Q. I'm sorry?	11:51:00
17	documents. I really haven't talked to anybody. There	11:48:19	17	A. What date?	11:51:01
18	is nobody older than me or with more longevity since I	11:48:27	18	MR. HUGO: He is asking ever at this point.	11:51:01
19	started doing this.	11:48:35	19	BY MR. GALIHER:	11:51:03
20	Q. Did you make any effort to contact former	11:48:36	20	Q. What dates are you aware of that Leslie sold	11:51:03
21	employees?	11:48:38	21	catapult --	11:51:07
22	A. On that subject, no, sir.	11:48:39	22	A. Catapult valves?	11:51:07
23	Q. And you have no idea of the knowledge of Leslie	11:48:46	23	Q. -- valves to the United States Navy?	11:51:07
24	regarding asbestos hazards between 1920 and 1970?	11:48:50	24	A. It was somewhere, I believe, in the '50s when	11:51:09
25	A. No, sir, I do not.	11:48:57	25	it started, sir.	11:51:12
Page 83			Page 85		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. Okay. And Leslie sold heaters to the Navy?	11:51:13	1	BY MR. GALIHER:	11:55:30
2	A. Yes, sir. That didn't start until somewhere in	11:51:25	2	Q. Okay. I think I got the picture. Thank you.	11:55:31
3	the '60s, I believe.	11:51:30	3	And with respect to the naval equipment that	11:55:42
4	Q. Okay. And they sold steam whistles to the	11:51:31	4	we've been describing here, they were generally	11:55:46
5	Navy; is that correct?	11:51:35	5	commercial equivalents to the Navy pump regulators, were	11:55:51
6	A. Yes, sir.	11:51:36	6	they not?	11:55:55
7	Q. And Leslie made whistles from the 1930s to the	11:51:37	7	A. Similar valves to the -- okay. When I say	11:55:56
8	1980s?	11:51:50	8	commercial equivalent, I mean the operation is the same.	11:56:03
9	A. Yes, sir.	11:51:50	9	There are things that are definitely different, but they	11:56:06
10	Q. And on the Fletcher class destroyers we	11:51:51	10	are similar in operation.	11:56:09
11	discussed, Leslie sold pump pressure regulators,	11:52:05	11	Q. You call it a commercial equivalent, do you	11:56:10
12	reducing-valve temperature regulators, and control	11:52:11	12	not?	11:56:15
13	valves, as well as whistles?	11:52:16	13	A. This is not a bad term, but there's	11:56:15
14	A. I know definitely that they sold pump pressure	11:52:18	14	differences.	11:56:18
15	regulators. I wouldn't be surprised if the other ones	11:52:25	15	Q. The materials of the commercial pump governor	11:56:19
16	are there, too. I just don't have any shipment	11:52:28	16	are basically the same as the Navy product; is that	11:56:23
17	equipment records on those, sir.	11:52:32	17	correct?	11:56:26
18	Q. Have you given sworn testimony as to what	11:53:14	18	A. Basically the same if the class is the same.	11:56:26
19	equipment was aboard Fletcher class destroyers as being	11:53:16	19	However, there could be some large differences in --	11:56:36
20	"Pump pressure regulators. It's also called pump	11:53:20	20	there may be a cast steel, especially for the earlier	11:56:46
21	governor on occasion, depending on who is using the	11:53:24	21	ones, where -- so we have a commercial version. I'm	11:56:49
22	term, reducing valves, temperature regulators. There	11:53:26	22	trying to give you an example. I'm trying to help as	11:56:53
23	may be control valves, I believe, a whistle"?	11:53:30	23	much as possible.	11:56:53
24	A. Yes, sir. That's true.	11:53:34	24	An example would be -- let's say it's a	11:56:57
25	Q. Leslie also acquired other valve companies,	11:53:38	25	commercial pump governor, and the body is made out of	11:56:59
Page 86			Page 88		
1	like Kelly Mueller; is that correct?	11:53:43	1	like ASTM 816 carbon steel. There is an equivalent that	11:57:03
2	A. Yes, sir. But that was after we moved to	11:53:45	2	could be a mil spec, too, for the military, but the	11:57:11
3	Tampa.	11:53:48	3	materials are similar. One would be carbon steel. The	11:57:14
4	Q. Leslie sold its whistles pre-insulated for	11:53:56	4	other one would be carbon steel.	11:57:19
5	steam application; is that correct?	11:54:01	5	Q. Have you testified before with respect to	11:57:21
6	A. Some of them, yes, sir.	11:54:02	6	specific valves that the commercial version set forth	11:57:34
7	Q. And with respect to Leslie drawings for	11:54:07	7	were the same as those used -- as the Navy version --	11:57:44
8	equipment that happened to go aboard LSD ships, those	11:54:13	8	MR. HUGO: I object --	11:57:44
9	drawings were not unique to any ship?	11:54:21	9	BY MR. GALIHER:	11:57:44
10	A. What kind of ship, sir?	11:54:26	10	Q. -- your answer, "Basically, the materials are	11:57:50
11	Q. I think it was LSD if I wrote it right.	11:54:27	11	the same"?	11:57:52
12	A. I'd have to see the drawing.	11:54:32	12	MR. HUGO: Objection. Just a second. Thank	11:57:52
13	Q. August 17th, 2006, page 39. There were some	11:54:38	13	you. Wait a second. Objection; vague and ambiguous as	11:57:54
14	drawings that were referenced.	11:54:54	14	to "specific valves" and hearsay as to the prior	11:57:56
15	"These drawings that are referenced for the	11:54:56	15	testimony. Go ahead.	11:58:00
16	LSD-28 through 35 ships, are they unique to the LSD	11:55:00	16	THE WITNESS: I think that's just what I said	11:58:01
17	ships, or are they just common pump pressure regulator	11:55:05	17	there. Basically, but there may be some differences.	11:58:05
18	drawings?	11:55:08	18	Okay? Similar to. I think I used the word "similar";	11:58:07
19	"A. They are not unique to any ship."	11:55:10	19	is that right?	11:58:10
20	MR. HUGO: Objection as to -- vague and	11:55:12	20	BY MR. GALIHER:	11:58:10
21	ambiguous as to what drawings are being discussed.	11:55:14	21	Q. The answer here was, "Basically, the materials	11:58:10
22	THE WITNESS: I don't honestly remember what	11:55:18	22	are the same." Did you give that testimony under oath?	11:58:14
23	drawings we are talking about. Okay? But drawings for	11:55:21	23	A. Yes, sir.	11:58:19
24	a pump pressure regulator, depending on the class of	11:55:23	24	Q. About 30 percent of Leslie valves were for Navy	11:58:20
25	size, could be used interchangeably on ships.	11:55:27	25	use and 70 percent were non-Navy?	11:58:34
Page 87			Page 89		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	MR. HUGO: Vague as to time.	11:58:37	1	asbestos, yes, sir --	12:01:44
2	THE WITNESS: I may be a little confused on the	11:58:45	2	Q. Okay.	12:01:44
3	-- on how you are asking it.	11:58:48	3	A. -- except for the Navy who mandated it.	12:01:46
4	MR. HUGO: Just ask about his question, not	11:58:56	4	Q. With respect to your use of asbestos gaskets,	12:01:51
5	about something you think was done in the past. So if	11:58:58	5	you would have continued to purchase asbestos gaskets	12:02:03
6	you don't understand his question now, tell him and he	11:59:01	6	and use them if you could still have gotten them in the	12:02:06
7	can rephrase it or repeat it.	11:59:03	7	1980s; is that correct?	12:02:09
8	BY MR. GALIHER:	11:59:04	8	A. To the best of my knowledge, yes, sir.	12:02:10
9	Q. Let's say from 1960 to 1990.	11:59:05	9	Q. And Leslie continued to use asbestos gaskets or	12:02:11
10	MR. HUGO: That's a pretty good objection then.	11:59:09	10	packing after they were told in 1984, that the amount of	12:03:20
11	BY MR. GALIHER:	11:59:12	11	triple A asbestos left in the world is limited.	12:03:28
12	Q. "What percentage of Leslie valves were for	11:59:16	12	Insurance companies will no longer insure producers of	12:03:32
13	marine use, and what percentage of the valves were sold	11:59:19	13	asbestos yarn at any cost. It is only a matter of time	12:03:35
14	for non-marine use?" "Let's go with Navy and non-Navy."	11:59:22	14	until asbestos will simply not be available; is that	12:03:40
15	"Okay. Navy and non-Navy. Do you have a percentage as	11:59:27	15	correct?	12:03:43
16	to what percentage was Navy and what percentage was	11:59:31	16	A. I believe I've seen that letter.	12:03:43
17	non-Navy?"	11:59:36	17	Q. Okay. And that letter is dated August 23,	12:03:46
18	A. 30, 70 is not a bad number.	11:59:43	18	1984. Leslie continued to sell and market	12:03:56
19	Q. So 30 percent went to the United States Navy,	11:59:44	19	asbestos-containing products after that date, did it	12:04:00
20	and the other 70 percent went to non-Navy uses; is that	11:59:48	20	not?	12:04:01
21	correct?	11:59:51	21	A. That was what? 1984?	12:04:02
22	A. M-hm. This not a bad number, sir.	11:59:51	22	Q. Correct?	12:04:05
23	Q. Have you given that testimony under oath	11:59:53	23	A. Yes, sir.	12:04:06
24	before?	11:59:56	24	Q. Leslie incorporated Johns Manville gaskets in	12:04:06
25	A. Yes, I have, sir.	11:59:56	25	their products?	12:04:23
Page 90			Page 92		
1	Q. With respect to the non-Navy uses versus the	11:59:57	1	A. I remember receiving gaskets from Johns	12:04:24
2	Navy uses, the valves were similar, but there were	12:00:13	2	Manville. Yes, sir.	12:04:27
3	discrete differences. For instance, cast iron not	12:00:18	3	Q. And Leslie incorporated compressed asbestos	12:04:28
4	allowed for Navy valves. Navy uses steel and bronze.	12:00:22	4	gasket material from Raybestos Manhattan that it	12:04:33
5	Would that be correct?	12:00:25	5	incorporated in its products?	12:04:37
6	A. Yes, sir.	12:00:26	6	A. I remember as a receiving inspector seeing	12:04:39
7	Q. Regardless of who the customer is, the process	12:00:27	7	gaskets from that manufacturer, sir.	12:04:42
8	is the same for each type of valve that Leslie makes; is	12:00:32	8	Q. And likewise, Leslie incorporated asbestos	12:04:44
9	that correct?	12:00:37	9	gasket material from Garlock -- is that correct? -- in	12:04:54
10	MR. HUGO: Objection; vague as to "process."	12:00:37	10	their product?	12:04:59
11	THE WITNESS: The basic manufacturing process	12:00:41	11	A. I remember seeing gaskets coming in from	12:04:59
12	is the same, sir. That's what I'm referring to.	12:00:43	12	Garlock also, sir.	12:05:03
13	BY MR. GALIHER:	12:00:45	13	Q. In 1986, Leslie was still selling Lubrisoft,	12:05:04
14	Q. "And after the Navy though, Power Generation is	12:00:46	14	which was an asbestos-containing material; is that	12:06:08
15	the number two customer"; is that correct?	12:00:49	15	correct?	12:06:12
16	A. I believe at the time that question was asked.	12:00:51	16	A. To the best of my knowledge, yes, sir.	12:06:12
17	It isn't today.	12:00:55	17	Q. As late as November 1988, Leslie was still	12:06:15
18	Q. "Leslie also sold valves for use in chemical	12:01:01	18	using asbestos in product lines for steam packings, for	12:06:33
19	plants, refineries, steel mills, paper mills, commercial	12:01:06	19	flat sheet compressed gaskets, and for spiral round	12:06:40
20	buildings for heating systems, and for non-Navy	12:01:11	20	gaskets; is that correct?	12:06:45
21	commercial marine applications"; is that correct?	12:01:14	21	A. I believe so. Yes, sir.	12:06:45
22	A. That is correct, sir.	12:01:16	22	Q. That was in November of 1988.	12:06:58
23	Q. I believe you've indicated that sometime in the	12:01:17	23	Do you know when Leslie Controls finally purged	12:07:00
24	late '80s, Leslie stopped using asbestos gaskets?	12:01:34	24	their entire system in order to comply with California	12:07:05
25	A. We stopped using gaskets that contained	12:01:41	25	law to identify asbestos in all their commercial	12:07:08
Page 91			Page 93		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	products?	12:07:13	1	(Record read.)	12:11:39
2	MR. HUGO: Objection; presumes facts, calls for	12:07:13	2	MR. HUGO: Objection. It's vague, ambiguous,	12:11:39
3	speculation and legal conclusion, lack of foundation.	12:07:15	3	compound. If you understand the question, you can	12:11:41
4	Go ahead.	12:07:18	4	answer it. If you don't, tell him.	12:11:46
5	THE WITNESS: No, I do not, sir.	12:07:18	5	THE WITNESS: May I read it off the screen?	12:11:49
6	BY MR. GALIHER:	12:07:19	6	MR. HUGO: Have her read it. It might be kind	12:12:19
7	Q. All you know is as of November 8th, 1988,	12:07:22	7	of coded.	12:12:19
8	Leslie was still currently using asbestos in steam	12:07:28	8	(Record read.)	12:12:19
9	packings, flat sheet gaskets, and spiral round gaskets?	12:07:31	9	MR. HUGO: Same objection.	12:12:19
10	A. I know we were supplying them to the Navy, sir.	12:07:35	10	THE WITNESS: Are you asking me if we were	12:12:20
11	Q. With respect to Leslie's customers, on the	12:07:38	11	selling it in the mid- to late '80s?	12:12:22
12	Lubrisoft product, that essentially had an indefinite	12:07:56	12	BY MR. GALIHER:	12:12:24
13	shelf life, does it not?	12:08:02	13	Q. Yes.	12:12:24
14	A. I really don't know, sir.	12:08:04	14	A. We were still selling it to the Navy, to the	12:12:25
15	Q. Have you indicated or have you given sworn	12:08:09	15	best of my knowledge, sir.	12:12:27
16	testimony before to the question, "And, again, that	12:10:02	16	Q. Okay. And there has never been -- that product	12:12:28
17	packing had an indefinite shelf life. Would you agree	12:10:05	17	had also been sold to commercial customers; is that	12:12:33
18	with that statement?" Your answer was, "That's what it	12:10:09	18	correct?	12:12:35
19	says on there, yes?"	12:10:12	19	A. That is correct, sir.	12:12:35
20	MR. HUGO: Objection; vague and ambiguous as to	12:10:13	20	Q. And to this date, in 2009, there has never been	12:12:36
21	"that packing," calls for hearsay as to, "That's what it	12:10:15	21	any recall of that product?	12:12:41
22	says on there, yes." Go ahead. Answer that question if	12:10:19	22	A. Not to my knowledge, sir.	12:12:42
23	you understand it.	12:10:24	23	Q. And there is no recall even though it has an	12:12:44
24	THE WITNESS: That kind of refreshes my memory.	12:10:24	24	indefinite shelf life?	12:12:48
25	I think there was a document that was handed to me that	12:10:28	25	A. There is no recall. Not to my knowledge, sir.	12:12:50
Page 94			Page 96		
1	said that on it, and that's why I answered it that way,	12:10:31	1	Q. Okay. Has there ever been any effort by Leslie	12:12:52
2	sir.	12:10:35	2	to warn their users or consumers about the hazards of	12:12:58
3	BY MR. GALIHER:	12:10:35	3	asbestos products that were already in service?	12:13:03
4	Q. Okay. It was a Leslie document?	12:10:36	4	A. I've never seen anything like that, sir.	12:13:06
5	A. I believe it was. I'm --	12:10:38	5	Q. Okay. Leslie never warned about asbestos; is	12:13:08
6	Q. Okay. And it indicated --	12:10:40	6	that correct?	12:13:18
7	MR. HUGO: Hold on a second. Sorry.	12:10:42	7	A. You are talking about asbestos or asbestos --	12:13:18
8	Objection; lacks foundation, calls for speculation. Go	12:10:43	8	well, asbestos gaskets and --	12:13:23
9	ahead.	12:10:45	9	Q. Asbestos in any shape or form.	12:13:25
10	BY MR. GALIHER:	12:10:45	10	A. Not to my knowledge, sir.	12:13:27
11	Q. And the document indicated that the Lubrisoft,	12:10:46	11	Q. Leslie never recalled any asbestos-containing	12:13:28
12	that Leslie brand-name, had an indefinite shelf life?	12:10:50	12	product, did they?	12:13:34
13	MR. HUGO: Objection -- same objections. Go	12:10:54	13	A. Not to my knowledge, sir.	12:13:35
14	ahead.	12:10:55	14	Q. Leslie never recalled, never advised customers,	12:13:36
15	THE WITNESS: As I remember -- now, that's a	12:10:55	15	or never warned customers about products containing	12:13:43
16	lot of years ago. Okay?	12:10:58	16	asbestos?	12:13:48
17	BY MR. GALIHER:	12:10:58	17	MR. HUGO: Objection; asked and answered. At	12:13:49
18	Q. Sure.	12:10:59	18	this point harassing. Go ahead one more time.	12:13:51
19	A. I think it was some sort of Leslie document	12:10:59	19	THE WITNESS: Not to my knowledge, sir.	12:13:53
20	that might have said that on it. That's why I agreed.	12:11:02	20	BY MR. GALIHER:	12:13:55
21	Q. Okay. And as of today, 2009, Leslie was still	12:11:05	21	Q. Okay. And after Leslie was aware of asbestos	12:13:56
22	selling that asbestos-containing Lubrisoft containing	12:11:13	22	hazards -- at least you were aware by the late 1980s --	12:13:59
23	packing in the mid- to late '80s; is that correct?	12:11:16	23	no action was taken to advise customers; is that	12:14:06
24	MR. HUGO: Hold on a second, please.	12:11:20	24	correct?	12:14:09
25	Can you read that question back?	12:11:20	25	MR. HUGO: Objection; vague and ambiguous as to	12:14:09
Page 95			Page 97		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	"asbestos hazards" compared to the customers of Leslie's	12:14:11	1	general medicine and industrial community, literature	12:17:20
2	products, argumentative, misstates facts. Go ahead.	12:14:14	2	and trade magazines and other sources that	12:17:24
3	THE WITNESS: I'd like to explain that we --	12:14:16	3	asbestos-containing material, such as gaskets and	12:17:26
4	BY MR. GALIHER:	12:14:19	4	packing was potentially hazardous or a carcinogen to	12:17:30
5	Q. Answer my question and then you can explain.	12:14:19	5	humans, wouldn't you want to have all that information	12:17:34
6	A. To your question, not to my knowledge, sir.	12:14:24	6	available before including that in your product?	12:17:38
7	Q. Thank you.	12:14:27	7	A. Yes, sir.	12:17:45
8	A. Now may I explain?	12:14:28	8	MR. GALIHER: Thank you. It's 12:15 or 16 or	12:17:46
9	Q. Sure. Go ahead. You wait for your lawyer.	12:14:29	9	17 by my watch. We'll take a break.	12:17:57
10	He'll have you explain. You can answer my question	12:14:32	10	THE VIDEOGRAPHER: We are going off the record.	12:17:59
11	that's part of this proceeding.	12:14:36	11	The time on the screen is 12:18.	12:18:00
12	At no time did Leslie put any kind of warnings	12:14:38	12	(Recess.)	12:36:29
13	on service bulletins, instructions to any customer	12:14:41	13	THE VIDEOGRAPHER: We are now back on the	12:36:29
14	regarding asbestos hazards; is that correct?	12:14:45	14	record. The time on the screen is 12:37.	12:37:33
15	A. I've never seen any, sir.	12:14:47	15	BY MR. GALIHER:	12:37:33
16	Q. Leslie never tested any of its products for	12:14:50	16	Q. You indicated that Leslie supplied insulated	12:37:46
17	asbestos fiber release during normal maintenance or	12:14:53	17	whistles for steam-powered vessels; is that correct?	12:37:54
18	repair; is that correct?	12:14:58	18	A. We supplied whistles that had internal	12:37:59
19	A. Not to my knowledge, sir.	12:14:59	19	insulation. Yes, sir.	12:38:03
20	Q. And you knew that asbestos gaskets had to be	12:15:00	20	Q. Okay. And that was asbestos-containing	12:38:04
21	replaced, as well as asbestos packing had to be	12:15:05	21	insulation, was it not?	12:38:06
22	replaced, in the normal course of maintenance or	12:15:10	22	A. Up to around the '60s, yes, sir.	12:38:08
23	repairs; is that correct?	12:15:12	23	Q. What happened in about the 1960s when you claim	12:38:10
24	A. Yes, sir.	12:15:17	24	they quit producing or supplying that	12:38:14
25	Q. Do you agree that it's important to know if a	12:15:18	25	asbestos-containing insulation with the whistles? What	12:38:17
Page 98			Page 100		
1	particular component sold can have a potentially	12:15:44	1	caused that to happen?	12:38:21
2	hazardous effect on the user?	12:15:47	2	A. I really don't know, sir.	12:38:22
3	A. I agree.	12:15:49	3	Q. Do you have any documents to support that	12:38:23
4	Q. You don't want to hurt anyone who works around	12:15:49	4	suggestion?	12:38:25
5	or with your product; is that correct?	12:15:57	5	MR. HUGO: Vague and ambiguous as to "that	12:38:26
6	A. That's correct.	12:15:59	6	suggestion." Go ahead.	12:38:29
7	Q. And it's important to test component parts if	12:15:59	7	THE WITNESS: I recall seeing a drawing for	12:38:31
8	you knew or should have known it's hazardous?	12:16:04	8	that particular component and a change block that said	12:38:34
9	A. If those parts were considered harmful, yes,	12:16:07	9	they went from asbestos-containing material to	12:38:40
10	sir.	12:16:13	10	fiberglass, I believe.	12:38:44
11	Q. And if known in an industrial community, in	12:16:13	11	BY MR. GALIHER:	12:38:45
12	trade magazines, et cetera, that asbestos materials,	12:16:18	12	Q. What was the reason for that?	12:38:46
13	such as gaskets and packing, was carcinogenic, you'd	12:16:21	13	A. I could not locate a reason for it, sir.	12:38:47
14	want all information available before including that in	12:16:25	14	Q. And when was it that you saw this document?	12:38:53
15	your product; is that correct?	12:16:30	15	A. Three years ago, maybe.	12:39:03
16	A. I don't understand the question, sir. Sorry.	12:16:32	16	Q. Was it in a deposition in this litigation?	12:39:05
17	MR. HUGO: Do you need a break at this point?	12:16:56	17	A. I don't believe so, sir.	12:39:09
18	THE WITNESS: It wouldn't be a bad point.	12:16:58	18	Q. Who showed you that document?	12:39:16
19	MR. GALIHER: Oh, wait. There is a question	12:17:03	19	A. I was asked about it by counsel.	12:39:17
20	pending.	12:17:04	20	Q. Did you search and find it, or did counsel	12:39:25
21	MR. HUGO: That's fine. Let him finish this	12:17:06	21	search and find it?	12:39:28
22	question, and then we'll take a break.	12:17:08	22	A. I was -- I found it.	12:39:29
23	THE WITNESS: Okay.	12:17:16	23	Q. Were there any documents that discussed the	12:39:32
24	BY MR. GALIHER:	12:17:16	24	reason for not using asbestos insulation and going to	12:39:36
25	Q. Question: If in fact it was known in the	12:17:18	25	fiberglass?	12:39:41
Page 99			Page 101		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. No, sir. I even went so far as to look for the	12:39:42	1	A. Not that I can recall, sir.	12:43:03
2	change notice or any documents like that, and I couldn't	12:39:45	2	(Discussion off the record.)	12:43:27
3	find them.	12:39:51	3	MR. GALIHER: Next, I'll mark as Plaintiffs'	12:43:28
4	Q. Are you aware that -- you are not aware that --	12:39:52	4	Exhibit 14 excerpts from a "Technical Manual, Type I,	12:43:30
5	I withdraw the question.	12:39:59	5	for Air Priority Valve" by Leslie for the Department of	12:43:36
6	You are not aware of the Navy prohibiting	12:40:06	6	Navy, Naval Ships Systems Command.	12:43:42
7	Leslie from putting any materials in your manuals, are	12:40:09	7	THE WITNESS: I remember that now, sir.	12:44:03
8	you?	12:40:13	8	(Plaintiffs' Exhibit 14 marked.)	12:44:05
9	A. I'm sorry, sir?	12:40:13	9	BY MR. GALIHER:	12:44:05
10	MR. HUGO: I think you misspoke. You said put	12:40:14	10	Q. Leslie wrote in its technical manual here	12:44:10
11	materials in the manuals.	12:40:17	11	giving a warning to the mechanics or the sailors that	12:44:14
12	MR. GALIHER: I withdraw the question.	12:40:18	12	were cleaning certain Leslie equipment; is that correct?	12:44:17
13	Q. You are not aware of the Navy prohibiting	12:40:19	13	A. Yes, sir.	12:44:22
14	Leslie from including any information in its technical	12:40:24	14	Q. And what did it warn them for?	12:44:23
15	manuals?	12:40:29	15	A. It says, "Flammable and toxic solvents should	12:44:25
16	A. Including any materials? I haven't read the	12:40:29	16	be only used in a well-ventilated area. Avoid breathing	12:44:30
17	entire manual on how to make technical manuals.	12:40:46	17	solvent vapors." I remember that now.	12:44:36
18	Personally, I'm not aware of any. No, sir.	12:40:51	18	Q. Okay. And a warning was supposed to be given	12:44:36
19	Q. So we are clear, you are not aware of any	12:40:54	19	when someone can be personally injured or death could	12:44:39
20	prohibition that has ever been placed by the government	12:40:56	20	result; is that correct?	12:44:44
21	or the United States Navy on Leslie controls including	12:40:59	21	A. That's my understanding, sir.	12:44:44
22	certain material in manuals; is that correct?	12:41:03	22	Q. Okay. And no such warning was given for	12:44:46
23	A. Yes. I'm not aware of any, sir.	12:41:05	23	asbestos at any time ever by Leslie; is that correct?	12:44:49
24	Q. Okay. Nothing precluded Leslie from placing	12:41:10	24	A. Not to my knowledge.	12:44:52
25	cautions re asbestos?	12:41:17	25	Q. Who at Leslie decided to put that warning in	12:44:53
Page 102			Page 104		
1	MR. HUGO: Vague. Where? Are you talking	12:41:22	1	there and why?	12:45:06
2	about manuals still?	12:41:25	2	A. I have no idea. I don't know who wrote it,	12:45:07
3	BY MR. GALIHER:	12:41:29	3	sir.	12:45:12
4	Q. In technical manuals.	12:41:30	4	Q. And the intent by Leslie was that the Navy	12:45:12
5	A. Not that I'm aware of, sir.	12:41:32	5	would follow its maintenance manuals when it performed	12:45:30
6	Q. Okay. The Navy never precluded Leslie from	12:41:35	6	repairs; is that correct?	12:45:34
7	including caution or a warning label in their technical	12:41:45	7	A. That's my understanding, sir.	12:45:34
8	manuals; is that correct?	12:41:50	8	Q. And all statements in the manual were by	12:45:36
9	A. Not to my knowledge, sir.	12:41:51	9	Leslie?	12:45:38
10	Q. And you are not aware of the Navy ever	12:41:52	10	A. The manuals are drafted -- well, it depends on	12:45:42
11	prohibiting Leslie from placing warnings in tech	12:42:00	11	-- the manuals were drafted by Leslie and sent to the	12:45:45
12	manuals?	12:42:04	12	Navy for approval. They could have been edited, I	12:45:48
13	A. Not to my knowledge, sir.	12:42:04	13	believe.	12:45:53
14	Q. Are you aware of Leslie issuing any warning	12:42:05	14	Q. My question to you: Leslie Controls wrote the	12:45:53
15	regarding anything in these technical manuals?	12:42:34	15	manuals that it supplied to the Navy for the maintenance	12:46:19
16	A. I've seen caution notices in technical manuals,	12:42:38	16	of its products. Is that true?	12:46:21
17	yes, sir, for mechanical purposes and stuff like that.	12:42:42	17	A. Yes, sir.	12:46:23
18	Q. How about a warning for personal injury	12:42:44	18	Q. And all of the statements made in the manuals	12:46:23
19	purposes?	12:42:46	19	were made by Leslie; is that correct?	12:46:26
20	A. Well, if you mean -- there could be like --	12:42:47	20	A. Yes, sir. We wrote the manual.	12:46:29
21	example: If you are taking a valve apart, a warning to	12:42:52	21	Q. And Leslie knew the manual would be used by the	12:46:31
22	take the tension off the spring before you take it	12:42:56	22	Navy for the maintenance of the equipment Leslie sold to	12:46:45
23	apart. That type of thing.	12:42:58	23	the Navy; is that correct?	12:46:48
24	Q. How about a warning for breathing hazardous	12:42:58	24	A. That's my understanding. Yes, sir.	12:46:49
25	fumes?	12:43:02	25	Q. And Leslie intended the Navy to follow the	12:46:51
Page 103			Page 105		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	manuals?	12:46:54	1	maintainers of the steam equipment, actually how much	12:52:46
2	A. That's my understanding, sir.	12:46:54	2	insulation should be installed, did they not?	12:52:51
3	Q. And you know of no one who said the Navy barred	12:46:55	3	A. Not to my knowledge, sir, as far as how much.	12:52:55
4	warnings?	12:46:59	4	Q. Okay. I direct your attention to page 000784	12:52:58
5	A. Not to my knowledge, sir.	12:47:00	5	entitled "Leslie" -- letterhead -- the trademark at the	12:53:08
6	Q. In fact, we just saw a warning that Leslie	12:47:01	6	top saying, "Engineering Data, Steam Flow and Pipes."	12:53:15
7	issued; is that correct?	12:47:05	7	Do you see that?	12:53:19
8	A. Yes, sir.	12:47:06	8	A. Yes, I do.	12:53:20
9	MR. HUGO: Go ahead.	12:47:06	9	Q. And with respect to condensation pounds per	12:53:24
10	BY MR. GALIHER:	12:47:10	10	hour per 100 feet of pipe, what does it indicate how	12:53:33
11	Q. Leslie manuals recommended piping from valves	12:47:43	11	much insulation should be used?	12:53:36
12	be insulated to prevent condensation, did they not?	12:47:49	12	A. It states here, "2-inch-thick 85 percent	12:53:38
13	A. For reducing valves, I believe it is, sir, yes.	12:47:53	13	magnesia insulation."	12:53:43
14	Q. But Leslie manuals recommended that?	12:47:56	14	Q. Okay. Didn't Leslie supply that same	12:53:45
15	A. That statement is on -- I've seen it on the	12:47:58	15	engineering and reference tables in many of their	12:54:07
16	reducing valve manuals. Yes, sir.	12:48:00	16	product bulletins?	12:54:11
17	Q. How about pump pressure regulators?	12:48:02	17	A. I don't know, sir. This is the first time I've	12:54:14
18	A. I don't believe so.	12:48:06	18	ever seen it.	12:54:16
19	MR. GALIHER: Next, I'm going to mark	12:48:40	19	MR. GALIHER: Okay. We'll mark as Plaintiffs'	12:54:21
20	Plaintiffs' Exhibit 16 --	12:48:42	20	Exhibit 16 an excerpt, and I'm going to direct your	12:54:25
21	MS. WAXMAN: 15.	12:48:47	21	attention to the reference tables again that indicate	12:54:33
22	MR. GALIHER: I'm going to mark it as 15, not	12:48:47	22	how much 85 percent magnesia insulation should be used	12:54:40
23	16, a document by Leslie entitled "Engineering Operating	12:48:50	23	for condensation.	12:54:48
24	Maintenance Data."	12:49:08	24	(Plaintiffs' Exhibit 16 marked.)	12:55:01
25	(Plaintiffs' Exhibit 15 marked.)	12:49:31	25	MR. HUGO: Do you have a date for this?	12:55:01
Page 106			Page 108		
1	BY MR. GALIHER:	12:49:31	1	MR. GALIHER: I don't. That's all I have.	12:55:02
2	Q. There is a Bates number down on the lower	12:49:45	2	Q. Do you see that again where Leslie's supplying	12:55:24
3	right-hand side of the manual. It's superimposed on	12:49:50	3	engineering data and reference tables for their users,	12:55:27
4	something on here, but the three last digits are 683,	12:49:55	4	consumers, and maintainers of how much asbestos	12:55:30
5	000683. Up at the top, it says, "Instructions for Pump	12:49:58	5	insulation should be used in conjunction with prevention	12:55:34
6	Pressure Regulators." It starts on manual for IBIW	12:50:04	6	of condensation on lines?	12:55:38
7	000682 and goes to 000683. I'm going to direct your	12:50:18	7	MR. HUGO: Objection; misstates the document,	12:55:40
8	attention to paragraph number 7 that's on 000683.	12:50:32	8	calls for hearsay, argumentative.	12:55:42
9	A. Okay.	12:50:42	9	THE WITNESS: It says, "Condensation per	12:55:48
10	Q. Do these Leslie instructions for pump pressure	12:50:52	10	100 feet of covered pipe, inch, pound per hour figured	12:55:50
11	regulators indicate that they should insulate all steam	12:50:56	11	for 2-inch thickness of 85 percent magnesia insulation."	12:55:56
12	lines to minimize condensation losses?	12:51:04	12	BY MR. GALIHER:	12:56:01
13	A. Yes, sir, it does. I never saw it before.	12:51:07	13	Q. What does that indicate to you?	12:56:02
14	Q. And directing your attention to Bates number	12:51:19	14	A. It's a recommendation for the insulation to be	12:56:03
15	000761, "Instructions for Air and Steam Whistles" --	12:51:28	15	used.	12:56:25
16	A. I'm at 000761, sir.	12:52:03	16	Q. Okay. And who is giving that recommendation?	12:56:27
17	Q. Where it says, "steam whistles" --	12:52:04	17	A. Well, this appears to be a Leslie document,	12:56:30
18	A. Yes, sir.	12:52:07	18	sir.	12:56:33
19	Q. -- does it advise users for the installation	12:52:08	19	Q. And who are they giving it to?	12:56:34
20	and operation and maintenance on whether piping should	12:52:13	20	A. The document doesn't state who it's going to.	12:56:36
21	be insulated, paragraph 1, under steam whistles?	12:52:18	21	It's a Leslie document.	12:56:50
22	A. It says, "All piping must be well insulated and	12:52:28	22	Q. Okay. And what is 85 percent magnesia	12:56:52
23	where exposed to outside conditions, doubly insulated."	12:52:30	23	insulation?	12:56:58
24	Q. Okay. And Leslie engineering supplied	12:52:33	24	A. I have no idea, sir.	12:56:58
25	engineering data for the users, the installers, and the	12:52:41	25	Q. You have no idea?	12:56:59
Page 107			Page 109		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. No, sir. I don't know.	12:57:00	1	Q. With respect to -- this appears to be a Leslie	13:01:10
2	Q. You've worked for Leslie since the '60s, and	12:57:02	2	Navy instruction manual for Operating Engineers.	13:01:12
3	you do not know what 85 magnesia is?	12:57:07	3	Do you see that?	13:01:16
4	A. No, sir.	12:57:11	4	A. Yes, sir, I do.	13:01:17
5	Q. And they recommended that the steam lines	12:57:11	5	Q. And with respect to the principles of operation	13:01:18
6	around their products be insulated with it, and you do	12:57:14	6	and maintenance of the Leslie devices, they are the same	13:01:21
7	not know what it is?	12:57:17	7	whether the design is for the Navy or commercial; is	13:01:30
8	MR. HUGO: Objection. It's argumentative,	12:57:18	8	that correct?	13:01:36
9	asked and answered.	12:57:19	9	A. That's what it says here. "Of similar design,	13:01:36
10	THE WITNESS: No, sir. I don't know.	12:57:20	10	whether Navy or commercial."	13:01:39
11	BY MR. GALIHER:	12:57:21	11	Q. It says, "The principles of operation and	13:01:41
12	Q. If it was common knowledge that 85 percent	12:57:21	12	maintenance apply to all Leslie devices of similar	13:01:43
13	magnesia was asbestos-containing thermal insulation that	12:57:25	13	design, whether Navy or commercial"; is that correct?	13:01:47
14	had 15 percent asbestos and 85 percent magnesia, that	12:57:30	14	A. Yes, sir.	13:01:50
15	would be brand-new news to you today?	12:57:35	15	Q. And with respect to the principles of operation	13:01:50
16	MR. HUGO: Objection; argumentative.	12:57:37	16	and maintenance, Leslie is recommending that the users	13:01:57
17	THE WITNESS: It's the first time I ever saw	12:57:38	17	insulate all pipes and before and after reducing the	13:02:08
18	that statement, sir.	12:57:40	18	valve to minimize condensation; is that correct?	13:02:11
19	BY MR. GALIHER:	12:57:41	19	A. That's what is stated here. Yes, sir.	13:02:14
20	Q. You've never seen a reference to 85 percent	12:57:41	20	Q. Okay. And in the previous three documents,	13:02:16
21	magnesia before?	12:57:45	21	Leslie identified 85 percent magnesia, the exact size of	13:02:19
22	A. This is the first time I've ever read it.	12:57:45	22	that asbestos-containing insulation, that should be used	13:02:26
23	Q. Okay. That's fine. 2009. That's fine.	12:57:48	23	to reduce condensation, did it not?	13:02:30
24	MR. HUGO: Move to strike the comments of	12:57:52	24	MR. HUGO: Objection; assumes facts, calls for	13:02:33
25	counsel.	12:57:54	25	speculation, lacks foundation, calls for hearsay.	13:02:34
Page 110			Page 112		
1	MR. GALIHER: Next, I'll mark as a plaintiffs'	12:57:57	1	THE WITNESS: Those previous documents there	13:02:37
2	exhibit excerpts of engineering data and reference	12:58:04	2	made that statement, yes.	13:02:42
3	tables for steam flow in pipes engineering data with a	12:58:09	3	BY MR. GALIHER:	13:02:43
4	Leslie logo and in the middle reference tables. And on	12:58:15	4	Q. Okay. It was general knowledge by Leslie that	13:02:43
5	the second page of this excerpt, it says, "Leslie	12:58:22	5	the Navy insulated with asbestos, was it not?	13:03:02
6	Company, 1963."	12:58:24	6	MR. HUGO: Objection; vague and ambiguous as to	13:03:06
7	MR. HUGO: Thanks.	12:58:28	7	what was insulated. Go ahead.	13:03:08
8	(Plaintiffs' Exhibit 17 marked.)	12:59:02	8	THE WITNESS: Based on what I see on those	13:03:10
9	BY MR. GALIHER:	12:59:02	9	documents, and I've gone through thousands of documents	13:03:36
10	Q. Do you see on the last page of that Exhibit 17	12:59:02	10	in the last couple of years, and I've never seen any	13:03:45
11	a recommendation by Leslie on how much 85 percent	12:59:06	11	reference to asbestos insulation. Those are the first	13:03:48
12	magnesia should be applied?	12:59:11	12	documents that I've seen, when you presented them to me	13:03:54
13	A. Yes, sir, I do.	12:59:15	13	today. There is knowledge, you know, they are there.	13:03:58
14	Q. And what is that? Can you read that into the	12:59:15	14	That's all I can say, sir.	13:04:03
15	record?	12:59:17	15	BY MR. GALIHER:	13:04:04
16	A. It says, "Condensation pounds per hour per 100	12:59:18	16	Q. You knew previously though that steam piping on	13:04:05
17	feet of pipe with 2 inches thick 85 percent magnesia	12:59:21	17	Navy ships got insulated, and Leslie knew the piping and	13:04:09
18	insulation."	12:59:25	18	valves were going to be get insulated; is that correct?	13:04:12
19	MR. GALIHER: Okay.	12:59:25	19	A. I will say, yes, sir, we knew they were	13:04:16
20	(Discussion off the record.)	13:00:19	20	insulated.	13:04:21
21	MR. GALIHER: Next, I'll mark as Exhibit 18	13:00:24	21	Q. And Leslie knew at the time they sold the	13:04:21
22	instructions for installation, operation, and	13:00:30	22	Leslie valves, that the United States -- they knew that	13:04:24
23	maintenance of Leslie pressure reducing valves.	13:00:33	23	at the time they sold the Leslie valves to the United	13:04:27
24	(Plaintiffs' Exhibit 18 marked.)	13:01:09	24	States Navy; is that correct?	13:04:29
25	BY MR. GALIHER:	13:01:09	25	A. To the best of my knowledge, yes, sir.	13:04:30
Page 111			Page 113		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. And the tech manuals Leslie put together for	13:04:32	1	MR. GALIHER: I'll put a time reference. I'll	13:08:07
2	the Navy, they outlined how to repair and properly	13:04:38	2	back up a little bit here.	13:08:09
3	maintain the product that they were selling; is that	13:04:42	3	Q. Leslie first began using asbestos gaskets in	13:08:11
4	correct?	13:04:44	4	1900?	13:08:14
5	A. I would say, yes, sir.	13:04:44	5	A. I thought the valves back then were solid --	13:08:15
6	Q. You know the Navy insulated steam piping with	13:04:46	6	the gaskets were solid copper and soft iron. That's	13:08:54
7	asbestos insulation and the valves with asbestos; is	13:05:24	7	what I thought were the old original classes.	13:09:01
8	that correct?	13:05:27	8	Q. Have you testified before that, "From the	13:09:04
9	A. I know that now, sir.	13:05:27	9	records and, you know, documents, all the documents that	13:09:07
10	Q. It was general knowledge that the Navy	13:05:28	10	I've seen that it had to be sometime in the early 1900s.	13:09:10
11	insulated piping systems with asbestos?	13:05:40	11	Early 1900s I would say," yes?	13:09:14
12	MR. HUGO: Objection; vague as to time, asked	13:05:44	12	MR. HUGO: Objection; hearsay, vague and	13:09:18
13	and answered.	13:05:44	13	ambiguous, overbroad. It's not the same question that	13:09:21
14	THE WITNESS: I know it now. I mean, when I	13:05:51	14	was originally asked. It's argumentative.	13:09:24
15	learned it -- when I went aboard a ship, I didn't know	13:05:54	15	BY MR. GALIHER:	13:09:28
16	that.	13:05:58	16	Q. "Question: When did Leslie Controls,	13:09:29
17	BY MR. GALIHER:	13:06:00	17	Incorporated, first begin purchasing asbestos-containing	13:09:31
18	Q. Leslie Controls knew and understood that the	13:06:01	18	gaskets for their product manufactured"?	13:09:35
19	valves they were selling to the United States Navy for	13:06:04	19	A. Now that you ask it that way, it was -- it was	13:09:39
20	the installation on board steam-powered vessels between	13:06:06	20	somewhere in the early 1900s. It could be 1920, 1930,	13:09:46
21	1944 and 1976 would indeed be insulated with asbestos,	13:06:10	21	somewhere in there. What threw me was the 1900 because	13:09:51
22	correct?	13:06:15	22	I've looked at some drawings in 1900, and I don't	13:09:54
23	A. Yes, sir.	13:06:16	23	remember seeing it. Like 1901, 1902. That type of	13:09:58
24	Q. And your answer is, "Based on what I stated in	13:06:17	24	thing.	13:10:05
25	the past -- okay -- it was general knowledge that the	13:06:24	25	Q. Is it true that all Leslie Control valves in	13:10:09
Page 114			Page 116		
1	Navy insulated piping and piping systems with asbestos."	13:06:27	1	Navy ships contained asbestos components if in steam	13:10:25
2	Have you testified to that under oath?	13:06:31	2	service?	13:10:29
3	A. Yes, I have, sir.	13:06:33	3	A. To the best of my knowledge, yes, sir.	13:10:32
4	Q. And that's your testimony here today?	13:06:34	4	Q. And Leslie tested their gaskets before	13:10:37
5	A. Yes, sir.	13:06:35	5	incorporating them into a valve design; is that correct?	13:10:48
6	Q. You know that the exterior insulation for	13:06:36	6	A. I believe so, sir, yes.	13:10:50
7	valves was asbestos in the 1960s and '70s?	13:06:48	7	Q. They just didn't test them for any health and	13:10:53
8	A. I know that it was used. Yes, sir.	13:06:59	8	safety aspect of asbestos use; is that correct?	13:10:55
9	Q. Leslie knew valves sold to the Navy for steam	13:07:01	9	A. I just know that I've seen records that they	13:10:58
10	service would be insulated with asbestos between 1944	13:07:10	10	tested for functional use, sir.	13:11:02
11	and 1976?	13:07:13	11	Q. Leslie designed control valves with Leslie's	13:11:06
12	A. I'd have to say yes, sir.	13:07:17	12	own unique design; is that correct?	13:11:24
13	Q. In the 1940s, it was common to insulate with	13:07:19	13	A. Yes, sir. There are similar other products,	13:11:26
14	asbestos?	13:07:22	14	but it was Leslie's design. Yes, sir.	13:11:38
15	A. To my knowledge, yes, sir.	13:07:23	15	Q. Was it their own unique design?	13:11:40
16	Q. Leslie valves used on steam lines had asbestos	13:07:25	16	A. Can you define "unique," please? I guess it's	13:11:43
17	packing; is that correct?	13:07:41	17	unique. Yes, sir.	13:11:47
18	MR. HUGO: Objection; asked and answered. Go	13:07:42	18	Q. Detailed engineering drawings were not sent to	13:11:48
19	ahead.	13:07:47	19	the Navy. Leslie only sent the United States Navy a	13:12:12
20	THE WITNESS: I'm sorry, sir. One more time.	13:07:47	20	master plan; is that correct?	13:12:16
21	BY MR. GALIHER:	13:07:49	21	A. Yes, sir. And a master plan and a lot of the	13:12:19
22	Q. Leslie valves used on steam lines used asbestos	13:07:49	22	old ones included the individual components on that	13:12:23
23	packing?	13:07:54	23	drawing.	13:12:25
24	MR. HUGO: Objection. Again, asked and	13:07:58	24	Q. The Navy did not design pressure temperature	13:12:25
25	answered and vague and ambiguous as to time and valve.	13:07:59	25	regulators; is that correct?	13:12:39
Page 115			Page 117		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. I've never seen any, sir.	13:12:40	1	(Plaintiffs' Exhibit 19 marked.)	13:16:09
2	Q. Okay. Leslie had expertise in steam-powered	13:12:44	2	MR. HUGO: Which interrogatory are you going to	13:16:09
3	valves; isn't that correct?	13:12:47	3	refer to?	13:16:11
4	A. Yes, sir.	13:12:48	4	MR. GALIHER: Question or -- answer 7(b) on	13:16:12
5	Q. And Leslie believes its valves are the best	13:12:49	5	page 8 at the bottom.	13:16:19
6	because of their superior design and manufacture; is	13:12:55	6	MR. HUGO: Thanks.	13:16:21
7	that correct?	13:12:58	7	MR. GALIHER: I take it back. My last question	13:16:33
8	A. Yes, sir.	13:12:58	8	was on page 9. It was at the end of answer 8. I	13:16:35
9	Q. And Leslie sent tech reps and has given a class	13:12:58	9	misspoke. I'll ask the last sentence.	13:16:40
10	to the Navy on repair of valves; is that correct?	13:13:04	10	MR. HUGO: Just for the record, it is an answer	13:17:15
11	A. Yes, sir, we did.	13:13:08	11	based upon information and belief. Interrogatories are	13:17:19
12	Q. Leslie taught courses for sailors on how to	13:13:09	12	prepared with the assistance of counsel. You can just	13:17:22
13	repair their valves; is that correct?	13:13:14	13	read 8 there.	13:17:24
14	A. Yes, sir, we did.	13:13:15	14	BY MR. GALIHER:	13:17:24
15	Q. Earlier we talked about other manufacturers of	13:13:17	15	Q. You can read the whole question and answer.	13:17:29
16	gasket materials that were installed in Leslie products.	13:13:34	16	I'm going to renew my question, which is going to focus	13:17:31
17	I recall discussing Johns Manville and Raybestos	13:13:42	17	on the last full sentence in that paragraph of answer.	13:17:34
18	Manhattan.	13:13:46	18	(Brief pause in proceedings.)	13:17:42
19	Do you recall that?	13:13:48	19	THE WITNESS: Yes, sir.	13:17:44
20	A. Yes, sir.	13:13:49	20	MR. GALIHER: I will object to counsel's	13:18:02
21	Q. Are you aware of what percentage of asbestos	13:13:50	21	speaking objection trying to coach his witness.	13:18:03
22	was contained in those gaskets or packing that Leslie	13:13:53	22	Q. What was the basis for your answering this	13:18:07
23	incorporated into their products?	13:13:58	23	question having to do with the amounts of asbestos in	13:18:09
24	A. No, I am not, sir.	13:14:00	24	the gaskets and packing as small and insignificant?	13:18:13
25	Q. Would it surprise you if they were 70 or 80 or	13:14:01	25	A. Small because the components are very, very	13:18:17
Page 118			Page 120		
1	85 percent asbestos?	13:14:06	1	tiny, and we are not talking about large components, and	13:18:25
2	MR. HUGO: Objection; irrelevant, calls for	13:14:09	2	part of it is asbestos. Okay?	13:18:29
3	speculation, lacks foundation. Go ahead.	13:14:11	3	Q. And when you gave this answer, you had no clue	13:18:34
4	THE WITNESS: I wouldn't be surprised or not	13:14:13	4	as to how much asbestos was in that packing, or how much	13:18:36
5	surprised. I don't know.	13:14:17	5	asbestos was in that gasket; is that correct?	13:18:41
6	BY MR. GALIHER:	13:14:18	6	A. Percentagewise, no, sir. I'm saying the size	13:18:43
7	Q. You incorporated that -- Leslie incorporated	13:14:19	7	of the component itself.	13:18:45
8	those materials into their products, and as you sit here	13:14:21	8	Q. That allowed you to say insignificant amount?	13:18:46
9	today, you don't know what percentage of asbestos those	13:14:25	9	A. Well, if I'm talking about packing like this in	13:18:55
10	gaskets and packing had; is that correct?	13:14:27	10	comparison to, you know, 50 tons of asbestos on a	13:18:59
11	MR. HUGO: Objection; argumentative, asked and	13:14:29	11	destroyer or something like that, to me, that seemed to	13:19:03
12	answered.	13:14:32	12	be insignificant.	13:19:06
13	THE WITNESS: I do not know, sir.	13:14:32	13	Q. With respect to how much asbestos it takes to	13:19:07
14	BY MR. GALIHER:	13:14:34	14	cause mesothelioma, do you know what is significant and	13:19:11
15	Q. Okay. But you signed interrogatories in Hawaii	13:14:34	15	what is not?	13:19:15
16	that said that Leslie incorporated component parts, such	13:14:39	16	A. No, sir, I do not.	13:19:15
17	as in gaskets and packing, that contained small,	13:14:44	17	Q. Okay. Yet, in your answer you said this was an	13:19:17
18	insignificant amounts of asbestos; is that correct?	13:14:49	18	insignificant amount that was in a component part that	13:19:20
19	MR. HUGO: Objection; calls for speculation,	13:14:53	19	Leslie had in its product; is that correct?	13:19:22
20	lacks foundation. If you want to see whatever he is	13:14:56	20	MR. HUGO: Objection; argumentative, asked and	13:19:24
21	referring to, you can ask for it.	13:15:02	21	answered.	13:19:25
22	THE WITNESS: May I see it?	13:15:03	22	THE WITNESS: That's what it says here, sir,	13:19:25
23	BY MR. GALIHER:	13:15:05	23	yes.	13:19:28
24	Q. Sure. I'm directing your attention to what	13:15:05	24	BY MR. GALIHER:	13:19:28
25	we'll mark as 19.	13:15:16	25	Q. Did you believe that?	13:19:29
Page 119			Page 121		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. When I signed this, in my thinking pattern,	13:19:30	1	BY MR. GALIHER:	13:21:55
2	yes, sir.	13:19:34	2	Q. Yes.	13:21:55
3	Q. Did you come up with those words?	13:19:34	3	A. -- to their health?	13:21:56
4	A. No, sir. I assisted counsel.	13:19:39	4	Q. Yes.	13:21:56
5	Q. So the word "insignificant" is not your word?	13:19:42	5	A. I don't know if those products were hazardous	13:21:56
6	A. No, sir, it is not.	13:19:45	6	to their health, sir.	13:21:58
7	Q. Is that your signature on the last page of this	13:19:47	7	Q. Did you tell them there was any particular	13:21:58
8	document that was filed in Hawaii?	13:19:51	8	significance associated at all with asbestos that was	13:22:00
9	A. Yes, it is.	13:19:53	9	going into your products?	13:22:03
10	Q. Going on to page 11, question 10, the answer	13:19:58	10	A. Did I personally tell them?	13:22:04
11	appears at the bottom of this page discussing OSHA.	13:20:12	11	Q. Yes.	13:22:07
12	Do you see that?	13:20:20	12	A. No, sir. I didn't know that.	13:22:07
13	A. Oh, yes, sir.	13:20:20	13	MR. HUGO: It's 1:20. At some point, we are	13:22:14
14	Q. As far as Leslie complied with all applicable	13:20:23	14	going to need to take another break and probably do a	13:22:16
15	state and federal statutes, including OSHA, did you	13:20:27	15	lunch break.	13:22:18
16	supply that information?	13:20:31	16	BY MR. GALIHER:	13:22:46
17	A. Is that my verbiage? No, sir.	13:20:32	17	Q. Were there any special precautions around the	13:22:46
18	Q. In fact, in your earlier testimony today, you	13:20:38	18	areas where gaskets were installed in the Leslie	13:22:49
19	said you had no idea when OSHA came into being; is that	13:20:40	19	equipment in the 1960s and the 1970s?	13:22:55
20	correct?	13:20:44	20	A. Not to my knowledge, sir.	13:22:58
21	A. I didn't know the exact date. No, sir.	13:20:44	21	Q. Okay. So as far as the Leslie employees were	13:22:59
22	Q. 1972. As you sit here today, do you know OSHA	13:20:46	22	concerned, manufacturing their product, including	13:23:07
23	came into being in 1972?	13:20:52	23	yourself, or inspecting those products, working with	13:23:11
24	A. Yes, sir. From that document you showed me, I	13:20:53	24	asbestos-containing gaskets and packing was no different	13:23:15
25	do.	13:20:56	25	than working with anything innocuous just like paper or	13:23:19
Page 122			Page 124		
1	Q. Do you know that OSHA had standards that came	13:20:56	1	flour or something like that?	13:23:25
2	into existence in 1972 dealing with asbestos?	13:21:00	2	A. When I inspected the gaskets, I inspected them	13:23:27
3	A. If it was part of that document, I'll answer	13:21:03	3	like any other component part. There was no warnings on	13:23:29
4	yes.	13:21:10	4	them from anybody.	13:23:32
5	Q. Okay.	13:21:11	5	Q. Okay. Did you ever have to cut them or shape	13:23:33
6	A. Okay.	13:21:12	6	them, the gaskets?	13:23:37
7	Q. I think you testified earlier that when you	13:21:12	7	A. No, sir. The gasket, when they come in, they	13:23:39
8	were working on the floor at the factory in the 1970s,	13:21:15	8	are complete. You don't have to do anything to them	13:23:43
9	you had no clue -- you had no idea that asbestos was	13:21:20	9	except inserting them in the valve.	13:23:46
10	hazardous; is that correct?	13:21:22	10	Q. After your products were tested and you took	13:23:48
11	A. That is correct, sir.	13:21:23	11	them apart, did you actually disassemble them?	13:23:50
12	Q. Nor did the 180 other people that worked under	13:21:25	12	A. Yes, sir, I did.	13:23:52
13	you; is that correct?	13:21:30	13	Q. Okay. Did you ever have to use wire brushes or	13:23:52
14	MR. HUGO: Objection; argumentative, lacks	13:21:31	14	scrape gaskets?	13:23:56
15	foundation, calls for speculation.	13:21:33	15	A. No, sir, I haven't.	13:23:57
16	THE WITNESS: Not to my knowledge, sir.	13:21:34	16	Q. Did you have any older valves of Leslie	13:23:58
17	BY MR. GALIHER:	13:21:35	17	products that had been used on steam lines for a long	13:24:02
18	Q. Okay. You certainly didn't tell them that the	13:21:35	18	time where it required the use of wire brushes or	13:24:05
19	products that contained asbestos were hazardous to their	13:21:38	19	scraping to get gaskets or packing out?	13:24:08
20	health, that were incorporated into the Leslie products;	13:21:43	20	A. I've never used a wire brush to scrape gaskets.	13:24:10
21	is that correct?	13:21:46	21	Q. How about gasket hooks? Have you ever used	13:24:14
22	MR. HUGO: Objection; argumentative, assumes	13:21:46	22	those to get -- I mean packing hooks to get packing out	13:24:16
23	facts. Go ahead.	13:21:48	23	of gaskets or valve systems?	13:24:20
24	THE WITNESS: You are saying, did I tell them	13:21:49	24	A. When I was working in service, when we were in	13:24:22
25	that the products we put in were hazardous --	13:21:52	25	Parsippany, if you went on the road, a lot of times you	13:24:30
Page 123			Page 125		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	were taking valves apart, if you were on the road doing	13:24:34	1	that correct?	13:43:10
2	something. And I've used a packing puller after the	13:24:37	2	A. It could be, yes, sir.	13:43:10
3	valve had been disassembled, and I've removed packing	13:24:40	3	Q. Okay. Can you tell me why that was not listed	13:43:12
4	with those.	13:24:43	4	in the Hawaii interrogatories as an answer to products	13:43:17
5	Q. Have you been actually there working with	13:24:43	5	that Leslie manufactured and/or sold that contained	13:43:21
6	mechanics when they pulled steam equipment off the steam	13:24:45	6	asbestos?	13:43:25
7	lines that had been in use?	13:24:50	7	MR. HUGO: Vague and ambiguous as to what	13:43:27
8	A. No, sir, I don't believe I have.	13:24:51	8	interrogatory response you are referring to.	13:43:28
9	Q. Okay. So you weren't there when they actually	13:24:55	9	BY MR. GALIHER:	13:43:31
10	removed the asbestos insulation over the Leslie	13:24:58	10	Q. The question is question 7 and number 16,	13:43:31
11	products, the pads and things like that?	13:25:00	11	question 16. We can start out actually with 16. It's	13:44:04
12	MR. HUGO: Objection; assumes facts.	13:25:02	12	probably shorter and easier to trace, but they were all	13:44:07
13	THE WITNESS: I was never there when they were	13:25:04	13	the questions that asked for a complete listing	13:44:11
14	being taken off, sir, no.	13:25:06	14	enumeration of any product that contained asbestos	13:44:14
15	MR. GALIHER: Why don't we take a short break	13:25:17	15	fiber, including for the inclusion of the component part	13:44:16
16	and I'll see how much -- I might be finished.	13:25:20	16	and sold by you.	13:44:22
17	THE VIDEOGRAPHER: This marks the end of tape	13:25:22	17	MR. HUGO: Number 16.	13:44:38
18	two in the deposition of Matthew Wrobel on December 1st,	13:25:24	18	BY MR. GALIHER:	13:44:40
19	2009. We are now off the record. The time on the	13:25:28	19	Q. You can take your time and review that, 16,	13:44:40
20	screen is 1:25.	13:25:30	20	16(a).	13:44:40
21	(Recess.)	13:40:11	21	A. All right. Which one? Over here?	13:44:50
22	THE VIDEOGRAPHER: We are now on the record.	13:40:11	22	MR. HUGO: 16, I think, there.	13:44:52
23	The time on the screen is 1:40. This marks the	13:40:44	23	(Brief pause in proceedings.)	13:44:57
24	beginning of tape three in the deposition of Matthew	13:40:46	24	THE WITNESS: And 7?	13:44:58
25	Wrobel on December 1st, 2009.	13:40:49	25	BY MR. GALIHER:	13:44:58
Page 126			Page 128		
1	BY MR. GALIHER:	13:40:53	1	Q. 7 actually starts on 6. Questions 6, 7, and 16	13:45:48
2	Q. Mr. Wrobel, can I direct your attention to	13:41:00	2	are all asking for a complete listing of all products	13:45:52
3	Exhibit 15, and I'm going to have you find the Bates	13:41:05	3	containing asbestos or a component part that contained	13:45:57
4	page that ends up with 000770. Is that the one that has	13:41:10	4	asbestos.	13:46:00
5	parts names and parts reference numbers on it for the	13:41:31	5	And my question to you: Is there a reason why	13:46:02
6	Leslie steam whistle?	13:41:35	6	the Leslie steam whistle was not listed on any of the	13:46:11
7	A. Yes, sir.	13:41:38	7	interrogatories in Hawaii?	13:46:16
8	Q. And if I can direct your attention to item 27,	13:41:38	8	A. It is, sir.	13:46:18
9	can you read that to us?	13:41:43	9	Q. It is? Where is it at? I don't see it.	13:46:19
10	A. Item 27, it says, "Insulation."	13:41:44	10	A. It's 7(a).	13:46:22
11	Q. And what is the material that insulation is	13:41:50	11	Q. 7(a)?	13:46:23
12	made off for that Leslie steam whistle?	13:41:52	12	A. Yes, sir.	13:46:24
13	A. It says asbestos, sir.	13:41:56	13	Q. I apologize.	13:46:24
14	Q. Okay. And moving back to 000769, is that a	13:41:57	14	A. You see, "In various times in the past, Leslie	13:46:29
15	drawing of that Leslie steam whistle?	13:42:09	15	marketed and sold products" --	13:46:29
16	A. I'm sorry. Yes, sir, it is.	13:42:13	16	MR. HUGO: Slow down.	13:46:29
17	Q. And does it depict that Leslie Part number 27	13:42:34	17	THE WITNESS: Oh, I'm sorry.	13:46:29
18	that's made of asbestos?	13:42:41	18	"In various times in the past, Leslie marketed	13:46:37
19	A. Yes, sir. That's Part 27, and it's supposed to	13:42:42	19	and sold products under the name Leslie, Leslie	13:46:39
20	show the Part 31 that encapsulates it.	13:42:49	20	Eventemp, Leslie Tyfon." Tyfon is the name of the	13:46:43
21	Q. Okay. This was an asbestos-containing	13:42:53	21	whistle.	13:46:49
22	component part that came with the Leslie steam whistles	13:42:57	22	BY MR. GALIHER:	13:46:49
23	in the '40s and '50s and the '60s; is that correct?	13:43:02	23	Q. I see. The Leslie Tyfon is the whistle that we	13:46:51
24	A. To the best of my knowledge, yes, sir.	13:43:05	24	are describing. It's not a generic steam whistle. It's	13:46:54
25	Q. And it was also sold as a replacement part; is	13:43:07	25	a specific type of whistle?	13:46:56
Page 127			Page 129		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. If you look at that drawing and look at the	13:46:58	1	right after we moved to Parsippany. I remember two of	13:49:16
2	name plate that we are referring, it says, "Leslie	13:47:01	2	those large horn bodies up on a vertical tower lathe.	13:49:20
3	Tyfon."	13:47:05	3	The main reason for it is the Navy went away from	13:49:24
4	Q. Okay. Let me go back. Okay. I understand now	13:47:05	4	steam-powered service vessels except for -- the only	13:49:30
5	what you are saying. I understand that. I just was	13:47:07	5	ones left, I think, are carriers.	13:49:34
6	looking for something broader that had to do with steam	13:47:09	6	Q. The last document, Exhibit 20, "December 1957,"	13:49:38
7	whistles. I didn't realize it was -- is it a brand	13:47:13	7	a publication, "Marine Engineering Log." On page 126 --	13:49:49
8	name? How would you identify that?	13:47:16	8	I just have the cover page. On 126, I'm going to direct	13:49:55
9	A. The story that I get -- okay -- through history	13:47:19	9	your attention to the photograph in the lower right-hand	13:50:00
10	is that somewhere in the 1930s, there was -- I believe	13:47:24	10	corner and see if you can identify those gentlemen for	13:50:03
11	the company name was Kockum in Sweden. Leslie bought	13:47:30	11	us.	13:50:07
12	that product line, and they called it Tyfon.	13:47:35	12	(Plaintiffs' Exhibit 20 marked.)	13:50:07
13	Q. Tyfon?	13:47:35	13	THE WITNESS: Yes, I can, sir.	13:50:29
14	A. Yeah. T-y-f-o-n. It was Kockum/Tyfon, if I	13:47:42	14	BY MR. GALIHER:	13:50:31
15	remember correctly. So when Leslie bought the product	13:47:43	15	Q. Okay. Can you identify those two people for	13:50:31
16	line and started making the steam whistle, it turned	13:47:46	16	us?	13:50:33
17	into a Leslie Tyfon.	13:47:49	17	A. The younger gentleman on the left is John S.	13:50:33
18	Q. Okay. That's fine.	13:47:49	18	Leslie, grandson of the founder. The gentleman on the	13:50:37
19	A. What does Tyfon mean? I have no idea, sir.	13:47:53	19	right, which kind of looks like me, is S. Inglis Leslie,	13:50:43
20	Q. There is no other type of whistle named Tyfon?	13:47:54	20	which we called Pop Leslie.	13:50:48
21	If it's a Tyfon, it's a Leslie? I don't understand that	13:47:59	21	Q. John S., he is the one we previously identified	13:50:50
22	part.	13:48:01	22	in the American Society of Mechanical Engineers?	13:50:53
23	A. Yeah. When you talk about a Tyfon whistle, I	13:48:01	23	A. Yes, sir.	13:50:58
24	think if you go way back to maybe early, early, before	13:48:05	24	MR. GALIHER: Okay. Subject to an agreement on	13:51:02
25	Leslie bought it, there may be some literature. If you	13:48:07	25	stipulation on the foundation of documents, that's all	13:51:05
Page 130			Page 132		
1	look in history somewhere, there might a Kockum/Tyfon.	13:48:09	1	the questions I have, and -- I'm sorry?	13:51:06
2	THE COURT REPORTER: How do you spell Kockum?	13:48:09	2	(Discussion off the record.)	13:51:24
3	THE WITNESS: With a K.	13:48:18	3	MR. GALIHER: I apologize.	13:51:24
4	BY MR. GALIHER:	13:48:18	4	Q. On the Leslie Lubrisoft asbestos packing, what	13:51:30
5	Q. Where did it come from, Kockum?	13:48:20	5	were the years that it was first sold, and when was it	13:51:34
6	A. Sweden.	13:48:21	6	last sold when it contained asbestos, and how much	13:51:37
7	Q. Sweden. Okay.	13:48:21	7	asbestos did it contain?	13:51:40
8	A. And so the story --	13:48:21	8	A. It's a three-part question.	13:51:44
9	Q. They liked the sound of that whistle, so they	13:48:24	9	Q. All having to do with Leslie Lubrisoft asbestos	13:51:45
10	bought it.	13:48:26	10	packing.	13:51:49
11	A. The story that I got -- and this is just	13:48:26	11	A. I believe it was sometime in the early '50s or	13:51:50
12	hearsay over 40 years -- is that the Navy came to Leslie	13:48:27	12	maybe late '40s through late '80s, somewhere, maybe	13:51:54
13	and said, "Hey, you know, we need a steam whistle. Why	13:48:30	13	early '90s for the Navy.	13:52:05
14	don't you buy the product line," or something.	13:48:32	14	Q. So somewhere 35, 40 years?	13:52:08
15	Q. Oh, okay.	13:48:34	15	A. Whatever that math works out to.	13:52:11
16	A. Something like that.	13:48:35	16	Q. And what was the asbestos percentage?	13:52:15
17	Q. And you don't know the year of that?	13:48:36	17	A. I have no idea, sir.	13:52:17
18	A. I believe it was sometime in the '30s.	13:48:38	18	MR. GALIHER: That's all the questions I have,	13:52:23
19	Q. Okay. And do they still sell that whistle	13:48:41	19	but for what might be in the six-inch pile of documents	13:52:24
20	line?	13:48:45	20	that my colleague has down there that we've offered a	13:52:29
21	A. No, sir, we don't. We don't make the whistle	13:48:45	21	stipulation to the foundation for. Although if I have	13:52:33
22	anymore.	13:48:50	22	to go into the foundation, I want to do everything else.	13:52:36
23	Q. When did they quit making that whistle?	13:48:50	23	MR. HUGO: I have some questions. While he is	13:52:40
24	A. The last time I remember seeing one of those	13:48:54	24	looking at these documents, let me ask mine, and then	13:52:42
25	whistles was maybe -- it was in the mid- to late '80s,	13:48:58	25	hopefully we'll come to an agreement with regard to	13:52:43
Page 131			Page 133		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	those documents.	13:52:47	1	A. Yes, sir. I was in the area.	13:59:35
2	THE VIDEOGRAPHER: You can either switch	13:52:49	2	Q. To your knowledge, has Leslie ever been cited	13:59:38
3	positions or Mr. Wrobel looks forward, if that's all	13:52:50	3	by OSHA for any violation with regard to	13:59:42
4	right.	13:52:55	4	asbestos-containing gaskets, packing, valves, or other	13:59:47
5	MR. HUGO: Yes. Thank you.	13:52:55	5	Leslie products?	13:59:51
6	EXAMINATION	13:52:56	6	A. Not to my knowledge, sir.	13:59:52
7	BY MR. HUGO:	13:52:56	7	Q. To your knowledge, has OSHA ever instructed	13:59:53
8	Q. Mr. Wrobel, I want to follow up on a couple of	13:52:57	8	Leslie not to use either asbestos-containing gaskets or	13:59:56
9	the areas here that you were asked about.	13:52:59	9	packing in any of its products?	14:00:01
10	First of all, you've worked for Leslie for	13:53:03	10	A. Not to my knowledge.	14:00:03
11	approximately 44 years; is that correct?	13:53:05	11	Q. You were also asked about Leslie products,	14:00:04
12	A. It will be 44 years next May, sir.	13:53:06	12	which contained either asbestos-containing gaskets or	14:00:12
13	Q. And you spoke about the Parsippany plant.	13:53:10	13	packing in the small and insignificant amount of the	14:00:16
14	When was that plant in operation?	13:53:14	14	asbestos material within them.	14:00:21
15	A. We moved into that plant in 1968.	13:53:16	15	Do you remember those questions?	14:00:25
16	Q. And how long did you stay in that plant before	13:53:21	16	A. Yes, sir.	14:00:25
17	moving to Tampa?	13:53:26	17	Q. Have you undertaken, yourself, any attempt to	14:00:26
18	A. Until 1986.	13:53:26	18	quantify the amount of the asbestos-containing gasket or	14:00:29
19	Q. Between 1968 and 1986, were you present in the	13:53:29	19	packing which would be encapsulated in a Leslie product,	14:00:36
20	plant on a regular basis?	13:53:36	20	like a valve?	14:00:40
21	A. Yes, sir.	13:53:38	21	A. Yes, I have.	14:00:41
22	Q. Did you come to know whether or not OSHA	13:53:40	22	Q. What have you done to determine the amount	14:00:42
23	inspected that plant?	13:53:45	23	either by weight or volume of the actual	14:00:45
24	MR. GALIHER: I object to the form of the	13:53:47	24	asbestos-containing portion of, for example, a	14:00:49
25	question as leading.	13:53:49	25	copper-jacketed gasket or other type of gasket or	14:00:53
Page 134			Page 136		
1	THE WITNESS: Yes, sir. I was in the plant and	13:53:55	1	packing?	14:00:58
2	knew that OSHA was doing inspections in the plant.	13:53:58	2	MR. GALIHER: I object to the form of the	14:00:58
3	Excuse me for a second. I'm really uncomfortable with	13:54:03	3	question; foundation.	14:01:00
4	you over here. Could you maybe sit over or somewhere	13:54:05	4	THE WITNESS: What I've done is taken -- an	14:01:01
5	where I can look at you?	13:54:12	5	example would be a spiral round gasket. Okay? And I	14:01:05
6	MR. HUGO: Yes. Let's take a break for a	13:54:12	6	took apart numerous -- several of them and actually	14:01:13
7	second so we can rewire.	13:54:14	7	weighed the difference between the two, which comes to	14:01:20
8	THE VIDEOGRAPHER: Off the record. The time on	13:54:16	8	about roughly -- of the spiral round gasket -- about 15	14:01:24
9	the screen is 1:54.	13:54:17	9	-- if my memory serves me right, it's about 15 percent	14:01:29
10	(Brief pause in proceedings.)	13:58:30	10	of the total weight of the gasket, and then I calculated	14:01:32
11	THE VIDEOGRAPHER: We are now back on the	13:58:30	11	--	14:01:32
12	record. The time on the screen is 1:59.	13:59:00	12	THE VIDEOGRAPHER: Whoever is on the phone, can	14:01:42
13	BY MR. HUGO:	13:59:04	13	they mute?	14:01:45
14	Q. Thank you, Mr. Wrobel. When we took a short	13:59:05	14	MS. SHELDON: I am mute.	14:01:49
15	break, I was asking you about OSHA and specifically the	13:59:06	15	BY MR. HUGO:	14:01:49
16	Parsippany plant.	13:59:11	16	Q. Your answer was interrupted, but let me follow	14:01:50
17	Were you physically present when you could	13:59:12	17	up. You were talking about disassembling a spiral round	14:01:52
18	actually observe OSHA inspectors present in the Leslie	13:59:14	18	gasket.	14:01:57
19	plant?	13:59:19	19	For the benefit of the jury who may have not	14:01:58
20	A. I've seen OSHA inspectors in the Parsippany	13:59:19	20	seen or heard a description of it yet, other than the	14:02:01
21	plant. Yes, sir.	13:59:22	21	asbestos portion of the gasket, what is that gasket	14:02:02
22	Q. Have you seen them actually present during the	13:59:23	22	comprised of in terms of materials?	14:02:05
23	time when valve assembly was in progress, which included	13:59:25	23	A. It's a metallic -- common stainless steel is	14:02:07
24	the installation or use of asbestos-containing gaskets	13:59:29	24	one of them. There's some others, but most of the time	14:02:13
25	and packing?	13:59:34	25	it's stainless steel. And it's like a stainless steel	14:02:17
Page 135			Page 137		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	ribbon, and also the fillers is like a ribbon. And it's	14:02:20	1	the portion of the gasket which can contain some	14:05:09
2	wrapped and then it's spot welded on the inside to keep	14:02:24	2	percentage of asbestos, chrysotile asbestos, correct?	14:05:13
3	it together. And I've taken those apart and weighed	14:02:28	3	A. Yes, sir.	14:05:17
4	them. I've taken a copper-jacketed gasket completely	14:02:32	4	MR. GALIHER: I object to the form of the	14:05:18
5	apart and weighed it and calculated what the weight of	14:02:36	5	question; leading.	14:05:19
6	the filler material is inside the encapsulated copper,	14:02:42	6	THE WITNESS: And proportionally, as they got	14:05:20
7	what it is per square inch. And I actually worked up a	14:02:46	7	bigger, it would go up.	14:05:22
8	formula where I could calculate -- take a gasket, plug	14:02:52	8	BY MR. HUGO:	14:05:25
9	in the outer diameter, the inner diameter and would give	14:02:58	9	Q. So -- and I understand --	14:05:25
10	me the weight of the gasket complete, and then it would	14:03:03	10	A. That's just one.	14:05:26
11	give me the weight of the filler by itself.	14:03:07	11	Q. It's an estimate. But if you are going to now,	14:05:28
12	Q. You referred to the fact that a destroyer from	14:03:10	12	based on your 44 years of training and experience with	14:05:30
13	the United States Navy may have 50 tons of asbestos on	14:03:18	13	Leslie, and the familiarity of its products, going to	14:05:33
14	it.	14:03:18	14	give it your rough estimate -- you can give me a range	14:05:36
15	How many Leslie products would be on a typical	14:03:22	15	of the total weight of the asbestos-containing	14:05:39
16	destroyer, if you can give me a rough average.	14:03:25	16	components of all of the Leslie valves that could be	14:05:42
17	A. This is ballpark.	14:03:35	17	present on a typical destroyer -- what would the range	14:05:46
18	Q. Yes, ballpark.	14:03:36	18	be?	14:05:50
19	A. 80.	14:03:39	19	MR. GALIHER: I object to the form of the	14:05:50
20	Q. And --	14:03:39	20	question; foundation.	14:05:52
21	A. That's total products.	14:03:43	21	THE WITNESS: The lower range for that would be	14:05:55
22	Q. Are all of those products asbestos-containing?	14:03:43	22	point 01, and my estimate of the higher one would be --	14:05:57
23	By that, I mean do all of those products have some sort	14:03:46	23	for a fairly large, it might be 1.2, 1.5 ounces. This	14:06:10
24	of an asbestos material inside of them, such as packing	14:03:49	24	is by memory. And it varies depending on -- the	14:06:18
25	or gaskets?	14:03:53	25	copper-jacketed gaskets have a higher ID. The spiral	14:06:25
Page 138			Page 140		
1	A. Not everything.	14:03:54	1	round gaskets have less.	14:06:32
2	Q. Okay. So out of the -- and I understand it's	14:03:55	2	BY MR. HUGO:	14:06:32
3	an estimate, but out of those products that would have	14:03:59	3	Q. But compared to the 50 tons of asbestos, you	14:06:34
4	contained some asbestos component, such as packing or	14:04:04	4	are talking about point 01 ounce present in that	14:06:36
5	gaskets, how much total weight of asbestos would be	14:04:08	5	particular gasket?	14:06:43
6	present in those Leslie products?	14:04:13	6	A. For that particular gasket.	14:06:44
7	MR. GALIHER: I object to the form of the	14:04:15	7	MR. GALIHER: I object to the form of the	14:06:46
8	question; foundation.	14:04:16	8	question. It's leading.	14:06:47
9	THE WITNESS: It depends on the size of the	14:04:17	9	THE WITNESS: For the smaller gasket, that's	14:06:48
10	gasket. A gasket -- that's just from memory. You know,	14:04:19	10	the numbers I remember.	14:06:50
11	I'm trying to remember.	14:04:28	11	BY MR. HUGO:	14:06:51
12	BY MR. HUGO:	14:04:30	12	Q. So in total for perhaps 80 Leslie products, we	14:06:52
13	Q. I understand.	14:04:30	13	are talking less than a pound or a pound or two of	14:06:56
14	A. Okay. One gasket, a very small one that was	14:04:30	14	asbestos --	14:06:59
15	used on a strainer attached to a small reducing valve,	14:04:35	15	MR. GALIHER: I object to the form of the	14:06:59
16	the diameter being roughly one inch in diameter with	14:04:41	16	question as leading, lacks foundation.	14:07:01
17	probably a three-quarter-inch hole. The ID was to	14:04:46	17	BY MR. HUGO:	14:07:03
18	record it.	14:04:46	18	Q. -- containing filler, correct?	14:07:04
19	Q. ID is inner diameter?	14:04:46	19	MR. GALIHER: I object to the form of the	14:07:08
20	A. Inner diameter.	14:04:54	20	question. It's leading.	14:07:10
21	Q. So outside diameter about an inch?	14:04:54	21	THE WITNESS: It's really hard to give you an	14:07:11
22	A. The weight of the total gasket was point one	14:04:58	22	answer. I really have to do some math because you can't	14:07:12
23	ounce -- I'm sorry -- point one ounce. The weight of	14:05:03	23	just take the one small one. You'd have to take a	14:07:20
24	the filler was point 01 ounce.	14:05:04	24	range, an average. Okay? But even if you said the	14:07:24
25	Q. And when you talk about filler, that would be	14:05:07	25	filler -- if you just struck point 5 ounces as an	14:07:28
Page 139			Page 141		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	average for the filler of gaskets and material, and on	14:07:36	1	A. You know, when I first started with Leslie,	14:10:05
2	an average two gaskets per valve, you can do the math.	14:07:40	2	everybody was very proud of it, that we supplied valves	14:10:19
3	And I'm really doing a lot of averages.	14:07:44	3	to the United States Navy. And when I got involved in	14:10:22
4	BY MR. HUGO:	14:07:48	4	the inspection part of it, there were a lot of times	14:10:25
5	Q. Understood. But we are not talking about tons	14:07:48	5	that I was told, because I was the young kid on the	14:10:27
6	--	14:07:51	6	block, "This goes in that kind of valve. Make sure it's	14:10:30
7	A. Oh, no, sir.	14:07:51	7	right."	14:10:33
8	Q. You were asked some questions about piping and	14:07:52	8	Q. Did you become personally involved in such	14:10:33
9	good piping practice.	14:07:58	9	contracts at various stages of development, including	14:10:37
10	Do you agree that avoiding condensation is good	14:07:59	10	production, testing, and acceptance by the United States	14:10:40
11	piping practice?	14:08:03	11	Navy?	14:10:43
12	A. Yes, sir, I do.	14:08:04	12	A. Yes, sir. When I was in quality assurance, I	14:10:44
13	Q. And you were shown some documents indicating	14:08:05	13	worked with the Navy inspector when a valve was being	14:10:47
14	that the piping to and from a product, such as a valve,	14:08:08	14	developed. And I went through, you know, from knowing	14:10:54
15	should be insulated, correct?	14:08:14	15	that we got the contract, that I actually contacted the	14:11:00
16	A. Yes.	14:08:15	16	Navy inspector, and I had to sit with him, go through	14:11:03
17	Q. Let's talk about the valve itself.	14:08:19	17	the process. He established hold and witness points	14:11:08
18	Did Leslie ever recommend that its product, the	14:08:22	18	through the processes.	14:11:12
19	valve, be externally insulated with asbestos insulation	14:08:25	19	Q. Would you describe -- first of all, what is a	14:11:13
20	or any other type of insulation?	14:08:29	20	Navy inspector?	14:11:15
21	A. I've never seen any documents that said that.	14:08:31	21	A. We called him a Navy inspector. It was a	14:11:16
22	Q. With regard to a strainer, has Leslie ever	14:08:34	22	carry-over from, I guess, World War II. In fact, the	14:11:21
23	recommended a strainer be externally insulated with	14:08:39	23	first guy that I knew when I first started there that I	14:11:23
24	asbestos-containing insulation?	14:08:43	24	worked with -- because I was young and I could pick up	14:11:26
25	A. I've never seen any documents that stated that.	14:08:45	25	things and he couldn't.	14:11:30
Page 142			Page 144		
1	Q. With regard to the whistle, did Leslie ever	14:08:47	1	It's a government representative that ensures	14:11:32
2	recommend that a whistle should be externally insulated	14:08:51	2	that Leslie meets the contract requirements, that they	14:11:36
3	with asbestos-containing insulation?	14:08:55	3	get to produce equipment for the Navy.	14:11:41
4	A. I've never seen a document that said that.	14:08:57	4	Q. Where would that government inspector be	14:11:43
5	Q. You were aboard a ship called the America where	14:09:00	5	located?	14:11:45
6	you observed a Leslie pressure regulator that had been	14:09:06	6	A. He is in an office at Leslie.	14:11:46
7	externally insulated, correct?	14:09:11	7	Q. Explain for the members of the jury what it	14:11:48
8	A. Yes, sir.	14:09:13	8	means a government inspector has an office at Leslie?	14:11:50
9	Q. Did you instruct the Navy to externally	14:09:13	9	How did that come about?	14:11:54
10	insulate the Leslie pressure regulator?	14:09:16	10	A. We are mandated to provide him an office so he	14:11:55
11	A. No, sir.	14:09:18	11	can perform his function.	14:12:00
12	Q. Did the Navy do that on their own?	14:09:19	12	Q. A physical office?	14:12:01
13	MR. GALIHER: I object to the form of the	14:09:24	13	A. A physical office.	14:12:02
14	question. It calls for speculation.	14:09:26	14	Q. And he actually works out of that office at	14:12:03
15	THE WITNESS: Maybe the shipyard did it.	14:09:28	15	Leslie's facility?	14:12:05
16	BY MR. HUGO:	14:09:36	16	A. Yeah. He comes to Leslie every day, and he	14:12:06
17	Q. During the course of your 44 years at Leslie,	14:09:36	17	works at Leslie. On occasion, they also -- that's where	14:12:09
18	did you become aware of whether Leslie furnished and	14:09:40	18	he is stationed, in Leslie. Depending on the period of	14:12:14
19	fabricated valves and related equipment specifically for	14:09:46	19	time, I've known him to do Leslie only, and I've known	14:12:22
20	United States Navy vessels under contract between Leslie	14:09:50	20	him to have Leslie, plus they might do other contracts	14:12:25
21	and the United States Navy Department?	14:09:53	21	in plants that are similar. But kind of a resident or	14:12:29
22	A. Yes, we did.	14:09:56	22	semi-resident.	14:12:33
23	Q. And how did you become aware that that existed?	14:09:57	23	Q. You used the term "hold/witness points"; is	14:12:34
24	A. That we made valves for the Navy?	14:10:02	24	that correct?	14:12:37
25	Q. Yes.	14:10:04	25	A. Yes, sir.	14:12:37
Page 143			Page 145		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. What is a hold/witness point or points?	14 : 12 : 38	1	A. But there is a valve. It's made of steel.	14 : 15 : 30
2	A. Well, let's say we were making this glass for	14 : 12 : 40	2	Okay? And initially, you have to put it in a form that	14 : 15 : 32
3	the Navy, to Navy specifications. Okay? And in the	14 : 12 : 47	3	conforms to a drawing. And then when that casting comes	14 : 15 : 36
4	contract, it says it would be source inspected by the	14 : 12 : 53	4	in, it's inspected to make sure it meets the casting	14 : 15 : 41
5	Navy inspector. You contact the Navy inspector, and you	14 : 12 : 58	5	drawing, and then it's machined into a finished machine	14 : 15 : 44
6	show him the process, especially on newer products that	14 : 13 : 03	6	component.	14 : 15 : 48
7	you are developing. And you show him the actual process	14 : 13 : 07	7	Q. So the inspection can actually begin at the	14 : 15 : 48
8	from procurement of each component through machining of	14 : 13 : 10	8	sourcing of the very materials to make the finished	14 : 15 : 50
9	each component, any testing that has to be done, any	14 : 13 : 16	9	product. In this case, we are talking about a valve,	14 : 15 : 54
10	nondestructive examination, like liquid penetrant	14 : 13 : 17	10	correct?	14 : 15 : 56
11	examination.	14 : 13 : 27	11	A. Yes, sir.	14 : 15 : 57
12	Q. Slow down a little bit and say that one more	14 : 13 : 27	12	Q. And would that inspection and sourcing of	14 : 15 : 58
13	time for us.	14 : 13 : 27	13	materials include component parts, such as packing and	14 : 16 : 00
14	THE COURT REPORTER: Liquid what?	14 : 13 : 27	14	gaskets?	14 : 16 : 03
15	THE WITNESS: Liquid penetrant examination.	14 : 13 : 27	15	A. Normally, source inspection by our resident was	14 : 16 : 06
16	BY MR. HUGO:	14 : 13 : 27	16	not -- especially if you are getting somebody who is	14 : 16 : 15
17	Q. What does that mean?	14 : 13 : 28	17	buying it from a QPL, I would assume, if they were	14 : 16 : 19
18	A. It's a nondestructive test that you perform on	14 : 13 : 29	18	making packing and gaskets to no specs, that they had a	14 : 16 : 23
19	certain surfaces that are required by mil spec to see if	14 : 13 : 32	19	similar individual there just because of the fact they	14 : 16 : 27
20	there's any cracks or discontinuities on a particular	14 : 13 : 37	20	are on a QPL.	14 : 16 : 30
21	surface of an area. Mandatory inspection, very, very	14 : 13 : 40	21	Q. Okay. So we got two more terms we need to	14 : 16 : 31
22	common on almost every one that he gets involved in. He	14 : 13 : 45	22	define. One is mil spec. Is that shorthand for another	14 : 16 : 33
23	has to witness test of the valves.	14 : 13 : 49	23	term?	14 : 16 : 36
24	So in the process that's set up by	14 : 13 : 52	24	A. It's a military specification.	14 : 16 : 37
25	manufacturing engineering, quality would actually go to	14 : 13 : 55	25	Q. Tell the members of the jury what a military	14 : 16 : 40
Page 146			Page 148		
1	them and say, "Okay. This is the process for this	14 : 13 : 57	1	specification is.	14 : 16 : 42
2	particular job. The inspector wants to witness	14 : 14 : 00	2	A. It's a document which defines a particular	14 : 16 : 42
3	dimensional inspection at this point." He might be	14 : 14 : 05	3	product. It could be in various stages. It could be in	14 : 16 : 46
4	going out for a heat treat operation. It would be a	14 : 14 : 09	4	a component. There can be a military specification for	14 : 16 : 50
5	mechanical type part. Coming back, he might want to	14 : 14 : 12	5	glasses. There can be a military specification -- if	14 : 16 : 54
6	witness hardness testing or any tests that were done. A	14 : 14 : 15	6	the government wrote them for castings. There is a	14 : 16 : 57
7	very good example would be for procuring castings for	14 : 14 : 20	7	military specification for valves, and how to build that	14 : 17 : 02
8	part of the valve body, and the mil spec requires that	14 : 14 : 23	8	particular valve, and what's required if you are going	14 : 17 : 05
9	they be magnetic particle tested and X-rayed. He	14 : 14 : 26	9	to get that valve and sell it and stipulate that it is	14 : 17 : 08
10	actually sends a letter of delegation to the government	14 : 14 : 29	10	in accordance with that military specification.	14 : 17 : 12
11	inspector at the foundry, and that guy actually is there	14 : 14 : 32	11	Q. Was Leslie obligated to comply with military	14 : 17 : 14
12	at the foundry when the casting gets poured. Now, if	14 : 14 : 36	12	specifications, which covered all specific components of	14 : 17 : 19
13	there's cleaning when it gets X-rayed, he has to sign	14 : 14 : 39	13	the valves and related equipment, including the	14 : 17 : 22
14	off on the film that comes into us. He reviews the film	14 : 14 : 41	14	accessories, the subcomponents, such as packing and	14 : 17 : 25
15	against the components. He can set a point anywhere in	14 : 14 : 46	15	gaskets, and other materials which were necessary to	14 : 17 : 28
16	the production process to witness or inspect.	14 : 14 : 49	16	produce a Leslie product?	14 : 17 : 32
17	Q. I'm going to define a few terms. Casting,	14 : 14 : 51	17	A. Yes, sir. It's called out right in the	14 : 17 : 34
18	explain for the members the jury what a casting is.	14 : 14 : 54	18	contract.	14 : 17 : 37
19	A. A casting is a form of molding metal, for	14 : 14 : 57	19	Q. Could Leslie deviate from that and choose, for	14 : 17 : 38
20	example. The best example I can give you for a layman	14 : 15 : 10	20	example, a type of packing that was not approved by	14 : 17 : 42
21	is, if you've ever seen anybody mold lead into sinkers,	14 : 15 : 16	21	military specification?	14 : 17 : 46
22	you have a mold. You heat the lead. It turns molten.	14 : 15 : 24	22	A. You have to comply with the requirements and	14 : 17 : 46
23	The term is molding. You pour it in the mold. It	14 : 15 : 25	23	the materials that are listed in that specification.	14 : 17 : 51
24	cools. You open it up. You got a fish and sinker.	14 : 15 : 26	24	Q. Now, you also mentioned a term called, or at	14 : 17 : 53
25	Q. Okay. So --	14 : 15 : 26	25	least an abbreviation, QPL. Can you tell the members of	14 : 17 : 57
Page 147			Page 149		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	the jury what a QPL is?	14:18:03	1	documents and ANSI. It can vary, depending on the	14:21:26
2	A. It's qualified products list.	14:18:04	2	product.	14:21:33
3	Q. And what does that mean in lay terms?	14:18:09	3	Q. As a specific example, it lists gaskets,	14:21:33
4	A. There is a government list if you were looking	14:18:11	4	metallic asbestos spiral round MILG 21032, correct?	14:21:37
5	for products, and today it's on the internet. Let's say	14:18:20	5	A. Yes, sir. That's under "Specifications,"	14:21:43
6	you wanted a gasket, in accordance with MILG 1W05, or	14:18:27	6	Military.	14:21:52
7	whatever that number is, because for some reason, you	14:18:36	7	Q. And that's what you referred to by example as a	14:21:53
8	need one. You can go online -- and back then, it was	14:18:39	8	Flexitallic gasket?	14:21:56
9	just a book -- and look for that, and it would give you	14:18:43	9	A. Yes. That's a spiral round gasket.	14:21:58
10	manufacturers that supplied that gasket and were on that	14:18:50	10	Q. So the Navy, through the use of the military	14:22:00
11	list. In other words, the government had ordered it or	14:18:55	11	specifications, required Leslie to use the metallic	14:22:03
12	whatever at their facility, and they are saying that,	14:19:00	12	asbestos spiral round gasket in the pressure reducing	14:22:08
13	yes, their gaskets comply to those requirements. Then	14:19:04	13	valve, correct?	14:22:11
14	you can order them from them.	14:19:09	14	A. Yes, sir. It's required. In fact, if you go	14:22:12
15	Q. Could you source component parts that were not	14:19:10	15	to the next page, you'll see a list of materials --	14:22:17
16	on a QPL or mil spec for inclusion in your finished	14:19:15	16	Q. Yes.	14:22:20
17	products?	14:19:20	17	A. -- that are mandated to be used in these	14:22:21
18	A. If the specification required a mil spec	14:19:22	18	valves. And if you go under "Gaskets, spiral round	14:22:25
19	component, you had to order a mil spec component.	14:19:27	19	materials instructions in accordance with MILG point	14:22:32
20	Q. I would like to run through an example with	14:19:32	20	21032," et cetera.	14:22:33
21	you, and I've marked as Exhibit A a copy of valves	14:19:35	21	Q. Now, you just mentioned two other terms. I	14:22:36
22	pressure reducing steam service military specification	14:19:39	22	want to go back. ANSI and ASTM?	14:22:39
23	MIL-V-17848V. It appears to be 1968. That has been	14:19:52	23	A. Yes. If you go to the top of page 2, it lists	14:22:42
24	marked as Exhibit A for identification.	14:19:58	24	different specifications. It says, "American Society	14:22:48
25	(Defendant's Exhibit A marked.)	14:19:58	25	for Testing and Materials."	14:22:51
Page 150			Page 152		
1	BY MR. HUGO:	14:19:58	1	Q. Right.	14:22:55
2	Q. Mr. Wrobel, take a moment and take a look at	14:20:00	2	A. And you see below it "A105," that happens to be	14:22:56
3	that document and tell me whether you are familiar with	14:20:03	3	a forging specification. The casting I was talking	14:22:59
4	it.	14:20:03	4	about before, if you look down farther, it says, "A216,	14:23:05
5	(Brief pause in proceedings.)	14:20:08	5	carbon steel castings." "A217, alloy steel castings."	14:23:10
6	THE WITNESS: I've seen this before.	14:20:14	6	Q. In fact, when you were asked earlier about the	14:23:18
7	BY MR. HUGO:	14:20:16	7	American Society of Testing and Materials, ASTM, Mr.	14:23:21
8	Q. How are you familiar with it? What is it?	14:20:16	8	Galiher didn't ask you whether they, in fact, specified	14:23:25
9	A. It's a mil spec for a -- it says, "Military	14:20:17	9	the use of asbestos-containing materials or engineered	14:23:30
10	specification valves, pressure reducing steam service."	14:20:24	10	them?	14:23:33
11	Q. Is that a product that Leslie manufactured?	14:20:30	11	A. I don't remember talking about ASTM.	14:23:33
12	A. Yes, it is.	14:20:33	12	Q. Okay. What was the other one that he asked you	14:23:36
13	Q. Does that specification, in turn, incorporate	14:20:34	13	about, if you remember?	14:23:38
14	additional specifications for gaskets, for example?	14:20:39	14	A. ASME.	14:23:39
15	A. Yes, sir. If you look at paragraph 2.2, it	14:20:43	15	Q. Okay. And what's the --	14:23:42
16	says, "Other publications." And also, under 2, it says,	14:20:47	16	A. American Society of Mechanical Engineers.	14:23:43
17	"Applicable documents." All those documents listed	14:20:51	17	Q. Are you aware whether they specified use of	14:23:45
18	there become part of this. So if you are looking for a	14:20:54	18	asbestos-containing materials?	14:23:48
19	gasket, and it mentions it in there, you have to order	14:20:57	19	A. Actually -- and I can't remember the actual	14:23:50
20	the gasket to that particular specification.	14:21:01	20	specification number, but there is an ASME/ANSI spec. I	14:23:59
21	And once they list that document in there --	14:21:04	21	can get the actual number.	14:24:10
22	and if you go to page 2, even for raw materials, it	14:21:10	22	Q. I'm not concerned about the number. Just the	14:24:12
23	says, all their publications, the following documents	14:21:13	23	content.	14:24:14
24	form part of the specification. So they are specified	14:21:17	24	A. Well, there is a table in that specification	14:24:14
25	herein, and it lists other documents, like the ASTM	14:21:22	25	that had a list of different gaskets that were suggested	14:24:21
Page 151			Page 153		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	to be used in valves, and one of them was spiral round	14:24:25	1	Q. That's part of the Navy shipyard?	14:27:02
2	asbestos containing, and I think that was in there up	14:24:30	2	A. Yes.	14:27:04
3	until the end of 1990.	14:24:32	3	Q. Okay.	14:27:04
4	Q. Okay. And while we are talking about dates and	14:24:35	4	A. Part of the documentation that was required by	14:27:05
5	times -- I believe that you made reference to this, but	14:24:38	5	contract, and there were other things. But this is a	14:27:08
6	is it true that after Leslie made the decision to not	14:24:41	6	certificate of conformance and test basically that	14:27:11
7	use asbestos-containing gaskets and packing in some of	14:24:46	7	Leslie certified we met all the contract requirements.	14:27:15
8	their valves, the Navy required the continued use of	14:24:50	8	And if you look, there's boxes that are X'd, which is	14:27:25
9	asbestos-containing gaskets and packing in its valves?	14:24:53	9	saying that this particular valve had a visual	14:27:31
10	That is, the valves that Leslie produced under military	14:24:56	10	inspection, a dimensional inspection, material	14:27:33
11	specification?	14:25:00	11	inspection, material in accordance with the Navy drawing	14:27:36
12	A. When they would order a valve, they'd order it	14:25:00	12	and/or specifications. Chemical composition and	14:27:39
13	-- say, "I want a Leslie valve" -- in accordance with	14:25:04	13	mechanical properties test, that was actually of the	14:27:44
14	approved Navy drawing 23032M REV 2. I'm just picking a	14:25:07	14	castings and pressure containing material. You actually	14:27:47
15	number. And you could not deviate from that. Until	14:25:12	15	get certified material test report from the foundry.	14:27:51
16	that drawing was reapproved with a different component,	14:25:16	16	This required a class one radiographic	14:27:55
17	you had to supply it that way.	14:25:19	17	examination. This required magnetic particle testing.	14:27:59
18	Q. And in materials of the chronology of Leslie's	14:25:21	18	This required particle liquid penetrant test in the	14:28:00
19	production of various products, was Leslie producing	14:25:23	19	seats and the welds, which is common on Navy valves.	14:28:03
20	valves for the military that contained	14:25:27	20	Preservation and packing, we are certifying	14:28:07
21	asbestos-containing component parts after Leslie	14:25:30	21	that we are doing it in accordance with the mil spec.	14:28:10
22	discontinued the use of those asbestos-containing	14:25:34	22	The hydrostatic test pressure that was required by	14:28:13
23	component parts for commercial application valves?	14:25:36	23	contract or mil spec was 3,250. We did a seat tightness	14:28:16
24	A. Yes, we did.	14:25:39	24	of the valve at 1090, and we did a performance test on	14:28:22
25	Q. Now, you also talked about this inspection	14:25:42	25	water at 1090.	14:28:26
Page 154			Page 156		
1	process, and I'm going to show you what I've marked as	14:25:45	1	There were also other tests that were done.	14:28:29
2	Exhibit B for identification.	14:25:48	2	Post-shock vibration inspection tests were done, and it	14:28:32
3	(Defendant's Exhibit B marked.)	14:25:48	3	was inspected by Angelo Lavecki. He was an individual	14:28:37
4	BY MR. HUGO:	14:26:08	4	that worked in the test department.	14:28:42
5	Q. Take a minute and look at that document. If	14:26:08	5	Q. That's of Leslie, right?	14:28:44
6	you are familiar with it, tells us what it is, and how	14:26:11	6	A. That's Leslie.	14:28:45
7	you recognize it.	14:26:13	7	Q. And is that it for the jury? Only Leslie did	14:28:48
8	MR. GALIHER: I object to the form of this	14:26:13	8	these tests?	14:28:51
9	exhibit. I can't read the top of it. I don't know what	14:26:15	9	A. Leslie performed the tests.	14:28:51
10	it is.	14:26:17	10	Q. And then what happened?	14:28:53
11	THE WITNESS: This doc is a Leslie document,	14:26:24	11	A. The QAR witnessed and/or he could inspect also.	14:28:54
12	and I believe what it says on top, because I made out a	14:26:27	12	The QAR wouldn't run the test press to run it, but he	14:29:00
13	lot of these, is "Inspection and test report,	14:26:30	13	would be there to witness it. And if you notice, to the	14:29:02
14	certificate of conformance" or "compliance." I forgot	14:26:38	14	right of where it says "Shock and vibration," it's	14:29:05
15	which one it was.	14:26:38	15	signed J.J. Raymond. That was Jules Raymond. He was	14:29:09
16	BY MR. HUGO:	14:26:40	16	the Navy inspector QAR. They called it a QAS. They've	14:29:14
17	Q. Is that a document that you actually had	14:26:40	17	changed names. And actually, that box that's right	14:29:19
18	obtained at your direction from records kept in the	14:26:43	18	there that you see, he has a rubber stamp that has an	14:29:22
19	ordinary course of business by Leslie?	14:26:46	19	American eagle on it with his number that he's assigned.	14:29:26
20	A. Yes.	14:26:48	20	He is stamping this document saying that he verified all	14:29:28
21	MR. GALIHER: I object to the form of the	14:26:49	21	that we did on this, and you need this prior to	14:29:34
22	question. It's leading.	14:26:52	22	shipment.	14:29:37
23	THE WITNESS: This is for a control valve that	14:26:53	23	Q. Now, I don't want to go into too much detail,	14:29:37
24	we were making for Newport News, and --	14:26:56	24	but the members of the jury may never see a Leslie	14:29:43
25	BY MR. HUGO:	14:27:01	25	valve.	14:29:43
Page 155			Page 157		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Can you go buy one, for example, at Sears off	14:29:46	1	the scope and establishes the requirements for	14:32:36
2	the rack?	14:29:48	2	contractor's inspection system.	14:32:39
3	A. No. These are specialty valves.	14:29:49	3	Q. What is that?	14:32:41
4	Q. What does that mean? What is a specialty	14:29:50	4	A. All quality -- it defines the Leslie quality	14:32:42
5	valve?	14:29:54	5	system or anybody else's who they -- what must be in	14:32:45
6	A. You can't buy this at the Home Depot or a	14:29:55	6	that quality system, and it's quite detailed. Okay? It	14:32:48
7	supply outlet. This valve is made to a particular	14:29:57	7	talks about inspection and testing documentation. It	14:32:57
8	specification. Normally, we don't stock this type of	14:30:00	8	talks about retention of records. It talks about	14:33:00
9	valves. They are made by contract only.	14:30:05	9	corrective action if there is something that happens.	14:33:03
10	Q. And you used some terms that I want you to	14:30:07	10	If you get a corrective action request from someone, how	14:33:07
11	define here.	14:30:11	11	you have to answer it, what actions you have to take to	14:33:10
12	You said it was hydrostatic pressure tested to	14:30:11	12	prevent reoccurrence. It talks about drawing and change	14:33:13
13	30 to 50. 30 to 50 what?	14:30:16	13	control. It talks about measuring and test equipment.	14:33:15
14	A. Okay. Hydrostatic testing is filling something	14:30:18	14	Measuring and test equipment must be calibrated and	14:33:19
15	with water, and then you pressurize it. Okay? And the	14:30:21	15	traceable to a national standard.	14:33:22
16	different specifications, based on the pressure rating	14:30:25	16	And it even further goes into the calibration.	14:33:24
17	of the valve, there is a rule of thumb one and one half	14:30:28	17	If you were to read the measuring and testing part, it	14:33:27
18	times the rated pressure of the valve. It's actually	14:30:31	18	calls out MIL-C-15662, which says, "The equipment that	14:33:30
19	higher than that because it's on a pressure temperature.	14:30:33	19	you use to measure, inspect, and test must be calibrated	14:33:34
20	But this valve was rated at 900 PSI.	14:30:38	20	to that specification," and also process controls and a	14:33:38
21	If you look in the upper-right column -- upper	14:30:43	21	whole gamut of things.	14:33:44
22	right hand under "Description," I think it says --	14:30:46	22	Q. Okay. We've talked about inspection from the	14:33:45
23	Q. That's 900 and then the pound sign?	14:30:50	23	time that the raw materials are procured through the	14:33:47
24	A. 900 and then the pound sign. It's a 900-pound	14:30:51	24	production at the Leslie facility.	14:33:51
25	rated valve. For a 900-pound rated valve of this	14:30:55	25	Was there US Navy inspection and testing after	14:33:53
Page 158			Page 160		
1	material, the specification -- we did a pressure test	14:30:58	1	the products left Leslie's possession based on your	14:33:56
2	for integrity of 3,250 PSI.	14:31:03	2	years with Leslie?	14:34:02
3	Q. And PSI means?	14:31:09	3	A. Yes. It was done at the shipyards also. The	14:34:04
4	A. Times per square inch.	14:31:12	4	shipyards -- in some cases, we actually had -- remember	14:34:08
5	Q. All right. Now, in addition, I'm going to show	14:31:14	5	when I was talking about the X-rays?	14:34:12
6	you what I'm going to mark as Exhibit C, which is mil	14:31:21	6	Q. Yes.	14:34:14
7	spec number MIL-I-45208A. This one is 1961 and an	14:31:39	7	A. Actually, X-ray film on some of the contracts	14:34:14
8	appendix -- it looks like 1968.	14:31:57	8	was required to be sent even before we can start cutting	14:34:18
9	(Defendant's Exhibit C marked.)	14:31:57	9	into chips. Before we can actually have a casting	14:34:18
10	BY MR. HUGO:	14:31:57	10	shipped to us, we might have to send it to Electric Boat	14:34:22
11	Q. Take a moment and take a look at that document	14:31:59	11	or Newport News or somebody like that. And in some	14:34:24
12	and let me know if you recognize it.	14:32:01	12	cases, they would have to approve the film --	14:34:27
13	A. Yes, I do.	14:32:03	13	Q. Okay. Who --	14:34:27
14	Q. Was that document obtained at your direction	14:32:04	14	A. -- before we could do that.	14:34:30
15	from the records of Leslie?	14:32:08	15	Q. I want to clarify. You just used the term	14:34:31
16	A. Yes, sir.	14:32:10	16	"X-ray." Earlier, when we were talking about Exhibit B	14:34:33
17	Q. And kept in the normal and ordinary course of	14:32:11	17	and going through the checklist, you used the term	14:34:40
18	Leslie's business?	14:32:14	18	"radiographic examination." Is that --	14:34:45
19	A. Yes, sir.	14:32:15	19	A. That's X-ray.	14:34:46
20	Q. Can you tell the members of the jury what that	14:32:16	20	Q. -- the same?	14:34:47
21	is?	14:32:18	21	A. That's X-ray, yes.	14:34:49
22	A. It's a military inspection for the inspection	14:32:18	22	Q. And the shipyards are the ones that had the	14:34:49
23	requirements that Leslie must meet as a prerequisite to	14:32:21	23	machinery -- and I'm specifically talking about the US	14:34:52
24	be nationally offered and doing any Navy work at all.	14:32:27	24	Navy shipyards -- the machinery necessary to conduct the	14:34:55
25	This MIL-I-45208, if you go through it, it goes through	14:32:30	25	radiographic examinations or X-rays?	14:35:00
Page 159			Page 161		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	MR. GALIHER: I object to the form of the	14:35:03	1	A. Yes. Prior to a ship being accepted by the	14:37:27
2	question. It's leading.	14:35:03	2	Navy, it goes on sea trials, and --	14:37:30
3	THE WITNESS: Our castings would be	14:35:05	3	Q. Tell the members of the jury what a sea trial	14:37:33
4	radiographed by a foundry or a lab close to that foundry	14:35:07	4	is.	14:37:33
5	that was certified. But, yes, the shipyards do have	14:35:10	5	A. The ship goes out. The Navy is running the	14:37:36
6	facilities to verify your results. As a matter of fact,	14:35:13	6	ship, along with people from the shipyard. And they	14:37:38
7	there was many an occasion over a period of, you know,	14:35:18	7	have basically a test that they have to run. For	14:37:41
8	counting everything, 20 years, I would get a call from	14:35:21	8	example, full speed ahead, full speed reverse. All	14:37:44
9	Electric Boat, and they would say, "We have this	14:35:24	9	equipment is being operated. You know, the valves are	14:37:48
10	casting. We are going to X-ray it. Can you send me the	14:35:27	10	run up to pressure. Because to go full speed ahead or	14:37:51
11	film? We want to verify what you did." They have	14:35:30	11	full speed in reverse or whatever, all the equipment has	14:37:54
12	random inspections that they have to do, too.	14:35:34	12	to be working. And that's when usually -- when they go	14:37:57
13	BY MR. HUGO:	14:35:37	13	on sea trial, there is a technical representative from	14:38:00
14	Q. So they'd be comparing the film that was done,	14:35:37	14	the companies that supplied the equipment. And if the	14:38:03
15	for example, at the foundry with the film taken of the	14:35:41	15	equipment fails, you know, or doesn't work, you have the	14:38:06
16	finished product to make sure that they were of the same	14:35:43	16	opportunity to fix it. I mean, if it can be fixed, I	14:38:13
17	component, which became a valve?	14:35:46	17	mean -- if the ship doesn't pass the test, the Navy	14:38:15
18	A. What they were trying to do is verify that the	14:35:48	18	doesn't accept the ship --	14:38:19
19	X-ray that you did and the acceptance of that, that it	14:35:51	19	Q. Okay. Who directed and controlled those	14:38:19
20	was a good X-ray, and they would periodically do this.	14:35:59	20	testing procedures?	14:38:21
21	Q. Based on your 44 years at Leslie and your time	14:36:03	21	A. That's the Navy.	14:38:22
22	at shipyards and aboard Navy ships, did the inspectors	14:36:06	22	Q. Are you familiar with the Naval Engineering	14:38:29
23	not only have the authority to inspect, but did they	14:36:11	23	Station or the Navy Boiler and Turbine Laboratory?	14:38:32
24	have the authority to either accept or reject products	14:36:14	24	A. It's a lab that I know had been used for shock	14:38:36
25	manufactured by Leslie?	14:36:17	25	and vibration testing of valves.	14:38:43
Page 162			Page 164		
1	MR. GALIHER: I object to the form of the	14:36:18	1	Q. Was Leslie required or obligated to send	14:38:45
2	question. It's leading.	14:36:20	2	samples of its product to those facilities for testing	14:38:48
3	THE WITNESS: The shipyards and the procuring	14:36:21	3	and inspection?	14:38:50
4	activities. Not necessarily the shipyards, but	14:36:24	4	A. You had to send it to an approved laboratory.	14:38:51
5	Mechanicburg and other depots that ordered parts. You	14:36:27	5	In some cases, in the contracts, it was quite specific.	14:38:55
6	know, some contracts came in where there were inspection	14:36:31	6	In other cases, you just send it to a lab that had been	14:38:58
7	source, acceptance destination. They should reinspect	14:36:35	7	approved by the Navy.	14:39:02
8	at any point in time, and the shipyards -- the shipyards	14:36:37	8	MR. HUGO: I'm going to mark now another	14:39:03
9	normally inspected everything that came in.	14:36:40	9	document, and it's going to be marked as Exhibit D for	14:39:07
10	BY MR. HUGO:	14:36:44	10	identification --	
11	Q. And did you personally interface with	14:36:45	11	MR. GALIHER: I have to go to the bathroom.	
12	government and shipyard quality control personnel	14:36:46	12	MR. HUGO: -- after this break so the	
13	concerning the equipment supplied by Leslie pursuant to	14:36:50	13	videographer can make the time adjustments, and we'll	
14	these specifications?	14:36:55	14	take a break.	
15	A. Oh, yes, sir. I worked with them.	14:36:57	15	(Defendant's Exhibit D marked.)	14:39:26
16	Q. Now, you also used --	14:36:58	16	THE VIDEOGRAPHER: We are going off the record.	14:39:26
17	A. A lot -- a lot of different of government	14:36:59	17	The time on the screen is 2:39.	14:39:28
18	inspectors, a lot of different quality people at	14:37:01	18	(Recess.)	14:39:31
19	different shipyards. Bath Iron Works, Newport News	14:37:06	19	THE VIDEOGRAPHER: We are now back on the	14:54:09
20	especially, Electric Boat.	14:37:10	20	record. The time on the screen is 2:55.	14:55:06
21	Q. Okay. You told us about being seasick, so I	14:37:13	21	BY MR. HUGO:	14:55:14
22	don't want to spend a lot of time with this.	14:37:17	22	Q. Mr. Wrobel, when we took a break, we were	14:55:15
23	But after a product made its way from Leslie to	14:37:20	23	talking about testing by the United States Navy	14:55:19
24	a shipyard, was there something called a sea trial which	14:37:23	24	laboratories. I've marked for identification Leslie	14:55:22
25	occurred?	14:37:26	25	Exhibit D. Take a moment and take a look at that	14:55:25
Page 163			Page 165		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	document. And if you recognize it, tell us what it is.	14:55:28	1	the reading and then have the drawing. And he'd say,	14:58:55
2	A. Give me a minute.	14:55:31	2	"Do this one," or "I want to do that." Whatever he	14:58:59
3	(Brief pause in proceedings.)	14:55:48	3	wanted to do, I had to do it.	14:59:02
4	THE WITNESS: It's hard to read the -- I'm	14:55:49	4	Q. Based on your time working with or for him at	14:59:03
5	sorry -- request. Okay. It's a request to the United	14:55:52	5	Leslie, what was the purpose of him sending this product	14:59:08
6	States Naval Engineering Laboratory in Annapolis, and it	14:56:17	6	out for testing and requesting a report back from the	14:59:11
7	looks like we had an order. We were a subcontractor,	14:56:25	7	Marine Engineering Laboratory in Annapolis, Maryland?	14:59:15
8	but we had an order for a Warren pump, it looks like,	14:56:31	8	A. The contract that we got as a sub, because it	14:59:19
9	and --	14:56:36	9	looks like here Warren -- Warren is the prime, and we	14:59:23
10	BY MR. HUGO:	14:56:37	10	were going to put one of our governors on one of their	14:59:27
11	Q. When you said Annapolis, you are talking about	14:56:37	11	pumps, I guess. That's what I'm getting from this.	14:59:30
12	Annapolis, Maryland, correct?	14:56:39	12	They delegated down the requirements that were imposed	14:59:32
13	A. Yes. Annapolis, Maryland.	14:56:40	13	on them as a direct contractor, as the prime contractor.	14:59:34
14	Q. And this is a performance test, correct?	14:56:42	14	They subdelegated down to us to reclaim that	14:59:38
15	A. It says -- this was a cover document to send a	14:56:44	15	piece of equipment that we were making for them. And	14:59:42
16	pump governor, pump pressure regulator -- okay? -- to	14:56:52	16	also, on -- the QAR, the Navy inspector at Warren Pumps,	14:59:45
17	that lab, that Navy lab because it says here, "Submitted	14:56:57	17	because there was a requirement that the valve be	14:59:50
18	for performance test to meet in accordance with	14:57:01	18	inspected and tested in accordance with the	14:59:52
19	paragraph" -- I don't know if that's 413 or number 13 --	14:57:05	19	specifications, send what they call a letter of	14:59:55
20	"a one-inch Leslie PLNS-5 Type CPQ class 1, Series 600	14:57:10	20	delegation to Mr. Mishnekoff, giving him instructions.	14:59:57
21	service -- standby lube pump." And they are asking to	14:57:16	21	And actually, the guy who was at Warren Pump	15:00:00
22	do a test in accordance with that.	14:57:21	22	got a letter of delegation from the Navy as a prime of	15:00:03
23	And if you noticed, it's got the Navy	14:57:24	23	what he has to inspect and check on the piece of	15:00:08
24	inspector, Frank Mishnekoff. That's the guy I worked	14:57:27	24	equipment.	15:00:11
25	with when I first started. And, again, his eagle.	14:57:32	25	Q. And if it fails the inspection, what's the	15:00:12
Page 166			Page 168		
1	Okay? And it says, "send a report of the test to Mr.	14:57:35	1	result?	15:00:16
2	Frank Mishnekoff, QAR, DCASD - Newark." Care of Leslie	14:57:38	2	A. Number one, the equipment is stopped at	15:00:21
3	Controls. That's where Mr. Mishnekoff --	14:57:46	3	whatever point it is. Okay? And depending on the	15:00:24
4	Q. Okay. Mishnekoff, for the record, is	14:57:47	4	severity. Okay? Example: Let's say the valve was	15:00:29
5	M-i-s-h-n-e-k-o-f-f, correct?	14:57:51	5	painted and it had some drips on it. You know what I'm	15:00:33
6	A. Yes, sir.	14:57:54	6	talking? When you spray paint, you got little beads	15:00:42
7	Q. And he was actually -- when you said stationed,	14:57:55	7	left on paint?	15:00:44
8	he was the inspector who was physically present at	14:57:58	8	Q. Right.	15:00:44
9	Leslie Company assigned there by the United States Navy,	14:58:00	9	A. He could say, "For quality purposes, I don't	15:00:45
10	correct?	14:58:06	10	like that." Okay? "Fix it." And if it was something	15:00:51
11	A. Assigned there by the government or the United	14:58:06	11	minor, he might do it like that. If he found they used	15:00:55
12	States Navy. One of them, yeah.	14:58:09	12	the wrong component -- okay? -- it could be a lengthy	15:00:59
13	Q. And were you personally familiar with Mr.	14:58:10	13	process. Okay? He would issue a corrective action	15:01:04
14	Mishnekoff?	14:58:13	14	report, which takes you into a whole different ball	15:01:08
15	A. When I first started there being an inspector	14:58:14	15	game, back to that 45208 where they have to do it.	15:01:13
16	trainee, as anybody who is an interim, first-start	14:58:17	16	And until you resolve the problem, until you	15:01:13
17	position, you get to do all the jobs that nobody else	14:58:21	17	can prove you've taken action to preclude recurrence,	15:01:17
18	wants to do. So I had to assist him in his inspections.	14:58:24	18	the product sits there. And, you know, if somebody	15:01:20
19	When he was doing dimensional inspections, I would get	14:58:32	19	falsified something, you go to jail.	15:01:29
20	the tools for him. I would take them to where the	14:58:35	20	Q. Now, you talked about the fact that one	15:01:31
21	equipment was.	14:58:38	21	particular individual, Mr. Mishnekoff, was physically	15:01:36
22	He would tell me in a lot of cases, "Okay, take	14:58:38	22	present at Leslie Company when you started.	15:01:41
23	the dimension for me of -- this dimension on the valve	14:58:43	23	How long between the start of your employment	15:01:43
24	or whatever." And I would kneel down, take the	14:58:50	24	with Leslie and today has there been a US Navy inspector	15:01:46
25	dimension of a piece of inspection equipment, and read	14:58:52	25	at Leslie?	15:01:52
Page 167			Page 169		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. The entire time.	15:01:53	1	Q. Did the Navy ever ask Leslie to recall any	15:04:14
2	Q. Up until today --	15:01:54	2	products that Leslie manufactured that may have	15:04:18
3	A. Up until today.	15:01:56	3	contained an asbestos-containing component part?	15:04:21
4	Q. -- literally, which is December the 1st of	15:01:57	4	A. Not to my knowledge.	15:04:25
5	2009, correct?	15:01:59	5	Q. At any time in time, did the Navy ask or	15:04:25
6	A. Yes.	15:02:00	6	instruct Leslie to affix a warning or caution statement	15:04:33
7	Q. You also talked about technical manuals.	15:02:00	7	to any of its products? The products themselves now as	15:04:36
8	Are technical manuals covered by military	15:02:10	8	opposed to the technical manual?	15:04:41
9	specifications as well?	15:02:14	9	A. Concerning asbestos?	15:04:43
10	A. Yes, they are.	15:02:16	10	Q. Yes.	15:04:44
11	Q. And what is the process -- actually, let me go	15:02:17	11	A. Not that I'm aware of.	15:04:45
12	back before I skip over something.	15:02:18	12	Q. You talked a little bit in response to Mr.	15:04:47
13	Exhibit D is actually a document that was	15:02:21	13	Galiher's question about a Tyfon, T-y-f-o-n, whistle,	15:04:54
14	obtained at your direction from records kept in the	15:02:24	14	which contained some asbestos insulation inside the	15:04:59
15	ordinary course of business by Leslie, correct?	15:02:27	15	product, correct?	15:05:05
16	A. Yes, sir.	15:02:29	16	A. Yes, sir.	15:05:06
17	Q. Okay. With that aside, what is the process by	15:02:30	17	Q. To your knowledge, did anybody ever order a	15:05:07
18	which a Leslie technical manual is drafted and reviewed	15:02:37	18	replacement piece of insulation for a Tyfon whistle from	15:05:11
19	by the United States Navy?	15:02:42	19	Leslie?	15:05:17
20	A. To my knowledge, engineering or part of	15:02:45	20	MR. GALIHER: I object to the form of the	15:05:18
21	engineering writes a manual in accordance with the	15:02:47	21	question as leading.	15:05:19
22	requirements of the mil spec. I've never read in	15:02:51	22	THE WITNESS: I have never seen any document	15:05:20
23	entirety. I never wrote one. But it tells what has to	15:02:55	23	where somebody ordered that.	15:05:24
24	be in it. It tells the size. They are very, very --	15:02:59	24	BY MR. HUGO:	15:05:26
25	like any military specification, it's very defined. And	15:03:08	25	Q. Have you ever seen any document which indicates	15:05:27
Page 170			Page 172		
1	once it's written, it's submitted to whoever asked you	15:03:11	1	that somebody repaired a Leslie Tyfon whistle which	15:05:30
2	to do that for review and approval.	15:03:14	2	caused them to disturb or replace that asbestos	15:05:34
3	Q. And that would be the Navy; is that correct?	15:03:17	3	insulation?	15:05:38
4	A. The Navy. Or the shipyard could have done it,	15:03:19	4	A. No, sir. There is no reason to disturb that at	15:05:40
5	and then the shipyard would give it to the ship building	15:03:22	5	all.	15:05:43
6	or Navy or whoever required it from Navships.	15:03:25	6	Q. Why is that?	15:05:43
7	Q. Based on your 44 years of employment with	15:03:28	7	A. Because it's a closure, and all the components,	15:05:43
8	Leslie and your involvement in the manufacturing process	15:03:33	8	if you look at that drawing, can be accessed without	15:05:48
9	that you've discussed, do you have any doubt in your	15:03:37	9	even touching it.	15:05:51
10	mind that the United States Navy knew which	15:03:41	10	Q. You were shown some documents from Southern	15:05:52
11	asbestos-containing products, if any, were contained	15:03:43	11	Power and Industry dated in the 1940s from the American	15:05:59
12	within Leslie's products --	15:03:47	12	Society of Mechanical Engineers from the 1940s as well.	15:06:07
13	MR. GALIHER: I object to the form of the --	15:03:53	13	Do you remember that?	15:06:11
14	BY MR. HUGO:	15:03:53	14	A. Yes, sir.	15:06:11
15	Q. -- at every point in time in production?	15:03:53	15	Q. Have you ever reviewed any documents from	15:06:12
16	MR. GALIHER: I object to the form of the	15:03:55	16	either of those organizations that concluded or	15:06:16
17	question as leading.	15:03:55	17	suggested that asbestos-containing gaskets or packing	15:06:19
18	THE WITNESS: The government knew exactly what	15:03:56	18	posed a health hazard to people who worked with or	15:06:24
19	everything was in that valve. It's called out on the	15:03:58	19	around them in Leslie's products?	15:06:27
20	approved Navy drawing or master plan that we called it	15:04:01	20	MR. GALIHER: I object to the form of the	15:06:29
21	before.	15:04:04	21	question.	15:06:31
22	BY MR. HUGO:	15:04:04	22	THE WITNESS: No, sir, I have not.	15:06:31
23	Q. Did the Navy ever ask Leslie to put a warning	15:04:05	23	MR. HUGO: And that is the extent of my	15:06:40
24	regarding asbestos in any of Leslie's technical manuals?	15:04:09	24	examination at this point.	15:06:42
25	A. Not to my knowledge.	15:04:13	25	Anybody else have any questions? I'm hearing	15:06:47
Page 171			Page 173		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	none.	15:06:52	1	document, however. It's A you are talking about?	15:11:13
2	MS. SHELDON: Marie Sheldon. I don't have any	15:06:53	2	THE WITNESS: I believe so.	15:11:16
3	questions. Thanks.	15:06:54	3	MR. HUGO: Mr. Wrobel, I know you have a lot of	15:11:17
4	MR. HUGO: I believe that the deposition is	15:06:59	4	documents here, but just look at that one and compare it	15:11:21
5	concluded. We should go off the record, and --	15:07:01	5	to Exhibit A and make sure it's the military	15:11:23
6	MR. GALIHER: No. I need to ask some	15:07:02	6	specification for the same thing.	15:11:28
7	follow-up.	15:07:03	7	THE WITNESS: 12 November of '68, superseding	15:11:29
8	MR. HUGO: Okay.	15:07:03	8	--	15:11:29
9	MR. GALIHER: I was just waiting for the round	15:07:04	9	MR. HUGO: Not the one --	15:11:33
10	Robin to roll in, if the co-defendants are all finished.	15:07:06	10	THE WITNESS: When I looked here, I looked at	15:11:33
11	MR. HUGO: You want to do one at a time?	15:08:46	11	the wrong --	15:11:35
12	MR. GALIHER: No. Both, the same.	15:08:48	12	MR. HUGO: No. That's fine. We'll get clear.	15:11:36
13	(Plaintiffs' Exhibits 21, 22 marked.)	15:08:48	13	Not the date, but just the right product. Is it the	15:11:37
14	FURTHER EXAMINATION	15:08:57	14	exact same type of valve, or is it a different --	15:11:40
15	BY MR. GALIHER:	15:08:57	15	THE WITNESS: No. It's the same specification.	15:11:43
16	Q. Mr. Wrobel, counsel asked you some questions on	15:08:58	16	MR. HUGO: Okay.	15:11:44
17	Exhibit A having to do with the military specification	15:09:03	17	BY MR. GALIHER:	15:11:45
18	for valves pressure reducing steam service.	15:09:06	18	Q. So --	15:11:48
19	Do you recall?	15:09:12	19	A. And this document, Exhibit A, says it	15:11:48
20	A. Yes.	15:09:12	20	superseded MIL-V-17848 (ships,) November 1958. And this	15:11:54
21	Q. I believe that was a mil spec dated 12 November	15:09:13	21	one is the document that this supersedes.	15:12:02
22	-- is that 1966?	15:09:24	22	MR. HUGO: Okay.	15:12:07
23	A. 12 or 19 November.	15:09:33	23	BY MR. GALIHER:	15:12:10
24	Q. It's '66 or '68?	15:09:34	24	Q. And that's the same, and that '58, in fact,	15:12:11
25	A. 12 November 1966.	15:09:35	25	superseded the original, which was 17 October 1955; is	15:12:14
Page 174			Page 176		
1	MR. GALIHER: Okay. Do we have a better date	15:09:38	1	that correct?	15:12:23
2	than that?	15:09:48	2	A. Yes, sir.	15:12:23
3	MR. DEROBERTIS: No.	15:09:49	3	Q. Okay. And just so we are clear, the military	15:12:26
4	BY MR. GALIHER:	15:09:52	4	specification is a description of a product; is that	15:12:33
5	Q. Okay. That mil spec that was marked as Exhibit	15:09:52	5	correct?	15:12:36
6	A actually supersedes the previous mil spec that covered	15:09:56	6	A. I guess the word "description" -- it's the	15:12:36
7	that valve; is that correct? And I've just showed you	15:10:01	7	specification that covers regulating valves for steam	15:12:49
8	Exhibit 22 and 21. See if those are the preceding	15:10:07	8	service.	15:12:49
9	military specifications, if that's the one your counsel	15:10:12	9	Q. Okay. You used the example of that glass	15:12:54
10	directed your attention to?	15:10:16	10	sitting next to you.	15:12:54
11	A. No. I think this is superseding -- that's	15:10:26	11	If there was a military specification of that,	15:12:57
12	superseding. Oh, it says, "superseding." The document	15:10:30	12	it would say, umpety-ump kind of glass and this height	15:13:00
13	that this replaced, it looks like is dated 19 November.	15:10:34	13	and that width and whatever, that's clear to see	15:13:03
14	And this is 17 October, and this is 17 October.	15:10:39	14	through, whatever, rather than say, "A Leslie water	15:13:05
15	MR. DEROBERTIS: That's B.	15:10:55	15	glass." It's a description of what the product is, or	15:13:10
16	BY MR. GALIHER:	15:10:56	16	what the end product here is supposed to be built	15:13:13
17	Q. I have a cleaner copy here. And up at the top,	15:10:57	17	according to specification; is that correct?	15:13:16
18	it says, "12 November 1968." Do you want to just take a	15:11:01	18	A. Yes. It's how to build that product.	15:13:17
19	look at that and make sure I'm talking about the right	15:11:05	19	Q. Okay. It might not be a Halliburton glass, but	15:13:21
20	date?	15:11:05	20	Halliburton could make a specification that would	15:13:26
21	A. Oh, wait a minute. Maybe I'm reading it wrong.	15:11:05	21	describe it that would meet a military specification?	15:13:28
22	MR. HUGO: I think that's the correct --	15:11:06	22	A. As long as the configuration met all the	15:13:31
23	MR. GALIHER: 1968. I just don't want to	15:11:08	23	requirements of this.	15:13:31
24	create any confusion.	15:11:10	24	Q. Okay. So it's basically how to avoid a	15:13:33
25	MR. HUGO: I don't know that this is the same	15:11:11	25	brand-name so that other people can bid on it at least	15:13:35
Page 175			Page 177		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	in theory if you are going to produce it?	15:13:38	1	A. No, sir. But those specifications become part	15:18:42
2	A. No. I think it's putting requirements in so	15:13:41	2	of this specification.	15:18:45
3	the valve performs the way it's supposed to perform.	15:13:45	3	Q. No. But I'm saying, in the later iteration,	15:18:46
4	Q. Okay. So if the military was going to make a	15:13:47	4	the one your counsel brought to your attention, it	15:18:48
5	specification to buy Drano to clean their toilets, they	15:13:52	5	specifically says asbestos -- metallic asbestos spiral	15:18:52
6	don't say, "Military specification for Drano." They'll	15:13:57	6	round -- is that correct -- and that's not specifically	15:19:04
7	describe what it can do, little pellets that are made	15:14:01	7	listed in the previous iteration?	15:19:07
8	out of X, Y, and Z and clean your toilet," is what I'm	15:14:04	8	A. That's correct. The previous iteration does	15:19:11
9	saying. It's a description of a product?	15:14:08	9	not have a table -- well, it has a table, but in the	15:19:14
10	A. And probably if it was Drano, it would say,	15:14:09	10	table it doesn't list gasketing. However, what I'm	15:19:17
11	"The pellets should consist of so much percent of this,	15:14:12	11	saying, these other specifications, which become part	15:19:21
12	so much percent of this, so much percent of this," or	15:14:12	12	of, could call out the requirements for the gasketing.	15:19:24
13	"This be the diameter," or "This be the color of this,"	15:14:15	13	Q. And both A and 21 and 22 list specifications as	15:19:31
14	et cetera, et cetera.	15:14:18	14	a second applicable document, and only in the one that	15:19:40
15	Q. But the idea is to have an objective	15:14:18	15	your counsel selected to show you does it spell out our	15:19:45
16	description of it that would meet some sort of	15:14:21	16	ad (phonetic) gaskets metallic asbestos; is that	15:19:51
17	performance specification, work like it's supposed to,	15:14:24	17	correct?	15:19:55
18	but somebody else could make it besides the Drano	15:14:25	18	A. The earlier document does not call for spiral	15:19:55
19	company?	15:14:28	19	round gaskets. The later document does, and --	15:20:00
20	A. Somebody else could make a valve to this	15:14:29	20	Q. And likewise -- go ahead.	15:20:03
21	specification.	15:14:33	21	A. And basically, I'm assuming that's when we went	15:20:04
22	Q. Okay. That's all I'm asking.	15:14:33	22	to the later reducing valve where we went from the	15:20:08
23	A. If they went through all that they had to do.	15:14:35	23	copper jacketed to the spiral round.	15:20:13
24	Q. Okay. Now, your counsel showed you his Exhibit	15:14:37	24	Q. So that change in the gasketing was specified	15:20:16
25	B -- or was that A? That was A -- and that was a	15:14:43	25	by this specification that came out in 1968, that	15:20:24
Page 178			Page 180		
1	specification for this valve you described, and he	15:14:46	1	superseded the 1958 specification; is that correct?	15:20:30
2	walked you through the part where it said gaskets,	15:14:50	2	A. That's what I'm saying from these documents,	15:20:33
3	metallic asbestos spiral round.	15:14:59	3	that the later one is the spiral round.	15:20:35
4	Do you recall that?	15:15:01	4	Q. And with respect to the three specifications in	15:20:39
5	A. Yes, sir.	15:15:02	5	front of you, the three iterations of the same	15:20:45
6	Q. That military specification superseded the one	15:15:02	6	specification, the '55, the '58, and the '68, they are	15:20:50
7	that was developed in November, 19 November 1968, which	15:15:10	7	absolutely silent on the type of packing that should be	15:20:55
8	in fact superseded the one before that was developed in	15:15:17	8	incorporated; is that correct?	15:20:58
9	October, October 17th, 1955; is that correct?	15:15:27	9	A. That's correct because pressure reducing valves	15:21:00
10	A. Yes, sir, in that sequence.	15:15:30	10	don't have packing.	15:21:17
11	Q. And the two iterations before that, for the	15:15:32	11	Q. With respect to your weight calculations that	15:21:17
12	decade and a half or the 13 years before that, there is	15:15:35	12	you made for Mr. Hugo, you are not a marine engineer,	15:21:19
13	no such description of the gasketing material; is that	15:15:39	13	are you?	15:21:24
14	correct?	15:15:45	14	A. No, sir.	15:21:25
15	A. I don't know. I don't think I've ever seen	15:15:45	15	Q. And you don't have any notes for those	15:21:25
16	that.	15:15:48	16	calculations, do you?	15:21:27
17	Q. Well, why don't you take your time and go	15:15:49	17	A. No, sir, I do not.	15:21:29
18	through it?	15:15:51	18	Q. And did you work that out with counsel	15:21:30
19	A. I don't see it listed in the table as in the	15:18:21	19	beforehand, those calculations?	15:21:37
20	later. However, these bureaus' drawings, without having	15:18:25	20	A. I did that maybe -- because when I was asked or	15:21:45
21	them in front of me, I can't tell if they reference	15:18:31	21	tearing gaskets apart, and I said, "This is very time	15:21:53
22	gasket and the type to be used. They could be listed in	15:18:34	22	consuming." So I took it on my own -- I actually did it	15:21:55
23	these other documents.	15:18:38	23	on an Excel spreadsheet.	15:21:59
24	Q. But it's not listed on the specification as	15:18:40	24	Q. When was this?	15:22:00
25	a --	15:18:42	25	A. A year and a half ago.	15:22:01
Page 179			Page 181		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	Q. Okay. It was after the litigation. While you	15:22:05	1	stamp that also back then they used to stamp every	15:25:14
2	were testifying in this litigation, you did this little	15:22:08	2	valve.	15:25:18
3	experiment?	15:22:12	3	(Plaintiffs' Exhibit 23 marked.)	15:26:51
4	A. When I was testifying in this litigation?	15:22:12	4	BY MR. GALIHER:	15:26:51
5	Q. Yes. The asbestos litigation generally.	15:22:14	5	Q. I marked as Exhibit 23 military specification	15:26:52
6	A. Oh, yes, sir.	15:22:16	6	form manual, technical, for mechanical and electrical	15:27:01
7	Q. And the weight that you calculated didn't	15:22:20	7	equipment dated 10 September 1957.	15:27:05
8	include any asbestos insulation that Leslie recommended	15:22:27	8	You can take your time to review that, and I'm	15:27:14
9	be installed around the valves for condensation, does	15:22:31	9	going to ask you a question about paragraph 3.4.3.2 (c)	15:27:17
10	it?	15:22:38	10	on page 17 that deals with warning.	15:27:28
11	MR. HUGO: Objection; misstates the prior	15:22:38	11	A. I'll just read the scope of the document --	15:27:50
12	testimony.	15:22:39	12	Q. Sure.	15:27:50
13	THE WITNESS: No, sir. This was just -- if you	15:22:40	13	MR. HUGO: Take your time and read the whole	15:27:52
14	had a gasket here, basically what it would weigh. And	15:22:42	14	thing if you need to, if you are not familiar with that	15:27:54
15	if you took off the metal and just had the filler, what	15:22:46	15	document.	15:27:56
16	the filler would weigh. That's all it was.	15:22:49	16	BY MR. GALIHER:	15:28:09
17	BY MR. GALIHER:	15:22:51	17	Q. This is in response to questions counsel put to	15:28:10
18	Q. This had nothing to do with sheet gaskets, huh?	15:22:51	18	you having to do with specifications for writing manuals	15:28:12
19	A. I did calculate the sheet gaskets, too -- also.	15:22:54	19	and technical publications for equipment.	15:28:17
20	Q. Exhibit D, this was a Warren Pumps exhibit, or	15:23:11	20	(Brief pause in proceedings.)	15:29:24
21	the prime contractor on this was Warren Pumps?	15:23:27	21	THE WITNESS: I'm trying to read all the	15:30:29
22	A. Which one?	15:23:30	22	sections to see --	15:30:29
23	Q. D.	15:23:31	23	MR. GALIHER: No. You go ahead and take all	15:30:31
24	A. Yes, sir. If you look at block 3, it says,	15:23:35	24	the time you need. That's fine.	15:30:33
25	"Prime contractor: Warren Pump."	15:23:38	25	(Pause in proceedings.)	15:33:19
Page 182			Page 184		
1	Q. Okay. Is that someone that Leslie frequently	15:23:40	1	THE WITNESS: Okay. I've got a general idea of	15:36:12
2	teamed up with as far as equipment going aboard naval	15:23:50	2	what it's about.	15:36:14
3	vessels?	15:23:55	3	BY MR. GALIHER:	15:36:16
4	MS. SHELTON: Objection; misstates the	15:24:04	4	Q. Do you recognize this specification?	15:36:17
5	testimony as far as Leslie and Warren were specifically	15:24:08	5	A. I don't believe I've ever read this.	15:36:19
6	teaming up.	15:24:08	6	Q. Okay. This specification as referred to, is it	15:36:21
7	THE WITNESS: I'm just saying what this was.	15:24:10	7	not in our Exhibit 22?	15:36:31
8	BY MR. GALIHER:	15:24:14	8	MR. HUGO: Objection; lack of foundation, calls	15:36:37
9	Q. Sure. I'm asking you --	15:24:14	9	for hearsay.	15:36:41
10	A. I never saw a Warren pump at Leslie. But	15:24:15	10	BY MR. GALIHER:	15:36:41
11	Leslie made pressure regulators, and Warren Pump ordered	15:24:19	11	Q. Do you recall those questions where your	15:36:48
12	a pump pressure regulator from us. They were the prime.	15:24:22	12	counsel was asking you about how -- was it their	15:36:49
13	We were the sub. We complied with the contract.	15:24:25	13	specifications that told you how to write these manuals,	15:36:52
14	Q. From reviewing documents and your own	15:24:27	14	technical manuals? Do you remember that?	15:36:56
15	experience at Leslie, was Warren Pumps a frequent	15:24:30	15	A. Yes, sir.	15:36:57
16	contractor that you worked with or Leslie worked with in	15:24:34	16	Q. Okay. Is that what this specification deals	15:36:58
17	conjunction with equipment going aboard naval vessels?	15:24:38	17	with?	15:37:01
18	A. I have -- "frequent," I don't know how to	15:24:42	18	MR. HUGO: Objection; vague, ambiguous,	15:37:02
19	define that. I have seen documents as I've gone through	15:24:49	19	overbroad, lack of foundation, calls for hearsay.	15:37:04
20	things, kind of microfilm, where I have seen Leslie ship	15:24:52	20	BY MR. GALIHER:	15:37:07
21	valves to Warren Pump.	15:24:58	21	Q. Just so I'm referencing this correctly, mil	15:37:08
22	Q. Okay. This stamp that's on D, is that one of	15:25:00	22	spec M15071, "Military Specification Manual, Technical,	15:37:12
23	those rubber stamps you were describing?	15:25:03	23	For Mechanical and Electrical Equipment, Less	15:37:21
24	A. Yes, sir. That's what they called the Navy	15:25:05	24	Electronics."	15:37:26
25	inspector's eagle. He also had a high-impact metal	15:25:08	25	Do you see that?	15:37:27
Page 183			Page 185		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. Yes, sir. That's what it says.	15:37:28	1	the original iteration of this military specification	15:39:57
2	Q. Okay. And this is basically telling you how to	15:37:30	2	for the Leslie valve that you were building that counsel	15:40:03
3	write a manual; is that correct?	15:37:32	3	pointed out to you that's dated 17 October 1955; is that	15:40:06
4	MR. HUGO: Objection; lack of foundation, calls	15:37:33	4	correct?	15:40:13
5	for hearsay.	15:37:37	5	A. Yes, sir.	15:40:13
6	THE WITNESS: To me, it looks like it gives the	15:37:37	6	Q. And if you turn to the second page there, about	15:40:13
7	minimum requirements of how a manual should be prepared.	15:37:41	7	two-thirds or three-quarters of the way down that list,	15:40:17
8	BY MR. GALIHER:	15:37:44	8	it says, "MIL-T-15071 technical manuals for mechanical	15:40:20
9	Q. Okay. And just so we are clear, this	15:37:44	9	and electrical equipment." Is that this very same	15:40:26
10	specification is called for and must be complied with	15:37:49	10	specification?	15:40:29
11	for the manufacturer of the valves that you are	15:37:54	11	A. Yes, sir.	15:40:30
12	manufacturing; is that correct?	15:37:57	12	Q. So it would seem to apply to that one as well?	15:40:30
13	MR. HUGO: Objection; calls for hearsay, lacks	15:37:58	13	MR. HUGO: Same objections.	15:40:33
14	foundation.	15:38:03	14	BY MR. GALIHER:	15:40:35
15	THE WITNESS: If this manual is called out in	15:38:03	15	Q. Then on Exhibit A, which was the 1958 -- pardon	15:40:35
16	the specification as the technical manual specification,	15:38:06	16	me -- 1968 revision, November 12, 1968, if you go to the	15:40:48
17	this is the manual that I would say you'd have to write	15:38:08	17	eighth page, page 8 at the bottom, middle, and the	15:40:59
18	the manual to.	15:38:13	18	second paragraph says, "Manuals."	15:41:12
19	BY MR. GALIHER:	15:38:14	19	Do you see that?	15:41:13
20	Q. Okay. We are on the same page. No pun	15:38:15	20	A. Yes, sir.	15:41:15
21	intended. We'll get there.	15:38:17	21	Q. It says, "Manuals shall be furnished in	15:41:16
22	So our Exhibits 21 and 22, can you take a look	15:38:19	22	accordance with type 1 of MIL-M-15071."	15:41:19
23	at those? Are those still in front of you? Those were	15:38:25	23	Again, is that this very specification we are	15:41:25
24	the earlier specifications for the valves.	15:38:28	24	talking about?	15:41:27
25	A. I got a little blurry for a minute.	15:38:36	25	MR. HUGO: Objection; calls for hearsay, lacks	15:41:28
Page 186			Page 188		
1	Q. That's fine. That's fine. Let's look at	15:38:39	1	foundation, calls for speculation.	15:41:31
2	Exhibit 21 first.	15:38:51	2	THE WITNESS: It's calling for this	15:41:33
3	Is that the first one? Well, 21, this is	15:38:53	3	specification.	15:41:34
4	November 19, 1958. And if you go to the second page,	15:39:02	4	BY MR. GALIHER:	15:41:36
5	page 2, about three-quarters of the way down where it	15:39:06	5	Q. To be adhered to or applied in making the	15:41:36
6	says "MIL-M-15071 manual" -- do you see that?	15:39:15	6	valve?	15:41:39
7	A. Yes, sir I do.	15:39:20	7	A. Adhered to or applied, but not necessarily that	15:41:39
8	Q. -- does that appear to be this very	15:39:21	8	particular revision. I don't --	15:41:40
9	specification?	15:39:24	9	Q. I understand that. I understand, but we are	15:41:41
10	MR. HUGO: Objection; lacks foundation and	15:39:25	10	still talking there was a specification that dealt with	15:41:44
11	calls for speculation.	15:39:26	11	this that Leslie was required to comply with; is that	15:41:47
12	THE WITNESS: Yes, sir, it does.	15:39:27	12	correct?	15:41:50
13	BY MR. GALIHER:	15:39:28	13	A. Yes, sir. Required to write a manual.	15:41:50
14	Q. Okay. So your interpretation of that as	15:39:29	14	Q. Now, I want to direct your attention to our	15:41:52
15	building the valves at Leslie, you would be required to	15:39:32	15	Exhibit -- I believe it's 23 -- I just had marked.	15:41:56
16	comply with this -- is that correct? -- as part of this	15:39:36	16	That is that specification that was issued 10	15:41:58
17	specification?	15:39:38	17	September 1957 that superseded the 16 August 1954.	15:42:05
18	MR. HUGO: Same objections.	15:39:39	18	Do you see that?	15:42:11
19	THE WITNESS: If we were asked to write a	15:39:40	19	A. Yes, sir.	15:42:12
20	manual. Sometimes they do, sometimes they don't.	15:39:41	20	Q. And I want to direct your attention to page 17	15:42:14
21	BY MR. GALIHER:	15:39:44	21	of that. I have 17 in the lower right-hand corner of	15:42:16
22	Q. Sure. We've looked at earlier manuals today	15:39:45	22	mine. And up at the top, it says, "Wording."	15:42:46
23	that Leslie wrote; is that correct?	15:39:47	23	A. Yes, sir. I see that.	15:42:50
24	A. Yes, sir.	15:39:49	24	Q. And this is describing the wording that should	15:42:51
25	Q. And likewise, if we go to Exhibit 22, that is	15:39:49	25	be followed to comply with this specification, and it	15:42:55
Page 187			Page 189		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	indicates that it should be concise and readily	15:43:02	1	warning there as it appears on the specification, that	15:45:20
2	understandable to relatively inexperienced personnel	15:43:05	2	that's exactly what it was trying to impart, that kind	15:45:23
3	involved in the operation and maintenance of their	15:43:08	3	of important information to a technician that was doing	15:45:26
4	equipment; is that correct?	15:43:11	4	maintenance on Leslie equipment; is that correct?	15:45:29
5	A. That's what it says, sir.	15:43:13	5	A. Yes, sir.	15:45:32
6	Q. So it would supply technicians with sufficient	15:43:15	6	Q. With respect to asbestos, Leslie never issued a	15:45:33
7	information to install, operate, service, and maintain	15:43:19	7	warning like this about asbestos, did it?	15:45:39
8	the equipment at peak performance; is that correct?	15:43:24	8	A. I've never seen a warning about asbestos in any	15:45:42
9	A. That's what it states, sir.	15:43:27	9	manual.	15:45:50
10	Q. And then going down to the next paragraph	15:43:28	10	Q. And Leslie never told the technicians that were	15:45:51
11	towards the end that says "WARNING," in capitals saying	15:43:32	11	working on their Leslie valves or any of their Leslie	15:45:58
12	"Operating procedures, practices, etc, which will result	15:43:36	12	steam equipment to avoid breathing asbestos dust; is	15:46:05
13	in personal injury or loss of life if not correctly	15:43:41	13	that correct?	15:46:08
14	followed."	15:43:46	14	A. I've never seen that in any manual.	15:46:08
15	Do you see that?	15:43:46	15	MR. GALIHER: That's all the questions we have.	15:46:14
16	A. Yes, sir.	15:43:47	16	Thank you.	15:46:15
17	Q. So that was a requirement by the specification	15:43:47	17	MR. HUGO: Hold on. Sorry. I've got a few	15:46:15
18	when Leslie was manufacturing these valves, when they	15:43:50	18	more. If you pass that back to me. Picking up on	15:46:18
19	were writing these technical manuals; is that correct?	15:43:55	19	Exhibit 14, it had a -- the document in front of you,	15:46:21
20	MR. HUGO: Objection; calls for hearsay, lacks	15:43:57	20	pass that back to me. Thank you.	15:46:28
21	foundation.	15:44:02	21	FURTHER EXAMINATION	15:46:28
22	THE WITNESS: It's a requirement -- I'm sorry.	15:44:02	22	BY MR. HUGO:	15:46:28
23	MR. HUGO: Go ahead.	15:44:04	23	Q. Exhibit 14, it had a warning regarding a	15:46:29
24	THE WITNESS: It's a requirement that's imposed	15:44:04	24	flammable solvent.	15:46:32
25	by this specification. "If operating procedures,	15:44:10	25	Do you know if Leslie or the Navy included that	15:46:33
Page 190			Page 192		
1	practices, et cetera" -- they'd have to put a warning	15:44:14	1	language, put that language into the manual?	15:46:37
2	there -- "which would result in personal injury or loss	15:44:18	2	MR. GALIHER: Just so the record is clear, I	15:46:43
3	of life."	15:44:21	3	was referring to the -- the page that that appears on is	15:46:45
4	BY MR. GALIHER:	15:44:22	4	Bates number 000850.	15:46:48
5	Q. Okay. So with respect to our earlier exhibits	15:44:22	5	MR. HUGO: All right. Let's find that	15:46:54
6	today, we had a technical manual that Leslie prepared	15:44:25	6	document.	15:46:56
7	for air priority valve -- I believe it was Exhibit 14,	15:44:30	7	MS. WAXMAN: I think it's that one.	15:47:04
8	I'll see if you recall this -- that indicated in	15:44:36	8	MR. GALIHER: Which one?	15:47:04
9	cleaning -- it said "WARNING," in capital letters,	15:44:39	9	MS. WAXMAN: Oh, no. Sorry.	15:47:07
10	W-A-R-N-I-N-G, "Flammable and toxic solvents should be	15:44:42	10	MR. O'CONNELL: I don't know if I have a	15:47:09
11	used only in well-ventilated areas. Avoid breathing	15:44:49	11	truncated version. Mine looks like this.	15:47:11
12	solvent vapors."	15:44:52	12	MR. GALIHER: Is there a number on it?	15:47:22
13	Do you recall that?	15:44:54	13	THE WITNESS: 14.	15:47:22
14	A. Yes, sir, I do.	15:44:54	14	BY MR. HUGO:	15:47:39
15	Q. Would you agree that Leslie probably complied	15:44:54	15	Q. 14. Okay. So I've got Exhibit 14, and it	15:47:39
16	with warning the technicians here about using flammable	15:44:57	16	indicates on the back of the first page "Department of	15:47:46
17	and toxic solvents should only be done in	15:45:01	17	the Navy, Naval Ships Systems Command"; is that correct?	15:47:52
18	well-ventilated areas?	15:45:05	18	A. Yes, sir.	15:47:55
19	A. That's what that says, though I don't know if	15:45:05	19	Q. Do you know whether or not, and there is --	15:47:56
20	that document was written in accordance with this	15:45:08	20	before I get to that other question, there is an	15:47:58
21	document.	15:45:10	21	approval and procurement page, and there's some contract	15:48:01
22	Q. Okay. But it would appear that it was giving	15:45:10	22	numbers and NAVSEA, numbers.	15:48:07
23	such a warning; is that correct?	15:45:13	23	Do you know with regard to this particular	15:48:12
24	A. It appears that way, sir.	15:45:16	24	document whether Leslie or the Navy inserted this	15:48:15
25	Q. And it would appear from the definition of	15:45:17	25	wording/language under 5.2 for cleaning?	15:48:19
Page 191			Page 193		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	A. I have no idea, sir. I wasn't around when that	15:48:22	1	Q. Exhibit 23, that was the specification that had	15:51:10
2	was written.	15:48:25	2	to be complied with when Leslie manufactured these	15:51:16
3	Q. Okay. With regard to this document, which	15:48:25	3	valves; is that correct --	15:51:20
4	you've never seen before, which is mil spec M-15071,	15:48:27	4	MR. HUGO: Same objections.	15:51:21
5	this one dated September 9, 1957, which is Exhibit 23,	15:48:34	5	BY MR. GALIHER:	15:51:22
6	the language counsel referred to was, "Warning:	15:48:41	6	Q. -- in that period of time?	15:51:22
7	Operating procedures, practices, et cetera, which will	15:48:46	7	A. I'm sorry, sir. Where are we? I'm a little	15:51:23
8	result in personal injury or loss of life if not	15:48:49	8	lost here. I'm getting a little foggy.	15:51:26
9	correctly followed."	15:48:53	9	Q. With respect to the specifications -- I believe	15:51:31
10	Sir, do you have an opinion as to whether any	15:48:54	10	we walked through that -- this specification of 15071	15:51:33
11	operating procedures around a Leslie valve, which	15:48:57	11	was the military specification that dictated how a	15:51:44
12	contains either a gasket with an asbestos component or	15:49:03	12	technical manual should be written?	15:51:48
13	packing, will result in injury or loss of life if not	15:49:05	13	A. Oh, yes, sir. Okay.	15:51:50
14	correctly followed?	15:49:10	14	Q. And that, in fact, is what controlled Leslie	15:51:52
15	MR. GALIHER: I object to the form of the	15:49:10	15	valves when they manufactured these valves; is that	15:51:57
16	question, calling for an opinion.	15:49:12	16	correct --	15:51:59
17	THE WITNESS: I know of no harmful effects of	15:49:13	17	MR. HUGO: Same objections.	15:51:59
18	working with gaskets and packing.	15:49:19	18	BY MR. GALIHER:	15:52:00
19	BY MR. HUGO:	15:49:21	19	Q. -- when they were writing the manuals?	15:52:01
20	Q. And finally, you were asked a question earlier	15:49:21	20	MR. HUGO: Same objections.	15:52:02
21	where the preamble indicated Leslie recommended	15:49:24	21	THE WITNESS: If that particular specification	15:52:03
22	insulation around the valves. That was Mr. Galiher's	15:49:27	22	was called out in the valve specification.	15:52:06
23	phrase.	15:49:33	23	BY MR. GALIHER:	15:52:09
24	Did Leslie ever recommend that the valves --	15:49:34	24	Q. Okay. And we went through all three iterations	15:52:10
25	that is, the body of the valves -- be insulated on its	15:49:37	25	of the valve specification, did we not?	15:52:13
Page 194			Page 196		
1	exterior?	15:49:41	1	A. We did in these, yes.	15:52:14
2	A. I've never seen that in any manual.	15:49:42	2	Q. And they all refer to the same technical manual	15:52:15
3	MR. HUGO: Thank you.	15:49:45	3	specification?	15:52:18
4	FURTHER EXAMINATION	15:49:46	4	MR. HUGO: Same objections.	15:52:18
5	BY MR. GALIHER:	15:49:46	5	THE WITNESS: Yes, sir.	15:52:19
6	Q. With respect to the technical manuals that were	15:49:48	6	BY MR. GALIHER:	15:52:19
7	-- can I have that exhibit back?	15:49:55	7	Q. Okay. And with respect to this mil spec, what	15:52:20
8	The technical manual that was referred to as	15:49:59	8	does it say with respect to warning? What should the	15:52:28
9	Exhibit 14 was prepared by Leslie, was it not?	15:50:02	9	manufacturer warn about?	15:52:31
10	A. Yes, sir, it was.	15:50:07	10	MR. HUGO: Objection; lack of foundation, calls	15:52:32
11	Q. And you've testified before that all statements	15:50:08	11	for speculation, and hearsay.	15:52:34
12	in these technical manuals were by Leslie; is that	15:50:12	12	THE WITNESS: I believe I read that before, but	15:52:36
13	correct?	15:50:17	13	--	15:52:38
14	A. Yes, sir. We drafted them that way, but they	15:50:17	14	BY MR. GALIHER:	15:52:38
15	could have been revised.	15:50:20	15	Q. Can you read it again?	15:52:39
16	Q. And the mil specs themselves on writing manuals	15:50:26	16	A. "Warning: Operating procedures, practices, et	15:52:39
17	did in fact say that the manufacturers or suppliers	15:50:51	17	cetera, which will result in personal injury or loss of	15:52:43
18	should address maintenance-type warnings; is that	15:50:55	18	life if not followed correctly."	15:52:45
19	correct?	15:50:58	19	Q. Okay. And Leslie never warned in their manuals	15:52:47
20	MR. HUGO: Same objections as earlier asserted;	15:50:58	20	about their products to have technicians not breathe	15:52:53
21	lack of foundation, calls for speculation, hearsay.	15:51:01	21	asbestos dust or expose themselves to asbestos products;	15:52:59
22	THE WITNESS: What are we reading?	15:51:03	22	is that correct?	15:53:03
23	MR. HUGO: He is directing you back to Exhibit	15:51:07	23	MR. HUGO: Objection; asked and answered.	15:53:04
24	23.	15:51:10	24	THE WITNESS: I've never seen that listed in	15:53:06
25	BY MR. GALIHER:	15:51:10	25	the manuals.	15:53:08
Page 195			Page 197		

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

1	MR. GALIHER: Okay. Thank you. With the	15:53:09	1	_____)
2	exception of our stipulation, I'm done as far as oral	15:53:12	2	_____)
3	examination. But if we don't have a stipulation, I will	15:53:15	3	
4	have to do something.	15:53:18	4	
5	MR. HUGO: Right. So we should take a break at	15:53:21	5	
6	this point and get that ironed out.	15:53:23	6	
7	MR. O'CONNELL: So are we closed with --	15:53:23	7	I, the undersigned, declare under penalty of
8	MR. GALIHER: No. It depends. If they don't	15:53:23	8	perjury that I have read the foregoing transcript, and I
9	stipulate, no. We'll have to ask more questions on the	15:53:38	9	have made any corrections, additions or deletions that I
10	documents, but I'm hoping we won't have to.	15:53:39	10	was desirous of making; that the foregoing is a true and
11	THE VIDEOGRAPHER: Should I end this? Is there	15:53:39	11	correct transcript of my testimony contained therein.
12	another one?	15:53:39	12	EXECUTED this _____ day of _____,
13	MR. GALIHER: Yes. I think that would be a	15:53:39	13	_____, at _____,
14	safe way to proceed. We are either going to be done, or	15:53:39	14	(City) (State)
15	you are going to need a disk.	15:53:42	15	
16	THE VIDEOGRAPHER: This marks the end of video	15:53:42	16	MATTHEW WROBEL
17	number three in the deposition of Matthew Wrobel on	15:53:45	17	
18	December 1st, 2009. We are now going off the record.	15:53:53	18	
19	The time on the screen is 3:54.	15:53:56	19	
20	(Recess.)	16:01:51	20	
21	MR. GALIHER: The plaintiffs have agreed with	16:01:51	21	
22	Leslie that our next two exhibits will be Exhibit 24,	16:01:56	22	
23	which is a listing of the exhibits to the deposition of	16:02:01	23	
24	Mr. Wrobel that was taken on August 1st, 2006, and it	16:02:05	24	
25	lists Exhibits 1 through 94.	16:02:14	25	
Page 198			Page 200	
1	Exhibit Number 25 is selected exhibits from	16:02:19	1	REPORTER'S CERTIFICATE
2	Exhibit 24, and the ones that are in bold print on 24	16:02:25	2	
3	are actually printed out and tabbed as Exhibits 7	16:02:31	3	I, JOANNE BALBONI, CSR No. 10206, Certified
4	through 94 on Exhibit 25. They are not complete. They	16:02:36	4	Shorthand Reporter, certify:
5	are just the ones that are bold type. We have agreed	16:02:41	5	That the foregoing proceedings were taken before
6	that those are authentic, and there's no foundational	16:02:44	6	me at the time and place therein set forth, at which
7	issues with respect to those exhibits.	16:02:50	7	time the witness was put under oath by me;
8	MR. HUGO: So agreed.	16:02:53	8	That the testimony of the witness, the questions
9	(Plaintiffs' Exhibits 24, 25 marked.)	16:02:55	9	propounded, and all objections and statements made at
10	MR. GALIHER: Thank you. Let's take lunch.	16:02:55	10	the time of the examination were recorded
11	THE VIDEOGRAPHER: Should something else be put	16:03:08	11	stenographically by me and were thereafter transcribed;
12	on the record about how we did not close up the video	16:03:08	12	That the foregoing is a true and correct
13	formally?	16:03:08	13	transcript of my shorthand notes so taken.
14	MR. GALIHER: Oh, whatever you want to make you	16:03:08	14	I further certify that I am not a relative or
15	happy. Sure.	16:03:08	15	employee of any attorney of the parties, nor financially
16	THE VIDEOGRAPHER: We finished the videotaped	16:03:09	16	interested in the action.
17	deposition without formally closing out the videotaped	16:03:10	17	I declare under penalty of perjury under the
18	deposition after three disks.	16:03:13	18	laws of California that the foregoing is true and
19	THE COURT REPORTER: Mr. Hugo, do you want a	16:03:13	19	correct.
20	copy?	16:03:13	20	Dated this 11th day of December, 2009.
21	MR. HUGO: Yes.	16:03:13	21	<i>Joanne Balboni</i>
22	THE COURT REPORTER: Okay.	16:03:16	22	
23	(Time noted: 4:03 p.m.)		23	JOANNE BALBONI, CSR No. 10206
24			24	
25			25	
Page 199			Page 201	

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

A				
abbreviation 149:25	119:3 123:23 164:8,10	applications 30:21 60:11	136:12,18,24 138:22	available 75:7,11 81:13
aboard 15:22 16:9,13	180:20 184:23 190:23	91:21	140:15 142:24 143:3	82:7 92:14 99:14 100:6
17:9 18:17,22 19:9,13	air 7:5 11:25 12:1,4 42:2	applied 12:8 15:6 25:8	153:9,18 154:7,9,21,22	Avenue 3:6,18
19:15 20:23,25 21:17	42:12 45:4,6,15 46:6	26:20 27:2 111:12	171:11 172:3 173:17	average 138:16 141:24
28:1,14 32:11,16 34:11	104:5 107:15 191:7	189:5,7	Asia 12:2	142:1,2
35:9 37:18 40:20,20,21	aircraft 18:17 19:1	apply 112:12 188:12	aside 170:17	averages 142:3
46:13 86:19 87:8	air-reducing 85:12	approval 105:12 171:2	asked 14:1 21:18 22:22	avoid 104:16 177:24
114:15 143:5 162:22	Alabama 36:12	193:21	40:24 49:16 91:16	191:11 192:12
183:2,17	ALAN 1:7 2:8	approve 161:12	97:17 101:19 110:9	avoiding 142:10
abreast 31:17	ALAPASCO 1:6 2:7	approved 149:20 154:14	114:12 115:18,24	aware 31:5 37:23 39:2
absolutely 34:1 181:7	Alfred 70:21	165:4,7 171:20	116:14 119:11 121:20	50:20,21,22 51:12
accept 162:24 164:18	allowed 91:4 121:8	approximately 14:11	128:13 134:9 136:11	55:15 56:18,22 58:5
acceptance 144:10	alloy 153:5	23:2,9 24:21 52:12	142:8 153:6,12 171:1	85:20 97:21,22 102:4,4
162:19 163:7	alphabetical 68:22,24	134:11	174:16 181:20 187:19	102:6,13,18,19,23
accepted 164:1	ambiguous 19:7,18 30:9	area 45:17 104:16 136:1	194:20 197:23	103:5,10,14 118:21
access 43:5,12	41:6 42:18 46:22 87:21	146:21	asking 58:16 85:18 90:3	143:18,23 153:17
accessed 173:8	89:13 94:20 96:2 97:25	areas 18:14 124:18 134:9	96:10 129:2 135:15	172:11
accessories 149:14	101:5 113:6 115:25	191:11,18	166:21 178:22 183:9	AYABE 4:4
accounting 56:7	116:13 128:7 185:18	argumentative 98:2	185:12	A.J 6:22 76:11 77:22
ACM-001 9:14	amended 5:13,18 7:15	109:8 110:8,16 116:14	ASME 6:18 30:2,4 53:22	a.m 2:18 9:11 67:10
acquired 86:25	25:21,23	119:11 121:20 123:14	53:24,24 54:1,2,13,14	A105 153:2
action 9:8 14:8 97:23	America 18:22 19:1 21:1	123:22	67:22 73:10 153:14	A216 153:4
160:9,10 169:13,17	40:20 43:17 143:5	article 27:14 28:18 57:14	ASME/ANSI 153:20	A217 153:5
201:16	American 6:16,20 53:3	57:16 58:12 59:1,5	aspect 117:8	A309C8E 1:25
actions 160:11	53:20 65:13 66:2,8	60:19 62:9,14,21,23	aspects 77:4	
activities 163:4	67:16 71:22 72:18	63:2,5,8,13,23 65:20	assembly 14:2,3,10 15:4	
actual 64:7 136:23 146:7	73:23 84:19 132:22	75:2	42:21 55:25 135:23	
153:19,21	152:24 153:7,16	articles 57:3 58:6 65:14	asserted 195:20	
ad 57:8,10,23,25 62:5	157:19 173:11	73:2 84:20	assigned 157:19 167:9,11	
64:17 180:16	amount 43:14 92:10	asbestos 1:4 2:5 9:14	assist 167:18	
adaptability 12:10	121:8,18 136:13,18,22	33:19,20,22 38:20,24	assistance 120:12	
add 70:12	amounts 119:18 120:23	39:16,20 40:1,4,6,8,10	assistant 23:6,14 38:8	
added 55:22	and/or 128:5 156:12	40:17,18,21 41:2,12,14	assisted 122:4	
addition 30:21 36:22	157:11	44:15,18 47:23,25	associated 82:15 83:10	
57:14 159:5	Angelo 157:3	48:17 49:2,3,10,12	124:8	
additional 35:23 36:2,18	Annapolis 166:6,11,12	58:7,7 59:11,20,25	assume 19:22 21:5 37:20	
151:14	166:13 168:7	60:9,12 62:14,19,24	73:9 148:17	
additions 200:9	ANSI 152:1,22	63:4,16 64:2 65:16,20	assumes 112:24 123:22	
address 195:18	answer 18:5 22:19 89:10	79:17,22 80:6 82:15	126:12	
adhered 189:5,7	89:21 94:18,22 96:4	83:10,15,24 84:2,5,8	assuming 40:12 73:15	
adjacent 55:25	98:5,10 114:24 120:4,8	84:13,17,22,23 91:24	180:21	
adjustments 165:13	120:10,15,17 121:3,17	92:1,4,5,9,11,13,14	assurance 21:9 24:2,3,4,6	
administer 10:12	122:10 123:3 128:4	93:3,8,18,25 94:8 97:3	27:16 54:4,19 144:12	
ads 56:22,24 60:20	137:16 141:22 160:11	97:5,7,7,8,9,16,21 98:1	asterisk 62:4 64:16	
advertised 56:19 58:3	answered 95:1 97:17	98:14,17,20,21 99:12	ASTM 54:14,16 89:1	
61:7 65:5	110:9 114:13 115:18	101:24 102:25 104:23	151:25 152:22 153:7	
advertiser 64:23	115:25 119:12 121:21	109:4 110:14 113:5,11	153:11	
advertisers 57:11 61:20	197:23	114:7,7,11,21 115:1,7	Atkinson-Baker 1:21 9:6	
64:15	answering 120:22	115:10,14,16,22 116:3	9:17	
advertising 54:20	Anthony 71:17	117:1,8 118:21 119:1,9	Atlantic 16:18,25	
advice 51:19	anybody 83:17 125:4	119:18 120:23 121:2,4	attached 139:15	
advise 42:1 97:23 107:19	147:21 160:5 167:16	121:5,10 13:13 123:2,9,19	attempt 136:17	
advised 52:8 97:14	172:17 173:25	124:8 126:10 127:13	attention 26:15 66:6	
Affidavit 6:9,11	anymore 131:22	127:18 128:6,14 129:3	67:20 72:23 80:12	
affiliated 70:5	apart 14:19 103:21,23	129:4 133:4,6,7,9,16	107:8,14 108:4,21	
affix 72:12 172:6	125:11 126:1 137:6	136:14 137:21 138:13	119:24 127:2,8 132:9	
affixed 39:25	138:3,5 181:21	138:24 139:4,5 140:2,2	175:10 180:4 189:14	
ago 17:24 95:16 101:15	apologize 25:15 55:6	141:3,14 142:19 152:4	189:20	
181:25	58:18 59:6,12 61:16	152:12 154:2 171:24	attorney 201:15	
agree 50:6 51:14,18	67:1 69:25 70:10	172:9,14 173:2 179:3	August 7:25 8:8 87:13	
64:11,21 65:14 84:19	129:13 133:3	180:5,5,16 182:5,8	92:17 189:17 198:24	
84:21 94:17 98:25 99:3	appear 69:7 187:8 191:22	192:6,7,8,12 194:12	Aurora 10:7	
142:10 191:15	191:25	197:21,21	authentic 199:6	
agreed 95:20 198:21	appears 57:16 59:7 60:19	asbestosis 6:22 73:1	Authentication 6:9,12	
199:5,8	70:16 73:2 74:4 77:14	75:20 76:5,19 77:1	57:9	
agreement 132:24 133:25	77:19 78:9 109:17	82:17,18,23	author 76:7	
ahead 19:18 41:7 80:17	112:1 122:11 150:23	asbestos-containing	authoring 51:20	
89:15 94:4,22 95:9,14	191:24 192:1 193:3	39:23 92:19 93:14	authority 162:23,24	
97:18 98:2,9 101:6	appendix 159:8	95:22 97:11 100:3,20	authors 6:22 76:8	
106:9 113:7 115:19	applicable 122:14 151:17	100:25 101:9 110:13	automatic 27:25	
	180:14	112:22 116:17 124:24	Automation 5:23 26:4	
	application 87:5 154:23	127:21 135:24 136:4,8	autopsy 81:6 82:6	

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

beads 169:6	brand 130:7	75:13 76:20 77:17	chips 161:9	169:22 178:19
bear 59:16	brand-name 95:12	78:11 79:19 80:25	CHONG 4:4	company's 30:22
began 116:3	177:25	81:11 94:2,21 95:8	choose 149:19	compare 176:4
beginning 67:11 126:24	brand-new 16:19 110:15	109:8 112:24,25 119:2	chronology 154:18	compared 98:1 141:3
behalf 2:17 9:16,22 10:3	break 47:14 67:3 68:20	119:19 123:15 143:14	chrysotile 140:2	comparing 162:14
10:6	99:17,22 100:9 124:14	160:18 185:8,19 186:4	Circor 5:10,16,21 9:25	comparison 121:10
belief 120:11	124:15 126:15 135:6	186:13 187:11 188:25	9:25	complete 25:25 125:8
believe 14:17 15:3 16:20	135:15 165:12,14,22	189:1 190:20 195:21	Circuit 1:1,1 2:1,1 25:20	128:13 129:2 138:10
20:15 23:17 25:7 26:14	198:5	197:10	cited 136:2	199:4
29:15 32:7 33:5,13	breathe 197:20	cap 47:15	City 200:13	completed 13:11
34:21 38:9,10 41:13	breathing 103:24 104:16	capacity 53:17 83:13	Civil 1:5 2:6 5:9,14,19	completely 41:24 138:4
42:24 45:7 51:13 56:13	191:11 192:12	capital 191:9	claim 100:23	compliance 155:14
58:1 65:19 70:3 71:10	Brief 57:20 58:19 76:1	capitals 190:11	clarify 161:15	complication 80:23 81:9
76:5 80:20 84:9 85:24	81:23 120:18 128:23	Carbide 4:3 10:10	class 6:6 34:20,24 35:16	81:18
86:3,23 91:16,23 92:16	135:10 151:5 166:3	carbon 89:1,3,4 153:5	37:18,23 86:10,19	complied 122:14 183:13
93:21 95:5 101:10,17	184:20	carcinogen 100:4	87:24 88:18 118:9	186:10 191:15 196:2
105:13 106:13,18	bring 40:24	carcinogenic 99:13	156:16 166:20	comply 93:24 149:11,22
117:6 121:25 126:8	BRISSON 1:6 2:8	carcinoma 81:4 82:3,4,5	classes 34:14,16,19 51:7	150:13 187:16 189:11
130:10 131:18 133:11	broaden 130:6	82:10,14,20,21	116:7	189:25
154:5 155:12 174:4,21	bronze 91:4	Care 167:2	clean 45:4 178:5,8	component 41:9,15 99:1
176:2 185:5 189:15	Brooklyn 33:8	career 21:14	cleaner 175:17	99:7 101:8 119:16
191:7 196:9 197:12	Brooks 10:4	carrier 19:1	cleaning 37:10 42:12	121:7,18 125:3 127:22
believes 118:5	brother-in-law 12:7	carriers 18:17 132:5	104:12 147:13 191:9	128:15 129:3 139:4
benefit 137:19	brought 180:4	carry-over 144:22	193:25	146:8,9 148:6,13 149:4
BERNARD 1:6 2:8	brush 125:20	case 9:13 80:4 148:9	clear 44:25 48:12 73:21	150:15,19,19 154:16
best 23:11 92:8 93:16	brushes 125:13,18	cases 1:4 2:5 9:14 80:11	102:19 176:12 177:3	154:21,23 162:17
96:15 113:25 117:3	BRYDON 3:9	81:5,24 82:6,10,18	177:13 186:9 193:2	169:12 172:3 194:12
118:5 127:24 147:20	build 34:15,15 149:7	161:4,12 165:5,6	Cleaver 10:4	components 11:18 13:18
Bethlehem 35:20,24 36:3	177:18	167:22	clip 72:12	13:25 47:12 54:3 117:1
better 175:1	building 55:16,23 171:5	cast 88:20 91:3	close 18:25 25:1 162:4	117:22 120:25 121:1
bibliography 77:11	187:15 188:2	casting 147:12,17,18,19	199:12	140:16 147:15 149:12
bid 177:25	buildings 55:23 91:20	148:3,4 153:3 161:9	closed 46:6 198:7	173:7
bigger 14:22 140:7	built 14:23 15:2 25:11	162:10	closing 199:17	composition 156:12
bind 24:13	26:22 27:9 35:16,20,24	castings 147:7 149:6	closure 173:7	compound 19:17 96:3
Bishop 4:6	36:3,11,14,19 46:1,1	153:5,5 156:14 162:3	cloth 60:12	comprehensive 77:3
bit 13:1 23:22 61:17	55:10 177:16	catapult 85:14,21,22	clue 121:3 123:9	compressed 42:2,12 45:4
116:2 146:12 172:12	Bulletin 7:9	catch 28:10	coach 120:21	45:6 93:3,19
black 62:4 64:16	bulletins 98:13 108:16	cause 121:14	coded 96:7	comprised 137:22
block 101:8 144:6 182:24	bunk 17:1	caused 101:1 173:2	colleague 133:20	Computations 7:11
blow 42:2,16 43:3 44:3	bureaus 179:20	caution 39:25 103:7,16	college 11:24 12:24 13:10	concentration 63:18 64:2
44:18 45:13 46:2,5,11	BURNS 3:13	172:6	color 178:13	64:7
47:12	business 28:21 52:13,17	cautions 102:25	column 58:22 67:24 68:1	concentrations 63:6,7,14
blown 43:1 45:16,16,17	52:18 155:19 159:18	CC 6:12	72:25 158:21	concerned 62:15 124:22
blurry 186:25	170:15	cell 82:14	combustion 75:2	153:22
board 28:25 29:7 32:19	buy 52:9 131:14 158:1,6	Central 3:22	come 22:11 45:23 58:2	concerning 163:13 172:9
52:21 114:20	178:5	certain 47:11 102:22	122:3 125:7 131:5	concise 190:1
Boat 161:10 162:9 163:20	buying 148:17	104:12 146:19	133:25 134:22 145:9	concluded 173:16 174:5
bodies 132:2		certainly 123:18	comes 57:14 137:7	conclusion 94:3
body 41:11 88:25 147:8		certificate 5:12,17,22	145:16 147:14 148:3	conclusions 81:14 82:8
194:25		8:14 155:14 156:6	coming 13:18 58:10	condensation 106:12
Boettiger 69:22,23,24		201:1	93:11 147:5	107:12 108:9,23 109:6
70:16	c 1:8 2:9 3:1 4:1 8:16	certified 156:7,15 162:5	Command 7:6 104:6	109:9 111:16 112:18
boiler 17:13,18 18:5 31:6	159:6,9 184:9	201:3	193:17	112:23 142:10 182:9
31:22 164:23	cabinet 54:10	certify 201:4,14	commencing 2:18	conditions 107:23
bold 199:2,5	calculate 138:8 182:19	certifying 156:20	comments 110:24	conduct 161:24
book 51:10,15 73:20 75:3	calculated 137:10 138:5	cetera 81:15 99:12	commercial 52:4 88:5,8	configuration 177:22
75:7,11,16,19 76:4,18	182:7	152:20 178:14,14	88:11,15,21,25 89:6	configurations 53:25
77:5,13,14,19 78:1	calculations 181:11,16,19	191:1 194:7 197:17	91:19,21 93:25 96:17	conformance 8:14 155:14
150:9	calibrated 160:14,19	chairman 28:25	112:7,10,13 154:23	156:6
books 6:21 54:10,13,14	calibration 160:16	change 101:8 102:2	common 44:5 45:22	conforms 148:3
54:15,16,17 73:2,7,8,9	California 1:16 2:18 3:10	160:12 180:24	71:21,24 87:17 110:12	confused 90:2
73:14,14 74:6,8,16,19	9:7,13 36:4 93:24	changed 68:15 157:17	115:13 137:23 146:22	confusion 175:24
74:21 75:1,3	201:18	changes 31:18	156:19	conjunction 16:8 109:5
born 12:25	call 16:5 88:11 162:8	Chapel 10:25	community 99:11 100:1	183:17
boss 21:18 22:7	168:19 180:12,18	charge 22:8	companies 86:25 92:12	consider 44:17
bottom 35:1 36:2,18	called 15:14 29:2 56:19	cheaper 50:7	164:14	consideration 59:20
120:5 122:11 188:17	86:20 130:12 132:20	check 168:23	company 10:1,8 12:7	considered 63:17 99:9
bought 48:17,21 49:14	143:5 144:21 149:17	checklist 161:17	15:1 31:25 34:25 36:3	consist 178:11
52:21 53:2 130:11,15	149:24 157:16 163:24	checks 13:24	36:15,19 47:21 48:11	consisted 82:21
130:25 131:10	171:19,20 183:24	chemical 91:18 156:12	55:22 61:22 62:4 64:16	Consolidated 36:19
box 157:17	186:10,15 196:22	Chicago 3:14	64:17 68:6 70:6 71:6	constructed 33:11
boxes 156:8	calling 189:2 194:16	chief 71:6	111:6 130:11 167:9	consumers 97:2 109:4
	calls 65:3,17 69:13 73:5			

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

consuming 181:22 contact 83:20 146:5 contacted 144:15 contain 33:21 133:7 140:1 contained 33:22 40:6,18 44:18 47:24 49:2,3,3 49:12 91:25 117:1 118:22 119:17 123:19 128:5,14 129:3 133:6 136:12 139:4 154:20 171:11 172:3,14 200:11 containers 85:10 containing 62:18 95:22 97:15 129:3 141:18 154:2 156:14 contains 40:1 194:12 contaminants 45:14 content 153:23 Contents 74:1 context 27:3 42:24 continued 4:2 6:2 7:2 8:4 92:5,9,18 154:8 contract 143:20 144:15 145:2 146:4 149:18 156:5,7,23 158:9 168:8 183:13 193:21 contractor 168:13,13 182:21,25 183:16 contractor's 160:2 contracts 144:9 145:20 161:7 163:6 165:5 contributed 77:6 control 14:8 21:25 22:1,4 22:13,25 23:19 28:1 38:13 39:24 43:5,11 50:17,21 51:4 55:16 56:10,10 60:13 77:10 85:4,5,8,9 86:12,23 116:25 117:11 155:23 160:13 163:12 controlled 31:15,24 32:2 164:19 196:14 controllers 27:18 controls 1:14 3:8,16 5:10 5:15,20 7:15 8:6,9,23 9:25 10:1 11:4,6,8,21 18:9 20:20 25:3,19 28:13 30:23 31:2,7 32:1,9,11,19 39:15,19 39:23 41:2,14 48:11 53:18 54:8 58:3 60:20 64:21,25 93:23 102:21 105:14 114:18 116:16 160:20 167:3 conversation 84:11 Conversion 28:21 Cooke 80:5 cools 147:24 copied 78:19 copies 61:16 64:22 80:18 copper 116:6 138:6 180:23 copper-jacketed 136:25 138:4 140:25 copy 65:1,7,11 76:23 150:21 175:17 199:20 Copyright 78:7 CORDERO 1:7 2:8 Cornell 29:21 corner 78:22 79:2 132:10	189:21 corporate 5:9,15,20 24:10,13 corporation 4:3 9:24 10:10 83:14 84:12 correct 10:20,22 12:19 16:16 17:6,9 18:13,18 20:8,11,14,18 21:4 24:10,14,18,22 25:5,9 27:7,20 28:14 29:22 30:7,15,24 31:3,15,20 32:2,14 33:12,16,20 35:17,21,25 36:8,25 38:6,16,20 42:13 43:7 43:22 45:10 46:18 48:8 48:13,19 49:6,7,11,17 49:20,24 51:8 52:1 60:21 61:7 63:7 65:2 66:15,18 68:11 73:13 73:24 74:19 75:12 77:22 80:2,5 83:11 86:5 87:1,5 88:17 90:21 91:5,9,15,21,22 92:7,15,22 93:9,15,20 95:23 96:18,19 97:6,24 98:14,18,23 99:5,6,15 100:17 102:22 103:8 104:12,20,23 105:6,19 105:23 106:7 112:8,13 112:18 113:18,24 114:4,8,22 115:17 117:5,8,12,20,25 118:3 118:7,10,13 119:10,18 121:5,19 122:20 123:10,11,13,21 127:23 128:1 134:11 140:2 141:18 142:15 143:7 145:24 148:10 152:4,13 166:12,14 167:5,10 170:5,15 171:3 172:15 175:7,22 177:1,5,17 179:9,14 180:6,8,17 181:1,8,9 186:3,12 187:16,23 188:4 189:12 190:4,8 190:19 191:23 192:4 192:13 193:17 195:13 195:19 196:3,16 197:22 200:11 201:12 201:19 corrections 200:9 corrective 14:8 160:9,10 169:13 correctly 130:15 185:21 190:13 194:9,14 197:18 cost 92:13 counsel 9:18 77:24 101:19,20 110:25 120:12 122:4 174:16 175:9 178:24 180:4,15 181:18 184:17 185:12 188:2 194:6 counsel's 120:20 counting 64:8 162:8 County 6:9,12 couple 12:22 59:4 113:10 134:8 course 98:22 143:17 155:19 159:17 170:15 courses 13:13,13 118:12 court 1:1,22 2:1 9:16	10:12 14:15 22:18 25:20 71:11 72:13,15 131:2 146:14 199:19 199:22 cover 59:8 132:8 166:15 covered 41:10 54:2 109:10 149:12 170:8 175:6 covers 68:25 177:7 co-defendants 174:10 CPQ 166:20 crack 46:2 cracks 146:20 Crane 3:12 10:4 create 175:24 credit 51:16,21 credited 51:11 criteria 53:25 Cropscience 4:3 10:9 CSR 1:24 2:19 201:3,23 cubic 63:17 current 11:5,7 currently 11:1 40:19 94:8 customer 32:9,10 91:7,15 98:13 customers 32:22 39:20 42:1 94:11 96:17 97:14 97:15,23 98:1 cut 125:5 cutter 47:3 cutting 161:8 D D 1:9 2:10 5:1 6:1 7:1 8:1 8:18 165:9,15,25 170:13 182:20,23 183:22 Dallas 6:10,12,17 dangerous 31:14 38:20 38:24 Daniel 1:8 2:10 3:13 10:3 data 7:8,9,11 106:24 107:25 108:6 109:3 111:2,3 date 9:10 25:25 39:7 61:9 68:16 76:22 78:8 85:15 85:17 92:19 96:20 108:25 122:21 175:1 175:20 176:13 dated 6:8 8:13,15,17 39:9 67:17 72:19 92:17 173:11 174:21 175:13 184:7 188:3 194:5 201:20 dates 52:25 69:1 85:20 154:4 day 18:2 145:16 200:12 201:20 DCASD 167:2 DD-445 6:6 34:24 37:24 deadly 31:8,10 32:1 deal 47:13 dealing 123:2 deals 184:10 185:16 dealt 54:5 189:10 death 79:17,22 104:19 debris 44:25 45:12 deburring 23:8 decade 179:12 decades 24:21 December 1:17 2:19 6:18	8:17 9:10 57:8 67:6,12 67:17 126:18,25 132:6 170:4 198:18 201:20 decided 104:25 decision 154:6 declare 200:7 201:17 defendant 3:8,12,16 5:10 5:15,20 7:15 25:18 DEFENDANTS 3:20 4:3 Defendant's 8:11 150:25 155:3 159:9 165:15 define 117:16 147:17 148:22 158:11 183:19 defined 170:25 defines 149:2 160:4 definite 81:14 82:8 definitely 86:14 88:9 definition 191:25 degree 13:6,8 degrees 20:11,13 Delaware 9:24 delegated 168:12 delegation 147:10 168:20 168:22 deletions 200:9 department 7:6 22:3 23:8 23:8 54:19,21,22 55:2 56:1 104:5 143:21 157:4 193:16 depending 43:14 47:8 86:21 87:24 140:24 145:18 152:1 169:3 depends 105:10 139:9 198:8 depict 127:17 deponent 9:15 deposition 1:14 2:16 5:8 5:13,18 8:6,7,9,11,15 25:16,18,22,24 26:1,5 67:5,11 101:16 126:18 126:24 174:4 198:17 198:23 199:17,18 Depot 158:6 depots 163:5 DeRobertis 3:4,5 9:22 175:3,15 describe 11:14 144:19 177:21 178:7 described 18:17 77:2 179:1 describing 40:11 88:4 129:24 183:23 189:24 description 5:7 6:4 7:4 8:3,11 73:20 137:20 158:22 177:4,6,15 178:9,16 179:13 descriptions 17:21,22 deserve 59:20 design 26:21 27:7 30:7 50:24 53:25 112:7,9,13 117:5,12,14,15,24 118:6 designed 31:7 34:10 50:14,18 117:11 designing 30:22 31:12 32:1 50:20,21,23 desirous 200:10 destination 163:7 destroyer 16:13,22,24 18:16 121:11 138:12 138:16 140:17 destroyers 6:6 34:11,14	34:21,25 35:16,20 36:7 36:11,24 37:21 38:3 86:10,19 detail 157:23 detailed 117:18 160:6 details 75:11 determine 14:6 136:22 determining 64:6 develop 31:2 developed 144:14 179:7,8 developing 30:20 146:7 development 144:9 deviate 149:19 154:15 devices 112:6,12 diagnosis 77:7 diameter 138:9,9 139:16 139:16,19,20,21 178:13 diaphragms 47:19 48:9 dictated 196:11 Diego 33:4 difference 44:23 137:7 differences 88:14,19 89:17 91:3 different 13:25 53:24 54:12 69:8 88:9 124:24 152:24 153:25 154:16 158:16 163:17,18,19 169:14 176:14 digits 107:4 dimension 167:23,23,25 dimensional 11:17 14:5 147:3 156:10 167:19 direct 26:15 64:7 66:6 67:20,23 72:23 80:11 107:7 108:4,20 127:2,8 132:8 168:13 189:14 189:20 directed 30:20 164:19 175:10 directing 11:23 107:14 119:24 195:23 direction 155:18 159:14 170:14 director 24:2,2,4,5 disassemble 14:5 125:11 disassembled 126:3 disassembling 137:17 discontinued 154:22 discontinuities 146:20 discrete 91:3 discuss 64:1 discussed 71:22 77:9 86:11 87:21 101:23 171:9 discussing 20:8 118:17 122:11 Discussion 25:14 61:10 61:13 65:24 104:2 111:20 133:2 disease 77:7 80:23 81:9 diseases 77:1,2,5 81:15 82:9 disk 198:15 disks 199:18 distributors 48:22 disturb 47:11 173:2,4 division 5:10,15,20 9:25 DLG 16:19 doc 155:11 doctor 83:6 document 5:8,13,18,23
--	---	---	---	---

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

6:5,7,9,9,11,11,15,18 6:22 7:5,7,9,13,15,17 7:19,21,23 8:5,7,12,16 26:3 35:4,8 51:13 57:9 58:25 59:7,14,22 65:1 65:6,7,11 94:25 95:4 95:11,19 101:14,18 106:23 109:7,17,20,21 122:8,24 123:3 132:6 143:4 149:2 151:3,21 155:5,11,17 157:20 159:11,14 165:9 166:1 166:15 170:13 172:22 172:25 175:12 176:1 176:19,21 180:14,18 180:19 184:11,15 191:20,21 192:19 193:6,24 194:3 documentation 156:4 160:7 documents 24:24 35:5 39:4 42:5 53:8,15,22 60:23 83:17 101:3,23 102:2 112:20 113:1,9,9 113:12 116:9,9 132:25 133:19,24 134:1 142:13,21,25 151:17 151:17,23,25 152:1 173:10,15 176:4 179:23 181:2 183:14 183:19 198:10 doing 11:17 12:21 13:24 45:20 83:19 126:1 135:2 142:3 156:21 159:24 167:19 192:3 dot 62:4 64:16 doubly 107:23 doubt 171:9 Dr 79:16 81:8,17 drafted 105:10,11 170:18 195:14 drafters 55:20 Drano 178:5,6,10,18 draw 81:14 82:7 drawing 87:12 101:7 117:23 127:15 130:1 148:3,5 154:14,16 156:11 160:12 168:1 171:20 173:8 drawings 51:17 87:7,9,14 87:15,18,21,23,23 116:22 117:18 179:20 drips 169:5 dropped 44:10 due 60:10 duly 9:2 dust 6:14 58:7,23 59:18 59:20,25 60:9,13 62:18 62:25 64:6,8 77:2,5 79:17,22 192:12 197:21 dusts 62:14,25 duty 21:19	161:16 180:18 186:24 187:22 191:5 194:20 195:20 early 18:21 116:10,11,20 130:24,24 133:11,13 easier 128:12 edited 6:22 76:9 77:21 105:12 edition 64:18 Edward 3:9 9:23 EEH 1:5 2:6 9:14 effect 99:2 effects 194:17 effort 31:1 83:20 97:1 efforts 30:19 32:4 eight 18:20 eighth 188:17 either 76:22 134:2 136:8 136:12,23 162:24 173:16 194:12 198:14 elected 22:11 28:24 election 69:3 Electric 161:10 162:9 163:20 electrical 7:24 184:6 185:23 188:9 Electronics 7:24 185:24 else's 160:5 employed 11:1,3 employee 9:9 201:15 employees 23:9 39:16 83:15,21 124:21 employment 21:23 169:23 171:7 enabled 11:21 encapsulated 136:19 138:6 encapsulates 127:20 ends 127:4 engine 17:12,17 75:2 engineer 29:10,14,18,21 71:6 181:12 engineered 153:9 engineering 6:20 7:7,9,11 7:17 13:14 29:25 30:6 54:10,18 55:18,18 65:14 72:17,18 73:4,8 73:23 77:16 106:23 107:24,25 108:6,15 109:3 111:2,3 117:18 132:7 146:25 164:22 166:6 168:7 170:20,21 engineers 6:16,20 53:4,7 53:21 66:3,9 67:16 71:23 72:19 73:24 75:9 84:20 112:2 132:22 153:16 173:12 ensure 46:19 ensures 145:1 entailed 11:15 23:7 entire 23:7 34:16 39:22 93:24 102:17 170:1 entirety 170:23 entitled 5:8,13,18,23 6:5 6:7,9,11,14,15,18,20 6:22 7:5,7,9,9,10,13,15 7:17,19,21,23 8:5,7,12 8:16 9:14 26:3 28:19 34:23 51:10 72:17,25 73:22 74:8 75:19 76:18 106:23 108:5 entry 68:24	entry-level 21:25 enumeration 128:14 equipment 7:24 15:13,15 15:18,20 16:3,6 18:9 25:4 28:1,3 31:13 32:16,25 33:19 35:9 36:7 37:13,14,17,21 38:5,17 40:6 43:5,11 43:13 46:7,12 47:25 48:7 50:24,25 51:2 86:17,19 87:8 88:3 104:12 105:22 108:1 124:19 126:6 143:19 145:3 149:13 160:13 160:14,18 163:13 164:9,11,14,15 167:21 167:25 168:15,24 169:2 183:2,17 184:7 184:19 185:23 188:9 190:4,8 192:4,12 equivalent 88:8,11 89:1 equivalents 88:5 era 7:17 30:24 ERIC 1:7 2:9 especially 62:18 88:20 146:6 148:16 163:20 ESQ 3:4,5,9,13,17,21 4:5 essentially 94:12 Essex 12:21 13:5 established 28:13 63:6,7 144:17 establishes 160:1 estimate 139:3 140:11,14 140:22 et 81:15 99:12 152:20 178:14,14 191:1 194:7 197:16 EVAN 3:17 event 39:15 83:9 Eventemp 129:20 everybody 29:2 144:2 Evolution 7:18 exact 15:8 39:7 60:25 112:21 122:21 176:14 exactly 171:18 192:2 examination 5:3,8,14,19 10:15 134:6 146:10,11 146:15 156:17 161:18 173:24 174:14 192:21 195:4 198:3 201:10 examinations 161:25 examined 9:3 81:5,25 82:6 example 47:9 88:22,24 103:21 136:24 137:5 147:7,20,20 149:20 150:20 151:14 152:3,7 158:1 162:15 164:8 169:4 177:9 exceed 20:13 Excel 181:23 exception 198:2 excerpt 108:20 111:5 excerpts 6:13,19 7:10 59:4 77:25 104:4 111:2 excess 20:10 excluding 55:17 exclusively 54:5 excuse 47:10 135:3 EXECUTED 200:12 executive 52:20	exhibit 6:12 8:6 25:17,21 25:23 26:3,4,12 34:23 35:2 39:8,10 48:6 57:7 57:12,13,22 58:9,10,21 61:6,15,16,18,19 62:8 64:14 66:1,4,22 67:13 67:16 70:8 72:5,12,17 72:20 73:21,22 77:13 77:25 78:2,4,19 80:18 80:21 104:4,8 106:20 106:25 108:20,24 111:2,8,10,21,24 120:1 127:3 132:6,12 150:21 150:24,25 155:2,3,9 159:6,9 161:16 165:9 165:15,25 170:13 174:17 175:5,8 176:5 176:19 178:24 182:20 182:20 184:3,5 185:7 187:2,25 188:15 189:15 191:7 192:19 192:23 193:15 194:5 195:7,9,23 196:1 198:22 199:1,2,4 exhibits 5:6,12 6:3,10 7:3 8:2,8,10 25:16 26:10 57:19 174:13 186:22 191:5 198:22,23,25 199:1,3,7,9 existed 143:23 existence 39:13 123:2 expect 32:18 experience 16:18 21:18 140:12 183:15 experiences 16:12 experiment 182:3 expertise 51:3 118:2 explain 22:19 98:3,5,8,10 145:7 147:18 explaining 74:23 explains 68:14 explore 68:17 expose 197:21 exposed 59:19 107:23 exposures 59:18 60:10 extent 173:23 exterior 115:6 195:1 externally 142:19,23 143:2,7,9 extremely 31:14	123:23 126:12 Fahrenheit 20:11,14 fails 164:15 168:25 fairly 82:16 140:23 falsified 169:19 familiar 17:21,22 53:3,5 54:1 63:2 151:3,8 155:6 164:22 167:13 184:14 familiarity 140:13 family 52:13 family-owned 15:1 fancy 16:21,22,24 far 14:19,20 53:18 55:3 72:24 102:1 108:3 122:14 124:21 183:2,5 198:2 farther 153:4 father 56:12 February 16:17 28:24 78:8 federal 6:7 39:9 122:15 feed 14:7 feet 108:10 109:10 111:17 fiber 98:17 128:15 fiberglass 101:10,25 field 15:7,10,12 figured 109:10 file 1:25 24:25 filed 25:19 122:8 filler 138:6,11 139:24,25 141:18,25 142:1 182:15,16 fillers 138:1 filling 158:14 film 147:14,14 161:7,12 162:11,14,15 final 13:18,21 finally 93:23 194:20 financially 9:8 201:15 find 21:23 51:1 66:7 68:22 72:25 80:19 101:20,21 102:3 127:3 193:5 fine 72:1 73:17 99:21 110:23,23 130:18 176:12 184:24 187:1,1 finish 99:21 finished 13:9 126:16 148:5,8 150:16 162:16 174:10 199:16 fire 17:13,17 18:4 first 1:1 2:1 5:13 9:2 11:10 13:24 25:8,17,19 25:21 26:20 27:1,2 40:7 55:1,6,20 57:10 58:22 62:11,13 68:10 68:16 69:16 71:16 79:17,22 80:10,15 84:7 84:9,13 108:17 110:17 110:22 113:11 116:3 116:17 133:5 134:10 144:1,19,23,23 166:25 167:15 187:2,3 193:16 first-shot 47:13 first-start 167:16 fish 147:24 fitters 45:21 five 33:25 63:17 82:10 fix 164:16 169:10 fixed 164:16
---	--	---	---	--

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

flammable 104:15 191:10 191:16 192:24 flange 53:25 flanges 42:3 flat 93:19 94:9 Fletcher 34:20 35:16 37:18,23,24 86:10,19 Flexitallic 152:8 floor 3:6,10 38:23 55:19 55:20,21 123:8 Florida 10:25 22:12 flour 125:1 flow 108:6 111:3 focus 120:16 foggy 196:8 follow 28:4,9 105:5,25 134:8 137:16 followed 36:14 189:25 190:14 194:9,14 197:18 following 12:16 30:19 60:8 69:1 75:3 151:23 follows 9:3 27:17 follow-up 174:7 Fondren 6:16 foot 63:17 force 11:25 12:1,4 foregoing 200:8,10 201:5 201:12,18 foreign 43:1 44:10 46:19 forget 18:24 forging 153:3 forgot 15:8 18:25 22:24 155:14 form 97:9 134:24 137:2 139:7 140:4,19 141:7 141:15,19 143:13 147:19 148:2 151:24 155:8,21 162:1 163:1 171:13,16 172:20 173:20 184:6 194:15 formally 199:13,17 format 35:12 37:15 former 83:14,20 formula 138:8 Formulas 7:11,12 forth 89:6 201:6 forward 134:3 found 14:7 31:25 68:2 81:5,24 82:5 101:22 169:11 foundational 65:3,17 69:13 73:5 75:13 76:21 77:17 78:11 79:20 80:14 81:1 94:3 95:8 112:25 119:3 119:20 123:15 132:25 133:21,22 137:3 139:8 140:20 141:16 185:8 185:19 186:4,14 187:10 189:1 190:21 195:21 197:10 foundational 199:6 founder 29:3,13 132:18 foundry 56:1,1 147:11,12 156:15 162:4,4,15 four 11:25 25:16 36:3,10 49:22 82:14,18 fourth 26:16 Francisco 1:16 2:18 3:10 9:13 35:25 Frank 166:24 167:2 free 59:18 60:1 62:19	frequent 183:15,18 frequently 34:16 43:6,11 183:1 front 36:6 61:18 68:13 73:22 74:3 179:21 181:5 186:23 192:19 Fuhro 70:17,18,19 full 63:13 79:16 120:17 164:8,8,10,11 fumes 103:25 function 145:11 functional 117:10 functions 55:17 furnished 143:18 188:21 further 160:16 174:14 192:21 195:4 201:14 F-u-h 70:17 G Gail 4:5 10:9 Galihir 3:4,4 5:4 9:20,21 10:16 14:18 19:12,19 19:25 20:6 23:1 25:15 26:11 30:12 34:1,9 35:3 39:8,11 41:8 42:22 46:15,25 57:7,13 57:21 58:17,20 59:10 59:15,24 60:6,18,24 61:11,14 62:7 63:1,25 64:20 65:8,22,25 66:5 66:21,24 67:3,14,25 69:15,20 70:8,10,12 71:15 72:8,11,16,21 73:11 74:17 75:17,22 76:3,25 77:20 78:3,15 78:25 79:5,9,24 80:8 80:16 81:3,16,22 82:1 82:4 83:8 85:19 88:1 89:9,20 90:8,11 91:13 94:6 95:3,10,17 96:12 97:20 98:4 99:19,24 100:8,15 101:11 102:12 103:3 104:3,9 106:10,19,22 107:1 108:19 109:1,12 110:11,19 111:1,9,19 111:21,25 113:3,15 114:17 115:21 116:1 116:15 119:6,14,23 120:4,7,14,20 121:24 123:17 124:1,16 126:15 127:1 128:9,18 128:25 129:22 131:4 132:14,24 133:3,18 134:24 137:2 139:7 140:4,19 141:7,15,19 143:13 153:8 155:8,21 162:1 163:1 165:11 171:13,16 172:20 173:20 174:6,9,12,15 175:1,4,16,23 176:17 176:23 182:17 183:8 184:4,16,23 185:3,10 185:20 186:8,19 187:13,21 188:14 189:4 191:4 192:15 193:2,8,12 194:15 195:5,25 196:5,18,23 197:6,14 198:1,8,13,21 199:10,14 Galihir's 172:13 194:22	game 169:15 gamut 160:21 Garlock 93:9,12 Gary 3:4 9:20 71:14 gasket 42:3 47:15 49:14 80:7 93:4,9 118:16 121:5 125:7,21 136:18 136:25,25 137:5,8,10 137:18,21,21 138:4,8 138:10 139:10,10,14 139:22 140:1 141:5,6,9 150:6,10 151:19,20 152:8,9,12 179:22 182:14 194:12 gasketing 179:13 180:10 180:12,24 gaskets 33:20,22 40:5 42:3 47:19,23,24 48:7 48:10,18,20 49:9,10,12 49:14,16 50:3,7 52:9 62:24 91:24,25 92:4,5 92:9,24 93:1,7,11,19 93:20 94:9,9 97:8 98:20 99:13 100:3 116:3,6,18 117:4 118:22 119:10,17 120:24 124:18,24 125:2,6,14,19,20,23 135:24 136:4,8,12 138:25 139:5 140:25 141:1 142:1,2 148:14 148:18 149:15 150:13 151:14 152:3,18 153:25 154:7,9 173:17 179:2 180:16,19 181:21 182:18,19 194:18 general 17:21,22 30:14 40:4 62:25 65:20 80:7 84:23 100:1 113:4 114:10,25 185:1 generally 18:8 33:19 56:25 88:4 182:5 generation 29:6 91:14 generic 129:24 gentleman 71:20 132:17 132:18 gentlemen 71:21 132:10 genuine 52:5 GEORGE 1:9 2:10 Georgia 25:11 26:22 27:7 getting 14:25 43:2 148:16 168:11 196:8 Giants 14:24 give 37:12 88:22 89:22 138:9,11,16 140:14,14 141:21 147:20 150:9 166:2 171:5 given 51:16 65:9 86:18 90:23 94:15 104:18,22 118:9 gives 73:20 186:6 giving 51:7 53:18 75:11 104:11 109:16,19 168:20 191:22 glands 42:2 glass 146:2 177:9,12,15 177:19 glasses 149:5 Glendale 9:7 go 11:24 15:12,15 16:2,9 16:10 19:18 21:23 34:1	40:23 41:7 52:22,24 56:5 61:15 68:13,16 70:11 74:7,20 87:8 89:15 90:14 94:4,22 95:8,13 97:18 98:2,9 101:6 106:9 113:7 115:18 119:3 123:23 130:4,24 133:22 140:7 144:16 146:25 150:8 151:22 152:14,18,22 152:23 157:23 158:1 159:25 164:10,12 165:11 169:19 170:11 174:5 179:17 180:20 184:23 187:4,25 188:16 190:23 goes 27:24 29:19 59:25 70:8 79:14 107:7 144:6 159:25 160:16 164:2,5 going 9:5 12:8 13:23 21:20,21,23 25:15 26:7 26:15 31:23 34:4,22 36:10 57:7,22 58:21 67:20 70:12,14 72:23 77:13,24 78:1 80:17 100:10 101:24 106:19 106:22 107:7 108:20 109:20 113:18 120:2 120:16,16 122:10 124:9,14 127:3 132:8 140:11,13 147:4,17 149:8 155:1 159:5,6 161:17 162:10 165:8,9 165:16 168:10 178:1,4 183:2,17 184:9 190:10 198:14,15,18 good 9:4,20 10:17,18 19:4,7 20:2,4 44:17 45:3 46:5 52:14 66:23 66:24 75:6 90:10 142:9 142:10 147:7 162:20 gotten 64:22 65:1,11 92:6 government 102:20 145:1,4,8 147:10 149:6 150:4,11 163:12,17 167:11 171:18 governor 37:5,9 44:21 46:20 48:6 86:21 88:15 88:25 166:16 governors 6:6 34:24 44:1 44:4,20 45:5 46:17 47:1 168:10 grade 68:25 69:2,4,8 graduate 29:20,20 Grand 3:18 grandmother 41:23 grandson 132:18 great 7:18 60:10 groove 44:12 group 24:4,5 groups 34:16 growths 83:1 guess 12:9 39:14 117:16 144:22 168:11 177:6 Gulf 36:11 gun 32:2 guy 144:23 147:11 166:24 168:21 H half 18:20 22:23 56:14	158:17 179:12 181:25 Halliburton 177:19,20 hand 34:22 58:21 67:15 70:14,15 77:13,24 158:22 handed 94:25 hang-up 74:23 happen 21:20 27:11 101:1 happened 21:14,15 87:8 100:23 157:10 happens 153:2 160:9 happy 68:15 199:15 harassing 97:18 Harbor 37:19,21,25 38:4 hard 40:25 76:23 141:21 166:4 hardness 147:6 hardware 12:5 HARLAND 1:8 2:9 harmful 99:9 194:17 hat 40:25 hats 23:19 Hawaii 1:2,4 2:2,5 3:6,23 4:6 5:9,14,19 9:14 25:20 34:2 119:15 122:8 128:4 129:7 hazard 173:18 hazardous 65:20 84:8,14 99:2,8 100:4 103:24 123:10,19,25 124:5 hazards 39:16,20 58:7 65:16 83:10,15,24 84:1 84:17,22,23 97:2,22 98:1,14 head 29:11 72:10 heading 58:23 59:17 health 77:4 117:7 123:20 124:3,6 173:18 heard 70:3 71:1,2,19 137:20 hearing 173:25 hearsay 59:23 73:6 75:14 77:18 78:12 79:19 80:13,25 81:12 89:14 94:21 109:8 112:25 116:12 131:12 185:9 185:19 186:5,13 188:25 190:20 195:21 197:11 heat 19:23 147:4,22 heaters 86:1 heating 91:20 height 177:12 heights 31:7,23 help 88:22 Hey 16:6 131:13 He'll 98:10 high 11:23,24 31:9 45:17 46:5 62:18 higher 140:22,25 158:19 highlighted 72:2 high-impact 183:25 history 25:2 77:6 79:12 130:9 131:1 hold 22:14 79:5 95:7,24 144:17 192:17 hold/witness 145:23 146:1 hole 139:17 Home 158:6 honestly 87:22
--	---	--	--	---

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

Honolulu 3:6,23 4:6 hooks 125:21,22 hoped 52:2 hopefully 78:19 133:25 hoping 198:10 horn 132:2 hour 108:10 109:10 111:16 housed 55:16 Hugo 3:9,9 5:5 9:23,23 19:7,17,21 20:3 22:18 30:8 41:4,6 42:18 46:8 46:22 58:15 59:7,22 60:3,15,22 62:3 64:14 65:3,17 67:23 69:13,18 70:11 71:14 73:5 74:9 74:13 75:13,21 76:20 77:17 78:11,22 79:4,8 79:19 80:13,25 81:11 81:20 82:3,12,17,20,24 83:2,4 85:18 87:20 89:8,12 90:1,4,10 91:10 94:2,20 95:7,13 95:24 96:2,6,9 97:17 97:25 99:17,21 101:5 102:10 103:1 106:9 108:25 109:7 110:8,16 110:24 111:7 112:24 113:6 114:12 115:18 115:24 116:12 119:2 119:11,19 120:2,6,10 121:20 123:14,22 124:13 126:12 128:7 128:17,22 129:16 133:23 134:5,7 135:6 135:13 137:15 139:12 140:8 141:2,11,17 142:4 143:16 146:16 151:1,7 155:4,16,25 159:10 162:13 163:10 165:8,12,21 166:10 171:14,22 172:24 173:23 174:4,8,11 175:22,25 176:3,9,12 176:16,22 181:12 182:11 184:13 185:8 185:18 186:4,13 187:10,18 188:13,25 190:20,23 192:17,22 193:5,14 194:19 195:3 195:20,23 196:4,17,20 197:4,10,23 198:5 199:8,19,21 huh 182:18 hull 35:14,15 36:11 humans 100:5 hurt 99:4 hydrostatic 156:22 158:12,14 Hygiene 6:14	77:15 112:21 132:21 identify 67:21 68:3 93:25 130:8 132:10,15 II 30:14 34:21 37:16 44:14 144:22 Ilana 3:5 9:21 Illinois 3:14 immediately 69:1 Imo 3:20 10:7 impart 192:2 implied 21:16 Importance 6:14 important 27:25 59:19 98:25 99:7 192:3 imposed 168:12 190:24 impossible 81:14 82:7 improperly 32:2 inch 109:10 138:7 139:16 139:21 159:4 inches 111:17 include 17:12,17 18:4 33:19 47:23,24 148:13 182:8 included 26:21 27:6 32:22 40:6 57:1 117:22 135:23 192:25 including 99:14 100:6 102:14,16,21 103:7 122:15 124:22 128:15 144:9 149:13 inclusion 128:15 150:16 incorporate 151:13 incorporated 9:7 10:4 92:24 93:3,5,8 116:17 118:23 119:7,7,16 123:20 181:8 incorporating 117:5 indefinite 94:12,17 95:12 96:24 index 57:11 61:20 64:15 74:4 indicate 39:4 59:17 64:5 69:2 74:4 78:5,9 79:16 81:18 107:11 108:10 108:21 109:13 indicated 61:6 91:23 94:15 95:6,11 100:16 191:8 194:21 indicates 26:19 28:12 30:13 62:5 63:5 64:17 66:17 68:5,10,19 77:21 172:25 190:1 193:16 indicating 142:13 individual 117:22 148:19 157:3 169:21 industrial 6:14 15:25 30:21 60:11 77:2,5 99:11 100:1 Industries 3:20 7:17 10:7 53:2 industry 6:10,14 56:20 57:8,15,17 61:5 62:10 62:25 64:11,19 173:11 inexperienced 190:2 inform 39:16 information 14:8 16:15 51:12,15,19 99:14 100:5 102:14 120:11 122:16 190:7 192:3 informing 75:10 infrequent 60:11 Inglis 28:24 29:1,2	132:19 inhalation 79:23 initially 148:2 injured 104:19 injury 103:18 190:13 191:2 194:8,13 197:17 inner 138:9 139:19,20 innocuous 124:25 inserted 193:24 inserting 125:9 inside 41:23 43:2 45:12 45:12 46:2 138:2,6,24 172:14 insignificant 119:18 120:24 121:8,12,18 122:5 136:13 inspect 16:3 56:16 147:16 157:11 160:19 162:23 168:23 inspected 125:2,2 134:23 146:4 148:4 157:3 163:9 168:18 inspecting 124:23 inspection 8:16 13:18,20 13:22,23,24 14:2,6,10 15:4 21:24 22:3,7 23:4 38:12 144:4 146:21 147:3 148:7,12,15 154:25 155:13 156:10 156:10,11 157:2 159:22,22 160:2,7,22 160:25 163:6 165:3 167:25 168:25 inspections 11:17 135:2 162:12 167:18,19 inspector 11:12,17 13:15 13:17 93:6 144:13,16 144:20,21 145:4,8 146:5,5 147:2,11 157:16 166:24 167:8 167:15 168:16 169:24 inspectors 22:8 135:18 135:20 162:22 163:18 inspector's 183:25 install 45:13 190:7 installation 7:13 37:6 42:25 107:19 111:22 114:20 135:24 installed 16:4 44:22 47:7 108:2 118:16 124:18 182:9 installers 107:25 installing 44:3,6,19 45:5 45:21 46:17 instance 35:19 40:14 91:3 instruct 143:9 172:6 instructed 44:2 136:7 instruction 37:12 48:4,16 50:2 112:2 instructions 6:5 34:23 37:3,6,13 42:7 44:1 52:4 98:13 107:5,10,15 111:22 152:19 168:20 insulate 19:5 107:11 112:17 115:13 143:10 insulated 18:12 19:14,20 19:23 20:1 43:20,24 44:15,25 46:7 47:7 100:16 106:12 107:21 107:22,23 110:6 113:5 113:7,17,18,20 114:6 114:11,21 115:1,10	142:15,19,23 143:2,7 194:25 insulating 20:16 insulation 19:10 20:4,9 21:1 40:10,18 41:2,7 41:10,12,15,24 43:6,11 43:15,16,20 44:19,22 47:8 100:19,21,25 101:24 108:2,11,13,22 109:5,11,14,23 110:13 111:18 112:22 113:11 114:7 115:6 126:10 127:10,11 142:19,20 142:24 143:3 172:14 172:18 173:3 182:8 194:22 insulations 18:14 Insurance 92:12 insure 92:12 integrity 159:2 intended 105:25 186:21 intent 52:11 105:4 intention 51:24 interchangeably 87:25 interested 9:8 54:25 68:16 201:16 interface 163:11 interim 167:16 internal 44:12,24 75:2 100:18 internally 41:10 International 5:11,16,21 10:1 internet 150:5 interpret 69:16 interpretation 187:14 interrogatories 7:16 119:15 120:11 128:4 129:7 interrogatory 120:2 128:8 interrupted 137:16 interviewed 12:14 introduce 9:18 investigated 83:14 investigation 53:19 investigations 24:17 involve 15:10 involved 30:6 144:3,8 146:22 190:3 involvement 171:8 involving 14:10 in-process 13:22 22:7,8 23:4 iron 16:13 32:25 41:23 91:3 116:6 163:19 ironed 198:6 irrelevant 119:2 Island 35:21 36:4 isolated 82:22 issue 169:13 issued 106:7 189:16 192:6 issues 199:7 issuing 103:14 item 127:8,10 itemized 36:7,24 iteration 180:3,7,8 188:1 iterations 179:11 181:5 196:24 I.e 82:23	J J 1:6 2:8 3:13 jacketed 180:23 jail 169:19 January 16:17 57:14 59:8,12 61:25 62:6 64:25 65:10,10 Jersey 35:1 55:8 68:8 Joanne 1:24 2:19 9:17 201:3,23 job 12:4,11,20 14:5 17:2 17:6 21:25 22:13 23:6 147:2 jobs 167:17 John 3:12 10:4 15:1 29:17,18,19 30:1,13 52:17 53:14,15 65:15 65:19 66:7 67:22 68:3 84:21 132:17,21 Johns 92:24 93:1 118:17 joined 11:25 69:16 joint 47:14 Journal 6:10 JR 1:8 2:10 Jules 157:15 JULIAN 1:6 2:7 June 6:8 39:9 jury 137:19 145:7 147:18 148:25 150:1 157:7,24 159:20 164:3 J.J 157:15 K K 3:5 131:3 Kang 4:5 10:9,9 keep 23:15 31:17 77:12 138:2 Kelly 87:1 kept 23:17,24 54:11 155:18 159:17 170:14 KESSNER 3:21 kid 144:5 kidney 83:5 kids 12:25 killed 84:5 kind 12:20 13:20 19:23 19:23 21:16 22:1,15,24 23:19 40:7 41:22 52:25 55:21 56:22 87:10 94:24 96:6 98:12 132:19 144:6 145:21 177:12 183:20 192:2 kindly 72:13 kinds 27:19 King 3:22 kneel 167:24 knew 19:14 31:9,12 70:5 71:9 84:5 98:20 99:8 105:21 113:16,17,19 113:21,22 114:18 115:9 135:2 144:23 171:10,18 know 12:8 16:5 17:24 19:20,23 21:21 29:11 37:17,20 38:1 40:11 41:23 42:8 44:7,16,21 45:7,22,24,24 50:8 53:11,11,13,22 55:3 58:16 62:23 64:13 68:18,20 69:5,22 70:25 70:25 71:8,8,18,18,24
--	--	--	--	---

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

83:16 84:6,7,9,13,16 84:21 86:14 93:23 94:7 94:10,14 98:25 101:2 105:2 106:3 108:17 110:1,3,7,10 113:13 114:6,9,14,15 115:6,8 116:9 117:9 119:5,9,13 121:10,14 122:21,22 123:1 124:5,12 131:13 131:17 134:22 139:10 144:1,14 155:9 159:12 162:7 163:6 164:9,15 164:24 166:19 169:5 169:18 175:25 176:3 179:15 183:18 191:19 192:25 193:10,19,23 194:17 knowing 144:14 knowledge 24:17 31:21 38:25 39:18,21 40:9 41:20 64:4,9 83:12,23 84:3,15,16,18 92:8 93:16 96:15,22,25 97:10,13,19 98:6,19 103:9,13 104:24 106:5 108:3 110:12 113:4,13 113:25 114:10,25 115:15 117:3 123:16 124:20 127:24 136:2,6 136:7,10 170:20 171:25 172:4,17 known 65:15,21 99:8,11 99:25 145:19,19 Kockum 130:11 131:2,5 Kockum/Tyfon 130:14 131:1 KR 26:6,6	93:17 95:23 96:11 97:22 131:25 133:12 133:12 lathe 132:2 Lavecki 157:3 law 93:25 laws 201:18 lawyer 98:9 lay 17:1 150:3 layman 147:20 lead 147:21,22 leadership 30:22 leading 28:13 134:25 140:5 141:8,16,20 155:22 162:2 163:2 171:17 172:21 learned 12:18 31:18 84:7 84:9,13 114:15 led 24:3 left 92:11 132:5,17 161:1 169:7 legal 11:7 94:3 lengthy 169:12 Leslie 1:14 3:8,16 5:10,15 5:20 6:5 7:10,13,15 8:5 9:23,24 10:1 11:4,6,8 11:21 12:18 13:16 15:1 15:17 18:9 19:2 20:20 21:2,8,10 24:10,13,20 25:2,3,8,18 26:19 27:1 27:18,25 28:12,24 29:2 29:13,17,20 30:6,13,19 31:5,17,25 32:9,11,16 32:18,22 33:11,14,18 34:10,24,25 35:8 36:7 37:12,17 38:5,19,22 39:15,19,22 41:2,14,19 42:3,10,15 43:5,10,25 44:2,3,19,21 45:5,10 46:7,16,17,19 47:1,20 47:21 48:3,7,11,11,12 48:15,16,17,23,25 49:1 49:5,8,10,14,19,23 50:2,7,9,10,14,23,25 51:1,3,6,11,18,25 52:5 52:8,9,10,13 53:2,14 53:18,23 54:7 56:12,18 58:3 60:20 61:7,22 62:3,5 63:20 64:1,5,11 64:16,17,21,25 65:5,6 65:10,15 66:7,14 67:22 68:3,5 70:6 71:6 80:1 83:9,13,23 84:1,5,7,12 84:16,21,24 85:20 86:1 86:7,11,25 87:4,7 89:24 90:12 91:8,18,24 92:9,18,24 93:3,8,13 93:17,23 94:8 95:4,12 95:19,21 97:1,5,11,14 97:21 98:12,16 100:16 102:7,14,21,24 103:6 103:11,14 104:5,10,12 104:23,25 105:4,9,11 105:14,19,21,22,25 106:6,11,14,23 107:10 107:24 108:5,14 109:17,21 110:2 111:4 111:5,11,23 112:1,6,12 112:16,21 113:4,17,21 113:22,23 114:1,18 115:9,16,22 116:3,16 116:25 117:4,11,19	118:2,5,9,12,16,22 119:7,16 121:19 122:14 123:20 124:18 124:21 125:16 126:10 127:6,12,15,17,22 128:5 129:6,14,18,19 129:19,20,23 130:2,11 130:15,17,21,25 131:12 132:18,19,20 133:4,9 134:10 135:18 136:2,5,8,11,19 138:15 139:6 140:13,16 141:12 142:18,22 143:1,6,10,17,18,20 144:1 145:2,6,8,16,17 145:18,19,20 149:11 149:16,19 151:11 152:11 154:6,10,13,19 154:21 155:11,19 156:7 157:5,6,7,9,24 159:15,23 160:4,24 161:2 162:21,25 163:13,23 165:1,24 166:20 167:2,9 168:5 169:22,24,25 170:15 170:18 171:8,23 172:1 172:2,6,19 173:1 177:14 182:8 183:1,5 183:10,11,15,16,20 187:15,23 188:2 189:11 190:18 191:6 191:15 192:4,6,10,11 192:11,25 193:24 194:11,21,24 195:9,12 196:2,14 197:19 198:22 Leslie's 32:4 50:12 51:24 94:11 98:1 109:2 117:11,14 145:15 154:18 159:18 161:1 171:12,24 173:19 letter 8:11 92:16,17 147:10 168:19,22 letterhead 108:5 letters 191:9 let's 23:24 34:1 56:7 75:1 88:24 90:9,14 135:6 142:17 146:2 150:5 169:4 187:1 193:5 199:10 liaison 11:7 library 6:16 54:7,9 56:16 73:9 75:4,9,16 77:16 life 94:13,17 95:12 96:24 190:13 191:3 194:8,13 197:18 light 31:3 liked 12:20 131:9 likewise 38:22 39:19 41:1 93:8 180:20 187:25 limited 92:11 line 43:1 44:6 46:2 47:11 47:12 48:23 130:12,16 131:14,20 lines 31:13 43:6 44:3,7,14 44:18 45:4 46:11 93:18 107:12 109:6 110:5 115:16,22 125:17 126:7 liquid 146:10,14,15 156:18 list 6:18 8:6 49:6 67:17	68:22,24 73:2 150:2,4 150:11 151:21 152:15 153:25 180:10,13 188:7 listed 51:11 64:23 80:23 128:3 129:6 149:23 151:17 179:19,22,24 180:7 197:24 listing 128:13 129:2 198:23 listings 35:14 lists 151:25 152:3,23 198:25 literally 170:4 literature 100:1 130:25 litigation 101:16 182:1,2 182:4,5 little 13:1 23:22 44:8 61:17 66:25 74:22 90:2 116:2 146:12 169:6 172:12 178:7 182:2 186:25 196:7,8 live 10:24,25 liver 83:5 LLC 10:7 locate 101:13 located 18:9 54:17,18,19 54:23 55:4,6 56:2 66:15 68:8 145:5 locations 14:19 Log 7:17 132:7 logo 111:4 London 76:15,16,19 long 23:15 72:22 125:17 134:16 169:23 177:22 longer 66:25 92:12 longevity 83:18 long-standing 82:16 look 20:25 58:10 59:3 62:8 72:22 73:18 74:13 74:14,25 102:1 130:1,1 131:1 135:5 150:9 151:2,15 153:4 155:5 156:8 158:21 159:11 165:25 173:8 175:19 176:4 182:24 186:22 187:1 looked 116:22 176:10,10 187:22 looking 78:23 130:6 133:24 150:4 151:18 looks 66:19 68:12 78:14 132:19 134:3 159:8 166:7,8 168:9 175:13 186:6 193:11 loss 190:13 191:2 194:8 194:13 197:17 losses 107:12 lost 196:8 lot 12:5 17:1 55:23 95:16 117:21 125:25 142:3 144:4 155:13 163:17 163:17,18,22 167:22 176:3 lower 107:2 132:9 140:21 189:21 LSD 87:8,11,16 LSD-28 87:16 lube 166:21 Lubrisoft 49:1 93:13 94:12 95:11,22 133:4,9 lunch 124:15 199:10	lung 82:23 Lyndhurst 14:14,24 35:1 55:5,8,18 56:2,4,6 66:11,14 68:8 71:7 L's 61:22 M M 4:5 MACFARLANE 3:17,17 machine 13:19,23,23,24 22:9 23:7 32:2 55:24 148:5 machined 148:5 machinery 17:9,10,14,17 18:4 20:22 51:10 161:23,24 machining 146:8 Mack 4:8 9:5 mag 40:14 magazine 56:20 64:11,12 64:22 magazines 99:12 100:2 magnesia 108:13,22 109:11,22 110:3,13,14 110:21 111:12,17 112:21 magnetic 147:9 156:17 main 3:10 132:3 Maine 25:12 maintain 37:14 114:3 190:7 maintainers 108:1 109:4 maintenance 6:5 7:8,13 34:24 42:23 44:2 48:5 98:17,22 105:5,15,22 106:24 107:20 111:23 112:6,12,16 190:3 192:4 maintenance-type 195:18 making 26:8 54:3 130:16 131:23 146:2 148:18 155:24 168:15 189:5 200:10 man 70:3 71:2 manager 21:9 22:11,13 23:6,14,19 30:14 38:8 54:15 70:2,23 mandated 92:3 145:10 152:17 Mandatory 146:21 Manhattan 93:4 118:18 manual 7:5,24 45:7 48:4 48:4,16 50:5 102:17 104:4,10 105:8,20,21 107:3,6 112:2 170:18 170:21 172:8 184:6 185:22 186:3,7,15,16 186:17,18 187:6,20 189:13 191:6 192:9,14 193:1 195:2,8 196:12 197:2 manuals 42:6,25 50:2 51:20 102:7,11,15,17 102:22 103:2,4,8,12,15 103:16 105:5,10,11,15 105:18 106:1,11,14,16 114:1 170:7,8 171:24 184:18 185:13,14 187:22 188:8,18,21 190:19 195:6,12,16
--	--	--	---	---

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

196:19 197:19,25 manufacture 38:9 48:20 118:6 manufactured 11:18 34:10 38:17 50:14 116:18 128:5 151:11 162:25 172:2 196:2,15 manufacturer 49:15,24 50:7 93:7 186:11 197:9 manufacturers 48:18,21 50:4 51:23 118:15 150:10 195:17 manufacturing 13:13 23:6,15,23 31:19 66:15 91:11 124:22 146:25 171:8 186:12 190:18 Manville 92:24 93:2 118:17 Marie 3:21 10:6 174:2 marine 7:17,17 28:1 30:23 90:13 91:21 132:7 168:7 181:12 mark 25:16,17 26:3 39:8 57:7,13 66:1,21 72:16 104:3 106:19,22 108:19 111:1,21 119:25 159:6 165:8 marked 26:10 34:22 35:2 39:10 48:6 49:15 57:12 57:19 66:4 67:13,15 72:20 77:24 78:2 104:8 106:25 108:24 111:8 111:24 120:1 132:12 150:21,24,25 155:1,3 159:9 165:9,15,24 174:13 175:5 184:3,5 189:15 199:9 market 2:17 9:12 32:5 92:18 marketed 129:15,18 marketing 54:20,22 55:2 55:17 56:7 markets 30:20 marks 67:4,10 126:17,23 198:16 Maryland 166:12,13 168:7 master 7:16 117:20,21 171:20 material 93:4,9,14 100:3 101:9 102:22 127:11 136:14 138:6,24 142:1 156:10,11,14,15 159:1 179:13 materials 44:10 62:20 88:15 89:3,10,21 99:12 102:7,11,16 118:16 119:8 137:22 148:8,13 149:15,23 151:22 152:15,19,25 153:7,9 153:18 154:18 160:23 math 133:15 141:22 142:2 MATSUNAGA 3:21 matter 43:1 45:3 46:19 92:13 162:6 Matthew 1:15 2:16 5:2 8:5,7 9:1,15 67:5,11 126:18,24 198:17 200:15 maximum 63:18 64:1 MCDONALD 3:17	mean 15:21 22:3 44:9 85:6 88:8 103:20 114:14 125:22 130:19 138:23 146:17 150:3 158:4 164:16,17 meaning 52:3 69:16 means 20:10 68:18 69:6 145:8 159:3 measure 160:19 measurement 12:23 13:3 measuring 160:13,14,17 mechanical 6:16,19,20 7:24 11:12,16 12:5,9 13:15,17 29:20,21,24 30:10 53:4,20 65:14 66:2,9 67:16 71:23 72:17,18,19 73:4,22,24 75:9 77:16 84:20 103:17 132:22 147:5 153:16 156:13 173:12 184:6 185:23 188:8 Mechanicburg 163:5 mechanics 42:10,15 44:2 47:20 48:7,16 104:11 126:6 medical 77:4 medicine 100:1 meet 29:4 159:23 166:18 177:21 178:16 meeting 30:21 meets 145:2 148:4 member 29:24 30:1 53:13 53:14,16 66:8,11,17 67:22 68:11 69:2 members 53:10,12,12 71:22 145:7 147:18 148:25 149:25 157:24 159:20 164:3 membership 6:18 67:17 68:25 69:3,8,10 member's 68:25 memory 17:20 39:12 94:24 137:9 139:10 140:24 mentioned 50:3 149:24 152:21 mentions 151:19 merchant 28:1 mesothelioma 121:14 met 70:3 71:1,19 156:7 177:22 metal 147:19 182:15 183:25 metallic 137:23 152:4,11 179:3 180:5,16 Methodist 6:17 methods 77:10 metrology 12:22 13:2,3 Metropolitan 66:12 Michael 4:8 9:5 Michigan 3:18 microfilm 24:20 183:20 mid 84:10 95:23 96:11 131:25 middle 68:1 111:4 188:17 mil 89:2 146:19 147:8 148:22 150:16,18,19 151:9 156:21,23 159:6 170:22 174:21 175:5,6 185:21 194:4 195:16 197:7 miles 14:21,21	MILG 150:6 152:4,19 military 7:19,21,23 8:12 8:16 89:2 148:24,25 149:4,5,7,10,11,21 150:22 151:9 152:6,10 154:10,20 159:22 170:8,25 174:17 175:9 176:5 177:3,11,21 178:4,6 179:6 184:5 185:22 188:1 196:11 MILLER 3:13 million 24:24 63:17 mills 91:19,19 MIL-C-15662 160:18 MIL-I-45208 159:25 MIL-I-45208A 8:17 159:7 MIL-M-15071 187:6 188:22 MIL-M-15071C 7:25 MIL-T-15071 188:8 MIL-V-17848 7:22 176:20 MIL-V-17848A 7:20 MIL-V-17848V 150:23 mind 74:23 171:10 mine 133:24 189:22 193:11 minimize 107:12 112:18 minimum 186:7 minor 169:11 minute 155:5 166:2 175:21 186:25 minutes 67:3 Mishnekoff 166:24 167:2 167:3,4,14 168:20 169:21 misleading 81:12 missed 22:14,15,21 misspoke 102:10 120:9 misstates 60:22 98:2 109:7 182:11 183:4 mixed 72:14 Mobile 36:12 mold 147:21,22,23 molding 147:19,23 molten 147:22 moment 151:2 159:11 165:25 money 52:10 monitor 9:11 17:3 Monroe 3:18 month 60:25 61:24 months 12:1 18:20 morning 9:4,20 10:17,18 move 63:1,25 80:8 110:24 moved 14:13 87:2 132:1 134:15 moving 22:10 127:14 134:17 Mueller 87:1 Murray 79:23 mute 137:13,14 M-hm 37:7 90:22 M-i-s-h-n-e-k-o-f 167:5 M-15071 194:4 M.D 6:23 77:22 M15071 185:22	54:4 NAKAMURA 4:4 name 9:5,20 10:19 14:16 61:1,3 69:2 70:4 71:2 71:16,19 129:19,20 130:2,8,11 named 37:24 130:20 names 72:2 127:5 157:17 nation 31:3 national 160:15 nationally 159:24 nature 64:6 naval 7:6 16:9 18:23 20:23 28:1 30:23 32:23 33:2,11 35:9 37:19,25 38:3,4 51:10 88:3 104:6 164:22 166:6 183:2,17 193:17 NAVSEA 193:22 Navships 7:5 171:6 Navy 7:6 17:2 19:24 25:4 25:9 26:21 27:2,19 31:1 32:5,8,13,18 33:15 34:11 37:12 39:24 42:11 43:15 48:13 49:15,16,22 50:3 50:6,9,10,18,20,21,22 51:2,7,19 52:9 80:2 84:24 85:23 86:1,5 88:5,16 89:7,24 90:14 90:15,16,19 91:2,4,4 91:14 92:3 94:10 96:14 102:6,13,21 103:6,10 104:6 105:4,12,15,22 105:23,25 106:3 112:2 112:7,10,13 113:5,17 113:24 114:2,6,10,19 115:1,9 117:1,19,19,24 118:10 131:12 132:3 133:13 138:13 143:9 143:12,20,21,24 144:3 144:11,13,16,20,21 145:3 146:3,3,5,5 152:10 154:8,14 156:1 156:11,19 157:16 159:24 160:25 161:24 162:22 164:2,5,17,21 164:23 165:7,23 166:17,23 167:9,12 168:16,22 169:24 170:19 171:3,4,6,10,20 171:23 172:1,5 183:24 192:25 193:17,24 Navy's 51:19 necessarily 75:4 163:4 189:7 necessary 149:15 161:24 need 99:17 124:14 131:13 148:21 150:8 157:21 174:6 184:14,24 198:15 needed 49:25 NERI 1:7 2:9 never 13:11 29:15 31:24 39:19,24 41:19 42:5,8 42:10,14 50:2,5,17,19 53:13 56:14 71:19 84:1 96:16,20 97:4,5,11,14 97:14,15 98:15,16 103:6 107:13 110:20 113:10 118:1 125:20 126:13 142:21,25	143:4 157:24 170:22 170:23 172:22 183:10 192:6,8,10,14 194:4 195:2 197:19,24 new 7:17 16:21,22,24 22:7 31:6,23 35:1,21 38:16 46:12 55:8 68:8 76:16,19 Newark 12:21 167:2 newer 146:6 Newport 18:24 33:6 155:24 161:11 163:19 news 18:24 33:6 110:15 155:24 161:11 163:19 newspaper 27:14 nine 12:1 NISHIMOTO 4:4 nods 72:10 node 82:22 nodules 82:22 nondestructive 146:10 146:18 nonresponsive 63:1,25 80:9 non-marine 90:14 non-Navy 89:25 90:14,15 90:17,20 91:1,20 Norfolk 18:23 normal 98:17,22 159:17 normally 148:15 158:8 163:9 North 16:17,25 northeast 55:15 notary 9:7 noted 62:7 82:9 199:23 notes 73:8 181:15 201:13 notice 5:8,13,18 25:17,21 25:24 102:2 157:13 noticed 166:23 notices 26:7 103:16 November 8:13 57:17 62:10 64:18 93:17,22 94:7 174:21,23,25 175:13,18 176:7,20 179:7,7 187:4 188:16 nuclear 54:1,3 number 5:7 6:4 7:4 8:3 9:13 25:23 26:5 28:19 32:8 57:13,15 60:10 67:5 78:6 90:18,22 91:15 107:2,8,14 127:17 128:10,17 150:7 153:20,21,22 154:15 157:19 159:7 166:19 169:2 193:4,12 198:17 199:1 numbers 26:6 35:15,16 36:11 79:1 127:5 141:10 193:22,22 numeral 68:21,22 79:3 numerals 78:24 numerically 59:9 60:10 numerous 137:6 N.W 3:18
---	--	--	--	--

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

134:24 137:2 139:7 140:4,19 141:7,15,19 143:13 155:8,21 162:1 163:1 171:13,16 172:20 173:20 194:15 objection 19:7,17,21 30:8 41:4 42:18 46:8,22 59:22 60:22 65:3,17 78:11 79:19 80:13,25 87:20 89:12,13 90:10 91:10 94:2,20 95:8,13 96:2,9 97:17,25 109:7 110:8,16 112:24 113:6 114:12 115:18,24 116:12 119:2,11,19 120:21 121:20 123:14 123:22 126:12 182:11 183:4 185:8,18 186:4 186:13 187:10 188:25 190:20 197:10,23 objections 20:3 60:3,15 69:18 81:20 95:13 187:18 188:13 195:20 196:4,17,20 197:4 201:9 objective 178:15 obligated 149:11 165:1 obligation 30:22 observe 135:18 observed 143:6 obtained 155:18 159:14 170:14 occasion 17:7 56:5 86:21 145:17 162:7 occupations 77:9 occurred 163:25 October 7:20,22 25:19 175:14,14 176:25 179:9,9 188:3 offered 21:25 22:12 23:6 23:18 133:20 159:24 office 27:12,13,15 55:5,5 55:13,17 56:3,4,6,11 56:13,13,15 145:6,8,10 145:12,13,14 officially 23:21 Oh 15:23 21:11 30:4 31:10 38:18 79:7 99:19 122:13 129:17 131:15 142:7 163:15 175:12 175:21 182:6 193:9 196:13 199:14 okay 10:23 11:10 13:10 13:15 16:2,12 17:7,20 18:1,8,11,16 20:1 21:5 21:8 22:21 24:9 25:2,7 26:15,19 27:17 28:9,10 29:4,10,19,24 30:3,5 30:13 32:4,17,22 33:6 33:10,24 35:7,11,13 37:2,11,17,23 38:2 39:1,3,4,15,19,22 40:10 41:1,18 42:10 43:4,18,25 44:17 45:24 46:4 47:2,17 48:3,23 49:2 50:2 51:14,22 52:16 53:1,17,22 55:4 56:18 57:1,5 58:2,5 60:7,19 61:12,24 62:2 62:22 63:4 64:5,25 65:13,23 67:2 68:3,19 69:12,21 70:1,5,24	71:3 72:1 73:3,12 74:3 74:7 75:18,25 76:2 77:21 78:16,17 79:7,11 79:15,25 80:17,22 81:5 81:22 82:14 83:9 86:1 86:4 87:23 88:2,7 89:18 90:15 92:2,17 95:4,6,16,21 96:16 97:1,5,21 99:23 100:20 102:24 103:6 104:18 104:22 107:9,24 108:4 108:14,19 109:16,22 110:23 111:19 112:20 113:4 114:25 118:2 119:15 121:2,17 123:5 123:6,18 124:21 125:5 125:13 126:9 127:14 127:21 128:3 130:4,4,9 130:18 131:7,15,19 132:15,24 137:5 139:2 139:14 141:24 146:3 147:1,25 148:2,21 153:12,15 154:4 156:3 158:14,15 160:6,22 161:13 163:21 164:19 166:5,16 167:1,4,22 169:3,4,10,12,13 170:17 174:8 175:1,5 176:16,22 177:3,9,19 177:24 178:4,22,24 182:1 183:1,22 185:1,6 185:16 186:2,9,20 187:14 191:5,22 193:15 194:3 196:13 196:24 197:7,19 198:1 199:22 old 27:15 41:23 116:7 117:22 older 55:14 83:18 125:16 old-type 55:22 OLSON 1:8 2:9 once 12:20 14:7 151:21 171:1 ones 73:15 86:15 88:21 117:22 132:5 161:22 199:2,5 one-inch 166:20 online 150:8 ONO 3:4 on-the-job 12:17,24 open 35:13 45:10,22 77:12 147:24 opening 15:7 operate 37:14 190:7 operated 32:18 164:9 operating 7:7 16:4 48:3 52:21 106:23 112:2 190:12,25 194:7,11 197:16 operation 6:5 7:13 34:23 37:4,8 44:1 48:4 88:8 88:10 107:20 111:22 112:5,11,15 134:14 147:4 190:3 opinion 194:10,16 opportunity 16:9 164:16 opposed 172:8 opposite 42:16 oral 5:8,14,19 84:10 198:2 Orange 36:19 order 8:18 43:4,12 49:22	49:25 93:24 150:14,19 151:19 154:12,12 166:7,8 172:17 ordered 41:17,20 49:13 51:25 150:11 163:5 172:23 183:11 ordering 49:23 orders 24:21 ordinary 155:19 159:17 170:15 ordnance 12:4 organizations 173:16 original 14:14,23 25:17 27:14 47:25 49:24 50:4 69:10 116:7 176:25 188:1 originally 116:14 OSHA 39:1,12 84:4,17 122:11,15,19,22 123:1 134:22 135:2,15,18,20 136:3,7 ounce 139:23,23,24 141:4 ounces 140:23 141:25 outer 138:9 outlet 158:7 outlined 114:2 outside 27:13,15 42:11 44:19 52:3 107:23 139:21 overbroad 46:8,23 116:13 185:19 overhauled 38:3 overlooks 14:24 Oxford 76:14 o'clock 34:2,2,3 O'Connell 3:13,13 10:3,3 72:6 193:10 198:7	132:8 151:22 152:15 152:23 184:10 186:20 187:4,5 188:6,17,17 189:20 193:3,16,21 pages 59:5,10 70:13 80:18 paint 169:6,7 painted 169:5 paper 72:12 91:19 124:25 paragraph 26:16 27:24 28:7,18 60:8,8 62:13 63:14 79:16 80:12 107:8,21 120:17 151:15 166:19 184:9 188:18 190:10 pardon 188:15 parent 10:1 parentheses 69:1 PARKER 3:9 Parsippany 14:14 15:3 125:25 132:1 134:13 135:16,20 part 22:14 26:8 41:9,15 41:21 44:24 55:19 98:11 121:2,18 123:3 125:3 127:17,19,20,22 127:25 128:15 129:3 130:22 144:4 147:5,8 151:18,24 156:1,4 160:17 170:20 172:3 179:2 180:1,11 187:16 partially 46:1 particle 147:9 156:17,18 particles 63:17 particular 15:20 47:16 99:1 101:8 124:7 141:5 141:6 146:20 147:2 149:2,8 151:20 156:9 158:7 169:21 189:8 193:23 196:21 parties 9:9 201:15 partly 66:20 parts 18:11 33:16,18,21 47:21 48:8,10,12,17,19 49:17,20 51:25 52:6 99:7,9 119:16 127:5,5 148:13 150:15 154:21 154:23 163:5 pass 14:4 164:17 192:18 192:20 passed 29:8 pathology 77:8 pattern 122:1 Pauahi 4:5 pause 57:20 58:19 76:1 81:23 120:18 128:23 135:10 151:5 166:3 184:20,25 Peacetime 28:21 peak 190:8 Pearl 37:18,21,25 38:4 pellets 178:7,11 penalty 200:7 201:17 pending 99:20 penetrant 146:10,15 156:18 people 23:13 38:23 51:7 72:4 84:5 123:12 132:15 163:18 164:6 173:18 177:25 percent 40:14 89:24,25 90:19,20 108:12,22	109:11,22 110:12,14 110:14,20 111:11,17 112:21 119:1 137:9 178:11,12,12 percentage 62:19 90:12 90:13,15,16,16 118:21 119:9 133:16 140:2 Percentagewise 121:6 perform 145:11 146:18 178:3 performance 156:24 166:14,18 178:17 190:8 performed 105:5 157:9 performs 178:3 Pericardium 83:2 period 12:2 23:20 35:10 38:15,19 57:3 145:18 162:7 196:6 periodically 162:20 peripheral 82:24,25 perjury 200:8 201:17 Permissible 63:14 person 16:7 personal 19:22 24:17 56:16 103:18 190:13 191:2 194:8 197:17 personally 37:20 102:18 104:19 124:10 144:8 163:11 167:13 personnel 163:12 190:2 phone 137:12 phonetic 180:16 phonetically 71:13 Photocopy 6:13,19 7:10 8:14,18 photograph 132:9 phrase 194:23 physical 145:12,13 physically 16:2 135:17 167:8 169:21 physicians 77:6 pick 144:24 picking 154:14 192:18 picture 27:12 88:2 piece 13:24 15:15 16:6 167:25 168:15,23 172:18 pile 133:19 pipe 44:11,24 45:12,13 46:3 108:10 109:10 111:17 pipes 20:17,18 108:6 111:3 112:17 piping 19:5,10,14 20:2,4 20:7,8,10,21 106:11 107:20,22 113:16,17 114:6,11 115:1,1 142:8 142:9,11,14 place 9:12 201:6 placed 102:20 places 18:8 placing 102:24 103:11 Plaintiff 6:12 plaintiffs 2:17 3:3 5:6,8 5:13,18 6:3 7:3,15 8:3 9:16,22 26:10 35:2 39:10 57:12,19 66:4 67:13 72:16,20 78:2 104:3,8 106:20,25 108:19,24 111:1,8,24 120:1 132:12 174:13
--	--	--	---	---

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

184:3 198:21 199:9 plan 117:20,21 171:20 plant 11:18 14:14,14,23 14:25 54:24 55:1,6 66:15 70:23 134:13,14 134:15,16,20,23 135:1 135:2,16,19,21 plants 31:3 54:2,3 55:14 91:19 145:21 plate 130:2 Play 52:5 Plaza 3:22 pleasant 16:18 21:18 please 9:18 95:24 117:16 PLNS-5 166:20 Plows 5:23 26:4 plug 138:8 plural 74:18 plus 145:20 point 16:22 17:7 19:4 21:22 23:10 43:4 52:22 62:7 63:10 75:6 82:9 85:18 97:18 99:17,18 124:13 139:22,23,24 140:22 141:4,25 146:1 147:3,15 152:19 163:8 169:3 171:15 173:24 198:6 pointed 188:3 pointing 73:19 points 144:17 145:23 146:1 Pop 29:2,11 132:20 population 59:19 portion 136:24 137:21 140:1 portions 82:22 Portsmouth's 33:2 posed 173:18 position 11:5,10,21 12:18 13:16 14:1 15:4,5,9 21:8 23:15,16,18 24:4 24:13 167:17 positions 38:12 134:3 possession 161:1 possible 43:15 88:23 Possibly 39:6 Post-shock 157:2 post-war 30:23 potentially 99:1 100:4 pound 109:10 141:13,13 158:23,24 pounds 108:9 111:16 pour 147:23 poured 147:12 power 6:10,14 31:2 54:1 54:3 56:20 57:8,15,16 61:5 62:10 64:10,18 91:14 173:11 powered 32:12 practice 19:4,8 20:2,5 44:5,17 45:3,22 46:5 46:11,21 142:9,11 practices 190:12 191:1 194:7 197:16 preamble 194:21 precautions 124:17 preceding 175:8 preclude 14:9 43:1 169:17 precluded 102:24 103:6 pregnant 18:20	prepare 35:8 prepared 120:12 186:7 191:6 195:9 prerequisite 159:23 present 9:21 62:5 82:9 134:19 135:17,18,22 139:6 140:17 141:4 167:8 169:22 presentation 77:3 presented 60:13 79:23 113:12 Preservation 156:20 president 30:14,15 68:5 press 76:14 157:12 pressure 7:13,20,22 8:13 19:2 20:22 21:1,2 31:9 37:5 43:18,19 45:17,24 46:5 47:9,10 50:22 52:4 56:24 84:25 85:2 86:11,14,20 87:17,24 106:17 107:6,10 111:23 117:24 143:6 143:10 150:22 151:10 152:12 156:14,22 158:12,16,18,19 159:1 164:10 166:16 174:18 181:9 183:11,12 pressures 31:6,8,23 32:1 pressurize 158:15 presumes 46:9 76:20 94:2 pretty 18:10 90:10 prevalence 77:9 prevent 106:12 160:12 prevention 77:10 109:5 previous 26:4 36:23 112:20 113:1 175:6 180:7,8 previously 113:16 132:21 pre-insulated 87:4 primarily 50:15,16 prime 31:1 168:9,13,22 182:21,25 183:12 principal 37:4 principles 112:5,11,15 print 199:2 printed 199:3 prior 14:12 22:10 31:18 38:11 42:25 46:11 83:10 89:14 157:21 164:1 182:11 priority 7:5 104:5 191:7 probably 23:12 57:3 64:11,24 124:14 128:12 139:17 178:10 191:15 problem 16:6 17:5 60:13 169:16 Procedure 5:9,14,19 procedures 64:8 164:20 190:12,25 194:7,11 197:16 proceed 198:14 proceeding 98:11 proceedings 57:20 58:19 76:1 81:23 120:18 128:23 135:10 151:5 166:3 184:20,25 201:5 process 38:12 47:5 91:7 91:10,11 144:17 146:6 146:7,24 147:1,16 155:1 160:20 169:13	170:11,17 171:8 processes 144:18 procured 160:23 procurement 146:8 193:21 procuring 147:7 163:3 produce 145:3 149:16 178:1 produced 154:10 producers 92:12 producing 100:24 154:19 product 88:16 93:10,18 94:12 96:16,21 97:12 99:5,15 100:6 108:16 114:3 116:18 121:19 124:22 128:14 130:12 130:15 131:14 136:19 142:14,18 148:9 149:3 149:16 151:11 152:2 162:16 163:23 165:2 168:5 169:18 172:15 176:13 177:4,15,16,18 178:9 production 55:16 56:10 60:12 144:10 147:16 154:19 160:24 171:15 products 30:20 31:20 32:5 39:24 42:13 49:6 60:12 80:1 92:19,25 93:5 94:1 97:3,15 98:2 98:16 105:16 110:6 117:13 118:16,23 119:8 123:19,20,25 124:5,9,23 125:10,17 126:11 128:4 129:2,15 129:19 136:5,9,11 138:15,21,22,23 139:3 139:6 140:13 141:12 146:6 150:2,5,17 154:19 161:1 162:24 171:11,12 172:2,7,7 173:19 197:20,21 progress 135:23 prohibiting 102:6,13 103:11 prohibition 102:20 promoted 24:2 promotion 69:3 pronounce 81:2 pronouncing 10:19 pronunciation 69:24 72:7 properly 16:4 31:15 114:2 properties 156:13 proportionally 140:6 propounded 201:9 protect 19:5 20:17 proud 144:2 prove 169:17 provide 145:10 provided 77:5 PSI 158:20 159:2,3 public 9:8 52:22,24 53:2 77:4 publication 56:19 58:3,6 58:9,22 59:11 60:20 61:1,1,3,8 62:6,9 72:17 73:3,13 75:10 132:7 publications 30:3,4 53:9 53:11,20 151:16,23 184:19	publish 53:7 published 6:20 58:6 72:18 73:23 76:13,19 78:5 pulled 126:6 puller 126:2 pump 6:6 8:18 10:7 34:24 37:5,5,9 43:25 44:4,19,21 45:5 46:20 47:1,3,9 48:6 85:2 86:11,14,20,20 87:17 87:24 88:5,15,25 106:17 107:5,10 166:8 166:16,16,21 168:21 182:25 183:10,11,12 183:21 pumps 3:20 10:7 168:11 168:16 182:20,21 183:15 pun 186:20 purchase 50:10 92:5 purchased 11:19 48:25 purchasing 116:17 purged 93:23 purpose 37:2 168:5 purposes 103:17,19 169:9 pursuant 5:9,14,19 163:13 put 14:3,4 21:5 43:15 45:8,10 47:4 98:12 102:10 104:25 114:1 116:1 123:25 148:2 168:10 171:23 184:17 191:1 193:1 199:11 201:7 putting 45:21 46:12 102:7 178:2 P-a-r-s-i-p-p-a-n-y 14:17 p.m 199:23	173:21 184:9 193:20 194:16,20 questions 26:2,8 75:24 128:13 129:1 133:1,18 133:23 136:15 142:8 173:25 174:3,16 184:17 185:11 192:15 198:9 201:8 quick 72:3 quit 100:24 131:23 quite 160:6 165:5 R R 3:1 4:1 rack 54:12 158:2 radiographed 162:4 radiographic 156:16 161:18,25 ran 56:23 random 162:12 range 140:14,17,21 141:24 Rapids 3:18 rated 158:18,20,25,25 rating 158:16 raw 151:22 160:23 Raybestos 93:4 118:17 Raymond 157:15,15 reached 31:6 read 22:19,20 25:7 26:17 48:5 62:21 63:3 65:15 65:19 66:20 75:15,21 75:23 76:2,23 77:8 79:21 81:21 84:21 95:25 96:1,5,6,8 102:16 110:22 111:14 120:13,15 127:9 155:9 160:17 166:4 167:25 170:22 184:11,13,21 185:5 192:12,15 200:8 readers 75:18 readership 75:10 readily 190:1 reading 28:11 73:16 168:1 175:21 195:22 reads 78:13 ready 11:24 real 72:3 realize 130:7 really 12:7 17:24 21:21 40:16 41:21 44:8,11,22 45:19 53:13 83:17 94:14 101:2 135:3 141:21,22 142:3 reapproved 154:16 reason 52:8 101:12,13,24 129:5 132:3 150:7 173:4 reasons 51:1 recall 34:20 96:21,23,25 101:7 104:1 118:17,19 172:1 174:19 179:4 185:11 191:8,13 recalled 97:11,14 received 73:8,14 75:4,8 75:16 77:15 receiving 13:20,21 93:1,6 recess 34:6 66:25 67:8 100:12 126:21 165:18 198:20 reclaim 168:14
---	--	---	--	---

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

recognize 35:4 155:7 159:12 166:1 185:4 recollection 18:6 23:11 26:25 27:6 recommend 142:18 143:2 194:24 recommendation 109:14 109:16 111:11 recommended 46:11,16 50:9 106:11,14 110:5 142:23 182:8 194:21 recommending 112:16 record 9:5,19,24 22:20 25:14,25 26:9 28:2 34:2,4,8 61:10,13 62:3 64:14 65:24 67:6,9 96:1,8 100:10,14 104:2 111:15,20 120:10 126:19,22 133:2 135:8 135:12 139:18 165:16 165:20 167:4 174:5 193:2 198:18 199:12 recorded 201:10 records 86:17 116:9 117:9 155:18 159:15 160:8 170:14 recurrence 169:17 reduce 112:23 reducing 7:13 8:13 25:8 26:20 27:1 43:17,19 47:10 52:4 56:24 86:22 106:13,16 111:23 112:17 139:15 150:22 151:10 152:12 174:18 180:22 181:9 reducing-valve 86:12 refer 40:14 78:1 120:3 197:2 reference 7:9,11 108:15 108:21 109:3 110:20 111:2,4 113:11 116:1 127:5 154:5 179:21 referenced 59:11 87:14 87:15 references 63:12 referencing 185:21 referred 34:19 138:12 152:7 185:6 194:6 195:8 referring 25:10 58:12 91:12 119:21 128:8 130:2 193:3 refineries 91:19 refitted 18:23 refresh 17:20 18:6 26:25 39:12 refreshes 94:24 regard 133:25 136:3 142:22 143:1 193:23 194:3 regarding 83:24 84:1 98:14 103:15 171:24 192:23 Regardless 91:7 Register 6:7 39:9 regular 134:20 regulating 7:20,22 177:7 regulator 19:2 21:1,2 43:18,19 47:9 87:17,24 143:6,10 166:16 183:12 regulators 20:22 27:18	50:22,23 84:25 85:2 86:11,12,15,20,22 88:5 106:17 107:6,11 117:25 183:11 Regus 9:12 reinspect 163:7 reject 162:24 relate 18:19 related 143:19 149:13 relation 82:8 relationship 81:15 relative 9:9 201:14 relatively 190:2 release 98:17 reliability 28:3 remember 17:14,25 22:12 24:8 38:21,21 39:6 43:2 63:10 71:1 87:22 93:1,6,11 95:15 104:7,17 116:23 130:15 131:24 132:1 136:15 139:11 141:10 153:11,13,19 161:4 173:13 185:14 remove 43:4 removed 42:4 43:7,12,21 126:3,10 renew 120:16 renewing 47:19 48:9 reoccurrence 14:9 160:12 rep 15:8 repair 17:3 42:23 46:1,21 46:24 47:1 51:8 98:18 114:2 118:10,13 repaired 38:4 43:21 47:3 47:5,6 173:1 repairing 37:10 repairs 17:4 98:23 105:6 repeat 43:8 90:7 rephrase 90:7 replace 173:2 replaced 42:4 98:21,22 175:13 replacement 33:15,18 41:15 48:8,12,17,19 50:3,10 51:25 52:6,9 127:25 172:18 report 79:22 155:13 156:15 167:1 168:6 169:14 reported 1:24 23:8 79:17 79:18 80:4,11,15 reporter 9:16 10:12 14:15 22:18 71:11 72:13,15 131:2 146:14 199:19,22 201:4 Reporters 1:22 REPORTER'S 201:1 reporting 81:8 represent 9:6 representative 5:10,15 5:20 24:10 53:17 145:1 164:13 representatives 51:6 reps 118:9 request 160:10 166:5,5 requested 53:12 requesting 168:6 required 125:18 146:19 149:8 150:18 152:11 152:14 154:8 156:4,16	156:17,18,22 161:8 165:1 171:6 187:15 189:11,13 requirement 168:17 190:17,22,24 requirements 8:16 54:6 145:2 149:22 150:13 156:7 159:23 160:1 168:12 170:22 177:23 178:2 180:12 186:7 requires 147:8 researched 83:16 resident 145:21 148:15 resolve 169:16 respect 25:2 32:4,11 40:10 43:10,25 56:18 63:4 64:10 65:10,13 84:24 87:7 88:3 89:5 91:1 92:4 94:11 108:9 112:1,5,15 121:13 181:4,11 191:5 192:6 195:6 196:9 197:7,8 199:7 response 7:15 128:8 172:12 184:17 responsibilities 11:15 23:23 result 60:10 104:20 169:1 190:12 191:2 194:8,13 197:17 resulting 79:17,22 results 162:6 retention 160:8 retire 22:11 retired 29:8 REV 154:14 reverse 164:8,11 review 67:19 72:3 74:8 128:19 171:2 184:8 reviewed 72:25 73:3,12 73:16,18 75:3,5 77:14 170:18 173:15 reviewing 183:14 reviews 6:21 73:7,14 74:6 74:9,16,18,21 75:1 147:14 revised 195:15 revision 188:16 189:8 rewire 135:7 ribbon 138:1,1 Richard 3:5 9:21 rid 23:22 ride 16:24 right 10:19 23:5 24:23 51:4 52:14 69:24 79:8 87:11 89:19 128:21 132:1,19 134:4 137:9 144:7 149:17 153:1 157:5,14,17 158:22 159:5 169:8 175:19 176:13 193:5 198:5 right-hand 68:1 72:24 78:22 79:2 107:3 132:9 189:21 Rim 12:2 rings 49:3 riveted 41:11 road 125:25 126:1 Robin 174:10 roll 174:10 Roman 68:21,21 78:23 79:3	rooms 17:12,13,13,17,17 17:18 18:4,5 rough 138:16 140:14 roughly 137:8 139:16 round 93:19 94:9 137:5,8 137:17 141:1 152:4,9 152:12,18 154:1 174:9 179:3 180:6,19,23 181:3 roving 13:22 rubber 157:18 183:23 rule 5:9,14,19 158:17 Rules 5:9,14,19 run 45:11 60:20 150:20 157:12,12 164:7,10 running 164:5 Russell 69:22 70:16 S s 3:1,14 4:1 7:15 29:2,17 29:19 30:13 67:22 68:3 74:10 132:17,19,21 safe 52:5 198:14 safety 40:22 117:8 sailors 37:12 104:11 118:12 sale 52:10 sales 24:21 55:16 56:7 70:2 samples 165:2 sampling 64:7 San 1:16 2:18 3:10 9:13 33:4 35:24 SANTOS 1:8 2:10 saw 19:9,15 20:9 41:19 101:14 106:6 107:13 110:17 183:10 saying 43:3 45:8 54:13 68:18 75:5 108:6 121:6 123:24 130:5 150:12 156:9 157:20 178:9 180:3,11 181:2 183:7 190:11 says 27:17 28:8,15 31:10 32:3 36:22 42:25 45:7 48:9 52:5 58:23 62:17 63:16 66:13 68:4,21,24 73:7,14,19,23 74:1,6,9 74:16,25 75:1,3 76:6,8 76:12,17 77:3,23 78:7 79:12,21 80:4,15,19 94:19,22 104:15 107:5 107:17,22 109:9 111:5 111:16 112:9,11 121:22 127:10,13 130:2 146:4 151:9,16 151:16,23 152:24 153:4 155:12 157:14 158:22 160:18 166:15 166:17 167:1 175:12 175:18 176:19 180:5 182:24 186:1 187:6 188:8,18,21 189:22 190:5,11 191:19 Scelba 71:17,18,18 72:7,9 school 11:23,24 13:8 science 12:23 13:3 scope 160:1 184:11 scrape 125:14,20 scraping 125:19 screen 34:5,8 67:7,10	96:5 100:11,14 126:20 126:23 135:9,12 165:17,20 198:19 se 54:9 sea 16:10 17:5 163:24 164:2,3,13 sealed 41:24 search 101:20,21 Sears 158:1 seasick 21:17 163:21 seat 156:23 seats 156:19 Seattle 36:15 Seattle-Tacoma 36:15 second 3:6 22:14 29:6 35:13 36:22 55:19,20 57:10 68:16 78:4,6 79:16 80:4 89:12,13 95:7,24 111:5 135:3,7 180:14 187:4 188:6,18 secondary 83:1 section 54:2,13 66:12 77:10 sections 184:22 see 23:24 26:23 27:3 28:11,22 31:10 36:4,12 36:16,20 56:5,7 57:17 58:12,24,25 59:13,14 59:21 60:2,4,14 61:1,3 61:22 62:11,13,20 63:15,18 67:17,21 69:4 69:6 72:25 77:14 78:18 79:12 87:12 108:7 109:2 111:10 112:3 113:8 119:20,22 122:12 126:16 129:9 129:14,23 132:10 146:19 152:15 153:2 157:18,24 175:8 177:13 179:19 184:22 185:25 187:6 188:19 189:18,23 190:15 191:8 seeing 43:2 93:6,11 101:7 116:23 131:24 seen 18:14 26:12 29:15 30:1,3,4 35:5,10 37:15 39:4 42:5,6,8,14 45:19 50:5,17,19 51:13,21 52:7 53:15,23 56:24 57:3,17,25 92:16 97:4 98:15 103:16 106:15 108:18 110:20 113:10 113:12 116:10 117:9 118:1 135:20,22 137:20 142:21,25 143:4 147:21 151:6 172:22,25 179:15 183:19,20 192:8,14 194:4 195:2 197:24 selected 180:15 199:1 self-contained 84:25 85:2 85:4,5,6 Self-Unloaders 7:18 sell 49:19 92:18 131:19 149:9 selling 80:1 93:13 95:22 96:11,14 114:3,19 semi-resident 145:22 send 16:7 161:10 162:10 165:1,4,6 166:15 167:1 168:19
---	--	--	--	--

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

sending 168:5 sends 147:10 sense 30:11 41:20 65:6 sent 51:6 53:9,12 105:11 117:18,19 118:9 161:8 sentence 81:13 120:9,17 separate 55:24 September 184:7 189:17 194:5 sequela 80:23 81:9,18 sequence 179:10 Series 166:20 serious 60:13 serves 137:9 service 5:12,17,22 7:20 7:22 8:13 12:1 15:7,8 15:11,16 21:8,15 51:6 97:3 98:13 115:10 117:2 125:24 132:4 150:22 151:10 166:21 174:18 177:8 190:7 services 27:19 set 7:16 89:6 146:24 147:15 201:6 severity 169:4 shape 97:9 125:5 share 75:18 sheet 93:19 94:9 182:18 182:19 Sheldon 3:21 10:6,6 137:14 174:2,2 183:4 shelf 94:13,17 95:12 96:24 shifts 23:12 ship 15:22 17:23 18:11 19:13,15 20:25 32:13 45:25 46:13 87:9,10,19 114:15 143:5 164:1,5,6 164:17,18 171:5 183:20 Shipbuilding 36:12,15 shipment 86:16 157:22 shipped 161:10 ships 7:6,20,22,25 15:13 17:9 25:8 26:20 27:2 28:14 32:12 34:17,19 35:9 40:13 51:2 87:8 87:16,17,25 104:6 113:17 117:1 162:22 176:20 193:17 shipyard 18:24 33:2 37:19,25 38:4 40:25 143:15 156:1 163:12 163:24 164:6 171:4,5 shipyards 32:23 35:15 161:3,4,22,24 162:5,22 163:3,4,8,8,19 ship-board 17:3 shock 157:14 164:24 shop 13:19,23 22:9 23:7 38:16 55:24 shops 38:17 short 126:15 135:14 shorter 128:12 shorthand 148:22 201:4 201:13 show 66:1 72:1 127:20 146:6,7 155:1 159:5 180:15 showed 83:1 101:18 122:24 175:7 178:24 shown 142:13 173:10	shroud 41:11,22 SIA 4:4 sic 82:15 side 107:3 sign 147:13 158:23,24 signature 122:7 signed 119:15 122:1 157:15 significance 124:8 significant 121:14 silent 10:21 181:7 silica 58:23 59:18,18 60:1 62:19 63:16 silicosis 6:22 73:1 75:19 76:5,18 77:1 similar 64:8 88:7,10 89:3 89:18,18 91:2 112:9,12 117:13 145:21 148:19 simply 92:14 single 32:10 sinker 147:24 sinkers 147:21 sir 10:18 11:2 14:23 15:20,23 16:1,11,14,20 16:23 17:11 18:7,15,19 19:3,11 20:5,9,12 21:4 21:7,11,13 24:11,15,19 24:23 25:1,1,6 26:14 26:18,24 27:3,10,21,23 28:15,17,23 29:5,23 30:16,18,25 31:4,16,21 32:3,7,10,24 33:1,3,5,7 33:9,17,23 34:13,18 35:6,18,22 36:1,5,13 36:17,21 37:1 38:1,10 38:18,21,25 40:2,9 42:14 43:24 44:5,16 45:6 46:10 47:22 48:9 48:14,20 49:4,7,9,18 49:21 50:5,8,11,13,16 50:19,25 51:5,9,13,21 52:7,23 53:5 54:22 56:15,17,21 57:4,24 58:1,4,25 60:5,17 61:5 61:21,23 62:1,12,16,21 63:3,15,19,23 64:4,9 64:13 65:12,21 66:10 66:13,16,19 67:18 68:4 68:7,9,23 69:5 70:7 73:25 74:22 76:2,17 77:19,23 78:20 80:3,6 80:20 81:7 83:12,22,25 84:3,6,15,18,23 85:1,3 85:11,13,15,15,25 86:2 86:6,9,17,24 87:2,6,10 89:23 90:22,25 91:6,12 91:22 92:1,8,23 93:2,7 93:12,16,21 94:5,10,14 95:2 96:15,19,22,25 97:4,10,13,19 98:6,15 98:19,24 99:10,16 100:7,19,22 101:2,13 101:17 102:1,9,18,23 103:5,9,13,17 104:1,7 104:13,21 105:3,7,17 105:20,24 106:2,5,8,13 106:16 107:13,16,18 108:3,17 109:18,24 110:1,4,10,18 111:13 112:4,14,19 113:14,19 113:25 114:5,9,23 115:3,5,8,12,15,20	117:3,6,10,13,14,17,21 118:1,4,8,11,14,20,24 119:13 120:19 121:6 121:16,22 122:2,4,6,13 122:17,21,24 123:11 123:16 124:6,12,20 125:7,12,15 126:8,14 127:7,13,16,19,24 128:2 129:8,12 130:19 131:21 132:13,23 133:17 134:12,21 135:1,21 136:1,6,16 140:3 142:7,12 143:8 143:11 144:12 145:25 148:11 149:17 151:15 152:5,14 159:16,19 163:15 167:6 170:16 172:16 173:4,14,22 177:2 179:5,10 180:1 181:14,17 182:6,13,24 183:24 185:15 186:1 187:7,12,24 188:5,11 188:20 189:13,19,23 190:5,9,16 191:14,24 192:5 193:18 194:1,10 195:10,14 196:7,13 197:5 sit 46:4 119:8 122:22 135:4 144:16 site 15:25 sits 169:18 sitting 177:10 six 23:12 24:21 35:19 81:5,24 82:5,10,15 sixth 82:13 six-inch 133:19 size 87:25 112:21 121:6 139:9 170:24 Sizing 7:11 skip 170:12 slag 44:8,9,10 Slow 129:16 146:12 small 55:23 119:17 120:24,25 136:13 139:14,15 141:23 smaller 141:9 Snow 5:23 26:4 society 6:16,20 29:25 53:3,7,20 65:13 66:2,8 67:16 71:22 72:19 73:24 75:8 84:20 132:22 152:24 153:7 153:16 173:12 Society's 73:8 Soderberg 71:4,5,6,12 soft 116:6 sold 15:17 25:3 32:25 33:12 39:23 41:2,14 44:12 48:12,18 49:10 49:12,15 52:17,18,20 84:24 85:8,9,20 86:1,4 86:11,14 87:4 90:13 91:18 96:17 99:1 105:22 113:21,23 115:9 127:25 128:5,16 129:15,19 133:5,6 solid 116:5,6 solvent 104:17 191:12 192:24 solvents 104:15 191:10 191:17 somebody 42:8 44:10	49:13 148:16 161:11 169:18 172:23 173:1 178:18,20 son 29:3 soon 31:25 sorry 14:15 21:12 22:13 28:4,5 43:8 46:10 58:17 61:15 71:15 78:20 81:6 85:16 95:7 99:16 102:9 115:20 127:16 129:17 133:1 139:23 166:5 190:22 192:17 193:9 196:7 sort 69:7 95:19 138:23 178:16 sound 131:9 source 146:4 148:15 150:15 163:7 sources 100:2 sourcing 148:8,12 South 3:22 Southeast 12:2 Southern 6:10,13,16 56:19 57:8,14,16 61:5 62:10 64:10,18 173:10 space 17:14 spaces 17:9,10,17 18:4 20:23 46:6 spare 33:21 49:16,19 speak 60:23 speaking 120:21 speaks 59:22 spec 89:2 146:19 147:8 148:22 150:16,18,19 151:9 153:20 156:21 156:23 159:7 170:22 174:21 175:5,6 185:22 194:4 197:7 special 124:17 specialist 22:2 specialty 50:12 158:3,4 specific 89:6,14 129:25 149:12 152:3 165:5 specifically 60:9 135:15 143:19 161:23 180:5,6 183:5 specification 7:19,21,23 8:12,16 148:24 149:1,4 149:5,7,10,21,23 150:18,22 151:10,13 151:20,24 153:3,20,24 154:11 158:8 159:1 160:20 170:25 174:17 176:6,15 177:4,7,11,17 177:20,21 178:5,6,17 178:21 179:1,6,24 180:2,25 181:1,6 184:5 185:4,6,16,22 186:10 186:16,16 187:9,17 188:1,10,23 189:3,10 189:16,25 190:17,25 192:1 196:1,10,11,21 196:22,25 197:3 specifications 54:1 146:3 149:12 151:14 152:5 152:11,24 156:12 158:16 163:14 168:19 170:9 175:9 180:1,11 180:13 181:4 184:18 185:13 186:24 196:9 specified 151:24 153:8,17 180:24	specs 148:18 195:16 speculation 65:4,18 69:14 73:6 75:14 76:21 77:18 78:12 94:3 95:8 112:25 119:3,19 123:15 143:14 187:11 189:1 195:21 197:11 speed 164:8,8,10,11 spell 71:12,14 131:2 180:15 spelling 71:11 spend 163:22 spent 11:25 spiral 93:19 94:9 137:5,8 137:17 140:25 152:4,9 152:12,18 154:1 179:3 180:5,18,23 181:3 spoke 134:13 spoken 83:14 spot 13:24 138:2 spray 169:6 spreadsheet 181:23 spring 103:22 squamous 82:11,12,13 square 138:7 159:4 Stadium 14:25 stages 144:9 149:3 stainless 137:23,25,25 stamp 54:5 157:18 183:22 184:1,1 stamping 157:20 stamps 183:23 standard 47:20 48:10 63:21 160:15 standards 53:8,23,24 123:1 standby 166:21 standpoint 59:19 staple 70:14 72:4,11,13 start 11:8 12:11,12 25:16 37:9 55:1 63:13 86:2 128:11 161:8 169:23 started 11:11,12 12:15,20 13:15 29:9 80:1 83:19 85:25 130:16 144:1,23 166:25 167:15 169:22 starts 26:16 60:8 63:14 107:6 129:1 state 1:2,4 2:2,5 6:9,12 9:14 25:20 109:20 122:15 200:13 stated 68:14 112:19 114:24 142:25 statement 94:18 106:15 110:18 113:2 172:6 statements 105:8,18 195:11 201:9 Staten 35:20 states 6:6 25:4,9 32:5,8 32:13,18,23 33:15 34:11,25 39:24 42:11 80:1,10,11 85:23 90:19 102:21 108:12 113:22 113:24 114:19 117:19 138:13 143:20,21 144:3,10 165:23 166:6 167:9,12 170:19 171:10 190:9 Station 164:23 stationed 37:25 145:18 167:7 statistics 81:13 82:7
--	---	--	---	--

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

statutes 122:15	supervisor 22:3,6,23,25	97:23 126:14 137:4	160:14,19 164:7,17	139:17
stay 63:6 134:16	23:5 38:12,13,14	138:3,4 162:15 169:17	166:14,18,22 167:1	threw 116:21
stayed 22:5	supervisors 23:12	198:24 201:5,13	tested 84:1 98:16 117:4	thumb 158:17
steam 7:20,22 8:13 19:5	supplied 39:23 51:14,18	takes 121:13 169:14	117:10 125:10 147:9	Thursday 12:13,14
20:8,10,12,21 25:4	100:16,18 105:15	talk 40:11 59:11 62:23	158:12 168:18	tightness 156:23
28:13 31:7,13,13 32:1	107:24 144:2 150:10	130:23 139:25 142:17	testified 9:3 17:16 18:3	time 9:11 12:3,9 15:2,20
32:12 33:18 39:23 43:6	163:13 164:14	talked 58:6 83:17 118:15	89:5 115:2 116:8 123:7	16:22 17:8 18:19 21:22
43:10 44:3,14,18 45:4	supplier 27:25 28:13	154:25 160:22 169:20	195:11	23:10 27:18 34:5,8
45:11,16,23 46:11 51:4	suppliers 195:17	170:7 172:12	testifying 24:9 182:2,4	35:10 38:19 39:22
86:4 87:5 93:18 94:8	supply 33:15 49:16	talking 17:24 20:7 40:4,5	testimony 24:12,16 45:2	52:22 57:4 66:23,24
107:11,15,17,21 108:1	108:14 122:16 154:17	40:12 42:20,21 44:23	53:18 65:9 86:18 89:15	67:7,10,19 90:1 91:16
108:6 110:5 111:3	158:7 190:6	45:6 47:2 72:3 79:3,4	89:22 90:23 94:16	92:13 97:18 98:12
113:16 114:6 115:9,16	supplying 51:11 94:10	80:6 87:23 97:7 103:1	115:4 122:18 182:12	100:11,14 104:23
115:22 117:1 125:17	100:24 109:2	121:1,9 137:17 141:4	183:5 200:11 201:8	108:17 110:17,22
126:6,6 127:6,12,15,22	support 101:3	141:13 142:5 148:9	testing 144:10 146:9	113:21,23 114:12
129:6,24 130:6,16	supposed 104:18 127:19	153:3,11 154:4 161:5	147:6 152:25 153:7	115:20,25 116:1
131:13 150:22 151:10	177:16 178:3,17	161:16,23 165:23	156:17 158:14 160:7	125:18 126:19,23
174:18 177:7 192:12	sure 12:11 15:13 16:3	166:11 169:6 175:19	160:17,25 164:20,25	128:19 131:24 135:8
steamship 32:15,20	34:1 40:3 43:9 47:20	176:1 188:24 189:10	165:2,23 168:6	135:12,23 137:24
steamships 32:17	48:10 58:14 63:12 72:3	talks 62:24 160:7,8,8,12	tests 147:6 157:1,2,8,9	145:19 146:13 160:23
steam-generating 31:2	72:15 74:24 95:18 98:9	160:13	Texas 6:9,12,17 36:20	162:21 163:8,22
steam-powered 18:12	119:24 144:6 148:4	Tampa 22:10 87:3	text 78:18 79:15 80:17	165:13,17,20 168:4
32:13 33:10 38:3 41:1	162:16 175:19 176:5	134:17	textbook 72:25	170:1 171:15 172:5,5
41:16 51:2,3 100:17	183:9 184:12 187:22	tape 67:11 126:17,24	Thank 69:21 83:3 88:2	174:11 179:17 181:21
114:20 118:2 132:4	199:15	taught 118:12	89:12 98:7 100:8 134:5	184:8,13,24 196:6
steel 35:20,24 36:3,19	surface 146:21	teamed 183:2	135:14 192:16,20	198:19 199:23 201:6,7
88:20 89:1,3,4 91:4,19	surfaces 146:19	teaming 183:6	195:3 198:1 199:10	201:10
137:23,25,25 148:1	surprise 30:5 38:6,7 58:2	tearing 181:21	Thanks 111:7 120:6	times 125:25 129:14,18
153:5,5	58:4 118:25	tech 12:21 13:5,8 42:6	174:3	144:4 154:5 158:18
Sten 71:3,5,16	surprised 32:15,21 86:15	51:6 103:11 114:1	theirs 30:3	159:4
stenographically 5:11,16	119:4,5	118:9	theory 178:1	tiny 121:1
5:21 201:11	Sweden 130:11 131:6,7	technical 7:5,24 51:12,15	thermal 40:17 110:13	title 11:7 15:8 22:24 59:5
stipulate 149:9 198:9	switch 134:2	51:18 54:7,9 102:14,17	they'd 154:12 162:14	59:14 61:2 74:3,14
stipulation 132:25	sworn 9:2 10:14 65:9	103:4,7,15,16 104:4,10	191:1	76:4
133:21 198:2,3	86:18 94:15	164:13 170:7,8,18	thick 111:17	TIVIN 3:13
stipulations 10:12	symbols 69:1	171:24 172:8 184:6,19	thickness 109:11	today 9:17 24:9,16 44:16
stock 52:18 158:8	symptoms 77:7	185:14,22 186:16	thing 30:10 40:22,22,23	45:2 46:4 91:17 95:21
stop 45:9,22	system 8:16 54:6 93:24	188:8 190:19 191:6	40:24 103:23 116:24	110:15 113:13 115:4
stopped 91:24,25 169:2	160:2,5,6	195:6,8,12 196:12	176:6 184:14	119:9 122:18,22 150:5
stored 53:21	systems 7:6 20:22 31:14	197:2	things 12:6 30:1 33:19	169:24 170:2,3 187:22
story 130:9 131:8,11	54:16 91:20 104:6	technician 15:7,11 21:9	42:7,16,19 88:9 126:11	191:6
strainer 139:15 142:22	114:11 115:1 125:23	21:16 22:2 192:3	144:25 156:5 160:21	Today's 9:10
142:23	193:17	technicians 190:6 191:16	183:20	toilet 178:8
Street 2:17 3:10,14,22	S-c-e-l-b-a 71:17	192:10 197:20	think 12:12 18:22,23	toilets 178:5
4:6 9:12	S-o-d 71:4	technology 31:18	22:15 23:11,11,20	told 38:20 39:19 40:21,23
strike 63:1,25 80:8	S-o-d-e-r-b-e-r-g 71:15	telephone 3:21 4:5 10:5	25:10,10,11,24 42:24	42:15,16 47:20 48:6
110:24	S-t-e-n 71:16	tell 10:23 11:5 38:22	45:3 46:4 52:14,25	83:9 92:10 144:5
struck 141:25	S4866 7:14	54:25 63:20 80:22 90:6	53:1 55:10 59:10 68:13	163:21 185:13 192:10
studied 12:22 13:2		96:4 123:18,24 124:7	68:14 69:24 72:5,24	tomorrow 12:13
stuff 103:17	T	124:10 128:3 148:25	79:2,4 87:11 88:2	tons 121:10 138:13 141:3
stumbling 61:17	tabbed 199:3	149:25 151:3 159:20	89:16,18 90:5 94:25	142:5
sub 168:8 183:13	table 153:24 179:19	164:3 166:1 167:22	95:19 102:10 123:7	tools 167:20
subcomponents 149:14	180:9,9,10	179:21	128:22 130:24 132:5	top 28:19 29:11 47:15
subcontractor 166:7	tables 7:9,11 108:15,21	telling 186:2	154:2 158:22 175:11	80:19 107:5 108:6
subdelegated 168:14	109:3 111:3,4	tells 155:6 170:23,24	175:22 178:2 179:15	152:23 155:9,12
subject 83:22 132:24	take 12:15 14:1,5,8 22:17	temperature 50:23 86:12	193:7 198:13	175:17 189:22
submitted 166:17 171:1	33:25 39:3 41:22 43:16	86:22 117:24 158:19	thinking 122:1	total 137:10 138:21 139:5
subparagraph 80:24	43:24 47:12 59:3 62:8	ten 67:3	third 5:18 25:23 35:14	139:22 140:15 141:12
81:10,19	66:23,24,25 67:19	tendency 21:17	57:11 63:13 80:12	totals 36:9
successful 32:6	72:22 75:1 99:22 100:9	tension 103:22	thoracic 83:4,5,6	touching 173:9
sufficient 190:6	103:22,22 120:7	term 40:16 86:22 88:13	thoroughly 44:3	tower 4:5 132:2
suggested 153:25 173:17	124:14 126:15 128:19	145:23 147:23 148:23	thought 116:5,7	town 14:24
suggesting 45:15	135:6 138:8 141:23,23	149:24 161:15,17	thousands 83:16 113:9	toxic 60:1,9 62:19 104:15
suggestion 101:4,6	151:2,2 155:5 159:11	Terminal 36:3	three 49:22 63:12 79:25	191:10,17
Suite 2:17 3:14 4:5 9:12	159:11 160:11 165:14	terms 137:22 147:17	101:15 107:4 112:20	trace 21:14 128:12
superimposed 107:3	165:25,25 167:20,22	148:21 150:3 152:21	126:24 181:4,5 196:24	traceable 160:15
superior 118:6	167:24 175:18 179:17	158:10	198:17 199:18	trade 99:12 100:2
superseded 176:20,25	184:8,13,23 186:22	test 12:10 14:4,4 22:22	three-page 57:9	trademark 108:5
179:6,8 181:1 189:17	198:5 199:10	38:13 99:7 117:7	three-part 133:8	trained 11:16
supersedes 175:6 176:21	taken 2:16 5:11,16,21 8:6	146:18,23 155:13	three-quarters 187:5	trainee 11:13 167:16
superseding 175:11,12	9:16 21:2 26:5 47:3	156:6,13,15,18,22,24	188:7	training 11:20 12:17,24
175:12 176:7		157:4,12 159:1 160:13	three-quarter-inch	51:20 140:12

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

Transactions 6:15 66:2	Union 4:3 10:10	86:23 88:7 89:6,14,24	133:22 134:8 147:5	weren't 31:15 70:13 85:6
transcribed 201:11	unique 87:9,16,19 117:12	90:12,13 91:2,4,18	152:22 154:13 157:23	126:9
transcript 200:8,11	117:15,16,17	106:11,13 111:23	158:10 161:15 162:11	Wesley 10:25
201:13	United 6:6 25:4,9 32:5,8	113:18,22,23 114:7,19	163:22 168:2 174:11	we'll 63:12 66:1,25 67:3
transition 23:20	32:13,17,22 33:15	115:7,9,16,22 116:5,25	175:18,23 189:14,20	68:16 99:22 100:9
treat 147:4	34:11,25 39:24 42:11	117:11 118:3,5,10,13	199:14,19	108:19 119:25 133:25
trial 17:5 163:24 164:3	80:1,10,11 85:23 90:19	125:16 126:1 136:4	wanted 17:2 19:24 22:7	165:13 176:12 186:21
164:13	102:21 113:22,23	140:16 143:19,24	46:19 49:19 150:6	198:9
trials 16:10 164:2	114:19 117:19 138:13	144:2 146:23 149:7,13	168:3	we're 68:15
triple 92:11	143:20,21 144:3,10	150:21 151:10 152:18	wants 74:14 147:2	we've 88:4 133:20 160:22
troubleshooter 14:2 15:5	165:23 166:5 167:9,11	154:1,8,9,10,20,23	167:18	187:22
troubleshooting 14:11	170:19 171:10	156:19 158:3,9 164:9	war 28:2,2,3 30:14,19	whistle 86:23 127:6,12,15
true 62:18 86:24 105:16	University 6:17 29:21	164:25 174:18 177:7	34:21 37:15 44:14	129:6,21,23,24,25
116:25 154:6 200:10	76:14	181:9 182:9 183:21	144:22	130:16,20,23 131:9,13
201:12,18	upper 31:22 78:22 79:1	186:11,24 187:15	Ward 3:6	131:19,21,23 143:1,2
truncated 193:11	158:21	190:18 192:11 194:22	warn 97:2 104:14 197:9	172:13,18 173:1
try 14:6 16:15	upper-right 158:21	194:24,25 196:3,15,15	warned 42:10 97:5,15	whistles 41:1,16,25 86:4
trying 28:4,9 44:25 48:5	upside 48:5	valve/pressure 43:19	197:19	86:7,13 87:4 100:17,18
74:11 88:22,22 120:21	use 35:8 42:2,12 45:4	vapors 104:17 191:12	warning 39:25 103:7,14	100:25 107:15,17,21
139:11 162:18 184:21	48:7,10,16 52:5 89:25	varies 104:24	103:18,21,24 104:11	127:22 130:7 131:25
192:2	90:13,14 91:18 92:4,6	variety 82:13	104:18,22,25 106:6	width 177:13
Tuesday 1:17 2:19 12:12	92:9 117:8,10 125:13	various 6:22 34:14 35:14	171:23 172:6 184:10	wife 18:20
12:13	125:18 126:7 135:24	35:15 76:8 77:9 129:14	190:11 191:1,9,16,23	William 69:22
Turbine 164:23	136:8 152:10,11 153:9	129:18 144:9 149:3	192:1,7,8,23 194:6	wire 125:13,18,20
turn 61:19 151:13 188:6	153:17 154:7,8,22	154:19	197:8,16	withdraw 102:5,12
turned 78:7 130:16	160:19	vary 152:1	warnings 98:12 103:11	witness 5:2 10:14 14:17
turns 20:12 147:22	user 99:2	verbiage 122:17	106:4 125:3 195:18	19:9,22 20:4 22:21
two 13:12 14:19 23:12,19	users 97:2 107:19,25	verified 157:20	Warren 3:20 8:18 10:6	30:10 33:25 41:5 42:20
29:9 49:22 63:12 67:11	109:3 112:16	verify 162:6,11,18	166:8 168:9,9,16,21	46:10,24 59:13 60:4,16
72:4 81:15 82:8 91:15	uses 90:20 91:1,2,4	version 88:21 89:6,7	182:20,21,25 183:5,10	65:5,19 66:23 67:2
126:18 132:1,15 137:7	USS 18:22 19:1 21:1	193:11	183:11,15,21	69:19 71:12 72:7,10
141:13 142:2 148:21	25:11 43:17	versus 91:1	Washington 36:16	73:7 74:11,16 75:15
152:21 179:11 198:22	usually 45:9 164:12	vertebrae 83:6	wasn't 11:24 13:8 16:18	76:2,22 77:19 78:13,23
two-thirds 62:17 188:7	UYEDA 1:9 2:10	vertical 132:2	18:2 19:5 20:2 21:18	79:7,21 80:15 81:2,21
Tyfon 129:20,20,23		vessels 16:9 20:23 21:17	21:19 41:21 45:6 55:22	81:24 82:5,13,18,21,25
130:3,12,13,17,19,20	V	28:2 30:23 33:11	194:1	83:3,5,13 87:22 89:16
130:21,23 172:13,18	vague 19:7,17 30:8 41:6	100:17 114:20 132:4	watch 40:23 100:9	90:2 91:11 94:5,24
173:1	42:18 46:8,22 87:20	143:20 183:3,17	water 20:12 156:25	95:15 96:5,10 97:19
type 7:5 18:8 35:7 37:11	89:13 90:1 91:10 94:20	vibration 157:2,14	158:15 177:14	98:3 99:18,23 101:7
43:14 44:6 50:25 55:14	96:2 97:25 101:5 103:1	164:25	Watts 53:1	104:7 109:9 110:10,17
91:8 103:23 104:4	113:6 114:12 115:25	vice 30:14	Waxman 3:5 9:21 70:9	113:1,8 114:14 115:20
116:23 129:25 130:20	116:12 128:7 185:18	video 9:11 198:16 199:12	106:21 193:7,9	119:4,13,22 120:19,21
136:25 142:20 147:5	valve 7:6,11 14:3,5,6 43:2	videographer 4:8 9:4,6	way 19:24 37:18 38:8	121:22 123:16,24
149:20 158:8 166:20	43:3,3,14,17,23 44:6	10:5,11 34:4,7 67:4,9	42:6 43:23 62:17 64:6	126:13 128:24 129:17
176:14 179:22 181:7	44:13 45:9,9,10,11,11	100:10,13 126:17,22	75:15 95:1 116:19	131:3 132:13 135:1
188:22 199:5	45:13,14,23 46:24	134:2 135:8,11 137:12	130:24 154:17 163:23	137:4 139:9 140:6,21
types 50:24	47:10,16,18 48:2 50:17	165:13,16,19 198:11	178:3 187:5 188:7	141:9,21 143:15
typical 35:7 37:11 55:14	50:21 52:4 86:25 91:8	198:16 199:11,16	191:24 195:14 198:14	144:17 146:15,23
55:22 138:15 140:17	103:21 104:5 106:16	videotape 5:11,16,21	wearing 41:21	147:2,6,16 151:6
T-y-f-o-n 130:14 172:13	112:18 115:25 117:5	67:5	Wednesday 6:8 39:9	155:11,23 157:13
U	125:9,23 126:3 135:23	videotaped 1:14 2:16	week 12:16	162:3 163:3 166:4
ultimately 22:2 24:3	136:20 139:15 142:2	199:16,17	weekend 12:15	171:18 172:22 173:22
UMEBAYASHI 3:21	142:14,17,19 144:6,13	VII 68:21,22	weigh 182:14,16	176:2,7,10,15 182:13
umpety-ump 177:12	147:8 148:1,9 149:8,9	violation 136:3	weighed 137:7 138:3,5	183:7 184:21 185:1
uncomfortable 135:3	152:13 154:12,13	virtually 30:12	weight 136:23 137:10	186:6,15 187:12,19
undersigned 200:7	155:23 156:9,24	visited 20:25	138:5,10,11 139:5,22	189:2 190:22,24
understand 20:20 24:12	157:25 158:5,7,17,18	visual 156:9	139:23 140:15 181:11	193:13 194:17 195:22
24:20 25:3 27:5 40:15	158:20,25,25 162:17	volume 6:16 136:23	182:7	196:21 197:5,12,24
40:17 47:6 69:5 74:11	167:23 168:17 169:4	W	weld 44:7,10	201:7,8
90:6 94:23 96:3 99:16	171:19 175:7 176:14	W 1:7 2:9 10:21	welded 138:2	witnessed 157:11
130:4,5,21 139:2,13	178:3,20 179:1 180:22	wait 89:13 98:9 99:19	welding 23:7 55:25	WK 6:12
140:9 189:9,9	184:2 188:2 189:6	175:21	welds 156:19	word 31:10 39:3 71:24
understandable 190:2	191:7 194:11 196:22	waiting 174:9	well-ventilated 104:16	89:18 122:5,5 177:6
understanding 20:16	196:25	walked 40:24 179:2	191:11,18	wording 189:22,24
27:22 28:16 29:23	valves 7:14,20,22 8:13	196:10	went 12:21 13:10,11	wording/language
30:17 52:12 104:21	19:14 25:3,8 26:20	wall 83:4,5	18:22 19:9,13 34:11	193:25
105:7,24 106:2	27:1 30:7 33:11,14	want 28:10 44:9,11 59:3	37:8,9 40:20,21 53:2	words 45:7 64:15 122:3
understood 114:18 142:5	34:11 43:10 45:9,21	67:19,23 68:17 70:11	63:21 66:25 90:19,20	150:11
undertaken 136:17	50:12,14 51:3,4,8	72:23 74:13 75:21 99:4	101:9 102:1 114:15	wore 23:19
underway 45:25	56:24,25 85:4,6,8,9,12	99:14 100:5 119:20	125:25 132:3 144:14	work 13:21,21 14:7 15:16
	85:14,22,23 86:13,22		178:23 180:21,22	17:8 21:6 31:1,18
			196:24	43:23 56:4,12 63:21

A309C8E

MATTHEW WROBEL DECEMBER 1, 2009

85:7 159:24 164:15 178:17 181:18 worked 13:19 22:1 37:5 38:16,23 43:17,21 47:9 47:18 54:5 56:6 110:2 123:12 134:10 138:7 144:13,24 157:4 163:15 166:24 173:18 183:16,16 workers 19:6 20:17,21 46:6 63:6 working 12:7 15:14,15 19:10 20:17,21 37:13 45:18,20 46:6 63:18 64:2 123:8 124:23,25 125:24 126:5 164:12 168:4 192:11 194:18 workmen 45:18 works 16:13 32:25 99:4 133:15 145:14,17 163:19 world 30:14 34:21 37:15 44:14 92:11 144:22 WORSFOLD 3:17 wouldn't 30:5 44:12 86:15 99:18 100:5 119:4 157:12 wrapped 138:2 write 185:13 186:3,17 187:19 189:13 writer 81:6 82:6 writes 170:21 writing 184:18 190:19 195:16 196:19 written 60:4,16 171:1 191:20 194:2 196:12 Wrobel 1:15 2:16 5:2 8:5 8:8 9:1,15 10:17,23 26:5,12 34:10 67:5,12 126:18,25 127:2 134:3 134:8 135:14 151:2 165:22 174:16 176:3 198:17,24 200:15 wrong 73:16 169:12 175:21 176:11 wrote 53:24 87:11 104:10 105:2,14,20 149:6 170:23 187:23 www.depo.com 1:23 W-A-R-N-I-N-G 191:10 W-r-o-b-e-l 10:21	years 11:25 12:22 17:24 25:5 41:19 46:12 79:25 95:16 101:15 113:10 131:12 133:5,14 134:11,12 140:12 143:17 161:2 162:8,21 171:7 179:12 York 35:21 76:16,19 young 144:5,24 younger 132:17	12:37 100:14 120 7:16 126 132:7,8 13 6:22 77:25 78:2,19 80:18 166:19 179:12 132 7:18 134 5:5 135 3:10,14 14 7:5 36:14,23 104:4,8 191:7 192:19,23 193:13,15,15 195:9 140 67:21 15 7:7 106:21,22,25 110:14 127:3 137:8,9 15th 25:19 150 8:13 23:12 15071 196:10 155 8:15 158 59:9 159 8:17 16 7:9,25 8:17 35:23 100:8 106:20,23 108:20,24 128:10,11 128:11,17,19,22 129:1 189:17 16(a) 128:20 16.5 53:24 165 8:18 17 7:10,20,22 100:9 111:8 111:10 175:14,14 176:25 184:10 188:3 189:20,21 17th 87:13 179:9 174 5:4 7:20,22 18 7:13 26:5 111:21,24 180 38:23 123:12 180,000-square-foot 15:2 184 7:25 19 7:15 119:25 120:1 174:23 175:13 179:7 187:4 1900 3:22 52:13 79:23 116:4,21,22 1900s 116:10,11,20 1901 116:23 1902 116:23 1902-1957 7:18 1903 25:7 26:16,19,25 28:8 55:9 1905 14:24 25:11,12 26:22 27:4,9 55:10,11 192 5:5 1920 83:24 116:20 1924 80:5 1927 80:5 1930 80:15 116:20 1930s 86:7 130:10 1935 66:18 68:11 69:11 69:17 1936 76:22 78:10 1938 76:23 78:7,8,10,13 78:14 79:15 80:22 81:8 1939 72:19 74:2 1940 6:16 66:3 1940s 57:2 115:13 173:11 173:12 1944 114:21 115:10 1945 57:8 68:12 1946 28:24 51:10 57:15 57:17 59:8,12 61:25 62:6,10 63:4 64:18,25 65:10 69:9	1948 6:18 67:17 195 5:4 1954 7:25 189:17 1955 7:20,22 176:25 179:9 188:3 1957 132:6 184:7 189:17 194:5 1958 176:20 181:1 187:4 188:15 1960 90:9 1960s 41:13 63:22 64:3 100:23 115:7 124:19 1961 159:7 1963 111:6 1966 8:17 11:9,22 174:22 174:25 1968 8:13 14:12 15:10 55:12 134:15,19 150:23 159:8 175:18 175:23 179:7 180:25 188:16,16 1970 18:22 83:24 1970s 38:15 123:8 124:19 1972 6:8 39:1,9,17 84:4 122:22,23 123:2 1975 22:22 23:3 1976 114:21 115:11 1978 22:6 1979 22:5 52:13 1980 23:14 38:9 39:17 52:13 1980s 83:11 86:8 92:7 97:22 1980-ish 23:5 1984 92:10,18,21 1985 23:17 1986 93:13 134:18,19 1988 93:17,22 94:7 1989 53:1 1989-ish 53:1 199 8:6,9 1990 90:9 154:3	2200 2:17 9:12 227 71:3 23 7:23 8:8 78:18,21 79:3 79:8,14,15 92:17 184:3 184:5 189:15 194:5 195:24 196:1 2300 3:14 23032M 154:14 24 8:5 36:7,23 198:22 199:2,2,9 24th 78:8 244 80:17,19 245 80:19 25 8:7 14:21 199:1,4,9 2500 4:5 256-8800 3:15 26 5:12,17,22,23 27 127:8,10,17,19 288-3376 1:22	
	Z Z 178:8			3 3 5:18 25:23 26:10 54:2 54:13 182:24 3,250 156:23 159:2 3.4.3.2 184:9 3:54 198:19 30 14:21,21 17:24 36:22 89:24 90:18,19 158:13 158:13 30s 131:18 30(b)(6) 5:9,14,19 25:18 25:24 31 127:20 312 3:15 35 6:6 87:16 133:14 39 6:8 87:13	
	1 1 1:17 2:19 5:8 8:8 25:17 26:10 82:9 107:21 166:20 188:22 198:25 1st 9:10 67:6,12 126:18 126:25 170:4 198:18 198:24 1WO5 150:6 1-7 5:12 1.2 140:23 1.5 140:23 1:20 124:13 1:25 126:20 1:40 126:23 1:54 135:9 1:59 135:12 10 5:4 6:15 66:2,4 122:10 184:7 189:16 10-1 9:13 10-1-ACM-001 1:5 2:6 10:00 34:2,3 10:12 34:8 100 25:4 108:10 109:10 111:16 1001 3:18 1003 4:6 10206 1:24 2:20 201:3,23 104 7:6 106 7:8 108 7:9 1090 156:24,25 11 6:18 66:22 67:13,16 70:11,12,13 72:5,12 122:10 11th 201:20 11:10 67:7 11:23 67:10 111 7:12,14 12 6:19 8:13 36:18,23 72:17,20 73:22 174:21 174:23,25 175:18 176:7 188:16 12:15 100:8 12:18 100:11			2 2 5:13 25:21 26:10,16 35:19 111:17 151:16 151:22 152:23 154:14 187:5 2-inch 109:11 2-inch-thick 108:12 2.2 151:15 2:39 165:17 2:55 165:20 20 7:17 132:6,12 162:8 20th 3:10 2001 24:7 2002 24:7 2006 8:8 87:13 198:24 2009 1:17 2:19 9:10 24:7 25:19 67:6,12 95:21 96:20 110:23 126:19 126:25 170:5 198:18 201:20 21 7:19 174:13 175:8 180:13 186:22 187:2,3 21032 152:4,20 212 20:11 22 7:21 70:16 79:14 174:13 175:8 180:13 185:7 186:22 187:25 220 3:22	4 4 5:23 26:3,10,12 36:23 4:03 199:23 40 131:12 133:14 40s 31:5,23 127:23 133:12 402 74:5,7 405 72:24 74:20 75:19 413 166:19 415 3:11 425 2:17 9:12 44 8:8 134:11,12 140:12 143:17 162:21 171:7 45 69:10 45208 169:15 467-A 7:9 49503 3:18
X X 5:1 6:1 7:1 8:1 178:8 X'd 156:8 X-ray 161:7,16,19,21 162:10,19,20 X-rayed 147:9,13 X-rays 161:5,25				5 5 6:5 28:18 34:23 35:2 48:6 141:25 5.2 193:25 50 121:10 138:13 141:3 158:13,13 50s 31:6,23 85:24 127:23 133:11 5002-5005 6:10 5078 6:12 52 8:8 53 8:8 536-1900 3:23 537-6119 4:7 54 36:24 55 181:6	
Y Y 178:8 yarn 92:13 yeah 70:9,20,22 75:23 76:23 82:14 130:14,23 145:16 167:12 year 13:11 14:11 22:23 23:2 27:1 29:9 52:14 56:14 68:25 69:3 74:1 76:18 78:5 131:17 181:25					

A309C8E
MATTHEW WROBEL DECEMBER 1, 2009

57 6:10,12,14	94 8:9 198:25 199:4			
58 176:24 181:6	94105 3:10			
597-1400 3:7	96813 3:23 4:6			
	96814-3308 3:6			
	977-9200 3:19			
6				
6 6:7 39:8,10 129:1,1				
60s 86:3 100:22 110:2				
127:23				
600 20:13 166:20				
60603 3:14				
610 3:6				
616 3:19				
62 6:16				
64 63:13				
65 8:8				
66 6:17 174:24				
67 6:18 14:13				
68 14:13,13 15:6 174:24				
176:7 181:6				
683 107:4				
69 8:8 15:6 18:21				
7				
7 6:8,9 8:8 39:9 57:7,12				
57:22 61:6,15 107:8				
128:10,24 129:1,1				
199:3				
7(a) 129:10,11				
7(b) 120:4				
7.5 24:24				
70 18:21 89:25 90:18,20				
118:25				
70s 115:7				
72 6:21 8:8				
74 58:21 59:9				
75 8:8 59:9				
76 59:9				
78 6:23				
79 8:8 23:3 52:14,25				
70:17				
8				
8 6:11 57:13,19 58:10,17				
58:21 61:16,18,19				
120:5,8,13 188:17				
8th 94:7				
8-1-2006 8:6 26:6				
8:00 34:2				
80 118:25 138:19 141:12				
80s 84:10 91:24 95:23				
96:11 131:25 133:12				
800 1:22				
808 3:7,23 4:7				
808-0300 3:11				
816 89:1				
85 40:14 108:12,22				
109:11,22 110:3,12,14				
110:20 111:11,17				
112:21 119:1				
86 23:21,25				
87 23:25				
9				
9 6:13 57:15,19 58:10				
62:8 64:14 120:8 194:5				
9-21-71 8:15				
9:18 2:18 9:11				
9:59 34:5				
90s 24:1,1 133:13				
900 158:20,23,24				
900-pound 158:24,25				