

FILE NAME: Asbestos Cement Pipe and Sheet (ACPS)

DATE: 2014 Oct 8

DOC#: ACPS132

DOCUMENT DESCRIPTION: Legal - Deposition Summary of Lewis Armstrong

Summary of Lewis Armstrong Deposition of October 8, 2014

	PAGE
76 years old good health	11
Worked for JM Manufacturing from 1983 to 1987	13
Worked in the shipping department	13
AC pipe is light grey in color	14
Worked from Johns Manville in the same plant before 1983	14
May 1960 is when Armstrong started with JM and worked continuously for JM at the Denison plant until JMM took over in 1983	14- 15
Composition of water and sewer pipe is identical except that the sewer pipe is not pressure tested	16
Armstrong saw both Canadian fiber and Calavaras fiber and blue African fiber	18
Same asbestos fiber was used by JM and by JMM	19
Armstrong began in the shipping department at Denison in about 1980 and continued in the shipping department until he left in 1987	22- 23
Remembers change of management in 1983. But for the work he did, nothing changed after 1983. "Everything remained the same."	23
There was no labeling on a new piece of pipe that was made and was ready to ship	24
Never saw any kind of stencil or writing on the pipe re: asbestos cautions	25
Armstrong is shown what purports to be a Johns Manville caution label.	25-
Armstrong says he never saw any such label on Johns Manville pipe or on JMM pipe. Never saw the caution label until shown in the deposition.	26
Armstrong saw hundreds of 1000s of pieces of pipe at JM Manufacturing	26
When JM Manufacturing took over management of the Denison plant there was no change in the way the asbestos cement was manufactured.	27
There was pipe made by Johns Manville that was in inventory when JMM took over on Jan 1, 1983; Armstrong can't say that the inventory was ever all depleted.	

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 COUNTY OF LOS ANGELES
3 COURT OF UNLIMITED JURISDICTION
4
5 ROBERT W. JONES, SR., and
6 SHARON E. JONES,)
7 Plaintiffs,)
8 vs.) Case No. BC541164
9 BORGWARNER MORSE TEC, INC.,)
10 et al.,)
11 Defendants.)
12
13
14 VOLUME I
15 DEPOSITION OF LEWIS ARMSTRONG
16 Wednesday, October 8, 2014
17 Denison, Texas
18
19
20
21
22 REPORTED BY:
23 KEATON HOUGEN
24 CSR NO. 8754
25 JOB NO.
77876MAU

Page 1
1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 COUNTY OF LOS ANGELES
3 COURT OF UNLIMITED JURISDICTION
4 ROBERT W. JONES, SR., and
5 SHARON E. JONES,)
6 Plaintiffs,)
7 VS.) NO. BC541164
8 BORGWARNER MORSE TEC,
9 INC., et al.,)
10 Defendants.)
11
12 *****
13 ORAL AND VIDEOTAPED DEPOSITION OF
14 LEWIS ARMSTRONG
15 October 8, 2014
16 *****
17
18 ORAL AND VIDEOTAPED DEPOSITION OF LEWIS ARMSTRONG,
19 produced as a witness at the instance of the Plaintiffs,
20 and duly sworn, was taken in the above-styled and
21 -numbered cause on the 8th day of October, 2014, from
22 9:05 a.m. to 2:55 p.m., live and via telephone, before
23 Keaton Hougen, CSR in and for the State of Texas,
24 reported by machine shorthand, at the Hampton Inn &
25 Suites, 3415 Ansley Boulevard, Denison, Texas 75020.

Page 2
1 A P P E A R A N C E S
2 FOR THE PLAINTIFFS:
3 Mr. Christian H. Hartley
4 MAUNE RAICHLE HARTLEY FRENCH & MUDD, LLC
5 300 West Coleman Boulevard, Suite 200
6 Mount Pleasant, South Carolina 29464
7 Phone: 843-388-1330
8 Fax: 803-753-9931
9 E-mail: chartley@mrhfmlaw.com
10
11 FOR THE DEFENDANT, J-M MANUFACTURING:
12 Mr. Anthony S. Miller
13 MANION GAYNOR & MANNING
14 201 Spear Street, 18th Floor
15 San Francisco, California 94105
16 Phone: 415-512-4381
17 Fax: 415-512-6791
18 E-mail: Amiller@mgmlaw.com
19
20 FOR THE DEFENDANT, CALAVERAS ASBESTOS LIMITED and
21 MUELLER COMPANY:
22 Mr. John Loomis (Via Telephone)
23 FOLEY & MANSFIELD
24 300 South Grand Avenue, Suite 2800
25 Los Angeles, California 90071
Phone: 213-283-2100
E-mail: jloomis@foleymansfield.com
FOR THE DEFENDANT, CERTAINTED CORPORATION:
Mr. Joe Greenslade (Via Telephone)
POLSINELLI LLP
2049 Century Park East, Suite 2300
Los Angeles, California 90067
Phone: 310-556-1801
FOR THE DEFENDANT, WESTERN AUTO SUPPLY CO.:
Mr. Howard Ruddell (Via Telephone)
POND NORTH, LLP
350 South Grand Avenue, Suite 3300
Los Angeles, California 90071
Phone: 213-617-6170
ALSO PRESENT:
Mr. Chase Huddleston, Videographer

Page 3

INDEX	
Appearances	2
LEWIS ARMSTRONG	
Examination by Mr. Hartley	7
Examination by Mr. Miller.	40
Examination by Mr. Loomis.	135
Examination by Mr. Miller.	158
Examination by Mr. Hartley	162
Examination by Mr. Miller.	167
Reporter's Certificate	171
EXHIBITS	
NO. DESCRIPTION	PAGE
1 Notice of Deposition	25
2 Caution Statement.	25
3 Photos of Pipe	36
4 Declaration.	120