

FILE NAME: Chrysler (CHRY)

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DOCUMENT DESCRIPTION: Legal - Deposition of Gerald Sattelmeier

I.H. Chrysler 1967-1991

p. 27 I.H. Digest read by him in 1960s

(Plaintiff's Exhibit Nos. 1 through 5 marked for identification.)

THE VIDEOGRAPHER: Hear begins video disc No. 1, volume 1 in the deposition of Gerald Sattelmeier in the Superior Court of the State of California in the matter of Rebekah Price vs. Borg Warner, et al. The case number is RG06254616. Today's date is 6-3-06. The time is 9:55. This deposition is being taken at 101 Second Street, 18th Floor and was made at the request of the plaintiff, represented by the law offices of Kazan, McClain & Abrams. The court reporter and official transcript of today's testimony is Sandy Lee of Aiken & Welch. The videographer is David Reddix representing Tele-Video Productions Service at 3655 Grand Avenue, Oakland, California 94610.

Could counsel please identify yourselves and state whom you represent.

MS. LYONS: Dianna Lyons from Kazan, McClain, Edises -- strike Edises -- Abrams, Fernandez, Lyons & Farrise for plaintiff Rebekah Price.

MR. KIRBY: John Kirby from Burnham Brown for Borg-Warner Corporation.

MR. MALONE: Patrick Malone for Honeywell International, Inc.

MR. AGOSTA: Anthony Agosta for

1 DaimlerChrysler.

2 MR. LOPEZ: Ronald Lopez on behalf of
3 DaimlerChrysler.

4 THE VIDEOGRAPHER: Would the court reporter
5 please swear in the witness.

6 GERALD SATTELMEIER,
7 sworn as a witness,
8 testified as follows:

9 EXAMINATION BY MS. LYONS:

10 Q. Mr. Sattelmeier, would you state and spell your
11 name for the record?

12 A. Yes. Gerald, G-e-r-a-l-d, Sattelmeier,
13 S-a-t-t-e-l-m-e-i-e-r.

14 Q. Thank you. Where do you live?

15 A. 7859 Lakeview Drive in Lexington, Michigan.

16 Q. Have you been deposed before?

17 A. Yes, I have.

18 Q. On how many occasions?

19 A. Approximately 20 times previously.

20 Q. Any of those 20 times been in asbestos cases?

21 A. Yes, they have been.

22 Q. How many of them?

23 A. I believe all 20 of those have been asbestos
24 cases.

25 Q. Before we get into the specifics of those, you

1 probably heard all of the admonitions at the beginning
2 of those 20 depositions, but just to be clear: You
3 understand that it's important that I finish my
4 question before you start your answer and you finish
5 your answer before I start the next question so the
6 court reporter can write everything we both say?

7 A. Yes, I do.

8 Q. If there happens to be objections from any of
9 the other counsel, please wait till they finish making
10 the record of whatever they're saying before you start
11 your answer. That would be easier for the court
12 reporter as well.

13 Do you understand that?

14 A. I understand that.

15 Q. Are you under the influence of any kind of
16 substance, medication or whatever that might make it
17 difficult for you to answer my questions today?

18 A. No, I am not.

19 Q. If you know the answer to the question and
20 understand the question, I'm going to expect that you
21 will answer. If you at all uncertain about what I'm
22 asking you, please let me know and I'll try to clarify
23 the question. We don't want you to guess. If there
24 are questions as to which you have a good idea what the
25 answer is and it's your best estimate, then I would

1 like you to provide that answer. I don't want you to
2 guess.

3 Do you understand the difference between a
4 guess and an estimate?

5 A. I think I do.

6 Q. Let me give you an example that we often use.
7 If I were to ask you to estimate the size of this
8 conference room table in this room, which happens to be
9 an oddly shaped table, since you've seen it and you're
10 sitting across from me at this table, you'd probably be
11 able to estimate the size of the table.

12 A. Yes, I would.

13 Q. If I were to ask you to estimate the size of
14 the conference table in my office in Oakland -- have
15 you ever been there?

16 A. No, I have not.

17 Q. You wouldn't be able to estimate the size of
18 that table. You'd have to guess.

19 A. I would have to guess.

20 Q. That's the distinction I'm drawing.

21 So we understand that?

22 A. Thank you.

23 Q. Are you employed?

24 A. I'm retired.

25 Q. Do you work anywhere?

1 A. I have no regular income other than retirement.

2 Q. Do you work anywhere? Do you still teach at
3 Wayne State?

4 A. I still teach at Wayne State University.

5 Q. Are you still involved in U.S. Environmental --
6 I'm not remembering the rest of the name.

7 A. Consulting.

8 Q. -- consulting, Inc.?

9 A. No, I am not.

10 Q. When were you last involved -- did I get that
11 name correctly?

12 A. U.S. Environmental Consulting, that is correct.

13 Q. When were you last involved with that
14 organization?

15 A. I don't remember the date of that. It's
16 several years.

17 Q. What was that organization, or what is it?

18 A. It was a consulting firm, and I worked for them
19 as an industrial hygienist.

20 Q. Let's go back to the beginning of your
21 employment history. In fact, let's go back a little --
22 what may be a little before your employment history and
23 talk about your education.

24 You have college education?

25 A. Yes, I do.

1 Q. What degree do you have -- degree or degrees?

2 A. I have a Bachelor's degree in mechanical
3 engineering, and I have a Master's degree from the
4 College of Medicine at Wayne State University in
5 occupational and environmental health with a specialty
6 in industrial hygiene.

7 Q. Run that title by me one more time.

8 College of Medicine at Wayne State with a
9 degree...?

10 A. The degree is -- a degree in industrial
11 hygiene.

12 Q. A Master's of industrial --

13 A. Master's -- Master's degree.

14 Q. But you mentioned some details a little bit
15 more specific than that.

16 A. The department that I was a part of was the
17 occupational and environmental health department.

18 Q. When did you get your Bachelor's in mechanical
19 engineering?

20 A. I'd have to -- I don't remember the exact date,
21 but...

22 Q. The year?

23 A. It would have been -- I think it was 1959, or
24 it was in the '50s, at any rate.

25 Q. Is that Wayne State?

1 A. From Wayne State University.

2 Q. When did you get your Master's?

3 A. That would have been in the -- sometime in the
4 '60s.

5 Q. That was Wayne State College of Medicine?

6 A. Yes.

7 Q. When were you first employed? And we can skip
8 paper routes and anything like that in your youth.

9 A. The first significant --

10 Q. That's a good way to do it.

11 A. -- employment that I had was with Michigan
12 Mutual Liability.

13 Q. An insurance company?

14 A. Yes.

15 Q. When did you work there? When did you start
16 working there?

17 A. I started working there in 1955, the best of my
18 recollection.

19 Q. What did you do for Michigan Mutual Liability
20 Company?

21 A. I operated an industrial hygiene laboratory.

22 Q. What did the industrial hygiene laboratory at
23 Michigan Mutual Liability Company do?

24 A. We -- the laboratory did analysis of all
25 samples collected by the industrial hygienists that

1 were employed by Michigan Mutual.

2 Q. What did the industrial hygienists employed by
3 Michigan Mutual do their industrial hygiene work --
4 what was their industrial hygiene work for Michigan
5 Mutual?

6 A. They would go to companies that Michigan Mutual
7 insured and make an evaluation of the kind of exposure
8 that might exist at the company.

9 Q. Places like the Chrysler plant?

10 A. If they would have -- if they would have
11 insured Chrysler, that would have been one of the
12 places that they would go.

13 Q. Do you know whether they did insure Chrysler?

14 A. They did not.

15 MR. LOPEZ: You don't want to guess or
16 speculate.

17 BY MS. LYONS:

18 Q. Do you know any places where the industrial
19 hygienists from Michigan Mutual went to do industrial
20 hygiene work and then came back and provided something
21 for you to do in the laboratory?

22 MR. LOPEZ: Counsel, let me just state an
23 objection, a series of objections. This is a custodian
24 or a person most knowledgeable on specific topics.
25 This isn't a general deposition of Mr. Sattelmeier. I

1 Q. What kind of dust?

2 A. I would have been looking specifically, really,
3 at that time at all dust of a certain particle size, of
4 the respirable particle size.

5 Q. Do you remember the particle size you were
6 looking for?

7 A. Less than ten microns in size.

8 MR. LOPEZ: Again, Counsel, this isn't really
9 employment history.

10 MS. LYONS: Sure it is. It's also developing
11 what he knows about as the person most knowledgeable.

12 MR. LOPEZ: If you look at the topics, you've
13 asked one, two, three, four, five topics that identify
14 individuals at Chrysler. He's here to provide that for
15 you.

16 MS. LYONS: Just give me a little leeway today.

17 MR. LOPEZ: I wish you'd just kind of go
18 through his history quickly, so we can get on to the
19 topics.

20 MS. LYONS: We're moving right along.

21 BY MS. LYONS:

22 Q. It seems to me that when you're counting dust
23 from a foundry and its particles larger than ten
24 microns, you might have analyzed looking for asbestos
25 dust.

1 Q. What kind of dust?

2 A. I would have been looking specifically, really,
3 at that time at all dust of a certain particle size, of
4 the respirable particle size.

5 Q. Do you remember the particle size you were
6 looking for?

7 A. Less than ten microns in size.

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9 employment history.

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17 MR. LOPEZ: I wish you'd just kind of go
18 through his history quickly, so we can get on to the
19 topics.

20 MS. LYONS: We're moving right along.

21 BY MS. LYONS:

22 Q. It seems to me that when you're counting dust
23 from a foundry and its particles larger than ten
24 microns, you might have analyzed looking for asbestos
25 dust.

1 Did you that you recall?

2 A. I did on one occasion that I remember dust
3 counts for asbestos.

4 Q. Do you know where the dust came from that you
5 were counting?

6 MR. LOPEZ: Again, Counsel, objection;
7 relevance.

8 THE WITNESS: I do not recall.

9 BY MS. LYONS:

10 Q. But it wasn't Chrysler?

11 A. It was not Chrysler.

12 Q. Was it workers' compensation insurance that
13 Michigan Mutual provided to the places where the
14 industrial hygienists went and took counts?

15 MR. LOPEZ: Again, Counsel, objection;
16 relevance.

17 BY MS. LYONS:

18 Q. Go ahead.

19 A. Yes, it was.

20 Q. How did you go about counting the dust?

21 MR. LOPEZ: Again, objection; relevance.

22 BY MS. LYONS:

23 Q. What technical procedure did you utilize?

24 A. We used light microscopy. 100 X magnification,
25 and we used a portengraticule.

1 Q. How do you spell that?

2 A. P-o-r -- I'm not a speller. I'll give you my
3 best --

4 Q. Okay. Estimate.

5 A. -- estimate.

6 Q. Good.

7 A. P-o-r-t-e-n-g-r-a-t-i-c-u-l-e.

8 Q. Okay.

9 How long did you work at Michigan Mutual
10 Liability Company, 1955 through when?

11 A. I worked there 1955 through 1962, to the best
12 of my recollection.

13 Q. Did you work somewhere else after that?

14 A. Yes, I did.

15 Q. Where?

16 A. Next place that I worked was Ford Motor
17 Company.

18 Q. What did you do at Ford Motor Company?

19 A. I was employed as an industrial hygienist.

20 Q. By the time you started at Ford in 1962, you
21 already had your Bachelor of Science in mechanical
22 engineering, correct?

23 A. That is correct.

24 Q. But you did not yet have your Master's degree,
25 is that correct, as well?

1 A. That is correct.

2 Q. While you were working at Michigan Mutual, you
3 were in school?

4 A. Yes, I was.

5 Q. What were your duties as an industrial
6 hygienist at the Ford Motor Company?

7 A. My duties as an industrial hygienist at Ford
8 Motor Company was to go to the various plants.

9 Q. Ford plants?

10 A. Ford Motor Company plants. And take air
11 samples in the various manufacturing facilities.

12 Q. Manufacturing facilities where they
13 manufactured what exactly?

14 A. Automobiles or components.

15 Q. Brakes?

16 A. They did not manufacture brakes, to the best of
17 my recollection.

18 THE VIDEOGRAPHER: Go off the record. The time
19 is 10:11.

20 (Recess taken.)

21 THE VIDEOGRAPHER: Going back on the record.
22 The time is 10:14.

23 BY MS. LYONS:

24 Q. Let's go back to the tasks you performed taking
25 air samples at the Ford Motor plant, and tell me what

1 manufacturing process was going on where you took air
2 samples that you recall.

3 MR. LOPEZ: Again, relevance to the deposition
4 topics and what he's been designated for.

5 THE WITNESS: Most any of the processes that
6 Ford Motor Company used in building their automobiles.

7 BY MS. LYONS:

8 Q. Did Ford Motor Company make automobiles with
9 automatic transmissions when you were working there?

10 A. Yes, they did.

11 Q. Did you take any air samples where the process
12 of building automatic transmissions was in progress?

13 A. I don't recall that detail.

14 Q. Did you take air samples anywhere where the
15 brakes were being installed in the vehicle?

16 MR. LOPEZ: Again, relevance. Counsel, you
17 know, pretty soon I'm just going to instruct him not to
18 answer because we have one, two, three, four, five, six
19 topics here to identify witnesses for you. We're here
20 to do that. But this is not a general deposition of
21 Mr. Sattelmeier.

22 MS. LYONS: Well, Mr. Sattelmeier is offered as
23 a person most knowledgeable. And based on his
24 employment history that we've gotten through so far,
25 which is only part of it, and we're not even to

1 Chrysler, he definitely knows some things that are
2 germane. And bringing him all the way back to talk
3 about something else would seem rather needless. It
4 probably won't take long to get through this.

5 MR. LOPEZ: It is.

6 MS. LYONS: No, it's not. It's taking longer
7 for your objections than it is for the questions and
8 answers.

9 MR. LOPEZ: So my point is if you want to get
10 his employment history, what he did --

11 MS. LYONS: That's what I'm doing.

12 MR. LOPEZ: No. What his job titles were and
13 what departments, that's fine. But we have one, two,
14 three, four, five topics for him to identify witnesses
15 for you here and two additional topics where there was
16 a search performed, and we're happy to testify on that,
17 and we need to get that done. And to, you know, do a
18 general deposition of Mr. Sattelmeier is not what we're
19 here for.

20 MS. LYONS: Do you want to have to bring him
21 back for a general deposition?

22 MR. LOPEZ: All I can tell you is we're here to
23 address these topics.

24 MS. LYONS: I'm getting a work history, and
25 that work history includes some things he did at Ford.

1 One of them was taking air samples.

2 BY MS. LYONS:

3 Q. Did you do anything with the air samples after
4 you took them?

5 MR. LOPEZ: Again, relevance.

6 THE WITNESS: In some instances, yes; and in
7 some instances, no.

8 BY MS. LYONS:

9 Q. I don't recall what your answer was to -- maybe
10 you haven't answered it yet.

11 Did you take air samples where brakes were
12 being installed in the vehicles?

13 A. I don't recall ever doing that.

14 Q. When you did do something with the air samples
15 after you took it, what was it that you did?

16 MR. LOPEZ: Again, relevance. This is not
17 relevant to the topics here.

18 THE WITNESS: The thing that I would have
19 done -- the one thing that I would have done would have
20 been dust counts.

21 BY MS. LYONS:

22 Q. With what technology, what methodology?

23 A. The same methodology I described previously.

24 Q. How long did you work at Ford as an industrial
25 hygienist?

1 A. I believe it was three and a half years, is my
2 recollection.

3 Q. How many industrial hygienists were employed in
4 the same department as you at Ford while you were an
5 industrial hygienist there?

6 MR. LOPEZ: Again, relevance to the topics he's
7 been designated on here. And now we're testifying
8 about Ford.

9 THE WITNESS: My recollection is there were
10 four industrial hygienists in addition to myself.

11 BY MS. LYONS:

12 Q. Were you given any instruction while you were
13 at Ford regarding asbestos hazards?

14 MR. LOPEZ: Again, relevance.

15 THE WITNESS: I don't recall that detail.

16 BY MS. LYONS:

17 Q. Did you have any courses at Wayne State
18 regarding asbestos hazards?

19 A. Yes, I did.

20 Q. What courses? If you recall.

21 A. Took a course in toxicology, in air sampling
22 and analysis.

23 Q. Were those undergraduate or graduate?

24 A. Graduate.

25 Q. Anything else?

1 A. General industrial hygiene course that I took.

2 Q. What did the general industrial hygiene course
3 involve that relates to asbestos?

4 MR. LOPEZ: Again, relevance here. Objection.

5 THE WITNESS: I don't recall the exact details
6 of what was in the course.

7 BY MS. LYONS:

8 Q. When did you first learn that asbestos was
9 hazardous?

10 MR. LOPEZ: Objection; relevance.

11 THE WITNESS: I learned that asbestos -- I
12 learned about the permissible exposure limit for
13 asbestos and some of the effects of asbestos in those
14 various courses that I described.

15 BY MS. LYONS:

16 Q. So that would have been between the time you
17 graduated with your BS degree in 1959 and when you got
18 your Master's degree in the '60s?

19 MR. LOPEZ: Objection; relevance.

20 BY MS. LYONS:

21 Q. Is that right?

22 A. That would be correct.

23 Q. When did you first learn that asbestos causes
24 disease, if ever?

25 MR. LOPEZ: Objection; relevance.

1 THE WITNESS: Sometime in the '60s.

2 BY MS. LYONS:

3 Q. What disease did you learn that asbestos
4 causes, or diseases?

5 MR. LOPEZ: Objection; relevance.

6 THE WITNESS: In the '60s, I learned that there
7 was a relationship between asbestos exposure and
8 asbestosis.

9 BY MS. LYONS:

10 Q. Is that the only disease that you learned
11 asbestos can cause in the '60s?

12 A. My recollection is --

13 MR. LOPEZ: Objection; relevance.

14 THE WITNESS: -- sometime in that period of
15 time there was some literature indicating that high
16 exposures might possibly also result in cancer, lung
17 cancer of some sort or another.

18 BY MS. LYONS:

19 Q. Was mesothelioma one of the things that you
20 learned in that time frame that could cause cancer?

21 A. No, it was not.

22 Q. When did you first learn that asbestos could
23 cause mesothelioma?

24 MR. LOPEZ: Objection; relevance. Again, he's
25 here to identify witnesses for you pursuant to the

1 person most knowledgeable designation.

2 MR. MALONE: I object. It's vague.

3 BY MS. LYONS:

4 Q. Go ahead.

5 A. I believe the first information that I got
6 about mesothelioma was in relationship to asbestos
7 exposure was for pipefitters -- not pipefitters --
8 insulation installers, that they were getting
9 mesothelioma.

10 Q. When did you learn that?

11 A. I think that would have been maybe the late
12 '60s, early '70s.

13 Q. How did you learn that?

14 MR. LOPEZ: Again, relevance with respect to
15 what he's been designated on here today and your
16 deposition notice.

17 THE WITNESS: From the various literature that
18 I read at the time.

19 BY MS. LYONS:

20 Q. Were you a member of any organizations of
21 industrial hygienists at any time in your career that
22 you've described so far? And we'll get to what you
23 haven't described yet.

24 A. Yes.

25 Q. What organizations?

1 A. The Michigan Industrial Hygiene Society, the
2 American Industrial Hygiene Association, the American
3 Academy of Industrial Hygiene. I believe that's all
4 that I can recall.

5 Q. Do the initials ACGIH mean anything to you?

6 A. Yes, they do.

7 Q. What?

8 A. American Conference of Governmental Industrial
9 Hygienists.

10 Q. Were you a member?

11 A. No, I was not.

12 Q. Did the Michigan Industrial Hygiene Society
13 provide any regular newsletter or any other kind of
14 publication to its members?

15 MR. LOPEZ: Again, objection; relevance to the
16 topics that are here. I think you're out doing a
17 deposition on something that he's not been designated
18 to do here. Pretty soon --

19 MS. LYONS: We can stipulate that you object to
20 every question, if you like.

21 MR. LOPEZ: Well, we can certainly do that to
22 the extent they're outside the designation in this
23 deposition notice of what we have here before us today.

24 MS. LYONS: Well, I have a question pending.

25 MR. LOPEZ: Pretty soon I'll just instruct him

1 not to answer until you get to the topics.

2 MS. LYONS: I know. You said that.

3 BY MS. LYONS:

4 Q. Mr. Sattelmeier, do you remember the question?

5 A. I would appreciate it if the court reporter
6 would possibly could read it back to me.

7 BY MS. LYONS:

8 Q. You're familiar with this process, aren't you?

9 THE WITNESS: THE WITNESS: Yes, I am.

10 (Record read.)

11 THE WITNESS: I don't recall any regular
12 publications that they produced.

13 BY MS. LYONS:

14 Q. How about irregular publications?

15 MR. LOPEZ: Again, objection; relevance.

16 THE WITNESS: I don't -- I don't recall any
17 publications other than meeting notices.

18 BY MS. LYONS:

19 Q. Were there regular meetings of the Michigan
20 Industrial Hygiene Society?

21 A. Yes, there were.

22 Q. Did you discuss at those meetings industrial
23 hygiene issues?

24 A. Yes, we did.

25 Q. Was asbestos ever the topic of one of those

1 meetings or any of those meetings?

2 A. I don't recall.

3 Q. Did the American Industrial Hygiene Association
4 conduct meetings?

5 A. Yes, they did.

6 Q. Was asbestos ever a subject of discussion at
7 one of those meetings?

8 MR. LOPEZ: Again, relevance.

9 THE WITNESS: I don't -- I don't recall any
10 specific discussion of asbestos, but I'm certain that
11 it was at some time.

12 BY MS. LYONS:

13 Q. On more than one occasion?

14 MR. LOPEZ: Objection; relevance, speculation.

15 THE WITNESS: I -- I don't want to speculate on
16 that.

17 BY MS. LYONS:

18 Q. No. I don't want you to speculate either, but
19 if you remember that it was discussed on more than one
20 occasion. I'm not expecting you to remember how many
21 times.

22 A. I don't remember the details.

23 Q. But you do remember it was discussed more than
24 once, don't you?

25 MR. LOPEZ: Objection; calls for speculation.

1 THE WITNESS: It would be the kind of thing
2 that would be discussed at the AIHA, but I don't
3 remember the details of how many times it was discussed
4 or if it was discussed more than one time. I don't
5 remember that detail.

6 BY MS. LYONS:

7 Q. Do you remember any discussions at any of the
8 American Industrial Hygiene Association meetings of
9 Dr. Selikoff's work on asbestos hazards with
10 insulators?

11 MR. LOPEZ: Again, relevance to the deposition
12 notice.

13 THE WITNESS: I don't remember that.

14 BY MS. LYONS:

15 Q. Did the American Academy of Industrial
16 Hygienists have regular meetings?

17 MR. LOPEZ: Again, relevance.

18 THE WITNESS: I don't believe that they -- yes.
19 My recollection is yes. There were meetings of that
20 academy.

21 BY MS. LYONS:

22 Q. Was asbestos ever a subject of discussion at
23 those meetings?

24 A. I don't --

25 MR. LOPEZ: Objection; relevance.

1 THE WITNESS: I don't remember that detail.

2 BY MS. LYONS:

3 Q. Was there a newspaper or newsletter sent to
4 members from the American Academy of Industrial
5 Hygiene?

6 MR. LOPEZ: Objection; relevance.

7 THE WITNESS: I don't remember that detail.

8 BY MS. LYONS:

9 Q. How about the Industrial -- the American
10 Industrial Hygiene Association, did it have a
11 newsletter sent to its members?

12 MR. LOPEZ: Objection; relevance.

13 THE WITNESS: It had a journal that it sent.

14 BY MS. LYONS:

15 Q. Was asbestos ever a subject discussed in
16 journal articles?

17 MR. LOPEZ: Objection; relevance.

18 THE WITNESS: I don't know that it was, but I
19 would have to speculate.

20 BY MS. LYONS:

21 Q. What was the name of the journal?

22 A. American Industrial Hygiene Association
23 Journal.

24 MR. LOPEZ: Objection; relevance. Move to
25 strike.

BY MS. LYONS:

2 Q. Are there any other industrial hygiene type
3 organizations that you remember that we haven't
4 discussed yet?

5 A. American Industrial -- no. Industrial Hygiene
6 Foundation.

7 Q. Did the Industrial Hygiene Foundation have
8 meetings?

9 MR. LOPEZ: Objection; relevance.

10 THE WITNESS: Yes, they did.

11 BY MS. LYONS:

12 Q. Was asbestos ever a subject discussed at any
13 Industrial Hygiene Foundation meeting that you
14 attended?

15 MR. LOPEZ: Objection; relevance.

16 THE WITNESS: I don't remember the topics of
17 those meetings.

18 BY MS. LYONS:

19 Q. Did the Industrial Hygiene Foundation have a
20 publication, newsletter, newspaper or journal that the
21 members received?

22 A. Yes, it did.

23 Q. What was it called?

24 A. I believe it was Industrial Hygiene Foundation
25 Digest.

1 Q. Was asbestos ever the subject of an article in
2 the Industrial Hygiene Foundation Digest?

3 MR. LOPEZ: Objection; relevance.

4 THE WITNESS: Yes, it was.

5 BY MS. LYONS:

6 Q. On one occasion or more than one occasion?

7 A. More than one occasion.

8 Q. When was the first time?

9 MR. LOPEZ: Objection; relevance.

10 THE WITNESS: I don't remember those details.

11 BY MS. LYONS:

12 Q. About how many times did you see articles about
13 asbestos in the Industrial Hygiene Foundation Digest?

14 MR. LOPEZ: Objection; relevance.

15 THE WITNESS: I would have to speculate on
16 that. I don't want to speculate.

17 BY MS. LYONS:

18 Q. Were there a lot of articles about asbestos in
19 that digest?

20 MR. LOPEZ: Objection; relevance, speculation.

21 THE WITNESS: There would be more than one is
22 the best that I can say.

23 BY MS. LYONS:

24 Q. Would that more than one -- would any of those
25 articles have appeared while you were still working at

1 Ford?

2 MR. LOPEZ: Objection; relevance.

3 THE WITNESS: Possibly.

4 BY MS. LYONS:

5 Q. Do you have copies of any of the Industrial
6 Hygiene Foundation Digests?

7 MR. LOPEZ: Objection; relevance. Instruct him
8 not to answer.

9 BY MS. LYONS:

10 Q. How long did you work at Ford?

11 A. I believe it was three and a half years.

12 Q. From 1962 until sometime in '65; is that right?

13 A. I believe so.

14 Q. By the time you left Ford, did you have your
15 Master's degree from Wayne State?

16 A. I believe I did, yes.

17 Q. Where did you next work?

18 A. Hydromation Engineering, I believe, is the next
19 place that I worked.

20 Q. Did you start there in 1965?

21 A. I believe so, yes.

22 Q. What did you do there?

23 A. I was developing ventilation systems for
24 Hydromation Engineering.

25 Q. What does "hydromation" mean, if anything?

1 A. Hydromation Engineering Company had been a
2 water filtration company, and they wanted to get into
3 the air filtration, and they hired me to help them get
4 that.

5 Q. How is it that you were going to help them get
6 there?

7 MR. LOPEZ: Objection; relevance.

8 THE WITNESS: I was helping them to design dust
9 collectors.

10 BY MS. LYONS:

11 Q. To collect what kind of dust?

12 MR. LOPEZ: Objection; relevance.

13 THE WITNESS: Any particulate matter.

14 BY MS. LYONS:

15 Q. Was asbestos a dust that you were working on
16 developing something to collect?

17 A. It possibly could have been.

18 Q. Did you complete the process of developing the
19 dust collector that Hydromation Engineering hired you
20 to help develop?

21 MR. LOPEZ: Objection; relevance.

22 THE WITNESS: I sufficiently completed the
23 process so that they had dust collectors that they were
24 able to market.

25 BY MS. LYONS:

1 Q. Did those dust collectors have a name that --

2 A. I don't recall.

3 Q. Do you know if they're on the market today?

4 A. To the best of my knowledge, they are not.

5 Q. How long did you work at Hydromotion
6 Engineering?

7 A. About one year.

8 Q. You started sometime in '65 and left sometime
9 in '66?

10 A. That is correct.

11 Q. Did you do any industrial hygiene work of the
12 sort you had done previously at Ford and Michigan
13 Mutual while you were at Hydromotion Engineering?

14 MR. LOPEZ: Objection; relevance.

15 BY MS. LYONS:

16 Q. By "of the sort," I was referring to analyzing
17 air samples and taking dust counts.

18 A. No, I did not.

19 Q. Where did you work next?

20 A. LTV Aerospace Corporation.

21 Q. Let me go back a minute and ask you: Was your
22 work at Michigan Mutual Liability Company in Michigan?

23 A. Yes, it was.

24 Q. In the Detroit area?

25 A. Yes, it was.

1 Q. Was Ford Motor Company also in the Detroit
2 area?

3 A. Yes, it was.

4 Q. How about Hydromation Engineering?

5 A. Yes, it was.

6 Q. And LTV Aerospace, was that also the Detroit
7 area?

8 MR. LOPEZ: Objection; relevance.

9 THE WITNESS: Yes, it was.

10 BY MS. LYONS:

11 Q. What did you do for LTV Aerospace?

12 A. I was the lead human factors engineer.

13 Q. What is a human factors engineer?

14 A. A human factors engineer is a person involved
15 in ergonomics.

16 Q. Is that the sort of work that is involved when
17 people try and figure out how you can use a keyboard
18 without having repetitive stress syndrome or something
19 like that?

20 A. That would be correct.

21 Q. Is it anything more than that; is there
22 something more you could tell me to describe what
23 "ergonomics" means?

24 MR. LOPEZ: Objection; relevance.

25 THE WITNESS: Any musculoskeletal kind of

1 problems we were interested in.

2 BY MS. LYONS:

3 Q. Were you evaluating the work environment in
4 order to adjust it to avoid injury or doing something
5 else?

6 A. Something else.

7 Q. What else?

8 MR. LOPEZ: Objection; relevance.

9 THE WITNESS: I was working on the development
10 of the launching system for the lance missile.

11 BY MS. LYONS:

12 Q. What's the lance missile?

13 A. The lance missile was a missile that was
14 developed for the Army.

15 Q. To shoot other countries?

16 MR. LOPEZ: Objection; relevance.

17 Instruct you not to answer.

18 BY MS. LYONS:

19 Q. I'm just wondering what the ergonomic issue is
20 with lance missiles.

21 MR. LOPEZ: Objection; relevance.

22 MS. LYONS: Just humor me a second here.

23 THE WITNESS: There was a number of motions
24 that the Army would have to go through to prepare to
25 launch a missile, and we were involved in studying and

1 designing the launching mechanism with the least amount
2 of human stress possible to accomplish the launch of
3 the missile.

4 BY MS. LYONS:

5 Q. Was this sort of a bigger scale of the kick
6 when you fire a 12-gauge shotgun?

7 MR. LOPEZ: Objection; relevance. Counsel,
8 we're really here on limited topics --

9 MS. LYONS: We're going. We're going.

10 MR. LOPEZ: -- 1 through 85.

11 BY MS. LYONS:

12 Q. How long did you work at LTV Aerospace?

13 A. About one year.

14 Q. You were there from 1966 to 1967?

15 A. That would be correct.

16 Q. Where did you go next?

17 A. I went to Chrysler Corporation next.

18 Q. What was your job there?

19 A. I was an industrial hygienist A.

20 Q. What is that? The A part is really what I'm
21 asking about.

22 A. The A part would be that I would be a senior
23 kind of industrial hygienist.

24 Q. Did you supervise other industrial hygienists?

25 A. No, I did not -- well, I would be like a lead

1 industrial hygienist as opposed to supervisor.

2 Q. I see that there's a distinction there.

3 Could you flesh it out a little bit?

4 A. Yes.

5 Q. What did you do that you're calling a lead
6 industrial hygienist that would be different from what
7 you would call a supervisor?

8 A. A supervisor would be the person that I
9 reported to, and he would supervise all of the
10 activities of the department. What I would be doing
11 would be going to the various plants in the corporation
12 and conducting studies. And often when I would do
13 this, there would be more than one person involved in
14 the study.

15 Q. More than one industrial hygienist?

16 A. Correct.

17 Q. A team would go and do something?

18 A. Correct. Typically it would be two people.

19 MR. LOPEZ: Objection; relevance.

20 BY MS. LYONS:

21 Q. Where did you go and do these studies?

22 MR. LOPEZ: Objection; relevance.

23 THE WITNESS: Throughout the corporation.

24 BY MS. LYONS:

25 Q. Did you go to the Trenton, New Jersey, plant?

1 MR. LOPEZ: Objection; relevance.

2 THE WITNESS: We did not have a plant in New
3 Jersey, in Trenton, New Jersey.

4 BY MS. LYONS:

5 Q. Where did you have plants?

6 MR. LOPEZ: Objection; relevance.

7 THE WITNESS: Many plants in Michigan. We had
8 plants in Belvedere, Illinois, or a plant. We had two
9 plants in St. Louis that I recall. Newark, Delaware.
10 Plants overseas. Plants in Mexico. Plants in Canada.
11 Plants in Indianapolis.

12 BY MS. LYONS:

13 Q. How about Sokomo?

14 A. In Indiana, yeah. Not Sokomo.

15 Q. Kokomo?

16 A. Kokomo.

17 Q. K-o --

18 A. K-o-k-o-m-o, I believe.

19 Q. Any more?

20 A. I don't recall others. I'm sure there are
21 others, but that's ones that come to mind.

22 Q. What do you recall -- what industrial hygiene
23 study do you recall conducting at, for example, Kokomo?

24 MR. LOPEZ: Objection. Instruct him not to
25 answer. We're here on topics 81 through 85 and 14 and

1 15. And I'm not going to -- we're not going to go into
2 his whole work history, everything he ever did while he
3 was at Chrysler. That's not what this deposition is
4 about.

5 MS. LYONS: We can subpoena him and have him
6 come back. That's an extra --

7 MR. LOPEZ: All I know is I'm here on 81
8 through 85 and 14 and 15.

9 MS. LYONS: Who provided those instructions and
10 limitations to you, Mr. Lopez?

11 MR. LOPEZ: That is what he has been designated
12 on by the company.

13 MS. LYONS: Well, I haven't seen anything in
14 writing saying that.

15 MR. LOPEZ: Well, I'm advising you right now.

16 BY MS. LYONS:

17 Q. Let's make a record here, Mr. Sattelmeier.

18 What studies do you recall conducting at the
19 Belvedere, Illinois, plant?

20 MR. LOPEZ: Objection. I'm going to instruct
21 him not to answer. It's not the subject of the
22 deposition notice and the topics he's been identified
23 for.

24 MS. LYONS: Would you please mark in the
25 transcript each instance where there's an instruction

1 not to answer?

2 BY MS. LYONS:

3 Q. What studies did you conduct at the St. Louis
4 plants?

5 MR. LOPEZ: Again, same instruction on the same
6 basis, that we're here on topics 81 through 85 and 14
7 and 15 as stated at the beginning of the deposition.

8 MS. LYONS: So that the record is clear on the
9 limitations that you are imposing, Counsel, we have
10 premarked as Exhibit 3, plaintiff's notice of taking
11 deposition and notice of videotaping of defendant
12 DaimlerChrysler Corporation's custodian(s) of records
13 and person(s) most knowledgeable with a deposition date
14 of May 12th, 2006. And as I understand it, you are
15 limiting this witness's testimony to items 85 -- what
16 were the item numbers you're limiting it to?

17 MR. LOPEZ: He is being designated for topics
18 81 through 85 pursuant to the deposition notice that
19 we're here on today.

20 MS. LYONS: And is that the notice I just
21 described?

22 MR. LOPEZ: Well, what I have here is a
23 deposition notice that shows the date of the deposition
24 of May 12th, 2006. It's actually dated signed May 2nd,
25 and has, looks like, 23 pages.

1 MS. LYONS: Well, the signature is on page 23.
2 It has two additional pages that are the proof of
3 service on my copy. But there are categories in which
4 the deposition notice seeks the custodian of records
5 that go from 1 to 87 and categories that seek the
6 person most knowledgeable that go from 1 to 105.

7 MR. LOPEZ: On page 21, we have identified this
8 witness for you on topics 81, 82, 83, 84 and 85.

9 MS. LYONS: On the custodian of records portion
10 of the notice, is this witness being offered for any of
11 the categories?

12 MR. LOPEZ: No.

13 MS. LYONS: You told me before we went on the
14 record that he was also offered for certain categories
15 for the deposition notice that calls for a June 30th
16 deposition, and it's entitled "Amended Notice of Taking
17 Deposition and Notice of Videotaping of Defendant
18 DaimlerChrysler Corporation's Custodian(s) of Records
19 and Person(s) Most Knowledgeable." We have that marked
20 as Exhibit 4 to this deposition.

21 MR. LOPEZ: Right.

22 MS. LYONS: What are the categories?

23 MR. LOPEZ: Topic 14 and 15?

24 MS. LYONS: On page?

25 MR. LOPEZ: 6 and 7.

1 MS. LYONS: Of the portion that relates, then,
2 to the person most knowledgeable, are there any
3 categories in this notice that seek custodian of
4 records for which you are offering Mr. Sattelmeier?

5 MR. LOPEZ: No.

6 MS. LYONS: I think the record is clear now on
7 the parameters of your objections in our dispute here.
8 So let's make the record a little further clearer here.
9 You have directed him not to answer regarding the St.
10 Louis plants?

11 MR. LOPEZ: Yes.

12 BY MS. LYONS:

13 Q. Mr. Sattelmeier, what studies did you conduct
14 regarding the Newark, Delaware, plant?

15 MR. LOPEZ: Again; same instruction.

16 BY MS. LYONS:

17 Q. What studies did you conduct regarding plants
18 overseas?

19 MR. LOPEZ: Same instruction.

20 BY MS. LYONS:

21 Q. Are you going to follow his instructions, Mr.
22 Sattelmeier?

23 A. Yes, I am.

24 Q. If I had asked you that back when I was
25 inquiring about the Belvedere, Illinois, the St. Louis

1 and Newark studies, would you have said that you are
2 going to following his instruction then as well?

3 A. Yes, I would have.

4 Q. Where overseas were the plants?

5 MR. LOPEZ: Again, same instruction.

6 MS. LYONS: You're not even going to let him
7 tell me where overseas?

8 MR. LOPEZ: I think he gave you a list of what
9 he could recall before.

10 MS. LYONS: Overseas was the category. We
11 didn't get into the list, I don't think.

12 BY MS. LYONS:

13 Q. Are there any overseas plants other than Mexico
14 and Canada, which I didn't take you to mean overseas
15 since there's land between us. Are there any overseas
16 plants in countries that you can recall where you
17 conducted studies?

18 MR. LOPEZ: Again, objection. Instruct him not
19 to answer on that one.

20 MS. LYONS: You're going to let him tell me
21 where the plants are, aren't you?

22 MR. LOPEZ: You didn't ask that. You asked him
23 where he conducted studies. If you want to know where
24 the plants are, that's fine.

25 MS. LYONS: Well, we got this list because

1 they're plants where he conducted studies.

2 MR. LOPEZ: I think you were just asking for a
3 list, but I'm not absolutely sure.

4 MS. LYONS: No. I was asking for plants where
5 he conducted studies.

6 MR. LOPEZ: I'm not sure that's true.

7 BY MS. LYONS:

8 Q. Where are the overseas plants?

9 A. I don't -- I don't remember where they were. I
10 know there were plants in Europe and plants in South
11 America, but I don't recall the exact locations.

12 Q. Did they manufacture Chrysler vehicles in those
13 plants?

14 MR. LOPEZ: Again, relevance. In fact,
15 instruct him not to answer, because it's not -- not
16 here.

17 BY MS. LYONS:

18 Q. What studies did you conduct in plants in
19 Europe?

20 MR. LOPEZ: Again, instruct him not to answer.

21 BY MS. LYONS:

22 Q. What studies did you conduct in plants in South
23 America?

24 MR. LOPEZ: Same objection, same basis; outside
25 the scope of the designation here.

1 MS. LYONS: You have some writing that you have
2 produced to us that identifies the limitations you're
3 imposing today?

4 MR. LOPEZ: Yes.

5 MS. LYONS: This is the first time --

6 MR. LOPEZ: I'm advising you today that he is
7 being offered on these topics.

8 MS. LYONS: I'm just checking.

9 MR. LOPEZ: I don't know if there's a writing
10 with other members of my firm or not.

11 MS. LYONS: This is the first I've heard of
12 this limitation, so I'm trying to confirm.

13 MR. LOPEZ: I'm not sure it's a limitation.
14 It's just what we have designated this witness to
15 testify on.

16 MS. LYONS: This former Chrysler industrial
17 hygienist, right.

18 BY MS. LYONS:

19 Q. What studies did you conduct in plants in
20 Mexico?

21 MR. LOPEZ: Same instruction.

22 BY MS. LYONS:

23 Q. What studies did you conduct in plants in
24 Canada?

25 MR. LOPEZ: Same objection and same

1 instruction.

2 BY MS. LYONS:

3 Q. What studies did you conduct in plants in
4 Indianapolis?

5 MR. LOPEZ: Same instruction, same objection.

6 BY MS. LYONS:

7 Q. What studies did you conduct in plants in
8 Kokomo, Indiana?

9 MR. LOPEZ: Same instruction, same objection.

10 BY MS. LYONS:

11 Q. How long did you work at the Chrysler
12 Corporation?

13 A. I retired from Chrysler in 1991.

14 Q. Do you receive a pension from Chrysler?

15 A. Yes, I do.

16 Q. How much?

17 A. I don't -- offhand, I don't know how much.

18 Q. Really?

19 A. Really.

20 Q. Is it more than 50,000 a month?

21 A. No.

22 Q. More than 10,000 a month?

23 A. Not to the best -- no, it's not.

24 Q. Do you own stock in the Chrysler Corporation?

25 A. No, I do not.

1 Q. Do you do consulting work for the Chrysler
2 Corporation?

3 A. Yes, I do.

4 Q. How regularly?

5 A. Few times a year.

6 Q. How much do they pay you for consulting work?

7 A. They pay me -- for the consulting that I do, I
8 charge them \$100 per hour.

9 Q. Do they pay for room and board, for example,
10 and transportation for trips such as this one where you
11 came out here?

12 A. Yes, they do.

13 Q. Did you meet with the lawyers in preparation
14 for this deposition, the Chrysler lawyers?

15 A. Yes, I did.

16 Q. Did they pay you for the time you spent meeting
17 with them?

18 A. Yes, they did.

19 Q. Did they pay you for your travel time?

20 A. They -- they -- yes, they do.

21 Q. Is that also \$100 an hour?

22 A. For the travel time, I charge \$75 an hour.

23 Q. What sort of consulting do you do for the
24 Chrysler Corporation?

25 A. I have done environmental consulting for the

1 Chrysler Corporation. And I have done consulting
2 regarding various litigation matters.

3 Q. Litigation matters such as this one?

4 A. Yes.

5 Q. Have the litigation matters that you've done
6 consulting in connection with all asbestos cases?

7 A. Yes, they have been.

8 Q. When did you start doing consulting work for
9 the Chrysler Corporation regarding litigation?

10 A. I don't -- I don't remember that date.

11 Q. Was it after you retired in '91?

12 A. It would have to be.

13 Q. Not necessarily.

14 But you're saying it was?

15 A. Yes, it was.

16 Q. They could have you do additional work for \$100
17 an hour even though you're still on the payroll,
18 couldn't they? But I understand that's not what
19 happened.

20 A. That's not what happened.

21 Q. Do you know how long after you retired you
22 started doing consulting work for the Chrysler
23 Corporation? Short while? Long time?

24 A. A short while.

25 Q. What lawyers did you work with on your first

1 assignment doing litigation-related consulting work for
2 the Chrysler Corporation; do you remember that?

3 MR. LOPEZ: Again, objection; relevance.

4 BY MS. LYONS:

5 Q. Was it Mr. Lopez?

6 A. No, it was not.

7 Q. Do you remember the law firm that was involved?

8 A. Clark Hill.

9 Q. Who in particular at Clark Hill did you deal
10 with?

11 A. Mike Sullivan and Tony Agosta.

12 Q. What sort of case was the first case you were
13 involved with involving asbestos litigation?

14 A. I don't -- I don't remember the details of the
15 case.

16 Q. What did you do as a consultant regarding
17 whatever that case was?

18 A. I don't remember the details.

19 Q. Did you testify at a deposition?

20 A. Yes, I did.

21 Q. Did you testify at trial?

22 A. No, I did not.

23 Q. Do you know what happened with the case?

24 A. I do not.

25 Q. Do you know who represented the plaintiff?

1 A. No, I do not.

2 Q. Was it a personal injury action?

3 A. I don't know.

4 Q. Did you ever testify in an asbestos-related
5 workers' compensation case?

6 A. I don't recall ever doing that, no.

7 Q. Let's go back to --

8 MR. LOPEZ: Topic 81?

9 MS. LYONS: No.

10 BY MS. LYONS:

11 Q. You said you were deposed on about 20 occasions
12 in the past --

13 A. Yes.

14 Q. -- when we started this deposition. I told you
15 we were going to get back to that.

16 We're getting to that point now because the
17 consulting work you started at some point after you
18 retired in '91 is what led to those 20 or so
19 depositions, isn't it?

20 A. That is correct.

21 Q. It seems to me that I've heard somewhere that
22 you were deposed in about 1986.

23 Does that ring a bell with you?

24 MR. LOPEZ: Objection; calls for speculation.

25 BY MS. LYONS:

1 Q. That would have been about 20 years ago, 21
2 years ago?

3 A. 1986?

4 Q. Uh-huh.

5 A. I know that I was deposed at least once while I
6 was still employed at Chrysler.

7 Q. What kind of case?

8 A. That would have been an asbestos case.

9 Q. What did you do with respect to that case; what
10 were you deposed about? Do you remember that?

11 A. I don't remember the details.

12 Q. Do you remember who the plaintiff's lawyer was?

13 A. No, I do not.

14 Q. Were you an industrial hygienist at Chrysler at
15 the time that deposition occurred?

16 A. Yes, I was.

17 Q. When you were hired at Chrysler in '87, I think
18 you said your title was industrial hygienist A.

19 Did that remain your title throughout your '67
20 through '91 career, or did it sometime change?

21 A. I believe I was hired in '68.

22 Q. '68. Okay. Thank you for that correction.

23 But did your title change at any point between
24 '68 and '91 from industrial hygienist A to something
25 else?

1 A. Yes, it did.

2 Q. To what?

3 A. Environment control specialist, then senior
4 industrial hygienist and then manager, industrial
5 hygiene department.

6 Q. Let's try and put a time frame on those.

7 When did you become an environmental control
8 specialist?

9 A. I think that would have been the early '70s.

10 Q. Before or after OSHA was enacted?

11 A. That was after OSHA was enacted.

12 Q. When did you become senior industrial
13 hygienist?

14 A. That would have -- again, that would have been
15 about '75.

16 Q. When did you become manager of the industrial
17 hygiene department at Chrysler?

18 A. In 1976.

19 Q. What were your duties as environmental control
20 specialist?

21 A. I worked for the assembly division and...

22 Q. Doing what?

23 A. I was concerned about safety, health and
24 environment, the engineering controls associated
25 therewith.

1 Q. Engineering controls associated therewith, can
2 you put that in some closer to lay people's terms?
3 What kind of environmental controls do you mean?

4 A. Could be water pollution controls, some kind of
5 water pollution devices, air pollution control devices.
6 It could be ventilation systems in manufacturing
7 plants.

8 Q. Did your work in the environmental control role
9 involve controlling asbestos dust in the environment?

10 MR. LOPEZ: Again, objection; relevance, beyond
11 the scope of the designation.

12 THE WITNESS: Yes.

13 BY MS. LYONS:

14 Q. What in particular did you do while in your
15 environmental control specialist role at Chrysler to
16 control asbestos dust in the environment?

17 MR. LOPEZ: I'll instruct him not to answer,
18 that we're now just beyond getting what his jobs were
19 at Chrysler and beyond the subject of the topics he's
20 been identified to testify on.

21 MS. LYONS: Mark that question, please.

22 And, Counsel, please be advised it's not going
23 to sit well with the court if we have to bring this
24 witness back across the country to ask questions of
25 Chrysler's industrial hygienist.

1 MR. LOPEZ: That's not the -- we're not here on
2 anything other than the deposition notice that was
3 served. And where he has been designated to identify
4 information is on topics 81 through 85 and topic 14 and
5 15, as we previously discussed. And you haven't asked
6 him any questions on topic 81 through 85.

7 MS. LYONS: Counsel, I would direct your
8 attention to topic 83 which says "Identify -- identity
9 of all individuals with any knowledge of defendant's
10 air sampling for asbestos during any field use."

11 MR. LOPEZ: Ask him the question.

12 MS. LYONS: I'm inquiring.

13 MR. LOPEZ: Ask him the question.

14 MS. LYONS: I'll formulate the question.
15 That's the category I'm asking about.

16 MR. LOPEZ: No. In fact, he's ready to answer
17 topic 83 when you're ready to ask that question.

18 MS. LYONS: Could I have the question read back
19 that the witness was just directed not to answer,
20 please?

21 (Record read.)

22 BY MS. LYONS:

23 Q. Did you do anything in your environmental
24 control specialist role at Chrysler to control asbestos
25 dust in the environment?

1 MR. LOPEZ: Again, instruct him not to answer.

2 BY MS. LYONS:

3 Q. What were your duties as an environmental
4 control specialist at Chrysler while you worked for the
5 assembly division and were concerned about safety,
6 health and environment? You have mentioned that you
7 attempted to control the environment, but what specific
8 duties did you have?

9 A. I believe I answered that, but...

10 Q. It might be that I didn't understand completely
11 the answer when I asked you to put it in layman's
12 terms.

13 I'm looking for what specific things. Did you
14 sweep up? Did you wash the windows? Because that
15 would control the environment, but I'm thinking that
16 there must have been something a little more esoteric
17 about what you did.

18 MR. LOPEZ: Objection; asked and answered.

19 THE WITNESS: I worked as a part of the
20 facility's engineering department that was involved in
21 the design of any major kind of system that might be
22 installed in any one of our assembly plants.

23 BY MS. LYONS:

24 Q. Did you do anything while an environmental
25 control specialist to see that OSHA regulations were

1 obeyed at Chrysler plants?

2 MR. LOPEZ: Again, beyond the scope of the
3 deposition topics. He's identified for you what he
4 does, but all we're doing here is getting his work
5 history. You can ask him these five topics on this
6 deposition notice, which you haven't asked him yet.
7 I'd instruct him not to answer beyond...

8 MS. LYONS: You're not going allow him to
9 answer the question whether he did anything to see that
10 OSHA regulations were complied with at Chrysler?

11 MR. LOPEZ: Well, that's not the subject of
12 this deposition. OSHA compliance is not the subject of
13 this deposition. You've asked us to provide you with a
14 witness to identify individuals. We're here to provide
15 you with a list of individuals pursuant to topics 81
16 through 85.

17 MS. LYONS: My question to you, Mr. Lopez, is:
18 Are you refusing to allow him to answer the question
19 "Did you do anything to see that OSHA requirements were
20 obeyed?"

21 MR. LOPEZ: Yes. Because you're not asking the
22 topics, what's been designated on here.

23 BY MS. LYONS:

24 Q. Is there anything else you did within your job
25 classification of environmental control specialist that

1 you haven't told me about yet?

2 MR. LOPEZ: Objection; overbroad, relevance.

3 BY MS. LYONS:

4 Q. Go ahead and answer.

5 A. I think I've given you a pretty general
6 overview of the kind of things that I did while
7 employed as the environmental control specialist at our
8 assembly division.

9 Q. Were you an -- strike that.

10 I understand that you've told me a general
11 overview. I'm looking for specifics.

12 Are there specific things you did that you
13 haven't told me about?

14 MR. LOPEZ: Well, objection, overbroad, not
15 relevant to the topics he's been designated to testify
16 on here today, so I instruct him not to answer.

17 MS. LYONS: He has been designated as the
18 person most knowledgeable, Counsel, and you are not
19 allowing me to inquire as to the foundation for the
20 claim of knowledge. There seems to be quite a
21 foundation here that he could lay, and you're refusing
22 him to allow him to answer the question --

23 MR. LOPEZ: I don't think this is foundation.

24 MS. LYONS: Excuse me. I'm not through.

25 -- even though he's a Chrysler industrial

1 hygienist and was for a very long time.

2 MR. LOPEZ: Ask him the question and ask him
3 the basis for his answer to the question when you ask
4 him. That's the foundation. This is --

5 MS. LYONS: Counsel, you do not get to
6 formulate my questions. You can formulate your
7 objections.

8 MR. LOPEZ: Well, unfortunately the way you've
9 done this deposition is you've noticed topics 81
10 through 85.

11 MS. LYONS: No. I noticed topics 1 through
12 105.

13 MR. LOPEZ: Well, 81 through 85 is where he's
14 been designated. We've made that clear.

15 MS. LYONS: You did not make that clear. Until
16 today, you have imposed no such limitations, Counsel.
17 Let's move on.

18 MR. LOPEZ: I don't want to argue about it.
19 These are the topics he's here to testify about, and
20 you need to ask him those questions.

21 BY MS. LYONS:

22 Q. Mr. Sattelmeier, when did you -- strike that.

23 You said that you were an environmental control
24 specialist working for the assembly division.

25 Did that title, environmental control

1 specialist, only involve work with the assembly
2 division, or did it at some point become work with some
3 other division at Chrysler?

4 A. At some point, it expanded from the assembly
5 division.

6 Q. To what?

7 A. The stamping and assembly division.

8 Q. What is stamping?

9 MR. LOPEZ: Again, objection; relevance.

10 THE WITNESS: Stamping, that would have
11 included the stamping plants.

12 BY MS. LYONS:

13 Q. What's the stamping plants?

14 A. Plant that would stamp out the various sheet
15 metal components.

16 Q. Of a car?

17 A. Of a car.

18 Q. Were you an environmental control specialist
19 anywhere other than the assembly division and the
20 stamping plant?

21 A. I was not the environmental control specialist
22 for the stamping and assembly division, but only for
23 the assembly division.

24 Q. What were you for the stamping plant? What was
25 your title for whatever work you did for the stamping

1 plant?

2 A. I did not -- I did not -- I -- at the time that
3 the stamping division was added, I was in a brief
4 period of layoff. And because the person from the --
5 the facility's engineer from the stamping division took
6 over the stamping and assembly division, and he had his
7 own environmental control specialist from his division
8 that was now assuming the responsibility, and I was
9 laid off for a brief period of time. And then I
10 returned to Chrysler as a senior industrial hygienist.

11 Q. How long were you laid off?

12 A. It was from about first of the year until I
13 believe it was April 1st.

14 Q. Do you know what year that was?

15 A. I don't remember the year -- yeah. Let me
16 think. I think it would have been '75.

17 Q. Then you came back as a senior industrial
18 hygienist; is that what you said?

19 A. That's correct.

20 Q. What were your duties as a senior industrial
21 hygienist?

22 A. Basically the same duties as I described that I
23 had as an industrial hygienist A.

24 Q. Where did you work as a senior industrial
25 hygienist?

1 A. Same locations that I had worked at as an
2 industrial hygienist A.

3 Q. Did you go to other plants and conduct studies?

4 A. That is correct.

5 Q. Did those studies include dust counts?

6 MR. LOPEZ: Objection; relevance.

7 THE WITNESS: In some instances, yes.

8 BY MS. LYONS:

9 Q. Did the dust counts involve asbestos dust?

10 MR. LOPEZ: Again, objection; beyond the scope
11 of the designation, and I would instruct him not to
12 answer.

13 BY MS. LYONS:

14 Q. You said you became the manager of the
15 industrial hygiene department in 1976, correct?

16 A. That is correct.

17 Q. So you were the senior industrial hygienist
18 from about April 1st, 1975, until sometime in --

19 A. I believe it was April 1st, 1976.

20 Q. I thought you had said you were laid off
21 between '75 -- from the beginning of the year until
22 April 1st.

23 Did I get that wrong?

24 A. That's correct.

25 Q. So April 1st, '75, you came back as senior

1 industrial hygienist?

2 A. That is correct.

3 Q. And then are you saying you became manager of
4 the entire industrial hygiene department in April of
5 '86?

6 A. That is correct.

7 Q. What were your duties as manager of the
8 industrial hygiene department?

9 A. My responsibility was to manage the department.

10 Q. Did you supervise other industrial hygienists?

11 A. Yes, I did.

12 Q. How many?

13 A. I think there were -- there were two or three
14 seniors and a couple of industrial hygienists Bs, as I
15 recall.

16 Q. Industrial hygienist B is a new term to our
17 discussion this morning. We know that you were an
18 industrial hygienist A.

19 What's different about being an industrial
20 hygienist B?

21 A. That would be a technician without
22 specialized -- necessarily any formal training in
23 industrial hygiene. He would work under the
24 distribution of a senior industrial hygienist.

25 Q. While you managed the industrial hygiene

1 department at Chrysler, did you conduct studies of
2 Chrysler plants such as the plant in Kokomo, Indiana?

3 MR. LOPEZ: Again, objection; relevance, beyond
4 the scope.

5 THE WITNESS: Yes.

6 BY MS. LYONS:

7 Q. Did you conduct plants -- studies of plants in
8 Belvedere, Illinois?

9 MR. LOPEZ: Objection; beyond the scope of
10 designation, relevance.

11 THE WITNESS: Yes.

12 BY MS. LYONS:

13 Q. How about St. Louis; did you conduct studies
14 there?

15 A. Yes.

16 MR. LOPEZ: Objection; beyond the scope,
17 relevance.

18 BY MS. LYONS:

19 Q. Did you conduct studies in the Newark,
20 Delaware, plant?

21 MR. LOPEZ: Objection; beyond the scope,
22 relevance.

23 THE WITNESS: I'm not certain of that.

24 BY MS. LYONS:

25 Q. Did you conduct studies in overseas plants in

1 Europe?

2 MR. LOPEZ: Objection; beyond the scope,
3 relevance.

4 THE WITNESS: No.

5 BY MS. LYONS:

6 Q. Did you conduct studies in South American
7 plants?

8 MR. LOPEZ: Objection; beyond the scope,
9 relevance.

10 THE WITNESS: No.

11 BY MS. LYONS:

12 Q. Did you conduct studies in plants in Mexico?

13 MR. LOPEZ: Objection; beyond the scope of the
14 designation, relevance.

15 THE WITNESS: Yes.

16 BY MS. LYONS:

17 Q. Did you conduct studies in plants in Canada?

18 MR. LOPEZ: Objection; beyond the scope of the
19 designation, relevance.

20 THE WITNESS: Yes.

21 BY MS. LYONS:

22 Q. Did you conduct studies in plants in
23 Indianapolis?

24 MR. LOPEZ: Objection; beyond the scope of
25 designation, relevance.

1 THE WITNESS: Yes.

2 BY MS. LYONS:

3 Q. Was there a plant in New Jersey by the time you
4 were the manager of the industrial hygiene department?

5 MR. LOPEZ: Objection; beyond the scope of the
6 designation, relevance.

7 THE WITNESS: No.

8 BY MS. LYONS:

9 Q. What kind of studies did you conduct in the
10 plant in Kokomo, Indiana?

11 MR. LOPEZ: Objection. Instruct him not to
12 answer. Beyond the scope of the designation,
13 relevance.

14 BY MS. LYONS:

15 Q. Are you going to follow his instruction?

16 A. Yes.

17 Q. What kind of study did you conduct in the
18 plants in Indianapolis?

19 MR. LOPEZ: Same instruction, same objection.

20 BY MS. LYONS:

21 Q. What kind of study did you conduct in the
22 plants in Canada?

23 MR. LOPEZ: Same instruction, same objection.

24 BY MS. LYONS:

25 Q. What kind of study did you conduct in the plant

1 in Mexico?

2 MR. LOPEZ: Same instruction, same objection.

3 BY MS. LYONS:

4 Q. What kind of study did you conduct in plants in
5 Belvedere, Illinois?

6 MR. LOPEZ: Same instruction, same objection.

7 BY MS. LYONS:

8 Q. What kind of study did you conduct in the
9 plants in St. Louis?

10 MR. LOPEZ: Same instruction, same objection.

11 BY MS. LYONS:

12 Q. Are you familiar with the different asbestos
13 fiber types: chrysotile, amosite and crocidolite?

14 MR. LOPEZ: Again, objection; relevance.

15 THE WITNESS: Yes.

16 BY MS. LYONS:

17 Q. What's the difference between, for example,
18 chrysotile and crocidolite?

19 MR. LOPEZ: Objection; beyond the scope.

20 Instruct him not to answer.

21 BY MS. LYONS:

22 Q. Did Chrysler use crocidolite asbestos as a
23 component of anything it manufactured while you were an
24 industrial hygienist at Chrysler between '68 and '91?

25 MR. LOPEZ: Objection; beyond the scope,

1 relevance. Instruct him not to answer.

2 BY MS. LYONS:

3 Q. Do you know whether Chrysler used crocidolite
4 asbestos during the time you were an industrial
5 hygienist there?

6 MR. LOPEZ: Objection; beyond the scope.
7 Instruct him not to answer.

8 BY MS. LYONS:

9 Q. Do you know whether Chrysler used amosite
10 asbestos as a component in anything it manufactured
11 during the time you were an industrial hygienist there
12 between 1968 and 1991?

13 MR. LOPEZ: Objection; beyond the scope.
14 Instruct him not to answer except insofar as you're
15 going to ask him with respect to questions 14 and 15.

16 MS. LYONS: There's a question pending. If
17 you're going to let him answer that question, let him
18 answer that question.

19 MR. LOPEZ: I don't think the question is
20 asking about 14 or 15, so no.

21 MS. LYONS: You're the one that brought it up,
22 Counsel.

23 BY MS. LYONS:

24 Q. Did Chrysler use chrysotile asbestos in any
25 product it manufactured during the time you were an

1 industrial hygienist there between 1968 and 1991?

2 MR. LOPEZ: Again, same objection; beyond the
3 scope. Instruct him not to answer unless you want to
4 ask specifically about the topics you've identified.

5 MS. LYONS: I asked a specific question. If
6 you're instructing him not to answer that specific
7 question, you need to make that clear on the record,
8 Counsel.

9 MR. LOPEZ: Well, I am, but you can ask him the
10 questions with respect to the topics he has been
11 identified on here.

12 MS. LYONS: I'm going ask that question again
13 because the record is not clear from what you've just
14 said.

15 BY MS. LYONS:

16 Q. Mr. Sattelmeier, do you know if Chrysler used
17 chrysotile asbestos as a component of any vehicles it
18 manufactured while you were an industrial hygienist at
19 Chrysler between 1968 and 1991?

20 MR. LOPEZ: And then I would say the witness
21 can answer insofar as it relates to the topics he's
22 been designated on.

23 BY MS. LYONS:

24 Q. Go ahead and answer the question.

25 A. Yes.

1 Q. What did Chrysler use chrysotile asbestos for?

2 MR. LOPEZ: Again, instruct him. Objection to
3 the extent this is seeking -- is beyond the scope of
4 the designated topics.

5 MR. KIRBY: Also vague and ambiguous and
6 overbroad.

7 MR. LOPEZ: Right.

8 THE WITNESS: In regard to the question that
9 you asked in regard to -- if we're narrowing down to
10 the specific part numbers that you requested
11 information about, I am prepared to answer that
12 question very completely.

13 BY MS. LYONS:

14 Q. Did you review any documents before you came
15 into this room for your deposition this morning,
16 Mr. Sattelmeier?

17 A. Yes, I did.

18 Q. What did you review?

19 A. I reviewed the deposition notice or the
20 portions of it where I was asked to answer questions
21 about.

22 Q. Let me show you Exhibits 3 and 4 to this
23 deposition.

24 Start with Exhibit 3. Take a look at it,
25 please, and tell me what parts, if any, you've seen

1 before and when.

2 A. I can -- I was aware of the questions 3 and 4
3 on this particular deposition notice.

4 Q. Would you read question 3, please?

5 A. Yes. "All documents that identify all
6 individuals who have been employed by defendant who
7 have any knowledge about Moss Motors from 1991 to the
8 present.

9 "'Employed'... shall refer to any individual
10 currently or formerly in an employment relationship
11 with defendant, any corporate officer or director,
12 and/or anyone serving as a consultant or independent
13 contractor."

14 Q. You just read from page 3, lines 22 to 26, of
15 Exhibit 3; is that correct?

16 A. That's correct.

17 Q. Did you get a chance to look at the entire
18 document that you have in front of you now at the point
19 in time that you first read that paragraph? Did you
20 have the entire document?

21 A. I did not have the entire document.

22 Q. What portion of it did you have? Realizing, of
23 course, that that little yellow sticker that says
24 "Exhibit 3" would not been on the copy probably that
25 you saw.

1 A. I remember looking specifically at items 3 and
2 4, but I don't remember -- I don't remember any -- any
3 of the other items.

4 Q. So you referred and read paragraph 3, which is
5 at page 3, lines 22 to 26, and mentioned paragraph 4,
6 which begins at page 3, line 27, and goes to the next
7 page, page 4, line 7.

8 Would you read paragraph 4, please?

9 A. Yes. "All documents that identify individuals
10 who have knowledge about any agreement(s) that pertain
11 to Moss Motors from 1961 through 1980, inclusive.
12 'Identify'/'identity(ies)'" -- identity with an "ies"
13 in parenthesis -- "shall refer to the full name,
14 current and last known address, and telephone number,
15 and if any individual is or was an employee of
16 defendant, all job titles, of the named individual or
17 individuals of entity or ties.

18 "'Agreements' shall refer to any contracts or
19 dealer agreements whether written or oral including,
20 but not limited to, dealership agreements, distribution
21 agreements, licensing agreements, sales agreements,
22 marketing agreements, warranty service agreements,
23 service agreements and/or indemnification agreements."

24 Q. Okay. Thank you.

25 MR. AGOSTA: Hey, Counsel. We've been going

1 for about an hour and a half. Can we take a break for
2 the witness?

3 MS. LYONS: Sure.

4 MR. LOPEZ: I've got a call at noon, so we want
5 to break at noon.

6 MS. LYONS: Isn't it about 20 to that noon?

7 MR. LOPEZ: Let's take a short break, because I
8 can't be back before 1:30. I thought we'd be done by
9 12:00. I've given you, like, five -- seven topics.

10 MS. LYONS: Well, you knew that. I didn't. I
11 thought I had more than 105.

12 MR. LOPEZ: I don't know if you knew what his
13 designation was or not, but given his very limited
14 designation. So why don't we maybe take five minutes.
15 You can till noon and then come back in ten minutes.
16 At least I want give you that time you did. We started
17 a little late. I know you got here late, but --

18 MS. LYONS: We waited for people. I was here
19 at 9:30.

20 MR. LOPEZ: Not quite set up. Neither here nor
21 there. We were sitting here starting from about 9:15
22 waiting for people, so...

23 MS. LYONS: It is in your office, so you didn't
24 have to cross the bay.

25 MR. LOPEZ: Fair enough.

1 Why don't we just take a five-minute break,
2 then we do a little bit more and then break for lunch.

3 MS. LYONS: You know, I forgot to say at the
4 beginning, Mr. Sattelmeier, if you need a break at any
5 time, just let me know.

6 THE WITNESS: Thank you.

7 MS. LYONS: I'll gladly break for you. For
8 him, it's a little more difficult.

9 MR. LOPEZ: Yeah. They won't break for me.

10 THE VIDEOGRAPHER: Going off the record. The
11 time is 11:29.

12 (Recess taken.)

13 THE VIDEOGRAPHER: Going back on record. The
14 time is 11:39.

15 BY MS. LYONS:

16 Q. Mr. Sattelmeier, when we broke, I had asked you
17 to take a look at what has been marked as Exhibit 3 to
18 this deposition, and you read for me the two paragraphs
19 you remembered from page 3 and 4.

20 Have you had a chance during the break to
21 review the rest of the 23 pages? Signature's on page
22 23. The last few pages are just a list of counsel that
23 was served.

24 A. Yes, I have. And I would like to -- I was
25 confused in looking at this document, which was asking

1 about identifying individuals. And 3 and 4, I'm not
2 really -- are not the ones that I had looked at. I had
3 looked at others that talked about identifying the
4 individuals, and that is questions 81 through 85, which
5 ask me to identify individuals that have any knowledge
6 of whether defendant ever provided MSDS sheets to
7 anyone at Moss Motors that concerned asbestos.

8 Q. I notice that during the break that Mr. Lopez
9 gave you some pages that appear to be sitting in front
10 of you right now, and it occurs to me that they are
11 pages from Exhibit 3, but not all of Exhibit 3.

12 May I see them, please?

13 A. Yes. Please.

14 Q. I see that the first of the two documents
15 you've just handed me is a two-page document that is
16 numbered page 6 on the first page and page 7 on the
17 last page.

18 I'd like to have this marked as the next in
19 order.

20 (Plaintiff's Exhibit No. 6 marked for
21 identification.)

22 BY MS. LYONS:

23 Q. And I see that on this document you have a 14
24 and -- on page 6 and a 15 on page 7 circled.

25 Am I characterizing that correctly?

1 A. Yes, you are.

2 Q. The second document that you handed me has --
3 one page, and it has the page No. 21 at the bottom
4 right and on the left the numbers 81, 82, 83, 84 and 85
5 circled.

6 Am I representing that correctly?

7 A. Yes. You are representing that correctly.

8 MS. LYONS: I'd like to have that marked next
9 in order.

10 (Plaintiff's Exhibit No. 7 marked for
11 identification.)

12 BY MS. LYONS:

13 Q. Mr. Sattelmeier, if you will look at Exhibit 3,
14 which I handed you and you have in front of you and
15 Exhibits 6 and 7, just tell me which of these is part
16 of Exhibit 3. I'm thinking it's one of them but not
17 both.

18 Am I correct?

19 A. Exhibit 7 is part of Exhibit 3.

20 Q. It's page 21 of Exhibit 3?

21 A. It's page 21 of Exhibit 3.

22 Q. Just so we can clear up the record on this
23 point, would you look for a moment at Exhibit 4 that we
24 have premarked, which is an amended notice of taking of
25 deposition and notice of videotaping of defendant

1 DaimlerChrysler's custodian(s) of records and person(s)
2 most knowledgeable with a June 30th, 2006, deposition
3 date and Plaintiff's Exhibit 4 yellow sticker at the
4 bottom right.

5 Would you tell me, first, have you seen that
6 document before?

7 A. I've seen two pages of this document
8 previously.

9 Q. Now, would you look at the two-page document
10 that is now marked Exhibit -- I forgot if it's 6 or 7,
11 the one we just marked after you handed it to me -- is
12 that two-page document part of Exhibit 4?

13 A. The two-page document marked Exhibit 6 is
14 pages -- pages 6 and 7 of Exhibit 4.

15 Q. Am I understanding you correctly that you have
16 never seen Exhibit 3 or Exhibit 4 as the complete
17 documents that I just showed you today?

18 A. I have not seen the complete document
19 previously.

20 Q. Let's take a look now at what has been marked
21 as Exhibit 2, and tell me if you've seen that before.

22 MR. LOPEZ: Do you have a copy of Exhibit 2? I
23 don't think -- did you bring an extra copy for me?

24 MS. LYONS: I have a copy I can loan you.

25 MR. LOPEZ: I'll make a copy at the break.

1 MS. LYONS: It's an exhibit from another
2 deposition so I can't take it apart. It's not stapled
3 either.

4 MR. LOPEZ: I don't think this is the same
5 document he's looking at.

6 MS. LYONS: No. He's not looking at that now.
7 He already looked at that. Now he's looking -- oh, I'm
8 sorry.

9 MR. LOPEZ: I have this.

10 MS. LYONS: I'm sorry.

11 MR. LOPEZ: I was asking if you had a copy --

12 MS. LYONS: I misunderstood you.

13 MR. LOPEZ: -- of Exhibit 2.

14 MS. LYONS: I don't know that I did, but I
15 might. I think I need to only loan you that, too,
16 because I need it for my file.

17 MR. LOPEZ: Fair enough.

18 MS. LYONS: You have a number of copy machines,
19 I'll bet.

20 THE WITNESS: I have seen a part of this
21 previously, but that's all that I recall.

22 BY MS. LYONS:

23 Q. What part?

24 A. I remember seeing the first couple of pages. I
25 think I didn't really read them, but I just kind of

1 glanced through them and saw the first few pages.

2 Q. The first page is a deposition subpoena for
3 personal appearance and production of documents, and it
4 has case No. RG06254616 in the space adjacent to where
5 "Deposition Subpoena" is typed.

6 Do you see that?

7 A. Yes. I see "Deposition Subpoena."

8 Q. And it's down at the bottom dated 3/10/06 over
9 the typed name Barbara Ferre.

10 Do you see that?

11 A. Yes.

12 Q. Is that one of the pages that you saw, that
13 first page?

14 A. I can't absolutely say this is one, but I saw
15 one very similar to this.

16 Q. Is that the one you referred to when you said
17 you didn't read it; it's got a clutter of words, but
18 you didn't read it, right?

19 MR. LOPEZ: Objection; mischaracterizes.

20 MS. LYONS: Well, it is a clutter of words.

21 THE WITNESS: I can't tell you exactly why I
22 didn't, but I just kind of glanced through it.

23 BY MS. LYONS:

24 Q. Then did you see the page -- following page
25 that says at the top "Authorization" and has a

1 signature Charlene Goins?

2 A. I saw something that looked similar to that.
3 It may well have been.

4 Q. Then the next page, did you see that that says
5 at the top -- well, there's a hole typed in the middle
6 of it, but "Medical and Health Section Data Death,
7 which is a death certificate, Riverside County death
8 certificate?

9 A. I believe that I did see that, yes, but I
10 didn't really read it. I just kind of glanced at it.

11 Q. Is there some page or are there some pages in
12 this document that is Exhibit 2 that you did really
13 read?

14 A. I don't remember reading these documents or any
15 pages of this document. If you want me to, I'll read
16 through the whole thing, but to try to recall...

17 Q. As you're turning those pages, if you see
18 anything that you think you've read, stop and take
19 however much time you need to figure out whether you've
20 seen those pages before.

21 A. I see subject matter that is familiar, but I
22 don't remember seeing this specific -- the details.

23 MS. LYONS: What time do you have.

24 MR. LOPEZ: Five to. You want to take a break?

25 THE WITNESS: Actually, I have eight to.

1 MS. LYONS: Actually, we have time, but I don't
2 want to make you late for your call.

3 MR. LOPEZ: I've got to get on a call.

4 BY MS. LYONS:

5 Q. Would you pass that --

6 A. This document back?

7 Q. Yes, please.

8 MR. KIRK: You can knock off that subject.

9 MR. LOPEZ: Yeah. We've got the eight minutes.
10 You can wrap this up, I think.

11 MS. LYONS: I seriously doubt it.

12 BY MS. LYONS:

13 Q. You said as you looked at that Exhibit 2, which
14 is a subpoena, that you recognized the subject matters,
15 recognized it from what, a conversation with Counsel?

16 A. That there's -- I recognize there's a request
17 for MSDSSs.

18 Q. You need this back?

19 A. Yeah. Could I see that back?

20 Q. (Attorney complying.)

21 Tell me when you get to the page that has the
22 language you're talking about, what pages, so I can
23 look at it, too.

24 Okay?

25 A. The subject matter of item 25 on page 5 of 5 --

1 Q. Okay.

2 A. -- talks about material safety data sheets Moss
3 Motors received from suppliers of products from '61
4 through '79 inclusive --

5 Q. Before you go any further, you said page 5 of
6 5, and it's item 25 at the top of the page. And I
7 interrupt you to say that because there are two pieces
8 of this document that say page 5 of 5, Attachment A and
9 Attachment B.

10 Which one are you looking at?

11 A. Let me say this: It's the third page from the
12 end of the document. It says 5 of 5.

13 Q. So if you go to where it says 1 of 5 in that
14 same little clump, does it say "Attachment B" at the
15 top?

16 A. Attachment B, yes. That's correct.

17 Q. Before you go on, would you just go back five
18 more pages to where it says "Attachment A," and then
19 turn from there to page 5 of 5 in Attachment A, where
20 there is also a paragraph 25 at the top.

21 A. Yes.

22 Q. That says the same thing?

23 A. Yes, it does.

24 Q. Substantially, doesn't it?

25 Am I understanding you correctly to say you

1 never saw Attachment A or Attachment B per se; you just
2 heard from someone the subject?

3 A. I don't remember seeing these before, the
4 details of it, or reviewing the details of it, but the
5 subject matter is something that I -- I've been
6 requested to provide some information about.

7 Q. Who asked you to provide some information about
8 those subjects?

9 A. The counsel asked me.

10 Q. Which counsel?

11 A. Mr. Agosta asked me.

12 Q. When did he ask you?

13 A. That would have been just -- it either would
14 have been the beginning of the week or, I think, maybe
15 the end of last week.

16 Q. Did he show you any writing when he asked you
17 to testify or when he asked you to do whatever he asked
18 you to do? Did he show you any paper, or did he just
19 tell you what he wanted you to talk about?

20 A. First he told me, and then I did meet with him
21 and I was -- I was given these documents.

22 Q. You're now holding up --

23 A. Exhibit 6 and 7.

24 Q. One of which is a page from Exhibit -- either 3
25 or 4, and the other is two pages from either Exhibit 3

1 or 4, correct?

2 A. That's correct.

3 Q. But he didn't give you any pages from Exhibit
4 2; am I understanding you correctly?

5 A. That's correct.

6 MR. LOPEZ: Shall we break now?

7 MS. LYONS: Just a couple. Are you going to
8 miss your call?

9 MR. LOPEZ: Yeah.

10 THE VIDEOGRAPHER: In the deposition of Gerald
11 Sattelmeier, this marks the end of disc 1, volume 1.

12 Going off the record. The time is 11:58.

13 (Lunch break taken.)

14 THE VIDEOGRAPHER: In the deposition of Gerald
15 Sattelmeier, this marks the beginning of disc 2, volume
16 1.

17 Going on the record. The time is 1:51.

18 BY MS. LYONS:

19 Q. Mr. Sattelmeier, I believe you still have over
20 there in front of you Exhibits 2, 3 and 4.

21 Am I correct?

22 A. This is Exhibit 2. This is Exhibit 4. This is
23 Exhibit 3. Yes, correct.

24 Q. Let's start first with Exhibit 3, and I want to
25 do something that might advance us toward the end of

1 this somewhat more rapidly than we have progressed thus
2 far if I can find my copy of Exhibit 3.

3 Take a look, please, at page 2.

4 A. Okay.

5 Q. And look at category 1 on page 2, which starts
6 at line 10 and says, "Defendant's record retention
7 policies."

8 Do you see that one?

9 A. Yes, I do.

10 Q. Do you have any knowledge of Chrysler
11 Corporation's record retention policy?

12 MR. LOPEZ: Let me object; beyond the scope,
13 not relevant. Instruct him not to answer.

14 BY MS. LYONS:

15 Q. Look, please, at paragraph 2, which starts on
16 page 2 at line 15, and refers to all documents that
17 contain information regarding Moss Motors at any time
18 from 1961 through 1980, inclusive.

19 Do you have any knowledge about that?

20 A. I don't have any knowledge of any communication
21 or any documents from '61 to '80 as regards Moss
22 Motors.

23 Q. Did you understand the question to be asking
24 about Chrysler documents that relate to Moss Motors?

25 A. Yes.

1 Q. Would you direct your attention now to page 3,
2 paragraph 3, which starts at line 22?

3 Do you have any knowledge of documents that
4 identify individuals who have been employed by the
5 Chrysler Corporation who have any knowledge about Moss
6 Motors from 1961 to the present?

7 MR. LOPEZ: Well, let me object; beyond the
8 scope, and he hasn't been designated on that.

9 BY MS. LYONS:

10 Q. Do you have any knowledge on that subject, sir?

11 A. Documents that I can identify?

12 Q. By "identify," if a person's name appeared in a
13 document, for example, a letter from the president of
14 Moss Motors to someone at Chrysler or a letter from
15 someone at Chrysler to someone at Moss Motors.

16 A. I don't know of any documents like that. I
17 wouldn't have had access to those.

18 Q. Your answer is you don't have any knowledge on
19 that subject?

20 A. No knowledge.

21 Q. Would you direct your attention now to
22 paragraph 4 on page 3, which begins at line 27, and
23 tell me if you have any knowledge of --

24 A. Excuse me. I got ahead of you. I turned the
25 page too quickly.

1 Q. Line 27, page 3, do you have any knowledge of
2 documents that identify individuals who have knowledge
3 about any agreements that pertain to Moss Motors from
4 1961 through 1980, inclusive?

5 MR. LOPEZ: Again, let me object; beyond the
6 scope of the designation.

7 BY MS. LYONS:

8 Q. Do you have any knowledge of any such
9 documents, sir?

10 A. I don't have any knowledge of documents like
11 that.

12 Q. Now, we can turn the page and direct your
13 attention, please, to page 4, paragraph 5, which begins
14 at line 8, and tell me if you have any knowledge of
15 documents that contain information regarding agreements
16 between Chrysler Corporation and Moss Motors from 1961
17 through 1980 --

18 MR. LOPEZ: Again, object.

19 BY MS. LYONS:

20 Q. -- inclusive.

21 MR. LOPEZ: Objection; beyond the scope of the
22 designation of this witness at this deposition.

23 THE WITNESS: I don't have knowledge of any
24 agreements between Chrysler and Moss Motors in that
25 period of time.

1 BY MS. LYONS:

2 Q. Do you have knowledge of agreements between
3 Chrysler and Moss Motors for any other period of time?

4 MR. LOPEZ: Object. Same objection.

5 THE WITNESS: Agreements, no.

6 BY MS. LYONS:

7 Q. Will you direct your attention, please, to
8 paragraph 6 on page 4, which begins at line 10, and
9 tell me: Do you have any knowledge of any documents
10 that pertain in any way to Chrysler Corporation's
11 relationship with Moss Motors from 1961 through 1980,
12 inclusive?

13 MR. LOPEZ: Again, objection; beyond the scope,
14 not designated on that topic.

15 MS. LYONS: Want to just have a stipulation
16 that you have that objection all the way till the end
17 of this document?

18 MR. LOPEZ: If you're going through each of
19 them. Then I can let him answer and speed it up.

20 THE WITNESS: Let me read what relationship
21 means.

22 BY MS. LYONS:

23 Q. Okay.

24 Why don't you go ahead and read it out loud for
25 the record?

1 A. "'Relationship' shall refer to and include, but
2 not be limited to, any association, affiliation, or
3 connection including, but not limited to, a dealership,
4 distributor, licensee, franchisee, service, partner, et
5 cetera."

6 I don't think I -- I don't -- I don't know of,
7 let's see, any documents talking about relationship
8 between the two parties.

9 Q. Would you direct your attention now to
10 paragraph 7 on page 4, beginning at line 9, and tell me
11 if you --

12 A. Paragraph 7 at line 15?

13 Q. Yes. Line 15. I'm sorry.

14 A. I'm sorry.

15 Q. Which is almost the same question.

16 Do you have any knowledge of documents that
17 pertain in any way to the Chrysler Corporation's
18 relationship with Moss Motors from 1980 through the
19 present?

20 MR. LOPEZ: Again, same objection. And I'll
21 let him answer this, but after this since he wasn't
22 designated to go through these, I'm going to just
23 instruct him not to answer --

24 MS. LYONS: Until we get to a question, it's
25 not appropriate for you to do that.

1 MR. LOPEZ: I'll let him answer this one.

2 THE WITNESS: Pardon?

3 MR. LOPEZ: I'll let him answer this one.

4 Go ahead.

5 THE WITNESS: I don't know of any documents
6 pertaining to the relationship between the two, no.

7 BY MS. LYONS:

8 Q. Now would you direct your attention, please, to
9 page 4, paragraph 8, which begins at line 17.

10 Tell me if you have any knowledge of documents
11 that identify employees of the Chrysler Corporation
12 whoever performed any part of their job duties to Moss
13 Motors at any time from 1961 through 1980, inclusive.

14 MR. LOPEZ: I'll just instruct him not to
15 answer. Beyond the scope, not designated on this
16 topic.

17 BY MS. LYONS:

18 Q. Are you going to follow his instructions, sir?

19 A. Yes, I am.

20 Q. Would you direct your attention now to page 4,
21 paragraph 9 at line 20 and tell me if you have any
22 knowledge of documents that identify Chrysler
23 Corporation representatives whoever worked at Moss
24 Motors at any time from 1961 to 1980, inclusive.

25 MR. LOPEZ: Same objection and same

1 obstruction -- instruction.

2 MS. LYONS: You're instructing him not to
3 answer?

4 MR. LOPEZ: Yes.

5 BY MS. LYONS:

6 Q. Would you direct your attention -- I'm going to
7 assume, sir, that you're going to following his
8 instructions each time.

9 A. I'm going to follow his instructions.

10 Q. Directing your attention now to page 4,
11 paragraph 10, which begins at line 27, do you have any
12 knowledge of documents that identify individuals who
13 have knowledge of any service work done at Moss Motors
14 from 1961 through 1980, inclusive?

15 MR. LOPEZ: Same objection and same
16 instruction.

17 BY MS. LYONS:

18 Q. Direct your attention, sir, to page 5,
19 paragraph 11, that begins at line 4 and tell me: Do
20 you have any knowledge of documents that contain any
21 information regarding service work done at Moss Motors
22 from 1961 through 1980, inclusive?

23 MR. LOPEZ: Same objection and same
24 instruction.

25 BY MS. LYONS:

1 Q. Would you direct your attention, sir, to page
2 5, paragraph 12, that begins at line 6 and tell me: Do
3 you have any knowledge of documents that show the
4 locations where the Chrysler Corporation maintains
5 documents that relate to service work done at Moss
6 Motors from 1961 through 1980, inclusive?

7 MR. LOPEZ: Same objection. He is not
8 designated as the custodian of records on these topics,
9 and I instruct him not to answer.

10 BY MS. LYONS:

11 Q. Direct your attention, sir, to page 5,
12 paragraph 13, beginning at line 9, do you have any
13 knowledge of documents that show what the Chrysler
14 Corporation maintains in an electronic format that
15 relates to service work done at Moss Motors from 1961
16 to 1980?

17 MR. LOPEZ: Same objection and same instruction
18 to the witness.

19 BY MS. LYONS:

20 Q. Would you direct your attention, sir, to page
21 5, paragraph 14, that begins at line 18 and tell me:
22 Do you have any knowledge of documents that identify
23 the person most knowledgeable regarding the Chrysler
24 Corporation's maintenance of documents in an electronic
25 format that relate to service work done at Moss Motors

1 from 1961 to 1980?

2 MR. LOPEZ: Again, I would instruct -- I would
3 object. He's not been designated on this topic. And
4 instruct him not to answer.

5 BY MS. LYONS:

6 Q. Would you direct your attention, sir, to page
7 5, paragraph 15, beginning at line 21 and tell me if
8 you have any knowledge of documents that describe the
9 location where the Chrysler Corporation or
10 DaimlerChrysler maintains documents in an electronic
11 format that relate to service work done at Moss Motors
12 from 1961 to 1980.

13 MR. LOPEZ: Again, I would object. He has not
14 been designated on topic 15 and would instruct him not
15 to answer.

16 BY MS. LYONS:

17 Q. Would you direct your attention, sir, to page
18 5, paragraph 16, beginning at line 24 and tell me if
19 you have knowledge of documents that contain
20 information regarding service work done at Moss Motors
21 from 1961 through 1980, inclusive.

22 MR. LOPEZ: It would be the same objection.
23 He's not been designated on the topic. And the same
24 instruction.

25 MS. LYONS: Maybe, Mr. Lopez, you could just

1 say "Same objection, same instruction."

2 MR. LOPEZ: I could. You could also go through
3 and say, "I was going to ask 17 through I guess to the
4 end and would you give the same instruction and same
5 answer," and I would.

6 MS. LYONS: The substance of what I'm saying
7 changes from one paragraph to the next. The substance
8 of what you're saying does not.

9 MR. LOPEZ: It doesn't, because you're just
10 reading what's in here. All you have to do --

11 MS. LYONS: I was looking for a way we could
12 expedite things, but it didn't work, so I give up.

13 BY MS. LYONS:

14 Q. Mr. Sattelmeier, would you direct your
15 attention, please, to page 5, paragraph 17, beginning
16 at line 26 and tell me if you have any knowledge of
17 service communications to Moss Motors from 1961 through
18 1980, inclusive.

19 MR. LOPEZ: Same objection, same instruction.

20 MS. LYONS: Thank you.

21 BY MS. LYONS:

22 Q. Would you direct your attention, sir, to page
23 6, paragraph 18, beginning at line 5 and tell me if you
24 have any knowledge of documents that contain any
25 information of manuals provided to Moss Motors from

1 1961 through 1980, exclusive.

2 MR. LOPEZ: Same instruction, same objection.

3 BY MS. LYONS:

4 Q. Would you direct your attention, sir, to page
5 6, paragraph 19, beginning at line 10 and tell me if
6 you have any knowledge of documents that contain any
7 information regarding the supply of products to Moss
8 Motors from 1961 through 1980, inclusive. And the
9 supply or supplying of products refers to the sale,
10 shipment, delivery, provision and/or distribution of
11 products, which refers to anything made, sold,
12 distributed, shipped by the Chrysler Corporation, or
13 DaimlerChrysler, and each and every component thereof
14 including, but not limited to, motor homes, passenger
15 automobiles and trucks, police vehicles and/or
16 asbestos-containing products.

17 MR. LOPEZ: Same objection and same
18 instruction.

19 BY MS. LYONS:

20 Q. Would you direct your attention, sir, to page
21 6, paragraph 20, beginning at line 23 and tell me if
22 you have knowledge of documents that identify
23 individuals with knowledge of the Chrysler
24 Corporation's supply to Moss Motors from 1961 through
25 1980, inclusive.

1 MR. LOPEZ: Same objection and same
2 instruction.

3 BY MS. LYONS:

4 Q. Mr. Sattelman, would you direct your
5 attention to page 6, paragraph 21, beginning at line 25
6 and tell me if you have any knowledge of documents that
7 name products that the Chrysler Corporation supplied to
8 Moss Motors from 1961 through 1980, inclusive.

9 MR. LOPEZ: Same objection and same
10 instruction.

11 BY MS. LYONS:

12 Q. Would you direct your attention, sir, to page
13 7, paragraph 22, beginning at line 1 and tell me if you
14 have any knowledge of documents that contain
15 information of the quantity of products that the
16 Chrysler Corporation supplied to Moss Motors for each
17 year between 1960 and 1980.

18 MR. LOPEZ: Same objection and same
19 instruction.

20 BY MS. LYONS:

21 Q. Would you direct your attention, sir, to page
22 7, paragraph 23, and tell me if you have any knowledge
23 of documents that contain information on whether the
24 Chrysler Corporation provided Moss Motors drawings for
25 any products supplied to Moss Motors from 1961 through

1 1980, inclusive.

2 MR. LOPEZ: Same objection, same instruction.

3 BY MS. LYONS:

4 Q. Would you direct your attention to page 7,
5 paragraph 24, beginning at line 10 and tell me if you
6 have any knowledge of drawings for any product the
7 Chrysler Corporation supplied to Moss Motors at any
8 time from 1961 through 1980, inclusive.

9 MR. LOPEZ: Same objection and same
10 instruction.

11 BY MS. LYONS:

12 Q. Would you direct your attention to page 7,
13 paragraph 25, beginning at line 12 and tell me if you
14 have any knowledge of documents that identify all
15 sources of products supplied to Moss Motors from 1961
16 through 1980, inclusive.

17 MR. LOPEZ: Same objection and same
18 instruction.

19 BY MS. LYONS:

20 Q. Would you direct your attention, sir, to page
21 7, paragraph 26, beginning at line 17 and tell me if
22 you have any knowledge of documents that contain
23 information on the sources of products supplied to Moss
24 Motors from 1961 through 1980, inclusive.

25 MR. LOPEZ: Same objection and same

1 instruction.

2 BY MS. LYONS:

3 Q. Would you direct your attention, Mr.
4 Sattelmeier, to page 7, paragraph 27, line 19, and tell
5 me if you have any knowledge of documents that contain
6 any information regarding Chrysler's supply of products
7 supplied to Moss Motors from 1961 through 1980,
8 inclusive.

9 MR. LOPEZ: Same objection and same
10 instruction.

11 BY MS. LYONS:

12 Q. Would you direct your attention, please, to
13 page 7, paragraph 28, beginning at line 21 and tell me
14 if you have any knowledge of documents that contain
15 information regarding whether Chrysler Corporation ever
16 told anyone at Moss Motors to replace
17 asbestos-containing products with products that did not
18 contain asbestos.

19 MR. LOPEZ: Same objection and same
20 instruction.

21 And I will stipulate that if you ask 29
22 through -- 29 through 87, on page 14, which relates to
23 a PMK for custodian of records, that will be the same
24 objection and same instruction.

25 MS. LYONS: I thought we had something we could

1 stipulate to, but then it got confusing at the end.

2 The first section --

3 MR. LOPEZ: This is the PMK.

4 MS. LYONS: No.

5 MR. LOPEZ: Isn't this the custodian of
6 records?

7 MS. LYONS: Yes. The first section is the
8 custodian of records.

9 MR. LOPEZ: Right. That's what we're talking
10 about.

11 MS. LYONS: I thought you mixed the two.

12 MR. LOPEZ: I hope I didn't.

13 With respect to the custodian of records
14 deposition notice -- what was the last one you just
15 requested?

16 MS. LYONS: The last one that you directed him
17 not to answer was 28.

18 MR. LOPEZ: So starting with No. 29, page 8,
19 through 87 on page 14, I would stipulate that if you
20 asked questions of each of these topics, that we would
21 object and instruct him not to answer --

22 MS. LYONS: So stipulated.

23 MR. LOPEZ: -- for custodian of records.

24 MS. LYONS: So stipulated.

25 Well, my questions have been "Do you have any

1 knowledge of documents?" The questions have not been
2 "Are you the custodian of such records?" Is that
3 understood with your proposed stipulation?

4 MR. LOPEZ: Does he have knowledge and he has
5 not been designated as the custodian subject, yes, I
6 understand your question, and he has not been
7 designated as the custodian of records to search for
8 these documents.

9 MS. LYONS: If we're going to have a
10 stipulation, it needs to be clear.

11 MR. LOPEZ: Okay.

12 MS. LYONS: I understood you to propose that we
13 stipulate that if I ask as to each category "Do you
14 have knowledge of documents?" in that category, that
15 you will instruct the witness not to answer based on
16 your objection --

17 MR. LOPEZ: And my objection --

18 MS. LYONS: Let me finish. Two people talking
19 at once. Somebody is trying to write down each one.

20 MR. LOPEZ: Go ahead.

21 MS. LYONS: That you would object he's not
22 being offered for that topic and you are directing him
23 not to answer?

24 MR. LOPEZ: The objection is he's not being
25 offered for that topic. He's not the custodian of

1 records, hasn't been designated to do that, and so on
2 that basis, we are instructing him not to answer.

3 MS. LYONS: Now, would you offer the same
4 stipulation with respect to the categories in --
5 starting on page 15, the categories that seek the
6 corporate person most knowledgeable or most qualified
7 on each of 105 categories?

8 MR. LOPEZ: Except for 81 through 85, which
9 we've designated him on to testify here today.

10 MS. LYONS: So let's see if we can't shorten
11 things with a stipulation, the same stipulation, as to
12 categories 1 through 80 --

13 MR. LOPEZ: Yes.

14 MS. LYONS: -- and as to categories 87 through
15 105 in Exhibit 3.

16 MR. LOPEZ: 86 through 105.

17 MS. LYONS: What did I say?

18 MR. LOPEZ: 87.

19 MS. LYONS: 86 through 105 in Exhibit 3.

20 MR. LOPEZ: Yes.

21 MS. LYONS: So stipulated.

22 MR. LOPEZ: Okay.

23 BY MS. LYONS:

24 Q. Would you look, please, sir, at Exhibit 4,
25 which I believe is still in front of you, and it is an

1 amended notice of taking deposition and notice of
2 videotaping of defendant DaimlerChrysler Corporation's
3 custodian(s) of records and person(s) most
4 knowledgeable calling for a deposition on June 30th,
5 2006, at the Courtyard and Residence Inn by Marriott in
6 Carlsbad, California.

7 Do you have that document, sir?

8 A. Exhibit 4?

9 Q. Yes.

10 A. Yes, I have it.

11 Q. That document between pages 2 and 4, line 13,
12 of page 4, seeks DaimlerChrysler's custodian of records
13 on 14 topics.

14 Let me start with, sir, am I recalling your
15 prior testimony correctly that you had not seen Exhibit
16 4 previously with the exception of a single page that
17 has now become Exhibit -- maybe it's two pages -- two
18 pages that have now become a separate exhibit to this
19 deposition, Exhibit 6.

20 I'm now showing you Exhibit 6 so you can
21 confirm that that's my recollection of your testimony
22 from before we broke for lunch.

23 A. It was something to that effect. The sheet --
24 I know that I've been designated for 14 and 15. All
25 that I've really read and absorbed anything from is 14

1 and 15. I may have seen the sum total of the document,
2 but all that I was given to review was items 14 and 15,
3 and that's all I really reviewed.

4 Q. Are the two pages that are now to your right
5 and that are Exhibit 6 the pages that you actually read
6 and reviewed?

7 A. Yes. At least the two items, items 14 and 15,
8 I read and reviewed and am prepared to respond to
9 those.

10 Q. I thought I understood you to say prior to the
11 lunch break that you never had the entire document.

12 Are you changing that recollection now?

13 A. I never really had it. I may have said I never
14 saw it. I can't recall all that I've seen, but all
15 that I've really reviewed is items 14 and 15.

16 Q. And that's what's on Exhibit 6 that's to your
17 right?

18 A. Exactly. That's what's Exhibit 6.

19 Q. If I ask you now to direct your attention to
20 page 2 --

21 A. Page 2 of this exhibit?

22 Q. -- paragraph 1, that begins on line 10 that
23 says, "Defendant's 'Technical Service bulletin(s)' or
24 'TSB(s),' " are you familiar with that term, TSBs?

25 A. Not particularly, no.

1 Q. How about the term "technical service
2 bulletins"; are you familiar with that terminology?

3 A. I may have heard it before, but I -- I don't
4 have any real knowledge about it.

5 Q. Do you know whether the Chrysler Corporation
6 maintains technical service bulletins on anything?

7 MR. LOPEZ: Let me object. He hasn't been
8 designated on this topic, and on that basis as the
9 custodian of records -- I believe this is the custodian
10 portion -- to investigate these topics and to provide a
11 deposition on that, so on that basis we'd object and
12 instruct him not to answer.

13 So I would stipulate for topics 1 through 14,
14 that it would be the same stipulation.

15 MS. LYONS: That you would direct him not to
16 answer?

17 MR. LOPEZ: Right.

18 MS. LYONS: So stipulated.

19 Are you going to offer the same stipulation for
20 the person most knowledgeable or most qualified,
21 categories 1 through 13?

22 MR. LOPEZ: Yes. 1 through 13 and 16 through
23 19.

24 MS. LYONS: But if I ask him if he has
25 knowledge of each of these categories, you will object

1 and direct him not to answer?

2 MR. LOPEZ: Yes. We would object. He hasn't
3 been designated as the person most knowledgeable on
4 these topics, and we would, therefore, instruct him not
5 to answer.

6 MS. LYONS: Because he's here, I would like to
7 inquire and find out whether he's knowledgeable at all
8 to save all of us time and get to the end of this case
9 sooner. With that plea in mind, would you let me
10 inquire on these subjects?

11 MR. LOPEZ: Well, you know, the problem I have
12 is he wasn't asked to look at these, to think about
13 them, to prepare as a person most knowledgeable on
14 these topics. And it's strikes me as, you know, being
15 unfair to try to do that right now, so no, we would --
16 because we designated him on two topics and instructed
17 him on those topics, that he would be the person most
18 knowledgeable to look for the information on that.

19 MS. LYONS: But you didn't tell me about that
20 today. And the way I proposed that plea was that I
21 understand that he hasn't been prepared to testify as
22 the person most knowledgeable on those subjects, but he
23 appears to be a quite knowledgeable gentleman with a
24 significant amount of experience in relevant
25 categories, and I would like to inquire so that we

1 don't have to try and bring him back again and ask for
2 a court order to do that and interfere with his life
3 and yours.

4 MR. LOPEZ: Maybe what we can do is separately
5 provide you with a written response if he has any
6 knowledge on any of those topics or something, but
7 we're not prepared to do it here today. So right now I
8 would --

9 MS. LYONS: Well, the problem with a written
10 response, of course, is I want his response, not yours.

11 MR. LOPEZ: We would ask it, but the problem is
12 we identified him for two. We prepared him on two.
13 He's not here to testify on any of those subjects, so I
14 really can't --

15 MS. LYONS: I think we have a problem that we
16 probably can't work out right now about the fact that
17 you didn't tell us that you only designated him on two
18 until today, but we can talk about that another time.

19 MR. LOPEZ: I wasn't -- I'm sorry. I'm not
20 privy to exactly what has been said to you or not said
21 to you, but typically, witnesses are designated on
22 specific topics.

23 MS. LYONS: This is true. Typically, I am
24 quite familiar with what anybody said to me and nobody
25 said that.

1 But let's go to 14.

2 MR. LOPEZ: Okay.

3 MS. LYONS: Well --

4 MR. LOPEZ: 13? Or 14. Excuse me.

5 MS. LYONS: 13 is fine.

6 MR. LOPEZ: 14.

7 MS. LYONS: Let's hang on to 13 and 14 for just
8 a minute because I know you're going to let me ask
9 questions about that.

10 MR. LOPEZ: You want to go to the other one
11 first?

12 MS. LYONS: Uh-huh.

13 MR. LOPEZ: The other 81 through --

14 MS. LYONS: Actually, no.

15 Before we go to that one, I want to go to
16 Exhibit 8, Exhibit 9, Exhibit 10 and Exhibit 11 in that
17 order. I just crossed off an exhibit -- a picture of a
18 plaintiff's exhibit sticker that is at the top of
19 Exhibit 10 that doesn't count for this litigation.
20 There is a real sticker at the bottom that says
21 "Plaintiff's Exhibit 10," Sattelmeier, 6/30/06. That's
22 the one that counts. Whatever this one said up here
23 doesn't count. These are deposition notices.

24 Exhibit 8 is a notice of taking deposition and
25 notice of videotaping of defendant DaimlerChrysler

1 Corporation's custodian(s) of records and person(s)
2 most knowledgeable with the deposition date as May 9th,
3 2006, at my office.

4 Exhibit 10 -- strike that.

5 And it consists --

6 THE VIDEOGRAPHER: Can we go off the record one
7 minute?

8 (Recess taken.)

9 THE VIDEOGRAPHER: Going back on the record.
10 The time is 2:22.

11 BY MS. LYONS:

12 Q. Exhibit 8 consists of five pages -- not
13 counting the proof of service, the signature is on page
14 5 -- and seeks information on a custodian of records on
15 ten subjects and a person most knowledgeable or most
16 qualified on 11 subjects.

17 MR. LOPEZ: This is a new exhibit?

18 MS. LYONS: Yes.

19 MR. LOPEZ: Do you have an extra copy?

20 MS. LYONS: I don't -- well, I don't think so,
21 but you have a copy machine here. You want to take a
22 look at...

23 I have four of these, and perhaps it would
24 behoove us --

25 MR. LOPEZ: To do all together?

1 MS. LYONS: Put them all on the record, give
2 them to you, get copies made, come back and deal with
3 what we're going --

4 MR. LOPEZ: Why don't we make copies?

5 MS. LYONS: Exhibit 9 is an amended notice of
6 taking deposition and notice of videotaping of
7 defendant DaimlerChrysler's custodian(s) of records and
8 person(s) most knowledgeable for a May 26, 2006,
9 deposition at my office in Oakland, and it consists of
10 seven pages, with the signature on page 7, not counting
11 the proof of service, and seeks custodian(s) of records
12 regarding 14 categories of information and person(s)
13 most knowledgeable regarding 19 categories of
14 information.

15 Exhibit 10 is a notice of taking deposition and
16 notice of videotaping of defendant DaimlerChrysler
17 Corporation's custodian(s) of records and persons most
18 knowledge for a May 29th, 2006, deposition at Ramada
19 Inn Suites in Carlsbad, California, that consists of
20 six pages, not counting the proof of service, and the
21 signature is on page 6, and seeks the custodian or
22 custodians of records regarding 13 categories and the
23 person or persons most knowledgeable regarding 15
24 categories.

25 And Exhibit 11 is the notice of taking

1 deposition and notice of videotaping of defendant
2 DaimlerChrysler Corporation's custodian(s) of records
3 and person(s) most knowledgeable also for a May 29th,
4 2006, deposition at Ramada Inn Suites in Carlsbad,
5 California. That consists, not counting the proof of
6 service, of 22 pages -- correction -- of 6 pages.

7 There's an attachment to the notice which consists of
8 22 pages. But the signature on the deposition notice
9 itself is on page 6, and it seeks custodian(s) of
10 records regarding 13 categories of information and
11 person(s) most knowledgeable regarding 15 categories.

12 (Plaintiff's Exhibit Nos. 8 through 11 marked
13 for identification.)

14 MR. LOPEZ: Shall we make copies, then, now?

15 MS. LYONS: Why don't we take five and make
16 copies and see if we can't deal with these
17 expeditiously.

18 THE VIDEOGRAPHER: Off the record?

19 MS. LYONS: Off the record.

20 THE VIDEOGRAPHER: Going off the record. The
21 time is 2:26.

22 (Recess taken.)

23 THE VIDEOGRAPHER: Going back on record. The
24 time is 2:50.

25 BY MS. LYONS:

1 Q. Mr. Sattelmeier, you have in front of you a
2 copy of a document marked Plaintiff's Exhibit 8.

3 A. No, I do not.

4 Q. Would you take it, please, and direct your
5 attention, please, to page 2, paragraph 1, that begins
6 at line 10 and asks for a custodian of all documents
7 that contain any information regarding defendant's --
8 that would be the Chrysler Corporation or
9 DaimlerChrysler Corporation -- brake servicing and
10 repair for makes and motors of vehicles sold or
11 repaired at Moss from 1961 to 1980.

12 My question is: Do you have any knowledge of
13 such documents?

14 MR. LOPEZ: I would object. He hasn't been
15 designated as the custodian of records on this Exhibit
16 8, and we would instruct him not to answer.

17 And I would give you the stipulation for 1
18 through 11?

19 MS. LYONS: 1 through 10 for custodian of
20 records.

21 MR. LOPEZ: 1 through 10.

22 MS. LYONS: And 1 through 11 --

23 THE WITNESS: I'm looking at Exhibit 3. Let me
24 look at Exhibit 8. This is Exhibit 8?

25 MS. LYONS: I can't see the numbers from here.

1 THE WITNESS: This is 8.

2 MS. LYONS: Exhibit 8, so the record is clear,
3 is the notice of taking deposition and notice of
4 videotaping of defendant DaimlerChrysler Corporation's
5 custodian(s) of records and person(s) most
6 knowledgeable for a deposition on May 9th, 2006, at my
7 office in Oakland.

8 MR. LOPEZ: Okay. So the stipulation --

9 MS. LYONS: Wait. And it consists of five
10 pages, not counting the proof of service, the signature
11 is on page 5, and it seeks the custodians of records
12 for 10 categories of information and person(s) most
13 knowledgeable or most qualified in 11 categories

14 Counsel, I believe you had a stipulation to
15 offer after directing Mr. Sattelmeier not to answer a
16 question regarding paragraph 1?

17 MR. LOPEZ: Yes. With respect to the custodian
18 of records deposition for categories 1 looks like
19 through 10 on page 3, we would object, given he hasn't
20 been designated as the custodian of records, and would
21 instruct him not to answer. And I would -- that be for
22 1 through 10.

23 And then with respect to the person most
24 knowledgeable categories 1 through 11, I guess, pages 4
25 and 5, it would be the same objection and same

1 instruction.

2 MS. LYONS: So you're not going to let me ask
3 him for information about any of those categories,
4 correct?

5 MR. LOPEZ: No.

6 BY MS. LYONS:

7 Q. Mr. Sattelmeier, would you direct your
8 attention now, please, to a document that is marked
9 Exhibit 9, and I can't tell which one of those it is
10 from upside down and that far away, but it would be an
11 amended notice of taking deposition and notice of
12 videotaping of defendant DaimlerChrysler Corporation's
13 custodian(s) of records and person(s) most
14 knowledgeable for a May 26th, 2006, deposition at my
15 office in Oakland.

16 Is this the exhibit, Counsel, that is the same
17 as Exhibit 3?

18 MR. AGOSTA: That is correct. Exhibit 4.

19 MS. LYONS: Exhibit 4. Except that there was
20 an attachment.

21 MR. AGOSTA: Attachment A is not on 9.
22 Attachment A is on 4.

23 MS. LYONS: So the same instructions not to
24 answer as were provided on Exhibit 4 would be provided
25 now if I were to duplicate the questions again,

1 correct?

2 MR. LOPEZ: Well, yes, but subject to we have
3 designated him, I believe, on Exhibit 4 on topics 14
4 and 15.

5 MS. LYONS: That's correct. So you will allow
6 me to ask those questions about Exhibit 4 or Exhibit 9,
7 but I'll just use Exhibit 4 since they're the same
8 thing.

9 MR. LOPEZ: Makes sense.

10 BY MS. LYONS:

11 Q. So now, Mr. Sattelmeier, would you direct your
12 attention to -- and I know I've got you going through
13 all of these documents and your counsel is not letting
14 you answer questions about any of them. Put those away
15 and get another one, Exhibit 10, which --

16 A. We're going to Exhibit 10 now?

17 Q. Yeah. We're going to Exhibit 10. Is it out
18 there in front of you someplace? We're going to
19 Exhibit 10 because --

20 A. Here is 10.

21 Q. -- he won't let me talk to you about the other
22 exhibits.

23 Exhibit 10 is the notice of taking deposition
24 and notice of videotaping of defendant DaimlerChrysler
25 Corporation's custodian(s) of records and person(s)

1 most knowledgeable for a May 29th, 2006, deposition at
2 the Ramada Inn Suites in Carlsbad, California, and it
3 consists of six pages, not counting the proof of
4 service, the signature is on page 6, and it seeks a
5 custodian of records for 13 categories of information
6 and a person most knowledgeable or most qualified
7 regarding 15 categories of information.

8 Would you direct your attention, Mr.
9 Sattelmeier, to page 2, paragraph 1, at line 9, which
10 seeks documents that contain any information regarding
11 the DaimlerChrysler Corporation's Torqueflite,
12 T-o-r-q-u-e-f-l-i-t-e, also sometimes spelled
13 T-o-r-q-f-l-i-t-e and sometimes spelled
14 T-o-r-q-u-e-f-l-i-g-h-t and sometimes spelled
15 T-o-r-q-f-l-i-g-h-t, transmissions from 1961 to 1979.

16 Do you have any knowledge of documents
17 regarding torqueflite transmissions?

18 MR. LOPEZ: And I would object as before. He
19 hasn't been designated as the custodian on records on
20 categories 1 through 13. And on that basis, would
21 instruct him not to answer. And so stipulate if you
22 ask him each of the questions.

23 MS. LYONS: If I asked him each of the
24 categories of information for whom this notice seeks
25 the person most knowledgeable that begins on page 5

1 with the identity of each individual who provided
2 information for the preparation of Chrysler's response
3 to this notice, but more directly related to the
4 categories we just discussed at paragraph 3 on page 5,
5 seek the person most knowledgeable regarding Chrysler's
6 torqueflite transmissions, would you also instruct him
7 not to answer?

8 MR. LOPEZ: I would object, and the basis --
9 and based on the objection that he hasn't been
10 designated as the person most knowledgeable, instruct
11 him not to answer.

12 And I so stipulate for each category 1 through
13 15.

14 MS. LYONS: So you're not going to let me ask
15 him about torqueflight, Borg-Warner's -- Borg-Warner
16 components in Chrysler vehicles, Bendix brakes in
17 Chrysler vehicles, Garlock gaskets in Chrysler
18 vehicles, Rapid-American products in Dodge trucks or
19 anything about brakes on Chrysler motor homes? Am I
20 understanding you correctly here?

21 MR. LOPEZ: Yeah. My statement is 1 through
22 15, whatever those categories are.

23 BY MS. LYONS:

24 Q. Well, Mr. Sattelmeier, I can't ask you about
25 these either this day, anyway.

1 Let's focus your attention now on the largest
2 of these notices, which is Exhibit 11, entitled "Notice
3 of Taking Deposition and Notice of Videotaping of
4 Defendant DaimlerChrysler Corporation's Custodian(s) of
5 Records and Person(s) Most Knowledgeable" for a May
6 29th, 2006, deposition at the Ramada Inn Suites in
7 Carlsbad, California, that consists of six pages,
8 counting the signature page, and seeks custodian(s) of
9 records for 13 categories and person(s) most
10 knowledgeable for 15 categories.

11 I would ask you to focus your attention -- this
12 looks like exactly the same --

13 MR. LOPEZ: Yeah, this is the same.

14 MS. LYONS: -- thing we just looked at.

15 So this is the same except that it has as an
16 attachment DaimlerChrysler Corporation's objections to
17 plaintiff's notice of taking deposition and notice of
18 videotaping of its custodian(s) of records and
19 person(s) most knowledgeable that consists of 22 pages,
20 not counting the proof of service, and signed on May
21 24th, 2006, by Mimi Lee.

22 So am I correct in assuming, Counsel, that you
23 would instruct the witness not to answer these very
24 same questions were I to ask them regarding this
25 deposition notice, that is, Exhibit 11?

1 MR. LOPEZ: It's the same. And there would be
2 the same instructions. I would incorporate the
3 objections you provided us with here.

4 MS. LYONS: Can we go off the record?

5 MR. LOPEZ: Sure.

6 THE VIDEOGRAPHER: Going off the record. The
7 time is 3:01.

8 (Recess taken.)

9 THE VIDEOGRAPHER: Going back on record. The
10 time is 3:03.

11 BY MS. LYONS:

12 Q. Mr. Sattelmeier, would you take a look now at
13 Exhibit 12?

14 Why don't we get all those documents out from
15 in front of you so you have a little room on the table.

16 MR. LOPEZ: Let me pass it around so everybody
17 can put their 12 on it.

18 BY MS. LYONS:

19 Q. Let me know when you're ready, Mr. Sattelmeier.

20 A. I am ready.

21 Q. Have you ever seen that document before?

22 A. I don't recall seeing this exact same document.

23 Q. In order to make the record clear, I need to
24 represent for the record what that document is, and I
25 can't seem to find my copy. May I borrow --

1 A. I recognize what the document is, but --

2 Q. May I borrow it for a second to make a record
3 here and then we can get into the details?

4 A. Yes.

5 Q. Exhibit 12 is a three-page document that has a
6 fax heading from Padilla, P-a-d-i-l-l-a, and it says
7 "Fax No.," but you can't see a fax number, and has the
8 date June 21st, 2006, 8:54 a.m., page 1, across the top
9 the way fax machines write on documents, and is the
10 letterhead from Raybestos Manhattan, corporate
11 headquarters. And it is a November 12th, 1980, letter
12 from John M. or H. -- I think M. -- Marsh, director
13 environmental and government affairs, to Mr. Bill Watt,
14 W-a-t-t, industrial hygiene department, Chrysler
15 Corporation, P.O. Box 1919, Detroit, Michigan. And it
16 says at the bottom where Bates stamps appear on
17 documents Chrysler 00428 I think 0. And there is also
18 a handwritten question mark, "For" and another word I
19 can't read, "T." and another question mark.

20 Mr. Sattelmeier, why don't you start with: Do
21 you know who Mr. Watt is?

22 MR. LOPEZ: Let me object. It's beyond the
23 scope of the deposition designation and relevance.

24 THE WITNESS: Yes, I do.

25 BY MS. LYONS:

1 Q. Who is he?

2 A. He is the individual who at that time worked
3 for me and was responsible for our hazard communication
4 program.

5 Q. What is a hazard communication program?

6 A. It was our program to obtain information from
7 suppliers and provide information to our -- to a vast
8 number of different sources, but primarily to our
9 employees about the potential hazards of chemicals that
10 they might possibly work with.

11 Q. Was that hazard communication program something
12 that you supervised and he worked on under your
13 supervision and direction?

14 A. That is correct.

15 MR. LOPEZ: Counsel, let me be clear. The
16 reason this is -- I'm letting you do this is because
17 there is a topic here on material safety data sheets
18 that we have designated him to testify on, so there's
19 an overlap here with that. That's why this -- it is --

20 MS. LYONS: Counsel, you don't need to explain
21 why you let the witness answer questions. You only
22 have to explain when you refuse to let him answer the
23 question.

24 MR. LOPEZ: I just want to be clear of why --
25 and you may want to cover the topics he's been

1 designated on, but that is -- this is that area.

2 MS. LYONS: I think that was a long speech to
3 say "I'm not objecting," wasn't it?

4 MR. LOPEZ: Well, to be clear.

5 BY MS. LYONS:

6 Q. Mr. Sattelmeier, where at Chrysler's main
7 facilities were you -- strike that.

8 Did you have an office during the point in time
9 that you supervised Mr. Watt and this hazard
10 communication program?

11 A. Yes.

12 Q. Where was it?

13 A. In 1980, I think it -- I know we had several
14 moves sometime in the '80s, but I believe that it was
15 in Highland Park at that time.

16 Q. How many people worked under your supervision
17 in the hazard communication program?

18 A. It varied from time to time, but at one point
19 in time, there were probably a dozen people.

20 Q. What job classifications did those dozen people
21 have; were they all industrial hygienists, or were they
22 something else?

23 A. Many of them were contractors.

24 Q. What sort of contractors?

25 A. They would work for another company that we

1 would pay that company for the service that they were
2 providing.

3 Q. What sort of services would you contract out
4 that way?

5 A. The service that they were doing was reviewing
6 information that was received by Chrysler Corporation
7 from suppliers like this, and they would in turn enter
8 that information into a computer, our computer system.

9 Q. When you say "like this" and you turned the
10 page on that three-page document that's Exhibit 12, is
11 that what is called a materials safety data sheet
12 that's attached to that cover letter to Mr. Watt?

13 A. Yes, it is.

14 Q. What exactly is a material safety data sheet,
15 if you wouldn't mind sharing that information with all
16 the lay people on the jury?

17 A. In 1980, a material safety data sheet would
18 have been a voluntary type of data sheet that
19 manufacturers could use to fill out information about
20 the identity of, first of all, the product, the
21 hazardous ingredients, the physical data of the
22 product, the fire and explosion hazards associated
23 therewith, the health hazards associated therewith,
24 reactivity, spill or leak procedures, special
25 protection information and special precautions.

1 Q. You said that in the 1980s it would have been
2 voluntary.

3 What about in the 1970s?

4 A. Same thing would be true.

5 Q. How about the 1960s?

6 A. I believe that the material safety data sheets
7 were around on a voluntary basis at that time. I'm not
8 sure exactly when they first came into being, but...

9 Q. Do you know who came up with or what -- strike
10 that.

11 Do you know whether material safety data
12 sheets, whether voluntary or mandatory, were someone --
13 some individual's idea or something created by
14 government regulation or legislation?

15 A. They were not -- to the best of my knowledge,
16 they were not created by government legislation, but
17 were a voluntary document.

18 Q. Would that be something that, for example, a
19 group of industrial hygienists who had significant
20 amount of knowledge about the sort of hazards workers
21 face in the workplace would come up with themselves and
22 recommend to whoever they worked for, for example?

23 MR. LOPEZ: Objection; calls for speculation.

24 THE WITNESS: I don't --

25 BY MS. LYONS:

1 Q. I said if you know.

2 MR. LOPEZ: Let me just state an objection.
3 Calls for speculation and improper opinion testimony.
4 BY MS. LYONS:

5 Q. Do you know?

6 A. I'm not sure exactly how material safety data
7 sheets first came into being. I don't -- I don't
8 recall the details of how they first came into being.

9 Q. What do you recall about when you first knew
10 they had come into being, when you first knew they
11 existed?

12 A. I don't remember the date, but I know that they
13 were around for a long time before. And I'll move
14 forward to 1986 when they became a part of the OSHA
15 regulation.

16 Q. So they were around a long time before they
17 became mandatory?

18 A. That's correct.

19 Q. Do you remember them being around when you
20 worked for Michigan Mutual?

21 A. As I said previously, I don't remember when
22 they first came into being. I don't remember that
23 date.

24 Q. Do you remember how it is you happened to come
25 into contact with the material safety data sheets

1 without trying to tie it to a year; what were you doing
2 when you first came upon one?

3 A. I don't remember that detail.

4 Q. Do you remember knowing about them when you
5 were still in school?

6 A. Again, I don't remember exactly when I first
7 became aware of material safety data sheets.

8 Q. Do you remember when you first wrote one?

9 A. I'm not sure I've ever sat down and wrote one.

10 Q. Did you ever review one that somebody else sat
11 down and wrote?

12 A. Yes. I've reviewed many.

13 Q. Do you remember when you first reviewed one
14 that someone else wrote?

15 A. Well, I -- I was never in a position that I was
16 the one -- the reviewer of work of others, but I've
17 reviewed many data sheets --

18 Q. Let's make sure --

19 A. -- the content of data sheets.

20 Q. Let's make sure we have a clear record here
21 because I sense there might have been a potential
22 difference of opinion as to what each of us meant when
23 we used the term "reviewed." And I say that partly
24 because I understood you to use language as a precision
25 tool during our break a while ago.

1 I'm wanting to clarify that when you say
2 "reviewed," you're drawing a distinction between review
3 to edit and make sure it says what it's supposed to and
4 just read it for obtaining information it contains in
5 order to do whatever it is you would want to do with
6 that information, two different ways one might review.

7 Is that what you're distinguishing --

8 A. That's the distinguishing --

9 Q. The distinction?

10 A. The distinction I was trying to make. Thank
11 you.

12 Q. So you reviewed them not to edit them or
13 approve their content, but to do something else with
14 the information, correct?

15 A. That would be correct.

16 Q. Were you working at Chrysler the first time you
17 did that, or did it happen before you went to Chrysler?

18 MR. LOPEZ: Again, objection; relevance,
19 outside the scope.

20 THE WITNESS: I -- again, I don't remember when
21 I first saw a data sheet -- material safety data sheet.

22 BY MS. LYONS:

23 Q. You don't remember where you were working at
24 the time?

25 A. I don't remember where I was working.

1 Q. Let's get back to the people that you
2 supervised who Chrysler contracted with to review data
3 from material safety data sheets and enter it into your
4 computer system at Chrysler.

5 Tell me about the computer system where you
6 entered the information from material safety data
7 sheets, starting with: Is it a computer with a
8 keyboard on a -- on everybody's desk that everybody has
9 access to or something else?

10 MR. MALONE: Vague as to time.

11 MR. LOPEZ: Same objection.

12 MS. LYONS: During the time frame that Mr.
13 Sattelmeier was at Chrysler between 1968 and 1991 is
14 the time frame I'm focusing on right now.

15 MR. LOPEZ: Let me just be clear, because one
16 of the categories is the material -- category 14, MSDS,
17 in Exhibit 6 and Exhibit 4 concerning parts identified
18 on Exhibit A. I believe that this is relevant to that
19 topic, so...

20 MS. LYONS: You're absolutely right about that,
21 Counsel. It's just unique in my experience for someone
22 to say "this is why I'm not objecting."

23 MR. LOPEZ: I just want to be clear we're
24 letting you examine him -- although you haven't
25 asked -- actually asked him about -- directly about

1 topic 14.

2 MS. LYONS: I know what I'm asking, Counsel. I
3 appreciate your assistance, though.

4 BY MS. LYONS:

5 Q. Mr. Sattelmeier, we are now at a time frame
6 when you were at Chrysler and I described that as
7 between 1968 and 1991, but perhaps we can narrow that
8 some, because by the time you are reviewing material
9 safety data sheets or supervising people who are
10 contract employees who are reviewing material safety
11 data sheets and entering information in a computer,
12 this may not be at the beginning of your tenure at
13 Chrysler.

14 Can you focus us in on what your title was when
15 you were doing that work among the few titles you told
16 me about already at Chrysler? Were you the manager of
17 the department by then?

18 A. That's when I was the manager of the
19 department.

20 Q. That would have been sometime after April 1976,
21 right?

22 A. That would be correct.

23 Q. Now, the computer, tell us about the computer
24 system that the contracting employees entered data in.

25 A. The computer system was a mainframe computer.

1 Q. A great big computer?

2 A. I never -- I never saw the computer, but we had
3 terminals that would send data to the mainframe
4 computer, which was at a different location than we
5 were at.

6 Q. Did the terminals send data rapidly?

7 MR. LOPEZ: Objection; relevance.

8 MS. LYONS: I think it is relevant.

9 BY MS. LYONS:

10 Q. You could access data from the mainframe as
11 well as obtain data -- give data to the mainframe,
12 correct?

13 A. Exactly.

14 Q. If you -- if people were entering data about
15 workplace hazards, for example, yesterday at a computer
16 terminal, somebody somewhere else could access that
17 data, correct, from the mainframe -- from a different
18 terminal?

19 MR. LOPEZ: Objection; calls for speculation,
20 incomplete hypothetical.

21 But go ahead.

22 THE WITNESS: Initially, the only people that
23 could access the data would be people in our department
24 and the people that were building the hardware.

25 BY MS. LYONS:

1 Q. Who were people that were building the
2 hardware? Chrysler employees?

3 A. Computer -- Chrysler computer geeks. Is that
4 clear enough?

5 Q. I think the term "computer geek" is probably
6 well --

7 A. I don't know that they were called that at the
8 time, but I think that term is --

9 Q. I think they were.

10 A. -- understandable.

11 Q. I think they were.

12 A. Could well be.

13 Q. Was there a method of saving data, like, you
14 know, the floppy discs we have now? There's a little
15 stack of them right there, those three and a half by
16 three and a half. I don't know why they call them
17 floppy discs, but they don't bend.

18 A. They used to.

19 Q. They used to.

20 Were there those kinds of bigger than this but
21 really floppy maybe ten-by-ten or eight-by-eight discs
22 on that computer system?

23 A. I don't know anything about the actual computer
24 system. It was -- all that I know is it was a
25 mainframe computer system at the time.

1 Q. Were there -- you said there were terminals.

2 Were there any words on those terminals:

3 Oracle, IBM, some brand name?

4 MR. LOPEZ: Let me just object to relevance,
5 but...

6 THE WITNESS: I don't remember. I don't
7 remember that information.

8 BY MS. LYONS:

9 Q. Did you ever search for information such as --
10 if you had a lot of people working under your
11 supervision that were reviewing material safety data
12 sheets like the one in front of you that's part of
13 Exhibit 12, and let's say you had -- by the end of the
14 day had people enter a thousand -- data from a thousand
15 material safety data sheets, could you inquire of the
16 computer, get information from the mainframe computer
17 that would tell you anything about what that data was
18 that had been entered that day?

19 MR. LOPEZ: Objection; relevance, incomplete
20 hypothetical.

21 Go ahead.

22 THE WITNESS: I personally could not, because I
23 never operated the system, but I had people that worked
24 for me that could.

25 BY MS. LYONS:

1 Q. So if you told them you wanted to find out from
2 the computer something, "everywhere we tested and found
3 asbestos," for example, could you have someone run that
4 inquiry and get that information for you?

5 MR. LOPEZ: Objection; calls for speculation,
6 beyond the scope of the designation. I instruct him
7 not to answer that.

8 BY MS. LYONS:

9 Q. Are you going to follow that instruction?

10 A. Yes, I will.

11 Q. Let's go back to the people that entered data
12 from the material --

13 A. I'm sorry. I cleared my throat in the midst of
14 your question. Excuse me. Thank you.

15 Q. You need water?

16 We have water, don't we?

17 MR. LOPEZ: Yes.

18 THE WITNESS: That would be a great idea.

19 BY MS. LYONS:

20 Q. Let's go back to people are entering data from
21 material safety data sheets.

22 Is that the only place that data is coming from
23 that these contract employees are entering into your
24 computer system?

25 A. You mean data sheets the only place?

1 Q. Yes.

2 A. No.

3 Q. What other kind of data did the contract
4 employees that worked under your supervision enter into
5 the Chrysler computer system?

6 MR. LOPEZ: Objection; relevance, beyond the
7 scope.

8 THE WITNESS: The -- we had sent -- we send out
9 requests to suppliers asking for complete formulation
10 information for their product along with what we called
11 our technical data sheet, which would be basically
12 asking them the information that we need to fill out,
13 the information that I described previously might be on
14 a material safety data sheet, and would then in turn
15 enter information into our computer system so that we
16 could produce what we call technical data sheets at
17 that time.

18 BY MS. LYONS:

19 Q. What were the technical data sheets for that
20 you would produce with that information?

21 A. They were used for many purposes, including in
22 1986 a basis for our hazard communication program. And
23 they also later became the basis for our material
24 safety data sheet that we produced.

25 Q. Did Chrysler ever voluntarily produce material

1 safety data sheets before being required to do so?

2 A. We began this process -- I believe it was the
3 late '70s is when we began developing the system, which
4 was long before there was a requirement.

5 Q. The early '70s, mid-'70s, late '70s?

6 A. It was the late '70s. It was shortly after I
7 became the manager of the department.

8 Q. Was it your idea to do that?

9 A. Yes, it was.

10 Q. Was the idea a reaction to what you had learned
11 about hazards that workers might encounter?

12 MR. LOPEZ: Objection; beyond the scope.

13 THE WITNESS: I knew of the need for the
14 corporation and that the corporation had many needs,
15 both from the safety, health and environment reasons,
16 and believed that it was the right thing to do for the
17 corporation. So I began putting together a team of
18 people from various departments in the corporation to
19 get the information in -- we would put into the
20 technical data sheet.

21 BY MS. LYONS:

22 Q. If I wanted to find the technical data sheet
23 from that era, where would I need to go and look? Or
24 if you wanted to.

25 MR. LOPEZ: Better question.

1 MS. LYONS: I'd like to look myself, but they
2 might let you do it.

3 THE WITNESS: I'm not sure exactly how to get
4 sheets that existed back then because the sheets are
5 continuously being updated as -- the information in the
6 computer is continuously being updated as new
7 information becomes available.

8 BY MS. LYONS:

9 Q. When all of the information you had at some
10 particular point in time, let's say 1978, was entered
11 into the computer, you could generate a report that
12 would print out that information in some format,
13 correct?

14 MR. LOPEZ: Objection on the date, but -- you
15 mean, in the late -- from the date whenever they
16 established the program. He didn't testify it was in
17 '78.

18 THE WITNESS: I'm not sure when we actually
19 began putting data into the computer. We began -- the
20 system began or the plans for the system began in the
21 late '70s. And sometime later, we actually began the
22 work on building the computer system.

23 BY MS. LYONS:

24 Q. So you generated a plan, and then it took time
25 to implement?

1 A. Exactly.

2 Q. Once it got to the point that it was
3 implemented so that you could generate a report that
4 would spit out in some format the data that had been
5 entered, what did you do with the report it would spit
6 out?

7 MR. LOPEZ: Objection; calls for speculation,
8 overbroad.

9 THE WITNESS: It would depend on the report I
10 was requesting.

11 BY MS. LYONS:

12 Q. Give me an example of a kind of report you
13 would request?

14 A. At one point in time when the hazard
15 communication standard came into being, we were able
16 to, and that was in 1986 -- we were able to produce a
17 book of material safety data sheets for each plant,
18 would include the products that that plant was using,
19 and would ship that book -- a book like that to each
20 plant and we could sort it even by department used.

21 Q. Sort it on the computer before you printed it
22 out?

23 A. Electronically sort, yes.

24 Q. When is the last time you personally saw a
25 report printed out with that kind of data?

1 A. Probably sometime about '91.

2 Q. Before you retired?

3 A. Exactly.

4 Q. Do you remember when exactly in '91 you
5 retired, the exact date?

6 A. Yes, I do.

7 Q. When?

8 A. August 31st.

9 Q. Last day of August.

10 Did they give you a gold watch?

11 A. No, they didn't. I got a camera, though, from
12 my colleagues.

13 MR. LOPEZ: That's better.

14 MS. LYONS: Probably is more useful.

15 MR. LOPEZ: Can you ask him how old he was when
16 he retired?

17 MS. LYONS: I don't want to invade his privacy.

18 BY MS. LYONS:

19 Q. You want to tell me how old you were when you
20 retired? I think Mr. Lopez want to know.

21 A. I believe -- I believe I was 54 or 55. I don't
22 recall. I was given a golden parachute.

23 MR. KIRBY: Also better than a gold watch.

24 BY MS. LYONS:

25 Q. Have you taught at Wayne State the entire time

1 since you retired?

2 A. Yes.

3 Q. Did you start teaching at Wayne State before
4 you retired?

5 A. Yes, I did.

6 Q. When did you start teaching?

7 A. I think I'd have to look at my résumé. I think
8 it was the mid-'80s.

9 Q. Do you have a copy of your résumé here?

10 A. No, I do not.

11 MS. LYONS: Would you mind providing one?

12 MR. LOPEZ: I don't have one.

13 MS. LYONS: Would you mind getting one and
14 providing --

15 MR. LOPEZ: I'll talk to the powers that be
16 that may or may not have it.

17 BY MS. LYONS:

18 Q. Would you mind my having a copy of your résumé,
19 Mr. Sattelmeier, if your lawyers --

20 A. A lot of other lawyers have it.

21 Q. I don't.

22 A. I wouldn't have any objection.

23 Q. I don't have it.

24 Let's go back to this -- what did you call the
25 document that was the report from the data in the

1 computer prior to it being called an MSDS?

2 A. Hazard communication sheet.

3 Q. Hazard communication sheet.

4 This team that you set up to create your hazard
5 communication program, you said, involved people from
6 various departments. Can you remember the names of any
7 of them?

8 MR. LOPEZ: Objection; relevance.

9 THE WITNESS: You're asking me to go back quite
10 a ways.

11 BY MS. LYONS:

12 Q. This is true.

13 A. I know the areas that they represented.

14 Q. Okay.

15 What were they?

16 A. There was a representative from materials
17 engineering that would be responsible for production
18 materials. That was Homer Brush.

19 Q. Do you know if he's still working at Chrysler?

20 A. No, he's not.

21 Q. Do you know if he's still alive?

22 A. No, I do not.

23 Q. Is he younger than you or older than you?

24 A. Yes.

25 Q. One or the other. Which one?

1 A. I don't know.

2 Q. That was good.

3 Who else besides Homer Brush?

4 A. There was a representative from the
5 nonproduction materials.

6 Q. What does nonproduction materials refer to?

7 A. Nonproduction materials would be materials that
8 do not go into the automobile, the direct building of
9 an automobile. Building maintenance kind of materials,
10 cleaners, et cetera.

11 Q. Okay.

12 A. There was an individual from purchasing.

13 Q. Okay.

14 A. Those are the main players that are involved.

15 Q. Did the hazard communication team have any
16 discussion regarding the subject of asbestos?

17 A. I don't remember that detail.

18 Q. During the lengthy time, I guess, that you have
19 taught at Wayne State, have you taught anything about
20 the hazards of asbestos?

21 A. I don't remember teaching anything about that.

22 Q. Was asbestos -- strike that.

23 Did the hazard communication program involve
24 any form of intraoffice or internal memoranda, written
25 communications, among various people at Chrysler about

1 A. I don't know.

2 Q. That was good.

3 Who else besides Homer Brush?

4 A. There was a representative from the
5 nonproduction materials.

6 Q. What does nonproduction materials refer to?

7 A. Nonproduction materials would be materials that
8 do not go into the automobile, the direct building of
9 an automobile. Building maintenance kind of materials,
10 cleaners, et cetera.

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16 discussion regarding the subject of asbestos?

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18 Q. During the lengthy time, I guess, that you have
19 taught at Wayne State, have you taught anything about
20 the hazards of asbestos?

21 A. I don't remember teaching anything about that.

22 Q. Was asbestos -- strike that.

23 Did the hazard communication program involve
24 any form of intraoffice or internal memoranda, written
25 communications, among various people at Chrysler about

1 building or something like that? Is that what you
2 called it?

3 A. No.

4 Q. What was it?

5 A. Detroit Trim.

6 Q. Are you aware of the fact that there are
7 Chrysler documents stored in filing cabinets in about
8 450 boxes or so in that facility now?

9 A. No, I'm not.

10 MR. LOPEZ: Same objection on the relevance.

11 BY MS. LYONS:

12 Q. If you wanted to find the sort of sheets you
13 described that predate material safety data sheets but
14 contain the same sort of information, where would you
15 look to find sheets that were generated from the
16 computer system you described in years prior to 1986
17 when that became known as the material data sheet?
18 Where would you go to look if you wanted to find those?

19 MR. LOPEZ: Objection; relevance.

20 THE WITNESS: I wouldn't know where to go look
21 to try to find sheets like that.

22 BY MS. LYONS:

23 Q. If you wanted to ask somebody at Chrysler, who
24 would you ask?

25 MR. LOPEZ: Objection; relevance.

1 THE WITNESS: Karen Ridella.

2 BY MS. LYONS:

3 Q. How do you spell that?

4 A. R-i-d-e-l-l-a.

5 Q. First name K-a-r-e-n?

6 A. Yes.

7 Q. Where would you find her?

8 A. She's the person that is in charge of that
9 particular section right now.

10 Q. What's the name of that section right now?

11 A. It's -- I don't know the name -- specific name
12 of that section, but she's in the industrial hygiene
13 department and is responsible for hazard communication.

14 Q. Does hazard communication in the sense that you
15 use that term from your 1968 to 1991 experience at
16 Chrysler include the sort of communication about a
17 hazard that Chrysler would share with someone who was
18 buying a Chrysler vehicle?

19 MR. LOPEZ: Objection; relevance, calls for
20 speculation.

21 THE WITNESS: That's a -- could you rephrase
22 that question or -- I'm not...

23 BY MS. LYONS:

24 Q. Okay.

25 Is the sort of hazard communication that you

1 described as part of the hazard communication program
2 at Chrysler communicating to people who buy Chrysler
3 vehicles the sort of hazards they might encounter --

4 MR. LOPEZ: Objection - --

5 BY MS. LYONS:

6 Q. -- with the Chrysler vehicle?

7 MR. LOPEZ: -- relevance, outside the scope of
8 the designation and calls for...

9 MR. KIRBY: Assumes facts.

10 MR. LOPEZ: And assumes facts.

11 THE WITNESS: I can't think of how that system
12 would be used to communicate information to car buyers.

13 BY MS. LYONS:

14 Q. How about to car sellers, to franchise dealers
15 that sell vehicles, motor homes, trucks, passenger
16 cars, police cars that the Chrysler Corporation
17 manufactured; would it involve communicating to them
18 this sort of hazards they might encounter working on
19 those vehicles?

20 MR. LOPEZ: Objection; calls for speculation,
21 lack of foundation, relevance.

22 MR. KIRBY: Assumes facts.

23 MR. MALONE: I'll join.

24 THE WITNESS: At one point in time, that
25 information from that system would have been provided

1 to our Mopar system for our people. They in turn would
2 provide the information to the dealers.

3 BY MS. LYONS:

4 Q. What's the Mopar system?

5 A. Well, Mopar -- people, I guess, is better than
6 system.

7 Q. Who are the Mopar people?

8 A. Could I get that list for just a moment?

9 MR. LOPEZ: This relates to one of your topics.

10 THE WITNESS: Yes. We've gotten to one of the
11 topics.

12 MS. LYONS: Is there a list that you're going
13 to give me?

14 MR. LOPEZ: Yes. If you would have asked the
15 topic questions -- what number?

16 MR. AGOSTA: 81 through 85 and 14 and 15.

17 MS. LYONS: Do you have other documents in that
18 accordion file that you're going to give me?

19 MR. LOPEZ: I don't think so. We've been
20 waiting for you to ask topics 81 through 85.

21 MS. LYONS: You've just handed me a list that
22 we may as well mark now for identification that says
23 "Numbers 81 and 82" at the top and has the name William
24 S-i-k-e-l-e below that.

25 THE WITNESS: Sikele.

1 BY MS. LYONS:

2 Q. Sikele.

3 And then "Numbers 83 through 85" and has
4 Mr. Donald --

5 A. Eschelbach.

6 Q. And Neil McCallum; and Louis Redmond,
7 R-e-d-m-o-n-d; and Norvell, N-o-r-v-e-l-l, Trombley,
8 T-r-o-m-b-l-e-y; and Gerald Sattelmeier,
9 S-a-t-t-e-l-m-e-i-e-r.

10 I don't need to look to know how to spell your
11 name.

12 A. Very good.

13 Q. And Dr. Louis Gendernalik.

14 A. Gendernalik. Hard G.

15 Q. Gendernalik, G-e-n-d-e-r-n-a-l-i-k.

16 Let's have this marked as next in order, which
17 would be 14?

18 THE REPORTER: 15.

19 (Plaintiff's Exhibit No. 15 marked for
20 identification.)

21 BY MS. LYONS,

22 Q. Do you know who created this list, Mr.
23 Sattelmeier?

24 A. Yes, I do.

25 Q. Who?

1 A. I did. Or I gave the names, anyway.

2 Q. Did you give the addresses and phone numbers as
3 well?

4 A. I requested that our counsel who has
5 connections to our pension records get the addresses of
6 these individuals.

7 Q. What counsel was that?

8 A. Mr. Agosta.

9 MR. LOPEZ: Just for the record, the numbers
10 here 81 and 82 and 83 through 85 refer to the --
11 whatever -- Exhibit, 3 the topics he's been designated
12 on, if that helps to identify individuals.

13 MS. LYONS: It may or may not.

14 BY MS. LYONS:

15 Q. Mr. Sattelmeier --

16 A. Yes.

17 Q. -- what question was posed to you that prompted
18 you to provide the name William Sikele?

19 A. Sikele. Just like sickle.

20 Q. What question prompted you --

21 A. Harvesting device.

22 Q. Yes. I'm quite familiar with sickles.

23 What question prompted you to respond, that the
24 answer was William Sikele, do you remember?

25 A. You know, I don't remember the exact question.

1 And I think it might be good if the court reporter
2 could read that question back.

3 Q. The one I just asked?

4 A. Yes. Or do you remember the question?

5 Q. I think the question was: What question was
6 posed to you that prompted you to answer with the name
7 William Sikele?

8 A. That's -- I'm trying to remember that question.

9 Q. I'm thinking it was a question that Mr. Agosta
10 asked you and that you gave him the answer William
11 Sikele.

12 Am I correct in that impression?

13 A. No. It was a question that you had asked.

14 Q. Oh, what I asked back before we got this
15 document out of that Redwell?

16 A. That's correct.

17 MR. MALONE: I think he tried to read the name
18 and he just repeated it.

19 MS. LYONS: Well, no. I didn't have the sheet
20 of paper when I asked the question he's talking about.

21 THE WITNESS: You were asking about --

22 BY MS. LYONS:

23 Q. I was asking who Mopar people are.

24 A. About Mopar people. Thank you.

25 And the Mopar person that we would have

1 provided information to was William Sikele. And that
2 began in -- in earnest, if you would, in a very major
3 kind of way, at least to him. That's when he had that
4 position at Mopar. I believe he indicated he began
5 there in about '88. There was someone there before
6 that time, and I've been trying to find that person or
7 the name of that person, and I can't seem to find it.

8 Q. Do you know if William Sikele is still around?

9 A. Yes, he is. I spoke to William Sikele about
10 that.

11 Q. Do you think he'd mind if I called him and
12 spoke to him?

13 A. I don't -- you have his phone number.

14 Q. Thank you.

15 Is Mopar a separate entity from the Chrysler
16 Corporation or DaimlerChrysler?

17 A. It is a part of DaimlerChrysler Corporation.

18 Q. From whence comes genuine Mopar parts?

19 A. Exactly.

20 Q. Do you know any genuine Mopar parts that
21 contain crocidolite asbestos?

22 MR. LOPEZ: Objection; beyond the scope. And I
23 instruct him not to answer.

24 MR. KIRBY: Overbroad.

25 MR. LOPEZ: Overbroad.

1 BY MS. LYONS:

2 Q. Would William Sikele know about Chrysler
3 providing material safety data sheets or their
4 predecessors to Moss Motors?

5 A. I -- I had that discussion with William Sikele,
6 with Bill, and he knows what he did, but he doesn't
7 know the details of what the person before him did.

8 Q. The person before him chronologically?

9 A. In chronological order.

10 Q. And he started in '88?

11 A. He became in '88.

12 Q. Did you ask him, by chance, for the name of the
13 person that preceded him?

14 A. Yes, I did.

15 Q. He didn't know?

16 A. He couldn't remember.

17 Q. What about the records available to Chrysler
18 Corporation; did you do anything to look at records at
19 Chrysler to find information responsive to any of the
20 inquiries that plaintiff's deposition notice asked?

21 A. I personally didn't do the inquiry, but I
22 contacted Karen Ridella, and she did the inquiry.

23 Q. Was there anybody else present when you spoke
24 to her?

25 A. Counsel was present with me.

1 Q. Was it a telephone conversation or a
2 conversation in person?

3 A. In -- I had conversation in person with her.

4 Q. Was counsel present as well?

5 A. Yes.

6 Q. The same counsel that -- Mr. Agosta?

7 A. Yes.

8 Q. Was anyone else from Chrysler present during
9 that conversation that you're referring to now?

10 A. No.

11 Q. What did you ask her?

12 A. I requested that she go through the list that
13 is in one of the -- attached to one of these documents.
14 So many documents.

15 MR. LOPEZ: Exhibit 4.

16 THE WITNESS: Exhibit 4, was it?

17 BY MS. LYONS:

18 Q. Was it just the one page you had that you were
19 asking her to look at that has circles around 81, 82,
20 83, 84 and 85?

21 A. It was the list of Exhibit A that is attached
22 to Exhibit 4, and I gave her that list, Exhibit A list.

23 Q. What did you ask her to do?

24 A. To enter those part numbers into our database
25 and do an inquiry to see if any of those part numbers

1 contained asbestos and print out data sheets for any
2 part numbers in the system that contained asbestos.

3 Q. That contained asbestos now?

4 A. Ever. Ever as long as the system existed.

5 Q. The system existed from whenever you finished
6 the project of getting it up and running that you
7 started planning in the late '70s?

8 A. Uh-huh.

9 Q. So it wouldn't tell you anything about what
10 parts contained prior to the point in time when you
11 started entering data in it?

12 A. That would be correct.

13 Q. Is that how you got Exhibits 13 and 14, which
14 I'm going to pass to you now, that Counsel handed to me
15 when we started this deposition -- handed to me at the
16 lunch break, I guess.

17 MR. LOPEZ: Do you have an extra copy of those?

18 MR. AGOSTA: Here.

19 THE WITNESS: Exhibits 13 and 14 are the
20 result -- resultant from the search that was done by
21 Karen Ridella.

22 BY MS. LYONS:

23 Q. May I borrow those back and make a record of
24 what they are? I thought I had another copy, but I
25 don't seem to.

1 MR. LOPEZ: Want to take a break and want me to
2 copy these?

3 MS. LYONS: Well, I'm just afraid you won't be
4 back for such a long time.

5 MR. LOPEZ: It's 4:00. That may be true.

6 BY MS. LYONS:

7 Q. Exhibit 13 is -- what it says at the top of the
8 first page 1 of 3 pages of what appears to be a
9 computer printout with "OSH Home Page" written toward
10 the upper right; "DaimlerChrysler, U.S. HCS" in the
11 middle where letterhead normally is; "DaimlerChrysler
12 Material Safety Data Sheet" at the top left and "Clutch
13 Friction Disc."

14 MR. LOPEZ: That's 13?

15 MS. LYONS: That's 13.

16 It's three pages of what appears to be a
17 computer printout to which are attached three more
18 pages, two of which are -- well, the next of -- the
19 first of which says "Section II," "Hazardous
20 Ingredients," "asbestos, graphite, aluminum oxide,
21 cotton and phenolic resin." And it says at the top
22 right "DISC," D-I-S-C, "ASSY-TRANS RR CLUTCH,"
23 C-L-U-T-C-H.

24 And on the next page under "Effects of
25 Overexposure," it says, "Chronic asbestosis and

1 cancer." It's dated 05/20/85.

2 And the last page attached is an August 12,
3 1985, letter on Raymark Industrial Division letterhead
4 to Chrysler Corporation, Industrial Hygiene Department,
5 P.O. Box 1919, Detroit, Michigan, to William D. Watt.
6 And it says in the first paragraph, "Enclosed are the
7 Technical Data Sheets and Michigan Mandatory Reporting
8 of Critical Materials forms which you requested for
9 Raymark supplied products."

10 My question was: Are these first three pages
11 the report that Karen Ridella produced after you asked
12 her to do a search for parts from Attachment A that
13 contained asbestos?

14 A. This is the hazard communication sheet/material
15 safety data sheet for one particular part, and there is
16 another package. I'm not sure what -- this is Exhibit
17 13. Is the other one 14?

18 Q. And the part -- and the part that is for is
19 what part?

20 A. This is part No. 02801992.

21 Q. And what is it; what's the name of the part?
22 Is it a clutch disc?

23 A. Yes. The brand name is Clutch Friction Disc,
24 and the description is disc assembly/transmission
25 clutch RR.

1 Q. And the computer system you've been describing
2 generated the first three pages or the whole thing?

3 A. Generated the first three pages.

4 Q. Where did the rest of it come from?

5 A. The next page, which has a page No. 2, came
6 from Raymark Corporation.

7 Q. Where did you get it?

8 A. I got it from Karen Ridella.

9 Q. Where did she get it?

10 A. She got it -- she got the Raymark Corporation
11 page from our file.

12 Q. What file?

13 A. The file of correspondence or information
14 regarding this particular part number.

15 Q. A physical file that's in a manila file folder
16 that says something on the tab?

17 A. I don't know the color.

18 Q. Is it made out of some form of paper? Is it a
19 physical file, or is it electronic?

20 A. It is a physical file.

21 Q. Kept where?

22 A. I -- I've never worked in that building, but in
23 some kind of a file somewhere.

24 Q. You didn't actually see her take the file out?

25 A. I didn't see her take the file out of the file

1 drawer.

2 Q. Where is that building?

3 A. It's on -- I believe it's Featherstone Road.

4 Q. In what town? Detroit?

5 A. I'm trying to think of the name of the town.

6 Tony, what's the name of the town?

7 Can I consult with Tony?

8 MR. LOPEZ: Do you want to take a break, if
9 that's important?

10 THE WITNESS: Can I take a break and consult
11 with Tony?

12 MS. LYONS: Just what's the name of the town,
13 Tony? Let's get on with it.

14 BY MS. LYONS:

15 Q. Highland Park?

16 A. No.

17 MR. AGOSTA: Auburn Hills.

18 THE WITNESS: Thank you.

19 MS. LYONS: Anybody who is a sports fan should
20 remember Auburn Hills.

21 BY MS. LYONS:

22 Q. Were you in that building in Auburn Hills when
23 you asked Karen Ridella to run the search that you
24 described on the computer?

25 A. That is correct.

1 Q. How long did it take her to go get the file
2 that contained the pages that you now have the material
3 safety data sheets/ --

4 A. Not very long.

5 MR. LOPEZ: Objection; relevance.

6 BY MS. LYONS:

7 Q. They were somewhere nearby where her office is?

8 A. Yes.

9 Q. What do you see on the material safety data
10 sheets that came from Raymark that tells you that
11 there's something about those pages that belong with
12 the printout of three pages from the Chrysler computer
13 system; how do you know those things go together?

14 A. It describes the material as part No. 02801992.

15 Q. Is that the part number that appears right
16 below "TDS:" and another number?

17 A. Yes.

18 Q. Upper left?

19 A. Yes.

20 Q. It says "Part:" and there's a --

21 A. 02901992.

22 Q. Okay.

23 Then next to that to the right of that, does it
24 say something else?

25 A. "Standard" and "N/AV."

1 Q. What does that mean?

2 A. I'm not sure. I'm not sure what that...

3 Q. The cover --

4 A. I think maybe would refer to a material
5 standard that might exist for that part. That's
6 probably what that is.

7 Q. The very last page was what normally would be
8 considered a cover letter, wouldn't it?

9 MR. LOPEZ: Last page of the exhibit?

10 MS. LYONS: Yes. It said, "Enclosed are."

11 THE WITNESS: Yes. That would probably have
12 been the cover letter that we received the information
13 from --

14 BY MS. LYONS:

15 Q. Raymark?

16 A. -- Raymark.

17 Q. That letter refers to Michigan mandatory
18 reporting critical materials forms.

19 A. Yes, it does.

20 Q. Do you recall being required to fill out
21 Michigan mandatory reporting critical materials forms
22 at any time during your career at Chrysler?

23 A. That was not my responsibility.

24 Q. Do you know when Michigan made reporting
25 mandatory for whatever it is that Michigan mandatory

1 reporting critical materials forms are required?

2 A. I don't know when that law came into being.

3 Q. Do you know whether it was before or after the
4 federal OSHA statute was passed?

5 A. I believe it was before.

6 Q. Was it in place when you worked at Ford?

7 A. I don't know.

8 Q. Was it already in place when you first worked
9 at Chrysler?

10 A. I don't remember that detail. It was an area
11 that I wasn't really responsible for.

12 Q. If you wanted to find out, who would you ask?

13 A. I'd ask Karen Ridella.

14 Q. Did you search any files at Chrysler or ask
15 anyone to search any files at Chrysler looking for
16 cover letters and accompanying data sheets of any kind
17 that related to reports filed under the Michigan
18 mandatory reporting critical materials requirement for
19 asbestos-containing materials or components for
20 Chrysler vehicles for the time frame 1961 to 1979?

21 MR. LOPEZ: Objection; beyond the scope of the
22 designation.

23 THE WITNESS: I did not.

24 BY MS. LYONS:

25 Q. Do you know whether anyone made such a search

1 of files at Chrysler?

2 MR. LOPEZ: Objection; beyond the scope,
3 relevance, assumes facts not in evidence.

4 THE WITNESS: No, I do not.

5 BY MS. LYONS:

6 Q. Do you know what kind of car or truck or
7 vehicle of any sort, motor home, the part referenced in
8 that part number that you read into the report a couple
9 of times, and I'd appreciate if you'd read it into the
10 record again from Exhibit 13, is for? It's part No.
11 what?

12 A. 02801992.

13 Q. Do you know what sort of vehicle it's for?

14 A. No, I do not.

15 Q. Is there nothing on this report that's
16 generated from the Chrysler computer that would tell
17 you that?

18 A. No. There's nothing that would tell me that
19 from...

20 Q. May I see that for a second?

21 A. Yes.

22 Q. I have another question, but I don't know what
23 it is yet.

24 You see where it says in -- slightly below the
25 center of the page "001332-21-4 asbestos" and then

1 right below that "GENERIC DESC:"? I'm thinking that
2 means "description." Do you think that means
3 "description"?

4 MR. LOPEZ: You need to show it to him.

5 THE WITNESS: Is there any way -- too big a
6 table here.

7 MS. LYONS: You have a copy? Can I borrow your
8 copy, Mr. Kirby?

9 MR. KIRBY: Certainly.

10 MS. LYONS: This is 14. We need 13.

11 MR. KIRBY: (Attorney complying.)

12 THE WITNESS: We're on 13?

13 BY MS. LYONS:

14 Q. Yes.

15 Now I'm directing your attention to just below
16 the geographic center of the page where it says
17 "Asbestos." And right below "Asbestos," I think it
18 says "Generic Description: Clutch disc-composed of
19 asbestos, cotton, metal oxide, and resin."

20 Do you see?

21 A. I see that, yes.

22 Q. Can you tell from that or from anything else on
23 this three pages generated from the Chrysler computer
24 system what fiber type of asbestos this product
25 contains, whether it's chrysotile, crocidolite,

1 amosite, tremolite, anthrophyllite? And I'll give you
2 all those spellings when we finish.

3 Can you tell?

4 A. From what are you asking me to tell that?

5 Q. The fiber type.

6 Can you tell from this printout from the
7 Chrysler computer?

8 A. From this printout, I cannot tell the fiber
9 type.

10 Q. If you wanted to know the type, what would you
11 need to see?

12 A. I would need to see the CAS number.

13 Q. C-A-S?

14 A. Yes.

15 Q. Where would you find that?

16 A. Well, I would need to know the CAS number of
17 the particular fiber type you'd be interested in.

18 Q. Let's start with the jury and I don't know what
19 a CAS number is.

20 What is it?

21 A. Chemical abstract service number.

22 Q. Where would one find the CAS number for
23 crocidolite, for example? Before you answer that
24 question, let me withdraw that question for a second.

25 Chemical what?

1 A. Abstract service number.

2 Q. How would you find out the chemical abstract
3 service number for crocidolite asbestos?

4 MR. MALONE: Assumes facts.

5 MR. LOPEZ: Calls for speculation objection.

6 MS. LYONS: That's c-r-o-c-i-d-o-l-i-t-e.

7 THE WITNESS: I'm not sure where you would go.
8 I know where I would go.

9 BY MS. LYONS:

10 Q. Let's go with that.

11 Where would you go?

12 A. I would ask Karen Ridella.

13 Q. Is there a code book or something that has that
14 data?

15 A. Yes, there is.

16 Q. Where is that kept?

17 A. I don't know where that is kept.

18 Q. What's the name of that code book?

19 A. Chemical abstract service. I don't know the
20 name of the code book, but chemical abstract service
21 numbers are for every chemical. Pretty much for every
22 chemical in the universe has a CAS number.

23 Q. Who decides what CAS number will be -- will
24 relate to a particular chemical?

25 MR. MALONE: Calls for speculation.

1 THE WITNESS: I'm not sure who -- who it is
2 that makes the determination of what CAS numbers goes
3 on a chemical, but it's a universal kind of number that
4 every chemical has.

5 BY MS. LYONS:

6 Q. So somebody in England would use the same
7 number for crocidolite as somebody in Auburn Hills,
8 right?

9 A. You're moving out of the country, and I can't
10 answer that.

11 Q. New York and San Francisco, they would use the
12 same number for crocidolite?

13 A. Yes, they would.

14 Q. Same CAS number.

15 MR. LOPEZ: Can we take a break? It's been
16 over an hour.

17 MS. LYONS: I'm trying to finish, but...

18 MR. LOPEZ: Let's take a short break.

19 MR. KIRBY: Don't copy anything.

20 THE VIDEOGRAPHER: In the deposition of Gerald
21 Sattelmeier, this marks the end of disc 2.

22 Going off the record. The time is 4:12.

23 (Recess taken.)

24 THE VIDEOGRAPHER: In the deposition of Gerald
25 Sattelmeier, this marks the beginning of disc 3.

1 Going on the record. The time is 4:26.

2 MS. LYONS: Can I get the last question and
3 answer read back?

4 (Record read.)

5 BY MS. LYONS:

6 Q. Is there someplace in the computer database
7 that you had Karen Ridella search where the CAS number
8 is stored for a particular chemical?

9 A. Yes.

10 Q. So you search that computer for -- if you knew
11 the CAS number for crocidolite asbestos, you could
12 search and find out whether there was crocidolite
13 asbestos in any product at Chrysler?

14 MR. LOPEZ: Objection; beyond the scope.
15 Instruct him not to answer.

16 BY MS. LYONS:

17 Q. Do Michigan mandatory reporting of critical
18 materials forms call for CAS numbers?

19 A. I know very little about the Michigan mandatory
20 reporting...

21 Q. Reporting of critical materials forms.

22 A. Critical materials forms.

23 Q. You don't know whether they require CAS
24 numbers?

25 A. I don't know.

1 Q. Do you know of any report form that does
2 require a CAS number?

3 MR. LOPEZ: Objection; beyond the scope,
4 relevance.

5 THE WITNESS: Offhand, I don't know of a report
6 form that does.

7 BY MS. LYONS:

8 Q. What are CAS numbers used for?

9 A. To identify chemicals.

10 Q. To identify them to whom or for whom?

11 A. It identifies chemical formulations, if you
12 would, or -- you know, like, crocidolite.

13 Q. But it identifies them so that who -- so that
14 somebody can find out where the crocidolite is, right?

15 MR. LOPEZ: Objection; beyond the scope,
16 relevance.

17 MR. MALONE: Calls for speculation.

18 THE WITNESS: It's a unique number, that's all.

19 BY MS. LYONS:

20 Q. But it has a purpose that I'm trying to find
21 out about, but it's hard to figure out precisely what
22 question will get you to tell me about it.

23 MR. LOPEZ: Objection; beyond the scope.

24 THE WITNESS: I don't know the purpose of
25 assigning numbers to chemicals.

1 BY MS. LYONS:

2 Q. Did you utilize CAS numbers for any purpose
3 while working as an industrial hygienist at Chrysler?

4 MR. LOPEZ: Again, beyond the scope; relevance.

5 THE WITNESS: Yes.

6 BY MS. LYONS:

7 Q. What did you use them for?

8 MR. LOPEZ: Same objection.

9 THE WITNESS: For the hazard communication
10 system.

11 BY MS. LYONS:

12 Q. To do what with the hazard communication
13 system?

14 A. To identify chemicals in our products.

15 Q. Was asbestos one of the chemicals that you
16 sought to identify in your products?

17 A. Yes.

18 Q. Do you recall identifying crocidolite asbestos
19 as a component of any of your products?

20 MR. LOPEZ: Objection; beyond the scope.

21 Instruct him not to answer.

22 BY MS. LYONS:

23 Q. Do you recall identifying amosite asbestos as a
24 component in one of your products?

25 MR. LOPEZ: Again, objection; beyond the scope

1 of the designation of this witness on topic -- topics.
2 Instruct him not to answer.

3 BY MS. LYONS:

4 Q. Do you recall identifying chrysotile asbestos
5 as a component in any of your products?

6 MR. LOPEZ: Again, same objection, except
7 insofar as it relates to the two topics 15 and 16 -- 14
8 and 15.

9 BY MS. LYONS:

10 Q. Are CAS registry numbers unique identifiers for
11 chemical compounds, polymers, biological sequences,
12 mixtures and alloys?

13 A. That sounds like a right kind of description.

14 MR. LOPEZ: Objection; calls for speculation.

15 BY MS. LYONS:

16 Q. Are you familiar with a CAS registry?

17 A. That sounds like --

18 MR. LOPEZ: I think that's a "yes" or "no"
19 question.

20 THE WITNESS: I can't specifically answer that.

21 BY MS. LYONS:

22 Q. You're the one who taught me that a chemical --
23 that the chemical abstract service is what CAS stands
24 for.

25 Do you recognize that as being a division of

1 the American Chemical Society?

2 A. I believe that it was the American Chemical
3 Society that established CAS numbers, somebody in that
4 American Chemical Society.

5 Q. Do you know when that was?

6 A. No, I do not.

7 Q. You wouldn't recall if it occurred sometime
8 like 1879, would you?

9 A. No, I would not.

10 Q. Was it your idea to include CAS numbers in the
11 database at Chrysler for the hazard communication
12 program?

13 A. Yes, it was.

14 Q. Was part of the design of built-in ability to
15 find where at Chrysler facilities specific hazards
16 might be encountered and might endanger humans?

17 MR. LOPEZ: Objection; calls for speculation,
18 beyond the scope. And I instruct him not to answer
19 since it's not either of the two topics he's been
20 designated on.

21 BY MS. LYONS:

22 Q. We talked a little bit about Exhibit 13, but we
23 haven't talked yet about Exhibit 14.

24 Is it within reach of where you are?

25 A. I have one in front of me.

1 Q. Exhibit 14 has at the top left "DaimlerChrysler
2 Material Safety Data Sheet." At the top right, "Page 1
3 of 3." In the center, "DaimlerChrysler U.S. HCS." And
4 below that, it has "Automatic Transmission Paper" in
5 bold type. And at the very bottom across the page,
6 http: --

7 A. Where is that? I'm sorry.

8 Q. The very bottom.

9 A. Okay.

10 Q. 16th of an inch above the page.

11 It has what appears to me to be a URL, or
12 universal -- whatever URL means. It's a web address.
13 It says
14 [http://webs1283.intra.daimlerchrysler.com/HasconWeb/](http://webs1283.intra.daimlerchrysler.com/HasconWeb/Shcs?idx=0&tds=0027584&opt=A)
15 [Shcs?idx=0&tds=0027584&opt=A](http://webs1283.intra.daimlerchrysler.com/HasconWeb/Shcs?idx=0&tds=0027584&opt=A).

16 My first question to you, Mr. Sattelmeier, is:
17 Do you know whether the document that is Exhibit 14 is
18 available on the web, the worldwide web, the Internet?

19 A. It appears to be available to selected users.

20 Q. Would those selected users be people who have
21 access to a Chrysler or a DaimlerChrysler intranet?

22 A. That would be correct.

23 Q. Have you ever had access to a DaimlerChrysler
24 intranet?

25 A. Not since I'm retired.

1 Q. Before you retired, you did?

2 A. I could have access.

3 Q. Is that another way of telling me that you
4 weren't really into jumping into computers and
5 becoming -- what did you call it? What kind of geek?

6 A. A geek.

7 Q. Did you have a computer available to you that
8 you just didn't use because you had other people that
9 you could send to go get what you wanted?

10 A. I had other people that I could ask to access
11 information for me.

12 Q. So you just didn't get into it yourself?

13 A. I didn't get into it myself.

14 Q. You didn't find it all that interesting?

15 MR. LOPEZ: Objection; relevance.

16 THE WITNESS: Honestly, I didn't have the time
17 to dedicate to learning one more thing until I was
18 ready to retire.

19 BY MS. LYONS:

20 Q. Now you use the Internet, right?

21 A. Yes, I do.

22 Q. You like it?

23 A. Yes, I do.

24 Q. Did you do any Internet searches in preparation
25 for this deposition, by chance? Did you look me up?

1 A. No, I did not.

2 Q. Why not?

3 A. I didn't do any Internet searches in
4 preparation for this deposition.

5 Q. Looking at the third page of Exhibit 14, where
6 it says "Section 09 - Special Precautions: Precautions
7 to be taken in handling & storage: Avoid generation of
8 dust cloud from containers. Some asbestos fibers may
9 be in the bottom of cartons containing parts. When
10 disposing of cartons, avoid inhaling dust.

11 "Other precautionary measures: Avoid breathing
12 dust. Do not smoke or eat when handling this
13 substance; wash thoroughly after using. Do not wear
14 contaminated clothing home. Do not use compressed air
15 to blow dust off clothes. Use vacuum approved for
16 asbestos to clean up dust. Do not use compressed air
17 for cleaning. There is an increased risk of chronic
18 lung disease among smokers who are exposed to this
19 product. Maintain good housekeeping and hygienic
20 practices."

21 Who decided to put that information into the
22 system so that when the computer system generated this
23 report it would appear here in Section 9?

24 A. I'm not certain who actually made that
25 decision.

1 Q. When you were creating this system, was that
2 the sort of decision that you participated in making?

3 MR. LOPEZ: Objection; calls for speculation,
4 lack of foundation.

5 THE WITNESS: I could have been involved in
6 that, but I don't recall being involved in this
7 particular language personally.

8 BY MS. LYONS:

9 Q. Are the sort of special precautions that I just
10 read from Section 9 on Exhibit 14 the sorts of
11 precautions that you as an industrial hygienist would
12 admonish people to follow?

13 MR. LOPEZ: Objection; vague, overbroad, beyond
14 the scope.

15 THE WITNESS: These are very general kind of
16 special precautions that are needed in the very worst
17 case kind of scenarios that you can imagine of handling
18 any product that might possibly contain asbestos.

19 BY MS. LYONS:

20 Q. Let's go back a page to page 2 of 3, which has
21 as the first numbered section a couple of inches from
22 the top of the page "Section 05, Health Hazard Data,"
23 where it says, "Effects of overexposure - acute and
24 chronic," then what looks like a link or a printout of
25 a link.

1 A. "Less than."

2 Q. "Less than." And then in the middle
3 "Inhalation" and then "greater than." That's normally
4 the way computer links print out when you're not
5 sitting at the computer that could click on that link
6 and go anywhere. You follow me? You know what I mean
7 by what looks like a link here?

8 Because what I really want to know is: If you
9 were looking at this on a computer screen, could you
10 click on the word "Inhalation" and have the computer
11 take you to some other information?

12 MR. LOPEZ: Objection; calls for speculation.

13 THE WITNESS: I don't know that you could do
14 that kind of a search. It may be possible, but I don't
15 know.

16 BY MS. LYONS:

17 Q. You are familiar with that sort of link that
18 takes you somewhere else now on the Internet that you
19 have time to search, right?

20 A. I don't know. I don't know.

21 Q. You see where it says, "Chronic exposure-may
22 cause cancer"?

23 When you were creating the hazard communication
24 system, you knew by then that asbestos could cause
25 cancer, correct?

1 A. Yes, I believe -- yes. That would be true.

2 Certainly at least for certain kinds of asbestos in
3 certain situations.

4 Q. To the extent that you played any role in
5 determining what sort of data was entered into the
6 computer, you would not allow people to enter data that
7 you thought was false, would you?

8 MR. LOPEZ: Objection; calls for speculation.

9 THE WITNESS: I would -- if I knew the data
10 were false, I would not allow it to be entered.

11 BY MS. LYONS:

12 Q. I assumed as much.

13 The first page, which if you count pages, it's
14 the fourth page of Exhibit 14, but it says at the
15 bottom right "2" --

16 A. I see the page you're talking about.

17 Q. The page after that, you see at the bottom
18 right "3," and the page after that you see at the
19 bottom left "Page (1)," are those -- are they part of
20 the same document, the same material safety data sheet?
21 Somebody put this together wrong.

22 MR. LOPEZ: Could be.

23 MR. AGOSTA: They're all the same.

24 MR. LOPEZ: We're just double-checking.

25 MS. LYONS: The parts number is the same.

1 THE WITNESS: I can't answer. No. I think I
2 can answer. We have pages 2 and 3 of our TDS package
3 and then pages 1 and 2 of the material safety data
4 sheet that was provided to us.

5 BY MS. LYONS:

6 Q. What's the TDS package?

7 A. That we would send to the supplier asking them
8 to fill it out.

9 Q. You may have already told me what TDS stands
10 for, but if you did, I forgot.

11 A. Technical data sheet.

12 Q. This page 2 that says "Section II" in the
13 middle, "Hazard Ingredients," this implies to me since
14 this is page 2 that there must be a page 1 and probably
15 a Section I that has additional information about this
16 same part or material.

17 Am I interpreting that correctly?

18 A. You're interpreting it correctly.

19 Q. Do you know where page 1 is for this particular
20 part?

21 A. I -- I know where it should be stored.

22 Q. Where?

23 A. In the file that this was extracted from.

24 Q. Somewhere near Karen?

25 A. Karen Ridell.

1 Q. Is it Ridell or Ridella?

2 A. Ridella.

3 Q. How do you spell Ridella? R-i-d-e-l-l-a?

4 A. Correct.

5 Q. Somewhere near her office in Auburn Hills?

6 A. Correct.

7 Q. Have you seen page 1 of this particular
8 document that is from part -- where is the part number
9 on this document? Is there one?

10 A. Yes, there is. "Non-proprietary material
11 description: Friction Disc part No. 02801167."

12 Q. And I see you read that from the upper
13 right-hand side of page 2, and it's right above the
14 language "CLUTCH DISC ASSY-TRANS," which I thought
15 meant assembly transmission.

16 Is that what that means?

17 A. That's more than likely what it means.

18 Q. What's FRT likely to mean?

19 A. Probably front.

20 Q. Do you know whether there was a difference in
21 the materials used for clutch discs and brake shoes in
22 the front and back of the vehicle?

23 MR. MALONE: Objection; calls for speculation.

24 MR. LOPEZ: Beyond the scope.

25 BY MS. LYONS:

1 Q. The question is: Do you know?

2 MR. KIRBY: Overbroad.

3 MR. LOPEZ: Beyond the scope of the
4 designation. And I instruct him not to answer.

5 BY MS. LYONS:

6 Q. Right below what I just read, there appears to
7 be the date "05/20/85" followed by "TDS-" -- what I
8 think is number -- "NO 7684."

9 Do you see what I'm focusing your attention on,
10 where it says that?

11 A. Where are you going now?

12 Q. Right below -- well, two lines below part
13 number. "05/20/85 TDS-NO.

14 A. Okay.

15 Q. Space 7685.

16 A. Correct.

17 Q. Is there a way you could put the TDS number
18 7684 into the computer system and generate a report
19 that would tell you something?

20 A. Yes.

21 Q. Is that something that Karen Ridella could do?

22 A. Yes.

23 Q. Does the TDS number reflect information about a
24 particular part that changes over time so that the
25 information in the TDS bearing the same number would

1 not necessarily be the same information every year?

2 A. Could you...?

3 Q. I didn't understand it either.

4 A. I think what you're asking, but I don't want to
5 answer a question you're not asking.

6 Q. Does the TDS No. 7684 relate to the composition
7 of a part that remains the same and bears that number,
8 and then if that part's composition changes, it gets a
9 new TDS number?

10 MR. LOPEZ: Objection --

11 BY MS. LYONS:

12 Q. Do you understand the question?

13 MR. LOPEZ: -- unintelligible, calls for
14 speculation.

15 THE WITNESS: I'm not sure of the answer to
16 that question.

17 BY MS. LYONS:

18 Q. What do you understand the TDS number -- strike
19 that.

20 How is the TDS number for a particular part
21 generated?

22 A. From the computer that was in our office.

23 Q. Is that computer not there anymore?

24 A. The computer system, I should say, as opposed
25 to computer.

1 Q. Is the computer system not there anymore?

2 A. It is still there. I'm not there.

3 Q. But the people that or some people who know how
4 to access information from the computer system are
5 still there, right?

6 A. Yes.

7 Q. Do you know names of any people who might
8 access the computer system and obtain the sort of
9 information I'm asking you about other than Karen
10 Ridella? Someone in California, for example, at a
11 computer terminal in California?

12 MR. LOPEZ: Objection; beyond the scope of the
13 designation, calls for speculation.

14 THE WITNESS: Any Chrysler dealer can access
15 the data system.

16 BY MS. LYONS:

17 Q. So somebody at Moss Motors could sit at a
18 computer terminal in Riverside and access the computer
19 data system that lives in the mainframe in Auburn Hills
20 or whatever that big computer is?

21 A. That would be correct.

22 MR. MALONE: That assumes facts.

23 BY MS. LYONS:

24 Q. It might not necessarily be a mainframe now; it
25 might be a server?

1 A. I don't know all the geek information about the
2 newest system.

3 Q. Have you ever visited a dealership and accessed
4 information from the mainframe from the dealership?

5 MR. LOPEZ: Objection; beyond the scope of the
6 designation. And I would instruct him not to answer.

7 BY MS. LYONS:

8 Q. Have you ever been to Moss Motors in Riverside,
9 California?

10 MR. LOPEZ: Same objection.

11 THE WITNESS: I have not been there.

12 BY MS. LYONS:

13 Q. Are you familiar with the term "calcium
14 silicate"? If it helps to look at it in print, if you
15 turn another page on Exhibit 14 to the page that says
16 "Material Safety Data Sheet" --

17 A. Just a minute. This is -- okay.

18 Q. Do you see where it says pretty much in the
19 geographical center of the page "Hazardous Mixtures or
20 other Liquids, Solids, or Gases," and includes
21 chrysotile asbestos, calcium silicates and phenolic
22 resins.

23 Are you familiar with that calcium silicate
24 term?

25 A. I'm familiar with the term.

1 Q. What is that stuff?

2 A. It would basically be a filler kind of
3 material.

4 Q. Does it contain asbestos?

5 A. No, it does not.

6 Q. Are you sure?

7 A. I don't -- calcium silicates would not contain
8 asbestos. In fact, it's specified as having a TLV of
9 ten milligrams per cubic meter.

10 Q. How about phenolic resins; are you familiar
11 with phenolic resins containing asbestos fibers?

12 A. No, I'm not.

13 Q. What prompted you to give Mr. Donald
14 Eschelbach's name to Mr. Agosta to add to this list
15 that's Plaintiff's Exhibit 15 that is actually a list
16 of names and addresses that Mr. Lopez provided to me
17 after the break?

18 A. Let me look at the specific questions, Nos. 83
19 to 85, I believe it is.

20 MR. LOPEZ: Is that Exhibit 4? Does somebody
21 know?

22 MS. LYONS: It's Exhibit 3.

23 THE WITNESS: Exhibit 3, do you have it?

24 BY MS. LYONS:

25 Q. On page 21. But the same page is also in

1 Exhibit 6 or 7. Exhibit 6. Page 21 from Exhibit 3 is
2 Exhibit 6.

3 A. 83 to -- questions 83 to 85 are identified --
4 I've identified these particular individuals as having
5 knowledge about the requested information in 83 to 85.

6 Q. 83 asks for the identity of all individuals
7 with any knowledge of Chrysler's air sampling for
8 asbestos during any field use.

9 The people you have named for 83 through 85
10 include Donald Eschelbach, Neil McCallum, C-a-l-l-u-m,
11 Louis Redmond, Norvell Trombley, yourself and Louis --

12 A. Gendernalik.

13 Q. Gendernalik.

14 Let's start with you yourself. Tell me what
15 you know about Chrysler's air sampling for asbestos
16 during field use.

17 MR. LOPEZ: Well, we instruct him not to answer
18 because he's not been designated on that topic. The
19 question was to identify people.

20 MS. LYONS: So you've identified him, but
21 you're not going to let him answer the questions about
22 what you just told me he has knowledge about? Surely
23 you jest, Counsel.

24 MR. LOPEZ: No. This is a person most
25 knowledgeable for the question was that he's been

1 designated to identify individuals. We provided you
2 the list of names identifying the individuals on those
3 topics, but this is not a deposition beyond that.

4 BY MS. LYONS:

5 Q. Mr. Sattelmeier, have you conducted yourself
6 air sampling for asbestos during any field use?

7 MR. LOPEZ: Same objection; same instruction.

8 MS. LYONS: Is the instruction not to answer?

9 MR. LOPEZ: Yes.

10 BY MS. LYONS:

11 Q. Do you know whether Donald Eschelbach conducted
12 any field tests or any air sampling for asbestos during
13 any field use?

14 A. I don't know that he did.

15 Q. Why did you include him on the list as
16 responsive to or as the identity of an individual with
17 knowledge about Nos. 83 through 85?

18 A. Because he was the chief industrial hygienist
19 at Chrysler when I was hired, and I reported to him.

20 Q. How long was he there while you were there?

21 A. He was there until I left and went to the
22 facility's engineering department to become the
23 environmental control specialist.

24 Q. When you came back and became the manager of
25 the industrial hygiene department, was he still there?

1 A. No, he was not.

2 Q. Was that the title he once occupied, manager of
3 industrial hygiene department?

4 A. I don't know that he had that title ever. I
5 believe his title was always chief industrial
6 hygienist.

7 Q. When is the last time you talked to him?

8 A. I believe the last time I spoke to him was
9 shortly before I left the department and went to work
10 in the facility's engineering department.

11 Q. I'm looking for when that was.

12 In the '70s?

13 A. It would have been in the early '70s.

14 Q. Do you know if he's still alive?

15 A. I believe that he is still alive.

16 Q. Is he retired, as far as you know?

17 A. He is retired.

18 Q. Is it your conclusion that he would know about
19 Chrysler doing air sampling for asbestos used during
20 field -- air sampling for asbestos during field use
21 simply based on his being the chief industrial
22 hygienist, or do you have some further knowledge about
23 him doing air sampling?

24 A. It would simply be because he was the chief of
25 that department.

1 Q. How about Neil McCallum; why is it that you
2 think he's someone with knowledge of Chrysler's air
3 sampling for asbestos during any field use?

4 A. Neil McCallum is the person that I reported to
5 when -- in fact, he's the one that I came to work for
6 when I came back into the industrial hygiene
7 department.

8 Q. So when you did air sampling, you reported to
9 him, correct?

10 A. That is correct.

11 Q. When you did air sampling at the various plants
12 that you told me about earlier, including Kokomo,
13 Indiana?

14 MR. LOPEZ: Objection. Instruct him not to
15 answer. Beyond the scope.

16 MS. LYONS: Counsel, I think it's
17 unconscionable that you identify someone as the person
18 most knowledgeable about something and then refuse to
19 let him impart that knowledge in a case where we have a
20 dying client and a July 14th trial date. Just for the
21 record, that's unconscionable. We'll have to talk to
22 the judge about that.

23 MR. LOPEZ: No. It's not unconscionable,
24 because we're complying with a specific request for a
25 person most knowledgeable providing one, two, three,

1 four, five topics asking for identities, which we
2 provided you, and, in fact, we typed it up into Exhibit
3 15 for you, and two other requests of a person most
4 knowledgeable, which we provided to you, and have
5 designated him on.

6 MS. LYONS: Fine. We've gone through a series
7 of questions, a number of notices and you have not been
8 in court when the judge has made it very clear that the
9 sort of games you're playing --

10 MR. LOPEZ: This is not a game.

11 MS. LYONS: -- are not acceptable.

12 MR. LOPEZ: This is not games. This is your
13 notice of deposition.

14 MS. LYONS: This is one of six.

15 MR. LOPEZ: We're not dealing with anything
16 else except what's before here right now, which is 81
17 through 85 and the other two.

18 BY MS. LYONS:

19 Q. Mr. Sattelmeier, why did you include Louis
20 Redmond on the list of people with knowledge of
21 Chrysler's air sampling for asbestos during field use?

22 A. Because Louis Redmond was working in the
23 department when I was first hired in 1968.

24 Q. So you know he did air assembling for field
25 fuse because you were working in the same department he

1 was when he did it?

2 A. That is correct.

3 Q. Were you ever out doing it together?

4 A. Yes.

5 MR. LOPEZ: Objection; beyond the scope.

6 Instruct him not to answer.

7 BY MS. LYONS:

8 Q. Were you ever out doing it together at the
9 Kokomo plant?

10 MR. LOPEZ: Same instruction.

11 BY MS. LYONS:

12 Q. How about Norvell Trombley; why did you include
13 him as someone with knowledge of Chrysler's air
14 sampling for asbestos during field use?

15 A. Because he was the person that Neil McCallum
16 reported to. And I believe that Don Eschelbach
17 reported to him as well.

18 Q. Were he and you ever involved in the same air
19 sampling for asbestos during field use?

20 MR. LOPEZ: Again; objection -- same objection;
21 beyond the scope.

22 BY MS. LYONS:

23 Q. Mr. Sattelmeier, why did you include Gerald
24 Sattelmeier as someone with information about
25 Chrysler's air sampling for asbestos during field use?

1 A. I included myself because I have had experience
2 in doing that.

3 Q. How many years of experience in doing that?

4 MR. LOPEZ: Again, objection; vague, ambiguous,
5 overbroad.

6 THE WITNESS: I began doing air sampling in the
7 late '50s, so I've had experience from that time.

8 BY MS. LYONS:

9 Q. Then when you went to Chrysler in '68, you
10 continued --

11 A. Doing --

12 Q. -- doing that at many Chrysler plants in many
13 countries?

14 MR. LOPEZ: Objection -- same objection; beyond
15 the scope.

16 BY MS. LYONS:

17 Q. You can answer.

18 A. I believe that I -- the countries I've been in
19 are Mexico, United States and Canada for Chrysler.

20 Q. That's many.

21 Why did you include Dr. Louis P. Gendernalik --
22 did I get that right?

23 A. Gendernalik. Again, he was employed at
24 Chrysler at -- at the same time that I was employed
25 there. I think he might have come there after I did,

1 but he was employed there at the same time I was
2 employed there.

3 Q. He's a doctor.

4 What kind of doctor?

5 A. He has a Ph.D.

6 Q. In?

7 A. Chemistry.

8 Q. He knows a lot about CAS numbers, doesn't he?

9 A. Yes, he does.

10 Q. When is the last time you talked to
11 Dr. Gendernalik?

12 A. I don't recall the last time. I may have
13 talked to him once very briefly. Maybe just
14 acknowledged him since I've retired.

15 Q. You retired in '91?

16 A. That is correct.

17 Q. Do you know if he's still alive?

18 A. Yes, he is, best of my knowledge.

19 Q. Do you know if Mr. Trombley is still alive?

20 A. To the best of my knowledge, he is. He's
21 getting pretty senior at this point in time.

22 Q. How about Mr. Redmond?

23 A. To the best of my knowledge, Mr. Redmond is
24 still alive.

25 Q. Did I ask you why you included him in this list

1 of people with knowledge of Chrysler --

2 A. Yes, you did.

3 Q. I didn't write it down.

4 Have you conducted any tests to determine
5 whether there was -- whether there were asbestos fibers
6 released from any Chrysler products or components of
7 Chrysler products?

8 MR. LOPEZ: Objection; beyond the scope of the
9 designation. And I would instruct him not to answer.

10 MS. LYONS: Well, it's 83 through 85. Gerald
11 Sattelmeier is one of the names you gave me as people
12 with knowledge about. No. 84.

13 BY MS. LYONS:

14 Q. Have you conducted any such tests,
15 Mr. Sattelmeier?

16 MR. LOPEZ: Same objection; same instruction.

17 MS. LYONS: You're not going to allow him to
18 tell me if he's done any tests to determine asbestos
19 emission from Chrysler products or components of
20 Chrysler products?

21 MR. LOPEZ: We produced somebody to identify --
22 this could have been done, you know, early on in
23 this --

24 MS. LYONS: That was a "yes" or "no" question,
25 Mr. Lopez.

1 MR. LOPEZ: -- in the deposition because we
2 were very clear what he had been designated on, which
3 is the identity of witnesses, which we've provided for
4 you and the two other topics. So that's this
5 deposition. We've complied with what you asked for
6 with respect to these topics.

7 MS. LYONS: Would you like me to take the time
8 now to go back through all of the deposition notices
9 and show you precisely where this witness is -- his
10 knowledge is called for and you refused to produce him,
11 or would you like to just do it now?

12 MR. LOPEZ: With respect to the topics here
13 that he's been designated on, he's been designated on
14 specific topics, 81 through 85, to identify the
15 witnesses -- to identify people, individuals, and on
16 the two other topics.

17 MS. LYONS: You have allowed him to tell me
18 that he knows, but you won't allow him to tell me what
19 he knows even though we have a July 14th trial date, a
20 dying client --

21 MR. LOPEZ: I'm here to complete the -- to
22 defend this where we have asked -- you have asked to
23 identify -- have somebody identify individuals. We've
24 done that. You also asked for two other topics with
25 respect to a person most knowledgeable. We provided

1 that. You've examined him on that.

2 MS. LYONS: Counsel, surely you are not sitting
3 over there suggesting that the very few out of about
4 150 categories that he is responsive to --

5 MR. LOPEZ: I don't --

6 MS. LYONS: -- that you offered those -- please
7 don't interrupt. I'm making a record.

8 MR. LOPEZ: This isn't a record. This is
9 arguing with me. You're arguing. Don't argue. I
10 don't want to argue. State a question. I'll state an
11 objection. I don't want to argue with anyone. All I'm
12 saying is we designated him on these topics. Other
13 people --

14 MS. LYONS: You've said that three times. Now
15 it's my turn, Counsel. I need to make a record.

16 MR. LOPEZ: -- have been designated on other
17 topics. I don't know. We could stop, go find out, but
18 other people are handling that. Other topics, other
19 people are designated. But this is what he was
20 designated on, we're trying to comply with that.

21 MS. LYONS: Thank you, Counsel. You have made
22 that speech several times.

23 I am simply asking you if you intend on behalf
24 of Chrysler to take the position in Department 30 of
25 the Alameda County Superior Court that this man knows,

1 but you will not let him tell me the answers to the
2 questions.

3 MR. LOPEZ: What we've said is he is here today
4 to identify witnesses for you pursuant to this topic.

5 MS. LYONS: He's identified himself.

6 MR. LOPEZ: If there is another day where there
7 is some other designation or deposition, that's a
8 different day.

9 MS. LYONS: Mr. Sattelmeier, this is a subpoena
10 that asks you to appear on the 10th of July.

11 It's a subpoena I just served on Mr.
12 Sattelmeier, Counsel.

13 MR. LOPEZ: Since we're here, Counsel --

14 MS. LYONS: If you're going to accept service,
15 fine; otherwise, hand it to him.

16 MR. LOPEZ: We will look at it. We're in a
17 deposition. This is not proper. We'll look at it.

18 MS. LYONS: Your game is not proper.

19 MR. LOPEZ: Counsel can take a look at it.
20 We're here to identify witnesses, which we've done.

21 MS. LYONS: You're here to play games, Counsel.

22 MR. LOPEZ: No. I'm not here to play games.

23 MS. LYONS: I'm here in a deposition that could
24 have been concluded in about an hour. We're going on
25 about five hours, because you wanted to do everything

1 but talk about these topics.

2 BY MS. LYONS:

3 Q. Mr. Sattelmeier, you told me at the beginning
4 of this deposition that you had been deposed about 20
5 times, and we talked about one of them. Let's go back
6 to those.

7 When was the second time?

8 MR. LOPEZ: Well, I'm going to instruct him not
9 to answer, because it's not relevant to these topics.
10 You have the background on this witness. It's now
11 5:10. We've responded to the one, two, three, four --

12 MS. LYONS: Counsel, please don't make another
13 long speech. You took half an hour to go make a couple
14 of copies.

15 MR. LOPEZ: Well, I did it at your request for
16 you to assist you in this deposition.

17 BY MS. LYONS:

18 Q. Mr. Sattelmeier, do you have copies of any of
19 the depositions in which you were deposed?

20 MR. LOPEZ: I'm going to instruct him not to
21 answer, because it's beyond the scope of what he's been
22 designated here in this deposition.

23 BY MS. LYONS:

24 Q. Mr. Sattelmeier, Mr. Lopez says you're the
25 person most knowledgeable at the Chrysler Corporation,

1 where you last worked in 1991, about material safety
2 data sheets concerning the parts identified by part
3 number in Exhibit A attached to Exhibit 4.

4 Do you have a copy of Exhibit 4 over there?

5 A. Yes, I do.

6 Q. Are you the person most knowledgeable at the
7 Chrysler Corporation about MSDS sheets concerning the
8 parts identified by part number in Exhibit A?

9 MR. LOPEZ: Objection; argumentative.

10 BY MS. LYONS:

11 Q. You can go ahead and answer that, Mr.
12 Sattelmeier.

13 A. I only know that I was designated as the person
14 that has knowledge about this.

15 Q. They said most knowledgeable.

16 MR. LOPEZ: Well, don't argue with the witness.

17 MS. LYONS: I'm not arguing with Mr.
18 Sattelmeier. Would you be quiet a minute, Counsel, and
19 let me finish this deposition.

20 MR. LOPEZ: Please don't argue with the
21 witness. You're arguing with the witness. Just ask
22 him a question. I object.

23 BY MS. LYONS:

24 Q. Are you the person most knowledgeable at the
25 Chrysler Corporation about what's in all of these parts

1 numbers that are in Attachment A --

2 MR. LOPEZ: Objection --

3 BY MS. LYONS:

4 Q. -- that are --

5 I'm not through with the question, Counsel.
6 You're really getting obstructionist.

7 MR. LOPEZ: Go ahead. Please go heed.

8 BY MS. LYONS:

9 Q. That are on two pages consisting of one, two,
10 three -- six and a little bit of a seventh column?

11 MR. LOPEZ: Objection; mischaracterizes the
12 designation with respect to these part numbers and the
13 requests that were asked.

14 MS. LYONS: Seems to me, Mr. Lopez, that I've
15 heard you say 96 times this afternoon that you have
16 designated Mr. Sattelmeier for items 14 and 15 on
17 Exhibit 4. Items 14 on Exhibit 4 is the person most
18 knowledgeable about MSDS sheets concerning the parts
19 identified by part number in Exhibit A attached hereto.

20 BY MS. LYONS:

21 Q. Mr. Sattelmeier, are you that person?

22 A. There's some that apparently believe that, and
23 as such, I've been designated.

24 Q. Are you one of them?

25 MR. LOPEZ: Objection; argumentative.

1 THE WITNESS: I didn't make that decision.

2 BY MS. LYONS:

3 Q. If you wanted to find the person at the
4 Chrysler Corporation who knew the most about the parts
5 listed in Exhibit A, who would you go to?

6 MR. LOPEZ: Objection; argumentative, beyond
7 the scope go ahead.

8 THE WITNESS: There really is no one who knows
9 and can answer that, but there's a computer system that
10 can.

11 BY MS. LYONS:

12 Q. How many people know how to drive it?

13 A. I can't answer that question.

14 Q. Is there anyone who knows how to drive it
15 better than you do?

16 MR. LOPEZ: Objection; argumentative.

17 THE WITNESS: There is someone that I consulted
18 that I've given you the name of that I asked to search
19 the system that is still working at the corporation and
20 that was Karen Ridella, and I asked her to do this
21 search and she did it. I believe it was quite
22 responsive to the request.

23 BY MS. LYONS:

24 Q. Are there other people -- do you know whether
25 there are other people other than Karen Ridella at the

1 Chrysler Corporation or at Chrysler dealerships who
2 know how to access the information that the computer
3 would provide about the parts listed in Exhibit A?

4 MR. LOPEZ: Objection; beyond the scope, calls
5 for speculation.

6 THE WITNESS: I -- offhand, I can't answer who
7 can -- who can do the search above and beyond her.

8 BY MS. LYONS:

9 Q. But someone could access the information from a
10 Chrysler dealership at a terminal at the dealership,
11 correct?

12 A. They can -- they can get material safety data
13 sheets.

14 Q. Is that the only information they can get from
15 the computer?

16 MR. LOPEZ: Objection; calls for speculation.

17 THE WITNESS: I don't know.

18 BY MS. LYONS:

19 Q. Do you know whether anyone searched anywhere on
20 the computer or elsewhere for information about the
21 asbestos fiber type used at any point in time in the
22 parts listed on Exhibit A?

23 A. Yes.

24 Q. Tell me what you know about that.

25 A. There was a search done by Karen Ridella

1 looking for any part containing any type of asbestos.
2 Any part that is on this list and the results of that
3 search are the two data sheets that we provided.

4 Q. Did Karen Ridella search the computer system
5 for any CAS number that is the number for any form of
6 asbestos fiber?

7 MR. LOPEZ: Objection; calls for speculation.

8 BY MS. LYONS:

9 Q. Crocidolite, amosite, chrysotile,
10 anthrophyllite or tremolite?

11 A. In her search to answer Exhibit A, she looked
12 for all types of asbestos.

13 Q. Did she just search for these parts, or did she
14 search for asbestos?

15 A. She searched for these parts that might
16 possibly contain asbestos.

17 Q. But she didn't do a separate search to see
18 where in the computer anywhere for any part there might
19 be crocidolite, for example?

20 MR. LOPEZ: Objection --

21 BY MS. LYONS:

22 Q. She didn't do that search, did she?

23 MR. LOPEZ: Objection; beyond the scope.

24 THE WITNESS: I can't answer beyond Exhibit A.
25 I know that she did do the search for Exhibit A.

1 looking for any part containing any type of asbestos.
2 Any part that is on this list and the results of that
3 search are the two data sheets that we provided.

4 Q. Did Karen Ridella search the computer system
5 for any CAS number that is the number for any form of
6 asbestos fiber?

7 MR. LOPEZ: Objection; calls for speculation.

8 BY MS. LYONS:

9 Q. Crocidolite, amosite, chrysotile,
10 anthrophyllite or tremolite?

11 A. In her search to answer Exhibit A, she looked
12 for all types of asbestos.

13 Q. Did she just search for these parts, or did she
14 search for asbestos?

15 A. She searched for these parts that might
16 possibly contain asbestos.

17 Q. But she didn't do a separate search to see
18 where in the computer anywhere for any part there might
19 be crocidolite, for example?

20 MR. LOPEZ: Objection --

21 BY MS. LYONS:

22 Q. She didn't do that search, did she?

23 MR. LOPEZ: Objection; beyond the scope.

24 THE WITNESS: I can't answer beyond Exhibit A.

25 I know that she did do the search for Exhibit A.

1 just making a comment.

2 MS. LYONS: I didn't hear you instruct him not
3 to answer.

4 MR. LOPEZ: Sorry.

5 BY MS. LYONS:

6 Q. You could also do a search in the computer for
7 any part without having a part number that contained
8 crocidolite asbestos, couldn't you, if you knew the CAS
9 number for crocidolite asbestos?

10 MR. LOPEZ: Objection. Instruct him not to
11 answer. Beyond the scope of the designation.

12 BY MS. LYONS:

13 Q. Are you getting tired, Mr. Sattelmeier?

14 A. It's been a long day.

15 Q. I can't complete this deposition without a
16 ruling --

17 A. In fact, it's 8:19.

18 Q. -- without a ruling from our trial judge on
19 some legal issues that I intend to bring to his
20 attention. So I'm going to reserve the right to ask
21 you to come back to ask some questions they wouldn't
22 let me ask today.

23 Would you mind doing that?

24 MR. LOPEZ: That's up to court. It's not up to
25 him, so...

1 MS. LYONS: Well, I'm asking if he'd mind
2 because I'm a courteous person.

3 MR. LOPEZ: We appreciate your concern.

4 THE WITNESS: I guess it would depend upon
5 when.

6 BY MS. LYONS:

7 Q. Is there any particular time that would make a
8 great deal of difference to you about when over the
9 course of the next month; is there any best time for
10 you?

11 A. I can tell you the bad time.

12 Q. Okay.

13 A. The bad time would be the next two weeks
14 because I'm planning a vacation during that period.

15 Q. How about the 15th?

16 A. I'll be on vacation.

17 Q. When are you going to be back?

18 A. I believe about the 16th or somewhere
19 thereabouts.

20 Q. We'll figure out something that works for you.

21 A. Thank you.

22 MS. LYONS: Okay. The deposition is not
23 complete. I hope you all understand that. We are
24 going to need to complete it.

25 MR. LOPEZ: Well, we think we've concluded it

1 to the extent you've asked all your questions with
2 respect to the actual topics he's been designated on.

3 MS. LYONS: Well, you didn't let him answer the
4 questions on the topics he's been designated on, but
5 you did let him demonstrate that he should have been
6 designated as a person most knowledgeable on many more.

7 THE VIDEOGRAPHER: Are we going off record?

8 MR. LOPEZ: Yes.

9 THE VIDEOGRAPHER: This concluded today's
10 proceeding in the deposition of Gerald Sattelmeier.
11 The number of video discs used is three.

12 We are now going off the record. The time is
13 5:22.

14
15 _____
16 SIGNATURE OF WITNESS
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