

IN RE: ALL ASBESTOS)
LITIGATION FILED BY)
SIMMONS, BROWDER,)
GIANARIS, ANGELIDES &)
BARNERD, LLC,)

-VS-)

Defendant.)

Illinois CSR License No. 84-3705

WITNESS	PAGE
WILLIAM KOTZUM - EVIDENCE	
Examination by Mr. Hampton.....	11
Examination by Ms. Ross.....	149

I N D E X O F E X H I B I T S

EXHIBIT NO.	MARKED
1 - BWDAC, Inc.'s Responses and Objections to Plaintiffs' Manufacturer Interrogatories.....	22
2 - Notice of Videotaped Deposition of William Kotzum.....	22
3 - Agreement for Sale of Assets, 2/28/81.....	26
4 - General Assignment and Bill of Sale, 7/14/81.....	30
5 - BWD 1986 Automotive Corporation Catalog.....	57
6 - 1987 BWD Automotive Corporation Catalog.....	57
7 - 9/14/01Memo on Dana Letterhead to Marcy Ducat and Denise O'Rourke from Bill Kotzum.....	69

1	I N D E X O F E X H I B I T S (CONTINUED)		
2	EXHIBIT NO.		MARKED
3	8 -	BWD Automotive Remanufactured Clutches Analysis.....	73
4			
5	9 -	Report of Industrial Hygiene Study, November 1981.....	94
6	10 -	BWE Corporate Memo, 5/26/82, re Hygiene and Noise Surveys.....	96
7			
8	11 -	Report of Technical Services Study, 6/11/82.....	99
9	12 -	Moise Survey and Hygiene Survey, 7/13/83.....	101
10			
11	13 -	BWD Memo, 3/10/93, to C. Shields of OSHA from B. Peterson.....	104
12	14 -	Memo Re Industrial Hygiene Results for the Ottawa Facility, January to June 1995.....	106
13			
14	15 -	"NIOSH Revised Recommended Asbestos Standard," December 1976.....	110
15			
16	16 -	"Workplace Exposure to Asbestos," 1980.....	114
17	17 -	"Guidance for Preventing Asbestos Disease Among Auto Mechanics," June 1986.....	116
18			
19	18 -	"OSHA's position on the risk associated with asbestos exposure at the current PEL," 5/13/99.....	123
20			
21	19 -	Echlin Document Re Asbestos Warning Labels, 3/20/86.....	129
22			
23	20 -	BWD memo, 8/11/86, Re Asbestos Regulations Check List.....	131
24	21 -	BWD Clutch Service Manual, 1988.....	134

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS)
LITIGATION FILED BY)
SIMMONS, BROWDER,)
GIANARIS, ANGELIDES &)
BARNERD, LLC,)
)
Plaintiffs,)
)
-vs-)
)
BWDAC, INC.,)
)
Defendant.)

The videotaped evidence deposition of
WILLIAM KOTZUM, produced, sworn and examined on
behalf of the Plaintiffs on July 18, 2013, between
the hours of 9:39 a.m. and 2:01 p.m. on that day, at
1200 Burr Ridge Parkway, Burr Ridge, Illinois, taken
before Maria Elena Golden, CSR No. 84-3705, a
Certified Shorthand Reporter, Registered Professional
Reporter, and a Notary Public.

1 A P P E A R A N C E S:

2

3 SIMMONS, BROWDER, GIANARIS, ANGELIDES & BARNERD, LLC
4 BY: MR. SHANE F. HAMPTON
5 One Court Street
6 Alton, IL 62002
7 Appeared on behalf of the Plaintiffs

6

7 CRIVELLO, CARLSON, PICOU & ANDREKANIC, LLC
8 BY: MR. JAMES J. BENTIVOGLIO
9 1012 Plummer Drive
10 Suite 201
11 Edwardsville, IL 62025
12 Appeared via telephone on behalf of
13 A.O. Smith Corporation

11

12 DANNA MCKITRICK, PC
13 BY: MR. PATRICK T. HINRICHS
14 7701 Forsyth Boulevard
15 Suite 800
16 St. Louis, MO 63105
17 Appeared via telephone on behalf of
18 Kimberly-Clark Corporation

16

17 DOGAN & WILKINSON PLLC
18 BY: MS. THI T. GILLIES
19 734 Delmas Avenue
20 Pascagoula, MS 39567
21 Appeared via telephone on behalf of Carver Pump
22 Company and Guard-Line, Inc.

20

21 GOODWIN PROCTER, LLP
22 BY: MS. VALERIE E. ROSS
23 901 New York Avenue, N.W.
24 Washington, DC 20001
Appeared on behalf of BWDAC, Inc. and the Witness

1 A P P E A R A N C E S (CONTINUED):

2

3 HERZOG CREBS, LLP
4 BY: MR. DON W. WARD
5 100 North Broadway
6 14th Floor
7 St. Louis, MO 63102
8 Appeared via telephone In Re All Simmons

7

8 HILL FULWIDER, PC
9 BY: MR. KEITH HAYS
10 One Indiana Square, Suite 2400
11 211 North Pennsylvania Street
12 Indianapolis, IN 46204
13 Appeared via telephone on behalf of
14 Utility Trailer Manufacturing, Inc.

12

13 JOHNSON & BELL, LTD.
14 BY: MR. CHRISTOPHER J. CARLOS
15 33 West Monroe Street
16 Suite 2700
17 Chicago, IL 60603
18 Appeared via telephone on behalf of
19 Luse-Stevenson Co.

17

18 KNAPP OHL & GREEN
19 BY: MS. JESSICA BRASEL
20 6100 Center Grove Road
21 Edwardsville, IL 62025
22 Appeared via telephone on behalf of Apex Oil
23 Company, Inc.; Cardinal Industrial Insulation
24 Company, Inc.; Colony Brands, Inc.; Modine
Manufacturing Company; Tennant Company; and
Transco, Inc.

23

24

1 A P P E A R A N C E S (CONTINUED) :

2

3 LITCHFIELD CAVO, LLP
4 BY: MR. MATTHEW GARDNER
5 303 West Madison Street
6 Suite 300
7 Chicago, IL 60606

8 Appeared via telephone on behalf of Clark
9 Industrial Insulation and Duro Dyne Corporation

10

11 MCKENNA STORER
12 BY: MS. MARGARET M. FOSTER
13 33 North LaSalle Street
14 Suite 1400
15 Chicago, IL 60602

16 Appeared via telephone on behalf of
17 All Defendants

18

19 O'CONNELL, TIVIN, MILLER & BURNS, LLC
20 BY: MR. MARK TIVIN
21 135 South LaSalle Street
22 Suite 2300
23 Chicago, IL 60603

24 Appeared via telephone on behalf of
25 Cleaver-Brooks; John Crane, Inc.; Miniature
26 Precision Components, Inc.; and Sepco

27

28 SPENCER, FANE, BRITT & BROWNE, LLP
29 BY: MR. THOMAS W. HAYDE
30 1 North Brentwood
31 Suite 1000
32 St. Louis, MO 63105

33 Appeared via telephone on behalf of MRC Holdings

34

35

36

1 A P P E A R A N C E S (CONTINUED) :

2

3 SWANSON, MARTIN & BELL, LLP
4 BY: MS. JENNIFER S. KILPATRICK
5 330 North Wabash
6 Suite 3300
7 Chicago, IL 60611

 Appeared on behalf of Western Auto Supply Company

7

8 THOMPSON COBURN, LLP
9 BY: MR. BRIAN DOTY
10 525 West Main Street
11 Belleville, IL 62220
12 Appeared via telephone on behalf of
13 CNH America LLC and Honda

11

12

VIDEOTAPED BY: MR. JOHN DOODY, CLVS

13

14

15

16

17

18

19

20

21

22

23

24

1 IT IS HEREBY STIPULATED AND AGREED by and
2 between counsel for the Plaintiffs and counsel for
3 the Defendants that this deposition may be taken in
4 machine shorthand by Maria Elena Golden, a Certified
5 Shorthand Reporter, a Registered Professional
6 Reporter, and a Notary Public, and afterwards
7 transcribed into print, and the signature of the
8 witness is reserved by agreement of counsel and the
9 witness.

10 o-O-o

11 THE VIDEOGRAPHER: We're on the record.
12 This is the videotaped evidence deposition of William
13 Kotzum. Today's date is July 18th, 2013, and the
14 time is 9:39 a.m.

15 This is the matter In Re: All Asbestos
16 Litigation Filed by Simmons, Browder, Gianaris,
17 Angelides & Barnerd versus BWDAC, Inc., pending in
18 the Circuit Court, Third Judicial Circuit, Madison
19 County, Illinois.

20 This deposition is being held at the
21 Marriott Burr Ridge located at 1200 Burr Ridge
22 Parkway in Burr Ridge, Illinois.

23 My name is John Doody, certified legal
24 video specialist, in association with PohlmanUSA

1 Court Reporting, located at 10 South Broadway,
2 Suite 1400, in St. Louis, Missouri.

3 The court reporter today is Maria Golden,
4 also with PohlmanUSA Court Reporting.

5 All appearances will be reflected on the
6 stenographic record.

7 Will the court reporter please swear in the
8 witness.

9 (WHEREUPON, the witness was duly sworn.)

10 MS. ROSS: Before we get started, I just
11 want to state on the record that Mr. Hampton and I
12 have conferred -- and this is Valerie Ross,
13 representing BWDAC and Mr. Kotzum.

14 The notice of deposition included a number
15 of topics that relate to some personal jurisdiction
16 issues that BWDAC has raised in some of the cases
17 that have been filed in Madison County, and
18 Mr. Hampton and I conferred yesterday and agreed that
19 this deposition would not cover those matters, that
20 we would deal with discovery, and including the
21 potential deposition on personal jurisdiction down
22 the line, and this would instead focus on other
23 issues relating to BWDAC.

24 MR. HAMPTON: That's correct.

1 WILLIAM KOTZUM,
2 of lawful age, being produced, sworn and examined on
3 behalf of the Plaintiffs, and after responding "Yes"
4 to the oath administered by the court reporter,
5 deposes and says:

6 EXAMINATION

7 BY MR. HAMPTON:

8 Q. Mr. Kotzum, we met briefly a while ago.
9 Nice to see you.

10 Would you please state your name for the
11 record?

12 **A. William Kotzum.**

13 Q. And I understand you've had your deposition
14 taken before on behalf of BWDAC?

15 **A. Yes.**

16 Q. How many times have you had that done?

17 **A. This is the third time.**

18 Q. Okay. The first one was in approximately
19 2000?

20 **A. Yes.**

21 Q. And then I believe another one in 2012?

22 **A. January of 2012.**

23 Q. And then this would be the third time?

24 **A. Yes.**

1 Q. And Valerie Ross is your attorney on behalf
2 of BWDAC; is that your understanding?

3 **A. Yes.**

4 Q. And your attorney's here, and she may
5 object at times when I ask certain questions. She
6 may also, if I get too far out of bounds, she may
7 instruct you not to answer.

8 But when I ask a question, please give it
9 enough time for her to interject if she has got an
10 objection or other instruction. If I ask something
11 that she doesn't feel like is part of -- should be
12 part of this deposition, she'll let you know and
13 hopefully let me know as well.

14 And as you know from your previous
15 depositions, we'll do our best to ask -- I'll ask the
16 questions, you do your best to answer after my
17 question, which would be better for the court
18 reporter and the overall record so we're not talking
19 over each other. It can get quite difficult.

20 Do you -- what's your current address,
21 individual address?

22 **A. 8200 Pine Bluff Court in Darien, Illinois.**

23 Q. Okay. Where approximately is Darien,
24 Illinois? Is that here, near Chicago?

1 **A. Yes. It's about two or three miles away.**

2 Q. Okay. How long have you lived in the
3 Chicago area?

4 **A. Since 1975.**

5 Q. And where did you live before that?

6 **A. I was always in Chicago until 1974, and I**
7 **lived two years in South Carolina after I got**
8 **married.**

9 Q. Then returned?

10 **A. Then returned, yes.**

11 Q. And for a period of time you were the
12 comptroller of BWDAC, located here in the Chicago
13 area?

14 **A. Yes.**

15 Q. Okay. What years were those?

16 **A. Well, I started in 1978 with Borg-Warner**
17 **Corporation, and then when they sold the business to**
18 **Echlin, I became a comptroller -- well, we**
19 **transferred in 1981.**

20 Q. And did your physical address change from
21 '78 to '81?

22 **A. No. I was always in that location.**

23 Q. Okay.

24 **A. Franklin Park.**

1 Q. And did you remain in Franklin Park from
2 '81 and on?

3 **A. Yes.**

4 Q. Okay. And is that -- my understanding is
5 that's more of a headquarters office building?

6 **A. Yes.**

7 Q. Okay. And BWDAC, and prior to that,
8 Borg-Warner, had a different facility in Ottawa,
9 Illinois; is that correct?

10 **A. Yes.**

11 Q. And that was a manufacturing facility?

12 **A. Yes, it was.**

13 Q. Your primary workplace was the Franklin
14 Park location?

15 **A. Yes.**

16 Q. Okay. And how long were you employed by --
17 from 1981 until what period of time did you end your
18 employment with BWDAC?

19 **A. 2003.**

20 Q. Okay. What happened in 2003?

21 **A. The business was sold to Standard Motor**
22 **Products.**

23 Q. Did you continue to be an employee of
24 Standard Motor Products?

1 **A. Yes.**

2 Q. Okay. And how long did you work for
3 Standard Motor Products?

4 **A. Until 2004.**

5 Q. And in 2004, what did you do?

6 **A. I retired.**

7 Q. And how long did -- well, let me back up to
8 the sale to Standard Motor Products.

9 Did the business continue on, the
10 day-to-day business continue on, as it did in 2003,
11 then it was purchased by Standard Motor Products?

12 Did it continue to do the same type of work
13 in 2004, when you were at Standard Motor Products?

14 **A. Yes, but we were in a shutdown and transfer**
15 **mode.**

16 Q. And can you tell me a little more detail,
17 what that means?

18 **A. Basically, they are located in Long Island**
19 **City, New York, and they wanted to move all the**
20 **administrative functions to New York.**

21 Q. Okay. And what about the manufacturing
22 functions that were going on in Ottawa, Illinois?

23 **A. Ottawa, Illinois was actually shut down**
24 **completely in 1998, so that really wasn't part of**

1 **that transaction -- or transaction with Standard**
2 **Motor Products.**

3 Q. Okay. From 1998 to 2003 -- again, I'm
4 backing up.

5 From '98 to 2003 with BWDAC, what was your
6 job, having -- now that I realize that the Ottawa
7 plant had shut down, or during that time period?

8 **A. I was comptroller and facility manager at**
9 **Franklin Park.**

10 Q. And did that involve other operations
11 around the country?

12 Since Ottawa had been shut down, did it
13 involve business of -- I guess at that time it would
14 be BWDAC owned by or a subsidiary of Echlin during
15 that time period?

16 **A. Yes.**

17 Q. Okay. And did you do other duties
18 unrelated, obviously, to the Ottawa, Illinois
19 facility around the country?

20 **A. Let me go back. I guess Echlin had sold**
21 **the business to Dana in 1998, so technically it was**
22 **part of Dana from '98 to 2003.**

23 Q. Did that have anything -- did the sale in
24 '98 have anything to do with the Ottawa, Illinois

1 plant being shut down?

2 MS. ROSS: I'm going to object on
3 foundation grounds.

4 You can answer if you know.

5 BY MR. HAMPTON:

6 Q. Well, back up again. We were talking about
7 the Ottawa plant closing, I guess the --

8 A. Right.

9 Q. -- the manufacturing -- manufacturing of
10 clutches?

11 A. Yes.

12 Q. It closed in '98?

13 A. Yes.

14 Q. My question is, did that happen at the time
15 of the sale from Echlin to Dana?

16 A. No.

17 Q. Okay. What point did that happen on this
18 timeline?

19 A. Well --

20 Q. The shutdown of Ottawa manufacturing
21 facility.

22 A. Well, that happened -- was shut down in
23 1998.

24 Q. Okay.

1 **A. And as far as remanufacturing, and then the**
2 **business was transferred to -- I'm trying to think**
3 **now.**

4 **We became -- the business became like a**
5 **repackager, to where they would just buy completed**
6 **units and package them for sale.**

7 Q. They were -- the facility was buying new
8 clutches, repackaging and selling new clutches as in
9 you weren't doing the remanufacturing process that I
10 have seen in some of the other documents?

11 **A. Right, right, right.**

12 Q. Okay.

13 **A. And I can't remember what location that was**
14 **done at.**

15 Q. Was that going on in Ottawa --

16 **A. No.**

17 Q. -- during this time period?

18 **A. No. Ottawa was completely shut down in**
19 **1998.**

20 Q. And coincidentally -- I'm trying to
21 understand the -- the corporate history here.

22 Coincidentally, in that same time period is
23 when Dana purchased BWDAC from Echlin?

24 **A. Yes.**

1 Q. We're talking 1998?

2 A. Yes.

3 Q. Dana then owned BWDAC until approximately
4 2003, 2004?

5 A. 2003, yes.

6 Q. Okay.

7 MS. ROSS: Actually --

8 MR. HAMPTON: Feel free. If we're off on
9 the timeline --

10 MS. ROSS: Yeah. I mean, I just think, you
11 know, you may be off on the time. You should ask him
12 who currently owns BWDAC. That might be a good
13 question that will help.

14 MR. HAMPTON: Work backwards?

15 MS. ROSS: Work backwards from that.

16 BY MR. HAMPTON:

17 Q. Who currently owns BWDAC?

18 A. Dana Companies.

19 Q. Okay. Now let's work backwards.

20 A. Okay.

21 Q. At what point did Dana Companies purchase
22 BWDAC?

23 A. 1998.

24 MR. HAMPTON: Let's go off the record for a

1 minute, and we can -- we can probably --

2 MS. ROSS: Okay.

3 MR. HAMPTON: -- make short work of this.

4 THE VIDEOGRAPHER: We're off the record.

5 The time is 9:50 a.m.

6 (WHEREUPON, discussion was had off the
7 record.)

8 THE VIDEOGRAPHER: We're back on the
9 record. The time is 9:56 a.m.

10 BY MR. HAMPTON:

11 Q. And today we went through some corporate
12 history stuff and still basically talked it out, and
13 we're going to try to work it out even a little bit
14 more off the record. It's not entirely simple.

15 Who's paying the bills today? Who -- who
16 are you -- are you working for today, and who's going
17 to pay for your time here?

18 A. **Dana Companies.**

19 Q. You think -- you don't know for sure,
20 but --

21 A. **I --**

22 Q. -- you think Dana Companies?

23 A. **I believe so, yes.**

24 Q. Okay. And as the corporate representative

1 for BWDAC, are you being compensated for your time?

2 **A. Yes.**

3 Q. And how is that compensation -- how does
4 that happen? Is it an hourly? Is it a yearly?

5 **A. It's an hourly.**

6 Q. Okay. And what -- how much do you charge
7 hourly, or how much do they pay you for -- hourly for
8 your time?

9 **A. Oh, \$100.**

10 Q. And in the last 12 months, how much
11 compensation have you received at \$100 an hour? How
12 much total compensation?

13 **A. Maybe 6- or \$700 in the last 12 months.**

14 Q. Okay. Okay. Now, I'd like to refer to the
15 answers to interrogatories that were filed in this
16 case on behalf of BWDAC, with their objections and
17 responses.

18 I'm looking for the stamp date. I know it
19 was approximately February of 2013. And we're going
20 to be using this a fair amount today, so we can go
21 ahead and mark that as Exhibit 1.

22 I do have a complete copy here. The only
23 markings on it I believe are highlights, yellow
24 highlights. So one of us, by the end of the

1 deposition may have a clean copy that we can attach,
2 but let's go ahead and mark that as Plaintiffs'
3 Exhibit 1.

4 (WHEREUPON, a certain document was marked
5 Plaintiffs' Deposition Exhibit No. 1 for
6 identification as of 07/18/2013.)

7 MR. HAMPTON: While we're doing that, we
8 may as well also notice a copy of the notice of
9 deposition which was -- we referred to in the
10 preliminary discussion, and we can mark that one as
11 Exhibit 2.

12 (WHEREUPON, a certain document was marked
13 Plaintiffs' Deposition Exhibit No. 2 for
14 identification as of 07/18/2013.)

15 BY MR. HAMPTON:

16 Q. All right, Mr. Kotzum. We marked the
17 answers to interrogatories, and I'm going to let you
18 look through these so we -- so you know what the
19 document is.

20 I've tabbed the verification page. Tell
21 me -- after you look at that, tell me if that's your
22 signature and if you verified those answers to
23 interrogatories.

24 A. Yes.

1 Q. Thank you. We'll start -- there's a
2 preliminary statement and some objections. We're
3 going to go on to No. 1.

4 In No. 1, the question is, "Identify the
5 person answering these interrogatories on behalf of
6 Defendant," and about three lines down in the reply
7 is, "numerous persons have participated in the
8 preparation of these responses. No one person has
9 provided information for all responses."

10 My question, sir, is did any other former
11 employees, in addition to yourself, participate in
12 the answering of these interrogatory responses?

13 **A. I'm not sure.**

14 Q. Fair to say you have no firsthand knowledge
15 of any other former employees of BWDAC helping answer
16 these responses?

17 **A. Yes.**

18 Q. Okay. Do you know what other persons or
19 attorneys may have been involved in answering these
20 interrogatory responses?

21 **A. I think I do.**

22 Q. Okay. And who would those be?

23 **A. Janis Foley and people on her staff at**
24 **Cooper & Walinski. I'm not sure if Valerie Ross was**

1 **involved.**

2 Q. And these answers to interrogatories, how
3 did you come to be involved in verifying these
4 answers to interrogatories?

5 I'm just asking how did it happen. Did
6 they call you up and say, "Hey, we've got some
7 interrogatory requests, and we'd like you to take a
8 look at them"?

9 **A. Yes.**

10 Q. And when these answers to interrogatories
11 were prepared, were they prepared in large part by
12 the attorneys and then sent to you?

13 **A. Yes.**

14 Q. And tell me what your role is at that point
15 in verifying and making sure these answers are what
16 they should be.

17 **A. I read through the questions and I read**
18 **through the answer, and to my -- best of my ability,**
19 **I verify that the answer is correct.**

20 Q. And in -- in this -- this set that we've
21 marked here as Exhibit 1, approximately how much time
22 did you spend working on these answers to
23 interrogatories?

24 **A. Reviewing the answers?**

1 Q. Yes.

2 A. Two or three hours.

3 Q. Did you make any changes based on your
4 review of what they prepared on this set, Exhibit 1?

5 A. I can't remember.

6 Q. You can't remember if you made any, or you
7 don't know if you made any?

8 A. I can't remember if I made any. Sometimes
9 there might be a date change or, you know, a simple
10 sentence change.

11 Q. Okay. And on this set, your recollection
12 is you don't know if you did or did not make any
13 changes?

14 A. Right.

15 Q. Is there a custodian of records for BWDAC?

16 A. Yes.

17 Q. And who is that?

18 A. It's the Cooper & Walinski firm, and they
19 have a repository in their law office.

20 Q. And I think -- I thought I was reading in a
21 different deposition, maybe your second deposition,
22 where there was a question asked about custodian of
23 records, and you were -- I think there may have been
24 an implication that you were the custodian of

1 records.

2 Do you know -- do you recall that
3 conversation?

4 **A. No.**

5 Q. Okay. And we talked a little bit about the
6 corporate history before we -- before I got all
7 confused and couldn't figure it out. So in regard to
8 that, going back to that topic, I wanted to talk a
9 little bit about the Agreement for Sale of Assets
10 from -- I think it was originally dated February 28th
11 of 1981. And we'll mark that as Exhibit 3, then I'll
12 have you take a look at it and see if you're familiar
13 with it.

14 (WHEREUPON, a certain document was marked
15 Plaintiffs' Deposition Exhibit No. 3 for
16 identification as of 07/18/2013.)

17 BY MR. HAMPTON:

18 Q. Here you go, sir.

19 MS. ROSS: Can you read it?

20 THE WITNESS: I got my glasses.

21 MS. ROSS: You need to bring a magnifier
22 when you do this. It's four to a page.

23 MR. HAMPTON: I did put four to a page for
24 travel reasons. I apologize.

1 BY THE WITNESS:

2 A. Yes, I've seen that.

3 BY MR. HAMPTON:

4 Q. Now, referring back to our Exhibit 1 and
5 the preliminary statement, Paragraph 3, this
6 statement reads, "BWDAC, Inc. acquired some assets of
7 Borg-Warner Corporation's 'Automotive Aftermarket
8 Operations' division utilized in the remanufacturing
9 of clutch products."

10 Sir, whenever I read the Agreement for Sale
11 of Assets, it looked like the -- the asset purchase
12 reads basically all assets, anything to do with the
13 aftermarket operations, and so I'm curious if I'm
14 missing something or if "some" -- "some" should be
15 changed to "all assets."

16 I don't know if there's anything left with
17 the original Borg-Warner, was my question. And I'll
18 refer you to 1.1 of Exhibit 3, and read through that
19 paragraph. I'd like your opinion on that matter.

20 MS. ROSS: Before he answers the question,
21 I'm going to object since you're misstating the
22 document maybe a little bit because that agreement is
23 with Echlin, and your question is about what BWDAC
24 acquired. But he can answer your question.

1 BY THE WITNESS:

2 A. It's pretty long.

3 MR. HAMPTON: Let's go off the record.

4 THE VIDEOGRAPHER: We're off the record.

5 The time is 10:08 a.m.

6 (WHEREUPON, discussion was had off the
7 record.)

8 THE VIDEOGRAPHER: We're back on the
9 record. The time is 10:11 a.m.

10 MR. HAMPTON: Madam Court Reporter, can you
11 please read the question back?

12 No, I'll start over. I'll start over. Let
13 me rephrase. There was an objection, too, so we'll
14 just start over.

15 BY MR. HAMPTON:

16 Q. Mr. Kotzum, we're going to re-ask the
17 question. Hopefully, I can make it a little bit
18 better this time.

19 The answers to interrogatories on behalf of
20 BWDAC said in Paragraph 3 of the preliminary
21 statement that BWDAC, Inc. acquired some assets of
22 Borg-Warner Corp.'s automotive aftermarket operations
23 division utilizing the remanufacture of clutch
24 products.

1 My question is, after reviewing the
2 Agreement for Sale of Assets, do you believe that
3 some of those were transferred, or do you believe all
4 of those were transferred, or some other
5 interpretation?

6 **A. I believe "all" is an encompassing term,**
7 **and the intent was to buy the aftermarket operations,**
8 **but I'm sure there were a few of the assets that**
9 **weren't transferred. It might be something as simple**
10 **as maybe the -- some furniture items weren't**
11 **transferred, or some file cabinets.**

12 Q. But in general, the -- all of the principle
13 matters were -- were transferred?

14 MS. ROSS: And transferred to -- well, I'll
15 object as vague as to -- to whom they were
16 transferred.

17 MR. HAMPTON: Well, I was just referring
18 from BWDAC, Inc., from the preliminary statement.

19 MS. ROSS: No, I understand, but the
20 agreement is not with BWDAC.

21 BY MR. HAMPTON:

22 Q. That's correct. The agreement -- for
23 clarification, the sale of assets was to Echlin?

24 **A. Yes.**

1 Q. So let's ask it -- you know, let's ask
2 another question.

3 Do you believe that all of the assets were
4 transferred from Borg-Warner to Echlin on this -- in
5 this particular document marked as Exhibit 3?

6 **A. Tough question. All of the assets,**
7 **according to the agreement, were transferred.**

8 Q. Fair enough.

9 Now, there's another general assignment and
10 bill of sale that I've got here. We'll mark this
11 document as Exhibit 4. I'll let you take a look at
12 that.

13 **A. Okay.**

14 Q. Are you familiar with that document?

15 **A. I've seen it.**

16 Q. Okay. What's that document say?

17 **A. That basically it was assigning all of the**
18 **assets to the automotive parts division.**

19 Q. Okay. I'm going to -- let's mark it.

20 (WHEREUPON, a certain document was marked
21 Plaintiffs' Deposition Exhibit No. 4 for
22 identification as of 07/18/2013.)

23 BY MR. HAMPTON:

24 Q. I'm going to highlight a section.

1 Okay, can you please read the highlighted
2 portion of that document?

3 **A. "APD, Inc., does hereby sell, transfer,**
4 **convey, and assign and deliver to APD, Inc., an**
5 **Illinois corporation, all the assets and business as**
6 **a going concern of the Automotive Parts Division, the**
7 **Automotive Parts Division International, Ottawa**
8 **Division of Borg-Warner Corporation ('Borg-Warner')**
9 **acquired by Echlin pursuant to the Agreement for Sale**
10 **of Assets."**

11 Q. Okay. And what date is that document?

12 **A. That is dated July 14th, 1981.**

13 Q. Okay. Now, going back to -- and again, I
14 apologize. This is going to be a little bit tedious,
15 but I'm still trying to figure out some of these
16 corporate questions.

17 In the preliminary statement of Exhibit 1,
18 the answers to interrogatories, I'm just going to
19 have you read this paragraph. It's Paragraph 2.

20 **A. "BWDAC, Inc. was originally incorporated in**
21 **the State of Delaware on May 27, 1981 under the name**
22 **APD, Inc. The corporate name was changed to BWD**
23 **Automotive Corporation on December 11, 1981 and later**
24 **to BWAC (sic), Inc. on June 7th, 2004."**

1 Q. All right. My question is, that compared
2 to Exhibit 4, I can't tell what's going on, can you?

3 MS. ROSS: I'll object to the form.

4 BY MR. HAMPTON:

5 Q. Everything seems somewhat inconsistent.
6 We've got originally incorporated in the State of
7 Delaware on the 27th under the name APD, Inc., yet on
8 Exhibit 4 it says APD -- APD, Inc., an Illinois
9 corporation.

10 Can you help me clarify which corporation
11 is which?

12 **A. No, I can't.**

13 Q. Is that something we'll need to get a
14 little -- do a little more research on and figure
15 out?

16 **A. I guess, yes.**

17 Q. All right. Thank you.

18 Okay. Let's go to 1981. At the time, the
19 Ottawa facility and BWDAC were -- and again, it
20 wasn't -- it didn't go automatically from Borg-Warner
21 to BWDAC. As we just read, there were some --
22 there's another -- it went to Echlin, then it went to
23 APD, then it ended up with BWD for many years, and
24 then it became BWDAC. Okay?

1 **A. Yeah.**

2 Q. So we're going to talk about all of those,
3 and I might call them BWD or BWDAC. But for the
4 purposes of this deposition, is it agreeable to you
5 and to your counsel that we're basically treating it
6 as the same entity, even though it may be a series of
7 different corporations?

8 MS. ROSS: That's fine.

9 BY MR. HAMPTON:

10 Q. Is that agreeable?

11 **A. Yes.**

12 MS. ROSS: That is agreeable.

13 BY MR. HAMPTON:

14 Q. It's too confusing for the purposes of what
15 we're trying to do today --

16 **A. Okay.**

17 Q. -- because I still can't figure it out, so
18 we'll try to keep it simple.

19 Also, when I refer to "you," unless I ask
20 specifically you, your personal knowledge, I'll
21 assume that "you" means you as in a representative
22 for BWDAC.

23 **A. Okay.**

24 Q. Is that fair?

1 **A. Okay.**

2 Q. And so going back to 1981, at the time of
3 the transfer from Borg-Warner to the other entity,
4 whether it be Echlin or BWD or BWDAC, tell me about
5 the plant just prior to the transfer as far as how
6 many employees did they have at the time, did
7 Borg-Warner have, the day it was transferred, if you
8 can approximate.

9 **A. I'll approximate about 400.**

10 Q. And how long had Borg-Warner been
11 operating -- you'd been there since 1978, so you'd
12 been there for approximately three years. Had it
13 been run -- or had it been approximately the same
14 number of employees for at least the three -- three
15 previous years when you were there?

16 **A. That I can't remember.**

17 Q. At the time of the transfer to new
18 ownership, did anything change with the number of
19 employees?

20 **A. Not that I'm aware of.**

21 Q. Okay. As far as the individuals working at
22 the Ottawa facility -- and I'm not talking about
23 directors. I'm not talking about plant manager.

24 Did the majority of the employees, were

1 they offered the ability to stay on and work under
2 the new ownership?

3 **A. I believe so, yes.**

4 Q. There wasn't a big cleaning of the house
5 and getting rid of a bunch of workers?

6 **A. Not that I'm aware of.**

7 Q. Now, did your role change at all during
8 that transition to new ownership?

9 **A. Immediately, no.**

10 Q. Okay. And what were you at Borg-Warner? I
11 think I saw somewhere vice comptroller or assistant?

12 **A. I was assistant comptroller.**

13 Q. Assistant comptroller.

14 And in previous testimony, that was -- you
15 were involved in financial work?

16 **A. Yes.**

17 Q. Now, was -- you were in the headquarters,
18 not at Ottawa. You were still at Franklin Park?

19 **A. Yes.**

20 Q. Do you recall who the plant manager was for
21 Borg-Warner at the time of the transfer at Ottawa?

22 **A. At Ottawa?**

23 Q. Yeah.

24 **A. John Casey.**

1 Q. Can you spell his last name, please?

2 A. C-A-S-E-Y.

3 Q. Did he continue to be plant manager after
4 the transition?

5 A. Yes.

6 Q. Approximately how long?

7 A. Eight to ten years.

8 Q. So from '81 to approximately the -- the
9 late '80s?

10 A. Yes.

11 Q. I believe I saw somewhere another gentleman
12 named Moreland.

13 A. Bill Moreland.

14 Q. Did he succeed directly after Casey?

15 A. Yes.

16 Q. And how long was he plant manager?

17 A. Until we closed it in 1998.

18 Q. Well, a fair description of the transition
19 from Borg-Warner to the new ownership, would it be
20 fair to say that it was business as usual?

21 A. Yes.

22 Q. We're going to go back to Exhibit 1, the
23 answers to interrogatories, to No. 8. This is a list
24 of the directors and officers, and then on 9 -- well,

1 let's just start with 8.

2 Take a look at 8, and that's the list of
3 directors and officers. Were those provided by you?
4 Were those provided by the attorneys?

5 **A. Probably a combination of both.**

6 Q. Okay. Do you recall anyone specifically
7 that you listed there, or were those found in
8 documents?

9 Were there any found in documents, or do
10 you know which ones you identified?

11 **A. I believe most of them were found in**
12 **documents, and I was asked to just verify the names**
13 **the best I could.**

14 Q. Okay. Did you personally know any of those
15 individuals?

16 **A. Yes.**

17 Q. Okay. All of them, or like one? I just --
18 generally, a breakdown.

19 Did you work with most of those guys, or a
20 lot of those guys?

21 **A. Yes.**

22 Q. Okay. Let me take that back. I might have
23 some questions.

24 The first one on the list is P. Anderson,

1 and he's listed as vice president from '89 to '93.

2 Do you know who that is?

3 **A. Yes.**

4 Q. What's his first name?

5 **A. Pete. Pete. It's really William Pete**
6 **Anderson.**

7 Q. And as I -- I started to go on to No. 9
8 also. I'm going to kind of take these two questions
9 together.

10 No. 9 basically asks if they served as
11 director of other companies, and then you provided
12 responses to a lot of these individuals and what
13 other positions they held.

14 **A. That --**

15 Q. So I'm going to show you that list as well
16 so you're familiar with 9, since these questions --

17 **A. Okay.**

18 Q. -- may be asked together.

19 **A. You want me to keep turning --**

20 Q. Just -- yeah, I want you --

21 **A. -- pages here?**

22 Q. Don't worry, other than just find 9, and
23 then the question, you know, asked about other
24 positions those individuals may have held, and then

1 you can see the reply there. I'd like you to just
2 kind of glance at that.

3 **A. Okay.**

4 Q. Okay. And I didn't see Pete on that second
5 group, so I was just wondering if there's a reason
6 why he wasn't on there.

7 **A. Can I clarify that the second group of**
8 **names --**

9 Q. Okay.

10 **A. -- I was really not involved with because**
11 **that came from corporate minutes or records, and I**
12 **believe those are the official officers of each one**
13 **of the -- the companies, where on the first list Pete**
14 **Anderson was a vice president of sales --**

15 Q. Okay.

16 **A. -- but I don't think he was an official**
17 **officer of the corporation.**

18 Q. Thank you very much. That helps.

19 The -- when you say it came from corporate,
20 all of those other positions, you're talking about
21 corporate, you're talking about Echlin?

22 **A. Echlin, yes. It would have been from the**
23 **Echlin time.**

24 Q. And those other titles and years, are those

1 other divisions or subsidiaries of Echlin?

2 **A. A lot of them are, yes.**

3 Q. Okay. Let's go back to Interrogatory 8
4 then. Hold on.

5 MR. HAMPTON: We've got somebody on the
6 phone with some background noise. Can you please
7 check your mute and turn the mute on, if you can hear
8 us? Thank you.

9 BY MR. HAMPTON:

10 Q. Going back to Interrogatory 8 and Pete
11 Anderson, vice president from '89 to '93, how long
12 was he employed at the Ottawa facility?

13 **A. He was not employed at the Ottawa facility.**

14 Q. Okay. He was a -- where did he work?

15 **A. He really worked out of the Franklin Park
16 office, but lived in South Carolina.**

17 Q. Okay. How long did he work for Borg-Warner
18 or the new owner, if you know?

19 **A. Approximately 25 years.**

20 Q. Was he employed there before 1978, when you
21 started?

22 **A. Yes.**

23 Q. Do you know where he was employed before
24 Borg-Warner?

1 **A. No.**

2 Q. What about William Bowman, was he there at
3 Borg-Warner when you started in 1978?

4 **A. William Bowman was the corporate assistant**
5 **treasurer, so he was actually located in the Echlin**
6 **facility in Branford, Connecticut.**

7 Q. Okay. Daniel Carboni, it says director and
8 chairman, '87 to '90.

9 **A. He --**

10 Q. Are you familiar with him?

11 **A. He was a group vice president, and again,**
12 **located in Branford, Connecticut.**

13 Q. Okay. John Casey, vice president, '81 to
14 '82?

15 **A. He was the plant manager whose name I gave**
16 **you before.**

17 Q. Do you know, was he there in 1978, when you
18 started?

19 **A. Yes.**

20 Q. Do you know where he -- where or if he
21 worked anywhere before Borg-Warner?

22 **A. I'm not sure.**

23 Q. How about John Collins, president from '83
24 to '88? Same question.

1 **A. He was located in Franklin Park.**

2 Q. Okay. Do you know if he -- he -- where or
3 if he worked anywhere before Borg-Warner?

4 **A. I know, yeah. Before, he came from Walker.**

5 Q. Okay. How about John Coughlin, vice
6 president of operations?

7 **A. I don't --**

8 Q. C-O-U-G-H-L-I-N?

9 **A. Right. Yes, he -- he -- Franklin Park**
10 **also, and I'm not sure --**

11 Q. If he worked anywhere before --

12 **A. Right.**

13 Q. -- Borg-Warner?

14 That Richard Daley, nothing to do with the
15 mayor of Chicago, or son, is it?

16 **A. Well, when I take a look at that, actually**
17 **there was no Richard Daley. It should be Robert**
18 **Daley. I saw that --**

19 Q. I'm going to make a correction --

20 **A. -- as I was reading it.**

21 Q. -- on my copy. Okay.

22 **A. And no relation, no.**

23 Q. Okay. Same question. Did you know where
24 he worked before Borg-Warner?

1 **A. Walker Automotive also.**

2 Q. Now, there was a Richard Daley and a Robert
3 Daley on here.

4 **A. Same person.**

5 Q. Okay. Brian Gallinger, do you know where
6 he worked before Borg-Warner?

7 **A. No, and he also was located in Branford,**
8 **Connecticut.**

9 Q. Same question for Henrick Glastra.

10 **A. Henrick, I don't know.**

11 Q. Al Gomez?

12 **A. Al Gomez had something to do with the**
13 **international division, but I don't know anything**
14 **else about him.**

15 Q. C. Scott Greer?

16 **A. He was located in Branford, Connecticut**
17 **also.**

18 Q. Jeffrey Hagberg?

19 **A. He was located in Franklin Park.**

20 Q. And you're next. And -- and before we go
21 on, Jeffrey Hagberg, do you know where he worked
22 before Borg-Warner or Echlin?

23 **A. No, I don't.**

24 Q. Jon Leckerling, same question.

1 **A. He was located in Branford, Connecticut.**
2 **He was a corporate attorney.**

3 Q. Okay. Frederick Mancheski?

4 **A. He was located in Branford, Connecticut,**
5 **and he was the CEO and chairman of Echlin.**

6 Q. Ralph Manning?

7 **A. Ralph was located in Branford, Connecticut.**
8 **I'm not sure what responsibility.**

9 Q. Lyle Martin?

10 **A. Was located in Franklin Park. I don't know**
11 **what he did prior.**

12 Q. Larry McCurdy?

13 **A. Was located in Branford, Connecticut. I'm**
14 **not sure what he did.**

15 Q. Lou Merz?

16 **A. Was located in Franklin Park, and he --**

17 Q. Do you know what he did before Borg-Warner?

18 **A. I know he did -- he came up through the**
19 **Borg-Warner organization.**

20 Q. Now, when we look at this, it says here
21 president and vice president. Is that Echlin, is
22 that BWDAC, or is that Borg-Warner?

23 **A. What name?**

24 Q. Lou Merz. If you take a look at what's

1 after his name, you can tell me about it.

2 MS. ROSS: Object. The question that
3 you're asking asks for officers and directors of
4 Defendant, which is BWDAC.

5 MR. HAMPTON: Right. I'm just clarifying
6 to make sure that's what it is.

7 BY THE WITNESS:

8 A. He was president of APD, and briefly
9 president of BWDAC, but was a vice president of
10 the -- of Borg-Warner Corporation.

11 BY MR. HAMPTON:

12 Q. Was that all at the same time?

13 A. Yes.

14 Q. So he wasn't exclusively a director or
15 officer of the new entity, APD or BWD, he did that
16 and he was also Borg-Warner vice president?

17 A. Right.

18 MS. ROSS: At the same time?

19 THE WITNESS: Yes, because you can be a
20 corporate officer but also have an operational title
21 at one of their divisions.

22 MS. ROSS: For Borg-Warner?

23 THE WITNESS: That was under Borg-Warner,
24 so that was prior to 1981.

1 BY MR. HAMPTON:

2 Q. Eric Myers?

3 A. Located in Franklin Park. I'm not sure
4 what he did before.

5 Q. Keith Nicholls?

6 A. I'm not familiar with that name.

7 Q. Charles O'Connor?

8 A. Located in Branford, Connecticut, was one
9 of the corporate attorneys.

10 Q. Edward O'Toole?

11 A. Same, located in Branford.

12 Q. Joseph Onorato?

13 A. Located in Branford, was assistant
14 treasurer and treasurer.

15 Q. Richard Patterson?

16 A. Located in Branford, was corporate
17 comptroller, a financial person.

18 Q. Donald Pattison?

19 A. I'm not familiar with that name.

20 Q. Lawrence Pavey?

21 A. Was located in Franklin Park.

22 Q. And what did he do prior to Borg-Warner?

23 A. He was -- he came from Walker also.

24 Q. Was there some kind of a purchase or a

1 merger with Walker Auto in any of either Borg --

2 **A. No.**

3 Q. -- or the purchase --

4 **A. When John Collins became president, he**
5 **brought some people in from his previous position.**

6 Q. Ronald Phillips?

7 **A. Located in Franklin Park. I'm not sure**
8 **what he did before.**

9 Q. Frank Pilling, P-I-L-L-I-N-G? It says
10 director.

11 **A. Yes. He was a Borg-Warner group vice**
12 **president, was located actually in Michigan.**

13 Q. Okay. This says also director from '82 to
14 '83. Does that mean he was also a BWD director from
15 '82 to '83?

16 **A. Yes.**

17 Q. Charles (sic) Russ, vice president of
18 finance?

19 **A. Branford, Connecticut, a corporate exec.**

20 Q. Joseph Scott, director, '81 to '82?

21 **A. Branford, Connecticut. Again, a corporate**
22 **exec.**

23 Q. Edward Shalagan, assistant treasurer, '88
24 to '93?

1 **A. Branford, Connecticut, a corporate guy.**

2 Q. David Spiller, director, VP and secretary?

3 **A. Yeah. Branford, Connecticut also.**

4 Q. John Sprieser, S-P-R-I-E-S-E-R?

5 **A. Franklin Park, was a group comptroller.**

6 Q. And what did he do before Borg-Warner?

7 **A. I'm not sure.**

8 Q. Bruce Tartaglione, VP of marketing?

9 **A. Franklin Park.**

10 Q. Do you know what he did before

11 employment --

12 **A. He worked --**

13 Q. -- with Borg-Warner?

14 **A. -- for Standard Motor Products.**

15 Q. And then he came over?

16 **A. Yes.**

17 Q. Do you know approximately when that was?

18 His VP of marketing on this is listed as '88 to '93.

19 **A. Right. He came over as a regional sales**
20 **manager out of Cleveland, but I can't remember what**
21 **year.**

22 Q. Timothy Vehleweld, VP of sales?

23 **A. Vehleweld, yes. He was located in Franklin**
24 **Park also.**

1 Q. Okay.

2 A. I'm not sure what he did prior.

3 Q. And Richard Wisot, W-I-S-O-T?

4 A. Branford, Connecticut. He was, again,
5 corporate treasurer.

6 Q. Okay. Thank you. Sorry, I know that was
7 tedious.

8 I read another -- your depo from last year
9 about Bruce Tartaglione, and we were talking about --
10 you were talking about the switchover at the time
11 from asbestos clutches to nonasbestos clutches and
12 thought he might have information beyond what your
13 knowledge might be.

14 I was wondering, to your knowledge, have
15 you had a conversation with him about that since that
16 deposition or know if he's been contacted?

17 A. I have not had a conversation with him, and
18 I don't know if he's been contacted.

19 Q. The same question for Bill Moreland on the
20 same topic, because there was a discussion about him
21 being plant manager.

22 A. Right.

23 Q. Have you talked to him since the last
24 deposition?

1 **A. No, I haven't.**

2 Q. Do you know if anybody with BWDAC has
3 contacted him?

4 **A. Not that I'm aware of.**

5 Q. Are you aware of anybody that you discussed
6 in the last depo -- there was various names in
7 addition to those two -- that you've talked to since
8 that deposition?

9 **A. No.**

10 Q. Are there any of those individuals that
11 you -- where you know BWDAC or their attorneys have
12 tried to contact them?

13 **A. No.**

14 Q. You don't know or --

15 **A. I -- I -- I don't know if they've been**
16 **contacted. I have talked to Bruce, but he buys Cubs**
17 **tickets from me.**

18 Q. Last Sunday's, when they played the
19 Cardinals, you didn't give those away, I hope.

20 **A. I had Friday's game.**

21 Q. Okay.

22 MS. ROSS: Who won?

23 THE WITNESS: The Cardinals.

24

1 BY MR. HAMPTON:

2 Q. Go to No. 16 of Exhibit 1, the answers to
3 interrogatories, and the -- the question asks about
4 asbestos products, when they were manufactured, and
5 I've highlighted a portion of the response.

6 If you can take a look at that question and
7 read the highlighted portion of your response, and if
8 you want to read anything for clarification, any
9 additional sentence, that would be fine, too, if you
10 think anything needs clarification.

11 A. Okay.

12 Q. So the question asks about asbestos
13 cleaning products and when they were manufactured,
14 and the response that -- that I highlighted said,
15 "remanufactured and distributed clutches and clutch
16 parts, some of which contained asbestos friction
17 materials, beginning in July of 1981. BWDAC, Inc.
18 ceased the distribution of clutches with
19 asbestos-containing friction materials by 1993."

20 My question is as to the 1993, you know,
21 the ceasing of using the asbestos material. Where
22 did that date come from? Is that from documents or
23 knowledge that you have from the corporate history?

24 A. That was from documents.

1 Q. Do you recall what document or documents
2 helped you or your attorneys come to that conclusion?

3 **A. The main one was a -- a letter from**
4 **Raymark, or Raytech, that said -- they were a**
5 **supplier of asbestos facings -- that said that they**
6 **would no longer be selling asbestos facings.**

7 Q. And there were other suppliers in addition
8 to Raymark, correct?

9 **A. Yes.**

10 Q. And other suppliers -- is it your
11 understanding that other suppliers continued to sell
12 asbestos clutch facings after Raymark ceased?

13 MS. ROSS: I'm going to object as vague.
14 To BW -- BWDAC or generally?

15 MR. HAMPTON: To -- to BWDAC.

16 BY THE WITNESS:

17 **A. I can't remember. I don't have any**
18 **specific documents to that.**

19 BY MR. HAMPTON:

20 Q. I'm going to refer to No. 21, and this
21 question asks about new clutches as opposed to the
22 remanufactured clutches, and the -- it asks who
23 supplied them. I'll just hand you that so you can
24 review the question, and please just go ahead and

1 read the highlighted portion of the suppliers.

2 **A. You want me to read it out loud?**

3 Q. Yeah. I mean, if you need to read the
4 question for completeness, that's fine, you look at
5 it. I don't want it to be my interpretation of what
6 the question and answer were.

7 **A. Okay.**

8 Q. My question is -- well, I'll go ahead and
9 read it.

10 The question was, who are your suppliers
11 for the new clutches, and the answer lists BWD
12 International; EPE; Lipe; Midland; Borg & Beck;
13 Rockford Clutch; Luck, Fichtel & Sachs; Daikin; Alma
14 Products; Eastern Industries; Kolon California Corp.;
15 Seojin; Pyeong Hwa; and Valeo.

16 My question is, can you exclude any of
17 those as -- or say that any of those only supplied
18 nonasbestos clutches?

19 **A. No, I can't.**

20 Q. Can you say that all of those supplied
21 asbestos clutches?

22 **A. All, well, might have supplied some**
23 **asbestos clutches.**

24 Q. But you don't know one way or the other if

1 they -- as to that company, whether they did or did
2 not supply asbestos, or you believe they all supplied
3 asbestos clutches?

4 MS. ROSS: And I should have objected on
5 these earlier. I'm --

6 MR. HAMPTON: We need to go off the record
7 for the video. So let's go off the record, and he's
8 going to reset his tape and we'll be back shortly.
9 Let's take five minutes, give everybody a little
10 break.

11 THE VIDEOGRAPHER: This marks the end of
12 tape No. 1. We're off the record. The time is
13 10:43 a.m.

14 (WHEREUPON, a recess was taken.)

15 THE VIDEOGRAPHER: We're back on the
16 record. The time is 10:50 a.m.

17 MR. HAMPTON: We're going to strike the
18 last question and move on.

19 How is that, Don?

20 MR. WARD: Yeah, that works.

21 BY MR. HAMPTON:

22 Q. All right. As part of that same response
23 to Interrogatory 21, the response continues and says,
24 "During this same time period 1981 to 1989 or 1990,

1 Defendant also sold to the aftermarket new clutches
2 from these manufacturers that had nonasbestos-
3 containing friction materials."

4 From where did that information come?

5 A. Just from like the MSDS sheets, and some of
6 it would have just -- came from my memory of who some
7 of the vendors were.

8 Q. Okay. I've looked at the documents, and I
9 didn't see anything pertaining to nonasbestos in the
10 early to mid-'80s, and I'm wondering if you're
11 familiar with documents that would show there was
12 nonasbestos during the early to mid-1980s.

13 Can you direct me to any of those kind of
14 documents?

15 A. I don't think there's any specific
16 documents, but we know that -- I guess my general
17 knowledge is that not all clutches were asbestos
18 clutches.

19 Q. Can you tell me which clutches would be --
20 would use nonasbestos during that time period? I'm
21 talking about from 1981 to the mid-1980s.

22 A. Well, there were different styles of
23 clutches, and some of the facings were metallic
24 facings, some of them were ceramic facings.

1 Q. Is that for a special high heat application
2 or racing clutch? I'm wondering if you can tell me
3 the type of application which might have a
4 nonasbestos.

5 A. **It would probably be more of a heavy-duty**
6 **type application.**

7 Q. Are you talking about heavy-duty trucks?
8 Are you talking about heavy equipment like off-road
9 equipment?

10 A. **Both.**

11 Q. Does -- do you have any documents that
12 might pertain to that, or is this just your general
13 memory you're pulling on here?

14 A. **Well, the catalog lists on -- styles of**
15 **clutch discs, and it talks about different materials,**
16 **I believe. I'm trying to think of the term, the**
17 **style of -- of what the clutch disc itself is.**

18 Q. Okay. I brought a couple of catalogs with
19 me that you produced to us. Let me just reach over.
20 I brought a 1986 and a 1987.

21 A. **Okay.**

22 Q. We can mark that. What are we up to on
23 exhibits, 5 and 6? We'll make the 1986 Exhibit 5.

24

1 (WHEREUPON, certain documents were marked
2 Plaintiffs' Deposition Exhibit No. 5 and
3 No. 6 for identification as of 07/18/2013.)

4 BY MR. HAMPTON:

5 Q. And I'll submit to you that I believe these
6 are both complete copies except for I added -- when I
7 got them off the printer, apparently I took somebody
8 else's pleadings and attached it to the back of it.
9 I guess I'll go ahead and remove that.

10 So if you would, please take a quick look
11 at those and make sure you agree.

12 A. Yes. They're -- Exhibit 5 seems to be
13 missing a little bit of what we call the buyers
14 guides, a lot of the pictures.

15 Q. On the back there?

16 A. Yeah.

17 Q. Which one do you think is missing that?

18 A. Exhibit 5, so the 1986 catalog. It's got a
19 few pictures of throw-out bearings. So on Page 78,
20 there's a listing of different types of plates. For
21 example, it shows molded, molded steel back, ceramic
22 button, cork, molded metallic.

23 Q. Okay. So when we look at those symbols,
24 they match up with the pictures and diagrams below.

1 From that, that -- you can determine what the
2 material is?

3 A. Well, in that case, certain ones we know
4 would be nonasbestos. Some of them were asbestos or
5 nonasbestos just based on the style.

6 Q. Okay.

7 A. So if it says cork or -- well, even
8 though -- but cork, we know that the whole material
9 was cork on that. We had molded steel.

10 Q. Would that be a combination of asbestos and
11 steel?

12 A. In some cases, yes. In some cases, there
13 would be no asbestos.

14 Q. Okay. Who at BWDAC during the 1980s would
15 have the most knowledge about these applications and
16 what was used and when?

17 A. Either someone like from the plant, like a
18 Bill Moreland or a John Casey, or a local plant
19 engineer or a product manager from the -- from the
20 clutch line back in the 1980s.

21 Q. Have you tried to contact any of those
22 individuals to further explain or be able to identify
23 asbestos or nonasbestos?

24 A. No.

1 Q. Do you know if anyone on behalf of BWDAC
2 has done that?

3 **A. No, I'm not sure.**

4 Q. Now, when I was looking at these two
5 catalogs, I looked at 1986 and I was looking at 1987,
6 and as best as I can tell, I didn't see anything
7 referring -- specifically saying the word "asbestos"
8 in the '86 catalog. But in the '87 one, I saw a few
9 examples where it would have a -- the code for it was
10 like a No. 15, and it would say "nonasbestos," if you
11 could find a No. 15 by the -- by the -- beside the
12 clutch.

13 And so my question is, would that be the
14 only applications that are nonasbestos, would be the
15 ones that have that little No. 15 by it?

16 **A. I'm not sure.**

17 Q. Okay. Let me find one of those, and I'll
18 let you take a look at it and see what I'm talking
19 about.

20 Okay. There on the actual page is BWD 0 --
21 00699. That's an example of what I was referring to,
22 and it looked like that went to a larger truck, like
23 a diesel of some sort.

24 **A. Yeah. A diesel engine on a medium truck,**

1 **it shows.**

2 Q. Is that consistent with your opinion about
3 the more heavy-duty applications?

4 MS. ROSS: I'll object to the form as
5 being --

6 BY THE WITNESS:

7 **A. Repeat the question.**

8 BY MR. HAMPTON:

9 Q. Well, earlier when we talked about
10 applications in this timeframe, we're talking about
11 1986 and 1987, and you said -- and I wondered if you
12 could tell me what -- is it a specific type of clutch
13 that might be a nonasbestos, and I believe -- correct
14 me if I'm wrong -- the response was a heavy-duty
15 application where you said maybe a larger truck or
16 equipment.

17 So my question -- was that accurate so far,
18 as I characterized what I thought you said? Is that
19 fair?

20 **A. Yeah, but I was probably thinking about a**
21 **ceramic button clutch on a heavy-duty --**

22 Q. Okay.

23 **A. -- application.**

24 Q. Okay. Now, are you familiar with what we

1 just -- what I just talked about with this particular
2 page? And it talks about a nonasbestos facing, and
3 it refers to that truck.

4 **A. Uh-huh.**

5 Q. Is that consistent with any of your
6 recollection, or would that be in an application for
7 a nonasbestos lining, or is that new information to
8 you?

9 **A. That's new information.**

10 Q. Okay. And if you see those throughout this
11 catalog, my next question is, is would that be the
12 only clutches that have nonasbestos facings, ones
13 that specifically say so, as you see in the page you
14 just looked at?

15 **A. I'm not sure, but the ones that are**
16 **highlighted as nonasbestos would obviously be**
17 **nonasbestos.**

18 Q. The one that had that No. 15 next to it --

19 **A. Right, right.**

20 Q. -- that said "nonasbestos facings"?

21 **A. Yes.**

22 Q. And does that mean the other ones are
23 asbestos that are listed here?

24 **A. I -- I can't -- I can't -- I don't know.**

1 Q. Okay. We can set those aside. We may come
2 back to them.

3 No. 25 asks about the suppliers for the
4 remanufactured clutch facings, and you listed eight
5 different suppliers: Raymark; Nutum; Akebono;
6 H.K. Porter; Daido, D-A-I-D-O; P.M. Warehouse; Fasco;
7 and Hawkhead.

8 When I looked through the documents that
9 were supplied, I didn't see all those names in there.
10 So my question is, do you know where all those names
11 came from, you know, replying that those were the
12 suppliers for the remanufactured clutches?

13 **A. Again, it was a combination of the MSDS**
14 **sheets and my memory at the time when we were putting**
15 **that together.**

16 Q. Do you recall if any of those came from
17 just your memory as opposed to the documents?

18 **A. Well --**

19 Q. The BWD documents.

20 **A. No. I know some of those came from the**
21 **documents.**

22 Q. Okay. Are there any that you said, "Well,
23 I don't see that in the document, but I know X
24 company supplied us linings"?

1 **A. I can't remember which ones that would have**
2 **been.**

3 Q. And again, nobody was contacted in
4 Purchasing or in the plant to --

5 **A. No.**

6 Q. -- try to find additional names or to
7 confirm that those were the suppliers?

8 **A. Not that I'm aware of.**

9 Q. Also, as to those names, do we know any
10 particular years when they supplied -- one of -- one
11 of those particular companies would have supplied
12 asbestos linings to BWD?

13 **A. Well, I know it would have been between the**
14 **period of 1981 until we stopped manufacturing them.**

15 Q. Okay. But you can't -- you don't have a
16 way to say Nutum -- as an example, "Nutum supplied us
17 from '83 to '85, but not '86"?

18 **A. Right. No, I don't.**

19 Q. You can't distinguish from that?

20 **A. No.**

21 Q. Based on the documents you've looked at,
22 it's not -- that kind of information is not found in
23 there?

24 **A. Right.**

1 Q. Is that correct?

2 No. 37 asks about the suppliers and the
3 type of -- and the type of asbestos used, and it
4 replies as chrysotile asbestos.

5 My question is, where did that information
6 come from as to the type of asbestos used?

7 A. That was on the MSDS sheets.

8 Q. From the suppliers or from the BWD MS
9 sheets?

10 A. Well, from the MSDS sheets that we have in
11 the repository.

12 Q. And what about if not all of those
13 suppliers haven't -- you -- I don't -- what if you
14 don't have an MSDS sheet for all of those individual
15 suppliers in the repository? Would you be able to
16 know whether -- what kind of asbestos it used?

17 A. No. But in most cases, it was the
18 chrysotile asbestos.

19 Q. And is that just coming from your knowledge
20 during that time period?

21 A. Just general knowledge, yes.

22 Q. The next question was as to the percentage
23 of asbestos used in the facings, and the reply was 10
24 to -- 10 percent to 39 percent.

1 Same question. Where did that information
2 come from?

3 **A. It came from the MSDS sheets.**

4 Q. And 39 percent's a pretty specific number.
5 Is that -- the MSDS, is that the only source, or is
6 that any of your knowledge or anybody else's
7 knowledge?

8 **A. That was the only source for -- for that**
9 **specific information.**

10 Q. What was the first year available for MSDS
11 sheets from your suppliers?

12 **A. I'm not sure.**

13 Q. Do you have an approximate timeframe?

14 **A. I'd have to take a guess.**

15 Q. I don't want you to guess. So you can't
16 approximate it within a year or two? You can't tell
17 me it was '81 or it was '93?

18 **A. When the first year on an MSDS sheet from**
19 **the supplier came? No, I can't.**

20 Q. Okay. And BWD also made MSDS sheets,
21 correct?

22 **A. Yes.**

23 Q. Do you recall the first year that BWD
24 created MSDS sheets --

1 **A. No.**

2 Q. -- about its own product that you were
3 selling?

4 **A. No, I don't.**

5 Q. And I understand that those MSDS sheets
6 made by BWD for its products, the customers would
7 have to ask for those, otherwise they would not get
8 one?

9 **A. That was, yeah, my knowledge on that. Yes.**

10 Q. And an MSDS sheet regarding the BWD
11 product, that's not something that an end user
12 mechanic in the field would receive?

13 MS. ROSS: I'm going to object on
14 foundational grounds.

15 BY THE WITNESS:

16 **A. I'm not -- we would supply it to our**
17 **customers if they asked for that information. How**
18 **they disseminated that information, I'm not sure.**

19 BY MR. HAMPTON:

20 Q. And let's talk about your customers. Who
21 were they?

22 **A. The warehouse distributors?**

23 Q. Correct. Can you explain that to me, what
24 "a warehouse distributor" means?

1 **A. We can go through the whole traditional**
2 **market channel, which basically said you have a**
3 **manufacturer that was BWDAC that sold to a warehouse**
4 **distributor who in turn sold to a jobber, and a**
5 **jobber would then sell to either an installer or a**
6 **retailer. That could be the same person, a dealer.**

7 Q. Can you give me an example of a jobber?

8 **A. I mean, that's -- most jobbers really --**
9 **like a NAPA store could be a jobber.**

10 Q. Would that be -- now, I know there's a lot
11 of chains nowadays, but -- larger national chains.
12 But is that -- the jobber would be -- in the old
13 days, even though they'd be more regional or owned by
14 mom and pop, would that be like an AutoZone or a
15 Riley Auto Parts? Is that a jobber?

16 **A. Riley Auto Parts, yes. An AutoZone is a --**
17 **is a retailer, but functions have changed over the**
18 **years.**

19 Q. Okay. Big A's Auto Parts, and he's got one
20 in Chicago and one in Highland Park, would that be a
21 jobber?

22 **A. No. Big A would -- could be a jobber and a**
23 **retailer.**

24 Q. Okay. And I didn't -- is that a real name?

1 I just made that up, I thought.

2 **A. There used to be a Big A Auto Parts.**

3 Q. What about -- what about Steve's Auto
4 Parts?

5 **A. I think a NAPA store would be the best**
6 **example for --**

7 Q. Of a jobber?

8 **A. Right, and then an O'Reilly store because**
9 **they also -- they were primarily jobbers, but then**
10 **they also became big in retail.**

11 Q. Okay. So the chain would go from BWD to a
12 warehouse?

13 **A. Right.**

14 Q. Which the guy on the street would never
15 know what the warehouse is.

16 **A. Right, right.**

17 Q. And then the warehouse then distributed to
18 the jobbers, and then the customer, whether it be a
19 garage mechanic or a background mechanic, would then
20 go to these jobbers to get the parts?

21 **A. Yes.**

22 Q. Okay. So would you expect a backyard
23 mechanic, when he goes in and buys a BWD clutch, to
24 get a MSDS sheet with it?

1 MS. ROSS: I'm going to object on
2 foundation grounds.

3 BY THE WITNESS:

4 A. I'm not sure, but probably not.

5 BY MR. HAMPTON:

6 Q. While we're talking about the warehouses, I
7 had a question on that. Let me grab my document.

8 Let's mark that. This is a memorandum
9 dated September 14th, 2001 on Dana letterhead, to
10 Marcy Ducat and Denise O'Rourke, from Mr. Kotzum. So
11 I'll have her mark that, and take a look at that.

12 (WHEREUPON, a certain document was marked
13 Plaintiffs' Deposition Exhibit No. 7 for
14 identification as of 07/18/2013.)

15 BY MR. HAMPTON:

16 Q. Okay. All right, sir. What's -- what's
17 that memo about?

18 A. I was asked at the time to provide a list
19 of -- of customers that possibly could have purchased
20 clutches containing asbestos.

21 Q. Okay. And these would be the warehouse
22 customers?

23 A. Yes.

24 Q. Okay. Now, I've got -- the only thing I

1 could find in the documents produced is the one in my
2 hand that we'll have marked as Exhibit 8. But it's
3 only two years -- it looks like '96 to '98. So I was
4 wondering if there are maybe documents that I either
5 overlooked or that may be out there talking about
6 warehouse customers for different years than I've
7 been able to locate so far.

8 **A. Again, I don't even remember seeing this**
9 **document in the repository.**

10 Q. Okay. Do you remember seeing a list of
11 warehouse customers from the repository?

12 **A. No.**

13 Q. Okay.

14 MS. ROSS: Aren't those numbered
15 sequentially, those documents, the BWD numbers that
16 you -- of that memo and that document?

17 MR. HAMPTON: No.

18 MS. ROSS: Okay.

19 MR. HAMPTON: These go from 19685 to 19701,
20 and this is 19745.

21 MS. ROSS: Okay.

22 MR. HAMPTON: So I'm not --

23 MS. ROSS: Okay.

24 MR. HAMPTON: I'm not sure --

1 MS. ROSS: Okay. I was -- I -- well, I
2 don't know why I thought --

3 MR. HAMPTON: I don't know --

4 MS. ROSS: -- that they were originally.

5 MR. HAMPTON: -- if they go together. I
6 haven't got a clue.

7 MS. ROSS: And does that -- well, let me
8 check.

9 MR. HAMPTON: Do you want --

10 MS. ROSS: Yeah, thank you.

11 BY MR. HAMPTON:

12 Q. And I had another question where I think I
13 already know the answer to it, but I'm going to ask
14 it anyway.

15 In the answers to interrogatories, when
16 asked about warehouse customers within a 200-mile
17 radius of Madison County, some warehouse customers
18 were provided that were not on that list.

19 My question is, do you know where those
20 names of customers came from?

21 **A. That would have just been, again, from**
22 **memory at the time, because I think we were**
23 **discussing that. I can't remember. Whenever we put**
24 **it together, because ten years ago, if the question**

1 **was asked, I would have been a lot closer to being**
2 **able to remember those documents or -- or who the**
3 **customer names were. But --**

4 Q. Okay. So -- and the answer to that
5 question -- and let's just find it and then we can
6 see. I just don't -- didn't see that those -- the
7 customers that were on that answer didn't match up
8 with -- with the ones on this list on Exhibit 8.

9 So my question is, where did they come
10 from? How did we get those names?

11 **A. If they're not on that list, they would**
12 **have had to come from -- from my memory.**

13 Q. Okay. To your knowledge, nobody else was
14 asked about customers --

15 **A. Not to my knowledge.**

16 Q. -- in response to that question?

17 **A. No.**

18 MR. HAMPTON: Valerie, do you know which
19 question that was?

20 MS. ROSS: It's towards the end. It's
21 definitely in the 100s somewhere. There you go.

22 MR. HAMPTON: Oh.

23 MS. ROSS: It's 108.

24 MR. HAMPTON: Here it is, 109.

1 MS. ROSS: Oh, yeah. That's right.

2 (WHEREUPON, a certain document was marked
3 Plaintiffs' Deposition Exhibit No. 8 for
4 identification as of 07/18/2013.)

5 BY MR. HAMPTON:

6 Q. Question 109, I've highlighted the
7 customers listed.

8 A. Yes.

9 Q. Which when I cross-reference with the
10 Exhibit A customer list, they were different. So
11 does that make sense based on what we talked about
12 earlier, those must have come from your memory, and
13 this was the -- these were the answers just done in
14 February of --

15 A. Right.

16 Q. -- of this year?

17 A. Yeah, and I know that information was taken
18 from prior depositions of names of customers that we
19 would have had.

20 MS. ROSS: Depositions or interrogatories?

21 THE WITNESS: Or interrog -- yeah. I'm
22 sorry. Interrogatories.

23 BY MR. HAMPTON:

24 Q. Okay. So we -- there are no documents, to

1 your knowledge, with a list of warehouse customers;
2 is that correct?

3 **A. Right.**

4 Q. Other than --

5 **A. Other than --**

6 Q. -- what was produced in litigation like
7 legal documents?

8 **A. Yes.**

9 Q. Answers to interrogatories?

10 **A. Yes, or like that document.**

11 Q. Okay. All right. Thank you.

12 **A. Were any of -- my question, were any of the**
13 **names --**

14 Q. When I -- I'm not under oath here. When
15 I -- when I looked at them, yeah, about half of them
16 were.

17 **A. Okay.**

18 Q. And I was probably word searching, too, so
19 the computer may have skipped some stuff. So I was
20 word searching this document, which is probably ten
21 or more pages. I didn't go through each one and try
22 to match it up.

23 **A. Okay.**

24 Q. So the computer -- it's possible the

1 computer didn't pick it up.

2 **A. Okay.**

3 Q. That's why I was just asking if you had
4 ever given any personal knowledge.

5 In addition to you, who would be best --
6 who could we ask to best find out who the customers
7 were?

8 I mean, do you know the names of salesmen
9 from different regions? It looked like there were
10 several regions here.

11 Do you want me to rephrase the question?

12 **A. Yes.**

13 Q. Let's -- hypothetically, let's say I want
14 to know your customers from Region 4 in 1986. How
15 would I go about getting that information?

16 Do you know the VP of sales, or is there
17 some other way to figure it out?

18 **A. Well, the VP of sales from that time period**
19 **was Pete Anderson, so I guess you could talk to him**
20 **and see what he can remember.**

21 Q. Is that the only way to try to piece the
22 customers back together to figure out which customers
23 we had?

24 **A. Yeah, because I'm not aware of any -- any**

1 **documents that are still available to go through and**
2 **do that.**

3 Q. Okay. Well, let's -- let's start with
4 Region 1.

5 Do you -- who would be the most
6 knowledgeable person in Region 1 in the mid-1980s?

7 **A. Where is Region 1 on that sheet?**

8 Q. It looks like -- I see a couple that say
9 Indiana. These are just names, so some of them have
10 a state after them and some don't, but it looks like
11 there's an Indiana, so -- and if you know the
12 regions, but not by number, we can say northeast,
13 southeast, Midwest, and you would know who might have
14 that information.

15 **A. I'm just refreshing my memory on this.**
16 **It's been --**

17 Q. And those are --

18 **A. -- quite a few years.**

19 Q. And those are -- those are quite a bit
20 later than the years I'm interested in, but maybe the
21 regions are the same.

22 **A. I must admit, I cannot remember the**
23 **regional managers' names.**

24 Q. And you've already told us who the manager

1 of all the regions was, right? And what was that
2 name?

3 **A. Pete Anderson.**

4 Q. Okay. Thank you.

5 The BWDAC had the Ottawa facility where
6 asbestos parts were being manufactured. Were there
7 any other facilities owned by BWDAC where asbestos
8 parts were manufactured?

9 **A. Not that I'm aware of.**

10 Q. I thought I read in one of them that
11 California, Kolon, California, might have made
12 something?

13 **A. Corona, California.**

14 Q. Corona. I'm sorry.

15 **A. Yes.**

16 Q. And what did they manufacture there?

17 **A. Clutches.**

18 Q. Okay. And do you recall the time period?
19 Is it early on or later on?

20 **A. I'm thinking 1985, because that facility**
21 **was acquired.**

22 Q. Okay.

23 **A. And then it was closed probably in the late**
24 **'80s.**

1 Q. Okay. And looking through the documents
2 produced to us, I didn't see anything about that
3 facility in those documents.

4 Do you know if there are any documents that
5 exist regarding that plant, the transactions, when
6 the plant was purchased, anything like that?

7 **A. Not that I'm aware of. It would have been**
8 **all part of the repository, if it was.**

9 Q. Okay. Was that plant closed or sold to
10 somebody else, if you know?

11 **A. I believe it was closed.**

12 Q. Were there any employees that worked at
13 Ottawa and Corona?

14 **A. Not that I'm aware of.**

15 Q. They didn't have any of the Illinois guys
16 working out there for a year or two and then come
17 back, to your knowledge?

18 **A. They could have, but not to my knowledge.**

19 Q. As far as any additional information,
20 suppliers of the asbestos-containing parts or the
21 purchasers of it, do you have any of that information
22 at all?

23 **A. No.**

24 Q. Other than Corona, are there any other

1 plants where asbestos products were manufactured,
2 sold or distributed?

3 **A. No.**

4 Q. Okay. What's the Ballwin, Washington
5 plant? What were they doing there?

6 MS. ROSS: I'll object on foundational
7 grounds. That was not part of BWDAC. He can answer
8 to the extent he knows.

9 BY MR. HAMPTON:

10 Q. Okay. That's all I'm asking. Yeah, I
11 saw -- I keep seeing it pop up in documents. I don't
12 know what it is.

13 What do they make there? And if it's not
14 part of them, who are they? Why is it in the
15 documents?

16 **A. That was part of the aftermarket**
17 **acquisition of Borg-Warner, and they made emission**
18 **control parts and carburetor kits.**

19 Q. Did BWD employ any engineers or designers
20 for the purposes of making the clutches that were
21 made at either Ottawa or Corona?

22 **A. The only engineers I'm aware of were**
23 **industrial engineers that developed a manufacturing**
24 **process.**

1 Q. But not specific to the product itself, the
2 manufactured product?

3 A. Right, yeah. They would just decide how we
4 were going -- if we were going to remanufacture, what
5 the steps would be to doing that.

6 Q. Okay. What about the product itself?
7 Who -- who's the -- who were the individuals, what
8 were their titles, that would figure out how to make
9 the clutches?

10 A. Well, those were the industrial engineers.

11 Q. Okay. What -- I'm talking about the
12 product itself, as like how do you put a clutch
13 together? Who would know how to put a clutch
14 together?

15 A new model comes out and they've got to
16 match the new whatever, specifications for the new
17 clutch. Who would be involved in doing that?

18 MS. ROSS: I'm going to object to the form
19 as vague.

20 Do you -- do you mean remanufactured
21 clutches?

22 MR. HAMPTON: Yeah, absolutely. You make a
23 remanufactured clutch.

24 MS. ROSS: All right.

1 BY MR. HAMPTON:

2 Q. So they -- they come in, they -- they strip
3 it down and they put new facing on it.

4 A. Right.

5 Q. So the question is, who's involved in
6 figuring out how to do that?

7 A. That would have -- again, the engineers,
8 the marketing department would say, A, "We want to
9 remanufacture this clutch," and the plant engineers
10 would go out and buy that clutch and figure out how
11 to take it apart and remanufacture it.

12 Q. Okay. So the industrial engineers?

13 A. Yes, I believe that was their title.

14 Q. Okay. And so those would be the guys most
15 in charge of making sure a clutch is -- meets
16 specifications?

17 A. Yeah. I mean, from what I -- from what I
18 know, yes.

19 Q. And I'm not talking about any kind of
20 testing related to asbestos or anything like that,
21 but testing as far as the quality of the clutch.

22 Did you have a -- an R&D department that
23 would test the clutch to make sure it was a quality
24 clutch?

1 **A. There would be a quality control**
2 **department.**

3 Q. How many people would be in that
4 department?

5 **A. I don't know.**

6 Q. And I understand from the -- the answers
7 that the specifications were received from the
8 equipment manufacturers?

9 **A. Well, the original equipment people**
10 **designed the clutches.**

11 Q. And then how would BWD be able to build or
12 make a remanufactured clutch?

13 **A. In the beginning, because we only**
14 **remanufactured Borg-Warner made clutches, Borg-Warner**
15 **would supply the engineering sheets on how to**
16 **remanufacture them.**

17 Q. Okay. And did that change as time went on?

18 **A. It would -- I would assume it did because**
19 **other -- other manufacturers became original**
20 **equipment suppliers, and I'm not sure how we got the**
21 **specifications from the -- the new manufacturers.**

22 Q. And then BWD takes those specifications and
23 the quality control guys, with the engineers, then
24 figure out how to build a clutch that meets the --

1 A. Right. Yes. There was a process, I think
2 they call it reverse engineering, where you get a
3 completed product of any type and the engineers
4 figure out how to take it apart and build it.

5 Q. Okay. No. 33 of the Exhibit No. 1 answers
6 to interrogatories, take a look at that.

7 A. The highlighted section?

8 Q. Yes. I'd like you to read the highlighted
9 section. Feel free to read it all first, if you'd
10 like.

11 A. The interrogatory says, "With respect to
12 each product listed in response to Interrogatory
13 No. 19, state whether, based upon the material
14 contents, the method of manufacturing, and the method
15 of application, such product could generally be
16 applied or installed without liberating asbestos
17 fibers."

18 And in the response highlighted, "All of
19 the clutches made with asbestos-contained --
20 containing facings sold by Defendant were safe for
21 the intended use for which they were manufactured.
22 All products could be installed without release of
23 asbestos fibers exceeding the PEL or TLV in existence
24 at any time."

1 Q. So is the answer to that question no?

2 A. The answer basically said it could
3 generally be applied or installed without
4 liberating -- yes, it could be installed without
5 liberating asbestos fibers.

6 Q. That don't exceed the PEL?

7 A. Yes.

8 Q. Okay. So does that mean that you can't
9 install or remove it without liberating asbestos
10 fibers?

11 A. You --

12 MS. ROSS: Object to the form. It was
13 vague. Go ahead.

14 BY THE WITNESS:

15 A. Yeah, you -- you can install it without --

16 BY MR. HAMPTON:

17 Q. Without exceeding the PEL, but you can't
18 install it without liberating some asbestos fibers?

19 MS. ROSS: Object to the form.

20 BY MR. HAMPTON:

21 Q. Is that the way -- does that make sense?
22 I'm not trying to be tricky. I'm just --

23 A. No, okay.

24 Q. -- trying to get an answer to the question.

1 **A. Right, right, right.**

2 Q. This is a yes-or-no question. The answer
3 would be no, you can't install it without liberating
4 some asbestos fibers?

5 MS. ROSS: I'm going to object to the form.

6 It's vague and --

7 BY THE WITNESS:

8 **A. Right, I --**

9 BY MR. HAMPTON:

10 Q. You want to look at it again?

11 **A. No. How -- how you've related the**
12 **question, you're correct. It assumes that you're**
13 **going to liberate some fiber, but they're going to be**
14 **below the limits.**

15 Q. Right.

16 **A. Yeah.**

17 Q. And you agree with that?

18 MS. ROSS: Does he agree that that's what
19 the answer says, or does he agree with that as a
20 general proposition?

21 MR. HAMPTON: Do you have an objection?

22 MS. ROSS: I'm going to object as vague.

23 MR. HAMPTON: I'm going to object as a
24 talking objection.

1 MS. ROSS: Fair enough.

2 BY THE WITNESS:

3 A. I agree that what that says is that there
4 is the potential for liberating some fibers. What I
5 believe is that, no, there shouldn't be any because
6 you don't have to touch the facing.

7 BY MR. HAMPTON:

8 Q. Okay. Now --

9 A. I mean, or do any -- anything to the
10 facing --

11 Q. Okay.

12 A. -- while you're installing it.

13 Q. Now, you're talking about your personal
14 opinion or you're talking about BWD's opinion?

15 A. I guess that's my personal opinion.

16 Q. Okay. So the question, the way it reads
17 and the way the answer reads is that, no, you can't
18 install or remove it without liberating some asbestos
19 fibers; is that correct?

20 MS. ROSS: Object as asked and answered.

21 BY THE WITNESS:

22 A. That's how it reads, yes.

23 MR. HAMPTON: All right. We're going to
24 get ready to go into a few different things. Let's

1 take another short break.

2 THE WITNESS: Okay.

3 MR. HAMPTON: Say five minutes, and we'll
4 come back.

5 THE VIDEOGRAPHER: We're off the record.
6 The time is 11:34 a.m.

7 (WHEREUPON, a recess was taken.)

8 THE VIDEOGRAPHER: We're back on the record
9 at the beginning of tape No. 3. The time is
10 11:46 a.m.

11 BY MR. HAMPTON:

12 Q. Mr. Kotzum, did BWD ever conduct any tests
13 of any kind on the asbestos clutches concerning the
14 possible or potential health hazards?

15 A. Well, in the plant, we had regular testing
16 done in the plant. I guess that's the answer.

17 Q. Were -- other than industrial hygiene
18 testing that was done in the plant, was any -- were
19 any tests undertaken on BWD clutches to test
20 potential or possible health hazards on the product
21 itself?

22 A. Again, I think we assume that because they
23 were being manufactured in the plant, and we were
24 concerned with our employees working with them on a

1 **regular basis, then we would do our testing in the**
2 **plant to see what their exposure would be.**

3 Q. And -- and I understand that. But what
4 about real world user applications such as garage
5 mechanics and the -- just the end products that they
6 used?

7 It's correct no tests were done of that
8 kind; is that -- is that fair?

9 **A. Not that I'm aware of.**

10 Q. And were any tests done -- there were never
11 any tests done to figure out how to reduce exposures
12 to asbestos when using the end products; is that a
13 fair statement?

14 **A. Again, not that I'm aware of.**

15 Q. Let's go back to Exhibit 1, the answers to
16 interrogatories, and Interrogatory No. 43, and I'm
17 going to show you this question and answer, and
18 familiarize yourself with it, please.

19 **A. Okay.**

20 Q. Did you have any input in the response to
21 that question?

22 **A. We discussed it, and I think I reviewed the**
23 **response for reasonability, and I agreed with it.**

24 Q. Okay. And if you look down to the second

1 paragraph on Page 40 and all of Page 41, just take a
2 look at that.

3 **A. Okay.**

4 Q. Were those drafted entirely by your
5 attorneys, by the attorneys for BWD?

6 **A. Again, I had some input and discussion, but**
7 **yeah. The wording, yes.**

8 Q. Okay. Do you know anything about those
9 studies that are cited to in Paragraph 2, starting on
10 Page 40?

11 **A. Only that they -- those studies were --**
12 **were in the repository, but I don't know any of the**
13 **details.**

14 Q. I wasn't able to locate any of those
15 studies in the repository.

16 **A. Okay.**

17 Q. So maybe we'll need to take another look at
18 that. But as far as the studies go, you have never
19 read any of those studies?

20 **A. No.**

21 Q. Has anybody else for -- to your knowledge,
22 in the BWD organization, have any of them ever read
23 these studies?

24 **A. Not to my knowledge.**

1 Q. Other than the attorneys, has -- to your
2 knowledge, has anybody read any of these studies
3 listed on the second paragraph of Page 40, going to
4 Page 41?

5 MS. ROSS: I'm going to object as vague.

6 BY THE WITNESS:

7 A. Yeah. I mean, to my knowledge, no. But I
8 would assume that people at the Ottawa plant at the
9 time would have had knowledge of those studies.

10 BY MR. HAMPTON:

11 Q. And are there any documents that BWD stayed
12 abreast of the state of the art or the knowledge
13 related to asbestos as recited here at Page 40 and
14 41?

15 A. Are there any documents?

16 Q. Yeah.

17 A. Not that I'm aware of.

18 Q. Okay. And BWD didn't have a research
19 department, is that correct, related to asbestos?

20 A. An R&D type department?

21 Q. Right.

22 A. No.

23 Q. And did they keep any kind of a library
24 with scientific and medical articles?

1 **A. I'm not sure.**

2 Q. And I'll -- I'll submit to you in the
3 answers to interrogatories here it says there was not
4 any medical and scientific library.

5 **A. Okay.**

6 Q. Is that -- would you agree with that, if
7 that's what it says?

8 **A. If that's what it says, yes.**

9 Q. Okay. Now we'll go back to the highlighted
10 portions of the same question and ask that you read
11 the highlighted question and answer.

12 **A. Okay.**

13 Q. And if you would like to add anything to
14 that, you know, that's part of the question or answer
15 for completeness, please feel free to do so.

16 **A. Well, "With respect to the products listed**
17 **in response to Interrogatories 19 and 42, did**
18 **Defendant, any predecessor or related company or the**
19 **manufacturer of the products ever conduct tests of**
20 **any kind on any or all of said products concerning**
21 **possible or potential hazards involved in its use or**
22 **in the use of materials contained therein?"**

23 **And response: "Subject to and without**
24 **waiving objections, it was known from generally**

1 available medical, scientific and industrial hygiene
2 literature that threshold limit values applied to
3 asbestos-containing products.

4 "Industrial hygiene studies conducted at
5 BWAC's (sic) manufacturing facilities illustrated the
6 products were remanufactured safely. The
7 remanufacturing process included the removal of worn
8 asbestos clutch facings and replacing remanufactured
9 clutch plates with asbestos-containing facings on a
10 continuous day-to-day operation." Or excuse me. "On
11 continuous day-after-day operations.

12 "Those remanufacturing operations did not
13 result in exposures in excess of applicable
14 permissible exposure limits of asbestos fibers. As a
15 result, it was reasonable to assume that the product
16 could be safely used by a consumer whose exposure to
17 any potential asbestos fiber release from the use of
18 those products in either removal or installation
19 would be very substantially less than the
20 remanufacturing environment."

21 Q. Thank you.

22 Did you have any input into that response
23 that you just read back?

24 A. Yes. You know, as far as the -- the

1 assumption portion of it, you know, knowing that,
2 again, the company was -- we were a very
3 conscientious company when it came to products we
4 produced and our employees, the safety of our
5 employees.

6 And although there was also requirements
7 for OSHA or different agencies to be testing, we did
8 a lot of that on our own anyway because we were
9 concerned about the safety of the employees, and the
10 fact that all those tests came out at very low rates
11 in relation to the acceptable levels, and the
12 employees were virtually eight hours a day working
13 with it, you know, we did not feel that there would
14 be any danger to somebody that was periodically
15 installing one of our products.

16 Q. And as to the way the operation worked,
17 though, there were sophisticated industrial controls
18 in place helping keep those levels low; is that
19 correct?

20 MS. ROSS: I'll object to the form as
21 vague.

22 BY THE WITNESS:

23 A. Yeah.

24

1 BY MR. HAMPTON:

2 Q. Engineering controls to keep the exposure
3 levels low?

4 MS. ROSS: Same objection.

5 BY THE WITNESS:

6 A. Yeah. I don't know what kind of
7 engineering controls we could have to keep that
8 exposure low, you know. I mean, the manufacturing
9 process is what it is, you know. It isn't like we
10 came up with a clean environment like you might see
11 when they worked with high tech computer chips or
12 things like that.

13 BY MR. HAMPTON:

14 Q. I've got a -- one of the reports of
15 industrial hygiene studies from 1981. We can mark
16 that.

17 Mark that as No. 9.

18 (WHEREUPON, a certain document was marked
19 Plaintiffs' Deposition Exhibit No. 9 for
20 identification as of 07/18/2013.)

21 BY MR. HAMPTON:

22 Q. The company that did the study is called
23 Natlsco, and it's titled "Report of Industrial
24 Hygiene Study for Borg Warner-Ecklund, Ottawa,

1 November of '81."

2 And I've highlighted two portions, two --
3 it looks like sentences, and I've tagged them. If
4 you could read those, please, and feel free to look
5 at the document if you'd like to familiarize yourself
6 with it.

7 A. Okay.

8 Q. Please read the highlighted portions.

9 A. "Summary of Results." "However, two
10 employees were found to be in excess of the NIOSH
11 recommendation of 0.1 fibers per cubic centimeter of
12 air as a time weighted average."

13 Q. Okay.

14 A. Okay.

15 Q. Do you know what NIOSH is or what it stands
16 for?

17 A. No, I don't.

18 Q. Can you go -- go to the next one?

19 A. I can make a guess, but --

20 MS. ROSS: No guessing.

21 BY THE WITNESS:

22 A. Second, under "Recommendations," point
23 No. 1, last line, "Based on the results of this study
24 (and the OSHA program directive -- see discussion)

1 **D. Wendt, driven plate assembler riveter, and**
2 **J. Grundon, face banding bundler, should be included**
3 **in this program."**

4 BY MR. HAMPTON:

5 Q. What's that mean?

6 A. Well, prior to that, it shows the
7 **recommendation for giving annual medical**
8 **examinations, which includes a chest roentgenogram,**
9 **respiratory disease history, and pulmonary function**
10 **tests. So it sounds like those two individuals**
11 **they've recommended should be included in the program**
12 **of testing these employees.**

13 Q. Flip back to the previous question on
14 NIOSH. I think I asked you if you know what it
15 stands for, and you said no, but do you know what
16 NIOSH is generally?

17 A. It's safe and healthy -- health standards
18 **committee or -- we know it's an acronym.**

19 Q. I've got another -- a memo I'd like to mark
20 and have you look at it.

21 (WHEREUPON, a certain document was marked
22 Plaintiffs' Deposition Exhibit No. 10 for
23 identification as of 07/18/2013.)

24

1 BY MR. HAMPTON:

2 Q. It has been marked as Exhibit 10. Please
3 familiarize yourself with the memo.

4 MS. ROSS: I'm sorry, what is the date on
5 it?

6 THE WITNESS: May 26, 1982.

7 BY THE WITNESS:

8 A. Okay.

9 BY MR. HAMPTON:

10 Q. Please read the highlighted portion.

11 A. **"Please take the necessary actions to**
12 **ensure your departments will meet the necessary**
13 **requirements for inspection. (Take extra time on**
14 **Thursday afternoon to ensure a thorough cleaning of**
15 **your area)."**

16 Q. What are they talking about there?

17 A. **They're talking -- Aetna Life & Casualty**
18 **was conducting an environmental hygiene and noise**
19 **level survey in the plant on Friday, June 11.**

20 Q. Okay. And who drafted that memo?

21 A. **A lady named Vonnie Peabody. I'm not aware**
22 **of who she was.**

23 Q. Thank you.

24 Now, within the BWD organization, what

1 would that statement mean that you just read?

2 **A. Well, basically, and I think any time we**
3 **had visitors from outside locations or areas, they**
4 **wanted people to be aware of it and be prepared for**
5 **whatever the examination was going to be.**

6 Q. And in parentheses it says, "Take extra
7 time on Thursday afternoon to ensure a thorough
8 cleaning of your area," in -- in preparation for an
9 industrial hygiene test. So I was wondering if that
10 had any particular meaning to you, what he's telling
11 the organization, what she's telling the
12 organization.

13 **A. Not really, you know.**

14 Q. The next document is "Report of Technical
15 Services Study," prepared for BWD Corporation. The
16 survey date was June 11, 1982, and we'll mark that as
17 one as Exhibit -- what are we up to, 11?

18 MS. ROSS: I'm sorry, what's the date on
19 it?

20 MR. HAMPTON: June 11, '82 was the survey
21 date.

22 MS. ROSS: Thank you.

23

24

1 (WHEREUPON, a certain document was marked
2 Plaintiffs' Deposition Exhibit No. 11 for
3 identification as of 07/18/2013.)

4 BY MR. HAMPTON:

5 Q. Mr. Kotzum, please take time to familiarize
6 yourself with the document, and I've tabbed and
7 highlighted a portion.

8 MS. ROSS: If I could look at the
9 highlighted stuff before he will read it out loud,
10 because I may want to ask him to read other --

11 MR. HAMPTON: Absolutely.

12 MS. ROSS: -- portions of it for
13 completeness.

14 MR. HAMPTON: Absolutely.

15 MS. ROSS: Thank you.

16 THE WITNESS: So you want to see it first?

17 MS. ROSS: You can look through it, but
18 then hand it to me before you read anything.

19 MR. WARD: Off the record.

20 (WHEREUPON, discussion was had off the
21 record.)

22 MS. ROSS: You ask that he read the whole
23 of the paragraph that he highlighted, the second
24 paragraph, so --

1 MR. HAMPTON: You want to highlight it?
2 There you go.

3 BY THE WITNESS:

4 A. Okay. You just want me to read this now?

5 BY MR. HAMPTON:

6 Q. Please.

7 A. Okay. Under the section on discussion on
8 asbestos, "Asbestos fibers may become airborne as the
9 facings containing asbestos are drilled and sanded."

10 Next paragraph, "The concentration of
11 asbestos fibers range from 0.04 fibers longer than
12 five micrometers per cubic inch of air (F/cc) to 0.61
13 F/cc. These concentrations are well below the OSHA
14 permissible exposure limit of 2 F/cc. The local
15 ventilation at the rivet and general area ventilation
16 provides adequate control."

17 Q. Thank you.

18 Which demonstrates that even with local
19 ventilation control like I was referring to earlier,
20 engineering controls, there's still asbestos fibers
21 being released in the work area; is that correct?

22 A. That would sound correct.

23 Q. I've got a document titled "Noise Survey
24 and Hygiene Survey," a memo with attached hygiene

1 study done by the Illinois Department of Commerce and
2 Community Affairs. We'll mark that as Exhibit 12.

3 (WHEREUPON, a certain document was marked
4 Plaintiffs' Deposition Exhibit No. 12 for
5 identification as of 07/18/2013.)

6 BY MR. HAMPTON:

7 Q. Mr. Kotzum, please take a look at that
8 document, the highlighted portions and anything else
9 you'd like to look at for completeness, and then read
10 the highlighted section.

11 A. Okay. Okay, okay. This is a noise survey
12 and hygiene survey dated July 13th, 1983, from Vonnie
13 Peabody to John Casey, Barb Peterson, Bill Moreland,
14 John Dettore, Ron Locke, and all supervisors.

15 "On Tuesday, August 16 and Wednesday
16 August 17 the State of Illinois will be here to
17 conduct a noise and hygiene survey of our facility.
18 The survey will begin at 7:00 a.m. and continue for
19 two days."

20 Okay. Now, on the next page back, there's
21 a table of air monitoring results on asbestos. It
22 says, "Maintenance man (removing material from
23 collection system for Detroit line)."

24 Next to that, under the column "Asbestos,"

1 it shows "0.37 f/cm3." That looks like CM to the
2 third power. I don't know.

3 The next page, under "Discussion and
4 Asbestos, CFR 19.1001," "The maintenance man's
5 exposure for the duration of the system's cleaning
6 (approximately five minutes) was 0.37 F/cm3 fibers
7 per cubic centimeter of air. Additional monitoring
8 is strongly recommended for the duration of the
9 operation for all three collection systems to
10 determine his normal exposure level."

11 Next page, "However, current research
12 conducted by the National Institute of Occupational
13 Safety and Health (NIOSH) has indicated that the PEL
14 should be lowered to 0.5 F/cm3 due to its
15 carcinogenicity." I'm bad on that word.

16 "Epidemiological studies of asbestos
17 workers have shown that exposure to asbestos
18 increases the risks of developing cancer,
19 mesothelioma (the lining of the lung and abdomen) and
20 asbestosis (chronic lung disease)."

21 And then down a couple paragraphs,
22 "Available studies provide evidence that as little as
23 one exposure to asbestos fibers may have harmful
24 effects."

1 Q. Thank you. And that's the report dated the
2 year 1983 by the Illinois Department of Commerce that
3 did the survey; is that correct?

4 **A. Yes.**

5 MR. WARD: You guys still there?

6 MR. HAMPTON: Yeah. I'm weeding out
7 documents, Don.

8 MR. WARD: Oh, okay.

9 MR. HAMPTON: I'm trying to make it less
10 painful for everyone.

11 MR. WARD: That's cool. I just wanted to
12 make sure I wasn't having a stroke.

13 BY MR. HAMPTON:

14 Q. Mr. Kotzum, I've got a couple of documents
15 here that refer to OSHA and an OSHA violation.

16 Are you familiar with any OSHA violations
17 at the facility? Are you familiar with those
18 documents or familiar with it from you being there
19 realtime?

20 **A. I'm familiar with one, I think, that we had**
21 **in one of our interrogatory responses.**

22 Q. Okay. And you -- and is that a citation
23 for dry sweeping of asbestos in 1990?

24 **A. I believe that was it, and in filling out**

1 **the form wrong.**

2 Q. Okay. Is that the only citation you're
3 familiar of?

4 A. **That I'm aware of, yes.**

5 Q. Related to asbestos?

6 A. **Yes.**

7 Q. You don't need that document.

8 Okay. I've got a document dated
9 March 10th, 1993, BWD Automotive Corporation
10 letterhead, that addresses the OSHA violation that we
11 just discussed, and I'm including -- it looks like
12 five pages. I'm highlighting one section to read.
13 We'll mark that as Exhibit 13, and I'll hand it to
14 your attorney.

15 (WHEREUPON, a certain document was marked
16 Plaintiffs' Deposition Exhibit No. 13 for
17 identification as of 07/18/2013.)

18 MS. ROSS: Only the highlighting that's on
19 the first page, right?

20 BY THE WITNESS:

21 A. **Okay. This is a BWD Automotive Corporation**
22 **memo dated March 10th, 1993, to Mr. Charles J.**
23 **Shields, area director, U.S. Department of Labor,**
24 **Occupational Safety and Health Administration in**

1 North Aurora, Illinois, "Re: Your letter of
2 2/24/93." And I see this is written by Barb, Barbara
3 Peterson, also.

4 BY MR. HAMPTON:

5 Q. And who's Barbara Peterson?

6 A. She was the human -- or the manager of
7 industrial relations.

8 "Over the past few years, 95 percent of
9 units manufactured using facings do not contain any
10 asbestos.

11 "I have enclosed copies of the air sampling
12 results for the airborne asbestos for three previous
13 years.

14 "The results have been continuously below
15 the permissible exposure level and action level.
16 With this in mind, and with the knowledge of our
17 extensive ventilation system, we do not provide or
18 encourage the use of respiratory protection or employ
19 specific training associated with 29 CFR 1910.1001 to
20 our general workforce.

21 "We do, however, provide annual
22 preemployment and termination physical exams which
23 include a pulmonary function test and chest x-rays
24 for those employees who worked or have worked with

1 **asbestos-containing materials."**

2 Q. Again, this demonstrated even with, as it
3 describes in this letter, self-described extensive
4 ventilation systems, they're still experiencing
5 release of some asbestos fibers; is that accurate?

6 **A. Yes.**

7 Q. I have a memo with some industrial hygiene
8 results on BWD Corporation letterhead, with the test
9 results on Hygenix, Inc. letterhead to Echlin, Inc.
10 regarding the Ottawa facility. It's dated -- it
11 looks like January through June of 1995.

12 Mark that Exhibit 14, and I'll pass it to
13 counsel.

14 (WHEREUPON, a certain document was marked
15 Plaintiffs' Deposition Exhibit No. 14 for
16 identification as of 07/18/2013.)

17 BY MR. HAMPTON:

18 Q. Okay. Mr. Kotzum, please take a look at
19 the documents and familiarize yourself with it, and
20 then I'll ask you a couple of questions.

21 Go ahead and keep it.

22 **A. Okay.**

23 Q. Go ahead and tell us about Page 1. What is
24 Page 1 talking about?

1 **A. Again, it's an interoffice memo from Barb**
2 **Peterson on the hygiene survey done at Ottawa in**
3 **January 1995. It's dated June 6th, 1995.**

4 Q. Okay. Now, turn to the next page and
5 there's two gentlemen, maybe -- I think it's one
6 gentlemen, one woman. The names are highlighted.

7 Can you read those two names of which
8 they -- some testing was done?

9 **A. Yeah. Core prep, Jim Rogers; facing**
10 **drills, Wanda Klemm.**

11 Q. Okay. Now turn to the next page.

12 **A. Okay.**

13 Q. What's on the next page? What are the --
14 what is the analysis there?

15 **A. It says, "Asbestos Analysis Airborne Fiber**
16 **Quantification," "Site Location," "Drills."**

17 Q. Okay. For which individual is that
18 analysis?

19 **A. W. Klenen. This must be a different --**
20 **there's actually a different spelling, it looks like,**
21 **on the hygienist's report than on the --**

22 Q. Okay. And -- and then the -- on the
23 analysis, what was the time weighted average for that
24 individual's exposure to asbestos?

1 **A. Equals 0.182 F/cc over 401 minutes.**

2 Q. And I want you to assume that the PEL, or
3 permissible exposure limit, in 1995 was 0.1 fibers
4 per cc. Would that be in excess of the PEL?

5 **A. Yes. That was, but --**

6 Q. That's with my assumption?

7 **A. Yeah. Okay.**

8 Q. Mr. Kotzum, go on to the last page --

9 **A. Okay.**

10 Q. -- and tell us what that analysis is and of
11 whom.

12 **A. Again, core preparation area, J. Rogers,**
13 **and then it says "time weighted average equals 0.123**
14 **F/cc over 385 minutes."**

15 Q. Okay. Make the same assumption if the PEL,
16 or permissible exposure limit, at that time was 0.1,
17 would that be in excess of that PEL?

18 **A. Yes.**

19 Q. Thank you.

20 MR. HAMPTON: Okay. We're getting ready to
21 switch areas again. Let's take a short break for an
22 off-the-record discussion.

23 MS. ROSS: Actually, one thing pointed out
24 to me --

1 THE COURT REPORTER: On the record?

2 MS. ROSS: Yeah, on the record. Let's stay
3 on the record.

4 You can go -- you got it?

5 THE VIDEOGRAPHER: Yeah.

6 MS. ROSS: Okay. My understanding of the
7 Madison County standing order -- I think it's a
8 standing order -- and also the Illinois rules
9 generally is that there's a three-hour time limit on
10 depositions, and I don't think we've quite hit it
11 there. I mean, we acknowledge we started, you know,
12 a little after 9:30 and we've taken some breaks, but
13 I do want to point out that you are getting close to
14 that, so --

15 MR. HAMPTON: I'll do my best to move it
16 along.

17 MS. ROSS: Yeah.

18 THE VIDEOGRAPHER: This marks the end of
19 tape No. 3. We're off the record. The time is
20 12:33 p.m.

21 (WHEREUPON, a recess was taken.)

22 THE VIDEOGRAPHER: We're back on the record
23 at the beginning of tape No. 4. The time is
24 12:43 p.m.

1 MR. HAMPTON: I have a document titled
2 "NIOSH Revised Recommended Asbestos Standard,
3 U.S. Department of Health, Education and Welfare,"
4 dated December 1976. Mark that as Exhibit 15.

5 (WHEREUPON, a certain document was marked
6 Plaintiffs' Deposition Exhibit No. 15 for
7 identification as of 07/18/2013.)

8 MS. ROSS: I will say I -- you're welcome
9 to show it to him and ask him questions. I will
10 object to asking him to read anything aloud from
11 this.

12 This is not a -- other -- unlike the other
13 documents that he was reading from or the
14 interrogatory responses that he verified -- those are
15 company documents that, you know, I think you have a
16 right to ask our corporate witness to read from -- I
17 don't think you have a right to put the words of
18 NIOSH in his mouth when it's not a document that we
19 authored or that came from our files. But you can --
20 I'm not going to stop you to asking questions, and he
21 can answer to the extent he knows about them.

22 See, everything -- this is not the whole
23 document. You only have selected pages from it.

24 MR. HAMPTON: What -- are you instructing

1 him not to read their --

2 MS. ROSS: No, no, no, no. But I'm just
3 saying this is -- what you've marked as the exhibit
4 is not the entirety of the document.

5 MR. HAMPTON: That's probably true.

6 MS. ROSS: Yes.

7 MR. HAMPTON: It's probably 100 pages.

8 MS. ROSS: Yeah, I know, because it --

9 MR. HAMPTON: Yeah.

10 MS. ROSS: -- skips from Page --

11 MR. HAMPTON: Right.

12 MS. ROSS: -- 2 to 92 --

13 MR. HAMPTON: Right.

14 MS. ROSS: -- in here. So I know and I've
15 seen the whole document.

16 MR. HAMPTON: Darn airplane --

17 MS. ROSS: No, I'm not --

18 MR. HAMPTON: -- flight got me again.

19 MS. ROSS: He can -- he can look at it, but
20 I will instruct him -- if you say, "Mr. Kotzum,
21 please read the highlighted portion" --

22 MR. HAMPTON: Right.

23 MS. ROSS: -- I will instruct him not to do
24 that.

1 MR. HAMPTON: Okay.

2 MS. ROSS: I don't think that's an
3 appropriate question of a corporate witness, with a
4 document that has not come in from in the
5 corporate --

6 MR. HAMPTON: Okay. So based on counsel's
7 statement that she will instruct him not to read, we
8 will ask questions.

9 Now you're going to make me work.

10 BY MR. HAMPTON:

11 Q. Mr. Kotzum, I'm going to ask you about the
12 NIOSH document that we just discussed. Though I'm
13 not asking you to read from the document, I'd like
14 you to look at that document and the pages that have
15 been marked and highlighted.

16 A. Okay.

17 Q. Okay. Thank you.

18 Mr. Kotzum, I've just asked you to look at
19 a NIOSH document dated 1976. In that document, I
20 referred you to a section that talks about the
21 permissible exposure limits and the threshold limit
22 values and what that means, and NIOSH's opinion on
23 that is that there's no -- that if you meet the
24 permissible exposure limit, it is not a certain level

1 that would prevent asbestosis and would not prevent
2 asbestos-induced neoplasms.

3 My question, sir, is that something that
4 BWDAC kept abreast of as far as the -- NIOSH's
5 opinions when they were in business?

6 MS. ROSS: I'm going to object to the form.
7 It's a 1976 document, and BWD wasn't even in business
8 at that time.

9 But you can answer it.

10 BY MR. HAMPTON:

11 Q. When they went in business in 1981, would
12 they have that kind of information?

13 **A. I'm not sure.**

14 Q. And we talked about earlier, when they came
15 in -- when they took over from Borg-Warner, they took
16 over a fully operational unit that was -- I think we
17 called it business as usual. Is that a fair
18 assessment?

19 **A. Yes.**

20 Q. And at the time in 1981, when they started
21 their business, they were fully aware of the hazards
22 related to asbestos and injury; is that correct?

23 **A. Again, I -- I'm not sure, but they probably**
24 **were.**

1 Q. Okay. And it's been noted in several of
2 your answers to interrogatories that, yes, they were
3 fully aware of the medical and scientific literature
4 and the hazards related to asbestos; is that your
5 understanding?

6 **A. Yes.**

7 Q. And this next document is a NIOSH,
8 U.S. Department of Health and Human Services,
9 "Workplace Exposure to Asbestos," dated November
10 1980. We'll mark that as Exhibit --

11 MS. ROSS: 16?

12 MR. HAMPTON: -- 16.

13 MS. ROSS: And that's 1980?

14 MR. HAMPTON: Correct.

15 (WHEREUPON, a certain document was marked
16 Plaintiffs' Deposition Exhibit No. 16 for
17 identification as of 07/18/2013.)

18 MR. HAMPTON: Sir, I've got -- would you
19 like to look at this document?

20 MS. ROSS: Yes, sorry. Thank you.

21 MR. HAMPTON: Just the top page?

22 MS. ROSS: Yeah.

23 BY MR. HAMPTON:

24 Q. Mr. Kotzum, I'm handing you Document 16.

1 Please take a look at the tabbed page.

2 **A. Okay.**

3 Q. And in 1980, on Page 3, NIOSH has an
4 opinion. It talks about, "Evaluation of all
5 available human data provides no evidence for a
6 threshold or for a 'safe' level of asbestos exposure.
7 Accordingly, the committee recommends that, to the
8 extent uses of asbestos cannot be eliminated or less
9 toxic materials substituted for asbestos, worker
10 exposures to asbestos must be controlled to the
11 maximum extent possible."

12 Is that something that BWD tried to do when
13 they came into business in 1981?

14 MS. ROSS: I'm sorry, I'm going to object
15 as vague as to what it is that -- well, I will object
16 to the form as vague. I will not give a speaking
17 objection.

18 MR. HAMPTON: Thank you.

19 MS. ROSS: You're welcome.

20 BY MR. HAMPTON:

21 Q. You can answer.

22 **A. Yeah. Again, you know, I'm not sure. But**
23 **again, we were aware of the asbestos issue, and I'm**
24 **sure we did everything we could to, you know, not --**

1 **reduce exposure levels as much as we could.**

2 Q. Okay. And as NIOSH talks about, the
3 evaluation talks about no evidence of a threshold or
4 safe level of asbestos exposure. Is that something
5 that BA -- BWDAC is familiar with or that you saw in
6 that organization?

7 A. That I'm not sure of either. I know all of
8 the reports that I looked at and we reviewed
9 compared, you know, to what the acceptable limits
10 were, even though this article is saying there
11 shouldn't be, I guess, an acceptable limit.

12 Q. The next document is EPA, titled "Guidance
13 for Preventing Asbestos Disease Among Auto
14 Mechanics."

15 Mark that as Exhibit 17.

16 MS. ROSS: What's the date on that one?

17 MR. HAMPTON: June of 1986.

18 MS. ROSS: Thank you.

19 (WHEREUPON, a certain document was marked
20 Plaintiffs' Deposition Exhibit No. 17 for
21 identification as of 07/18/2013.)

22 BY MR. HAMPTON:

23 Q. Mr. Kotzum, I'd like you to take a look at
24 the document, and look at the highlighted portions,

1 and I'll have a few questions for you. Thank you.

2 Mr. Kotzum, have you or BWD ever seen or
3 reviewed that document, to your knowledge?

4 A. I haven't, no, and I don't believe BWD --
5 I'm not -- I don't know. I can't answer to that.
6 When I see it relates to auto mechanics, it's
7 possible they did.

8 Q. As -- do you as BWD's corporate
9 representative, do you disagree with the highlighted
10 portions that you just reviewed?

11 A. I can't see anything I disagree with.

12 Q. So it states that, "Millions of asbestos
13 fibers can be released during brake and clutch
14 servicing," under the "Mechanics' Exposure to
15 Asbestos." Do you agree with that?

16 MS. ROSS: I'm going to object on
17 foundational grounds.

18 MR. HAMPTON: I'm just asking if he agrees
19 with the statement or not.

20 MS. ROSS: I -- I'm -- I'm going to object
21 as to whether -- whether or not he even has a
22 foundation to agree or disagree with that, but --

23 BY THE WITNESS:

24 A. Yeah. It's sort of like being in a smoking

1 **area, I guess, yeah.**

2 BY MR. HAMPTON:

3 Q. And they also state, "While lowering
4 exposure lowers risk, there is no known level of
5 exposure to asbestos below which health effects do
6 not occur."

7 Do you -- other than the NIOSH documents I
8 showed you, is that something that you, BWDAC, has
9 considered and agree with or disagrees with?

10 MS. ROSS: And I'm going to object on
11 foundational grounds.

12 BY THE WITNESS:

13 A. Yeah. Again, I think we did everything we
14 could to, you know, protect the employees and make
15 sure that, you know, their work -- their health was
16 not at risk.

17 BY MR. HAMPTON:

18 Q. There is the next section that talks about
19 mesothelioma, and it says, "Mesothelioma can be
20 caused by very low exposures to asbestos. This
21 cancer has occurred among brake mechanics, their
22 wives and their children."

23 Is that something that you, BWAC, agree
24 with or disagree with?

1 MS. ROSS: I'm going to object on
2 foundational grounds.

3 BY THE WITNESS:

4 A. Yeah. I mean, that relates to brake
5 mechanics, but -- you know, again it's a -- it's a
6 general statement, you know. And again, I -- I
7 mentioned before that there's a general knowledge
8 about the hazards of asbestos that we were aware of.

9 BY MR. HAMPTON:

10 Q. Okay. But this specifically is talking
11 about mechanics, brake mechanics, in fact.

12 A. Uh-huh.

13 MS. ROSS: I'm going to object on
14 foundational grounds. BWD made clutches, not brakes.

15 MR. HAMPTON: I understand that.

16 BY THE WITNESS:

17 A. So, I mean, I don't know if I can say that
18 we -- we agree with it other than there was a hazard,
19 you know, a known hazard.

20 BY MR. HAMPTON:

21 Q. There's a section here that talks about
22 exposure during brake and clutch maintenance. It
23 says at the bottom of that paragraph that you just
24 reviewed, it says, "The asbestos fibers released from

1 brake and clutch work can be scattered throughout a
2 garage, where they can present a hazard for months or
3 years."

4 Is that something that you or BWDAC has
5 considered?

6 **A. Again, we were aware of the hazards of**
7 **asbestos.**

8 Q. But this is talking about clutch work and
9 the individuals in the garage. So my question is, is
10 that something that you or BWDAC had considered?

11 MS. ROSS: I object. You can -- on
12 foundational grounds. You can answer if you know,
13 though.

14 BY THE WITNESS:

15 **A. Well, I really don't know. But again, you**
16 **know, as we answered in the one response in the**
17 **interrogatory, that -- you know, when we monitored**
18 **the levels of the plant with -- with our -- with our**
19 **people that were associated with it on a regular**
20 **basis, you know, we feel that that would be adequate**
21 **if they weren't -- didn't have any health issues,**
22 **that the people that were using it periodically**
23 **shouldn't have any health issues, you know, that**
24 **would be greater than what we have in our own plan.**

1 BY MR. HAMPTON:

2 Q. And with this question, though, it talks
3 about those fibers being released and remaining there
4 for months or years.

5 A. Uh-huh.

6 Q. So my question is, is that something that
7 you, BWDAC, has considered, is the residual and the
8 asbestos remaining in these garages?

9 MS. ROSS: Same objection on foundational
10 grounds.

11 You can answer if you know.

12 BY THE WITNESS:

13 A. I don't know the answer to that.

14 BY MR. HAMPTON:

15 Q. Is that something you, BWDAC, agrees with
16 or disagrees with?

17 MS. ROSS: Again, same objection on
18 foundational grounds. If he doesn't know whether
19 they were even aware of it, and like he's got a
20 scientific background to agree or disagree with a
21 statement like that.

22 MR. HAMPTON: Nice speaking objection.
23 Let's try to keep them to form.

24

1 BY THE WITNESS:

2 A. You know, again, we were aware of the
3 hazards, so that specific statement goes within all
4 of -- all of the hazards. I -- you know, if you want
5 me to say yes, I'll say yes.

6 MS. ROSS: You --

7 BY MR. HAMPTON:

8 Q. I don't want you to say anything other than
9 what -- other than what you, on behalf of BWDAC,
10 says, just to be clear.

11 A. Yeah. And I didn't mean that statement, by
12 the way.

13 But no, I guess -- you know, I don't know
14 the -- you know, the -- the best way to answer that
15 question. We were aware of all -- of everything, the
16 potential hazards. We monitor our plants, and I
17 guess simple logic would go forward on that
18 statement, you know.

19 Q. Let's go on to the next section. It talks
20 about clutch repair. It says, "Significant exposure
21 can also occur during clutch repair. Since a
22 mechanic's head is typically under the clutch
23 assembly during clutch repair, asbestos often falls
24 on a mechanic's face and clothing."

1 Is that something that you agree with or
2 disagree with?

3 MS. ROSS: Again, objection on foundational
4 grounds.

5 BY THE WITNESS:

6 **A. Again, it seems logical, a logical**
7 **statement, so I guess we'd say I agree with the**
8 **premise.**

9 BY MR. HAMPTON:

10 Q. I've got a U.S. Department of Labor OSHA
11 document dated 5/13 of 1999, "OSHA's position on the
12 risk associated with asbestos exposure at the current
13 PEL." It will be Exhibit 18.

14 (WHEREUPON, a certain document was marked
15 Plaintiffs' Deposition Exhibit No. 18 for
16 identification as of 07/18/2013.)

17 BY MR. HAMPTON:

18 Q. Having reviewed that document, would you
19 agree that in 1995 it was still OSHA's position that
20 reducing the PEL to 0.1 fibers per cc level would
21 reduce but not eliminate the significant risk of
22 adverse health effects?

23 MS. ROSS: Is it 1995 or 1999?

24 MR. HAMPTON: I apologize. 1999.

1 MS. ROSS: Thank you.

2 MR. HAMPTON: Sorry.

3 BY THE WITNESS:

4 **A. Yes, I would agree with their statement.**

5 BY MR. HAMPTON:

6 Q. We talked about NIOSH, we talked about
7 OSHA, we talked about EPA, and would you agree that
8 all of those agencies' opinions is that exposures to
9 a low level of asbestos dust is dangerous?

10 **A. It seems --**

11 MR. HAMPTON: Object.

12 BY THE WITNESS:

13 **A. -- very consistent.**

14 MS. ROSS: I'm going to object to the form
15 as vague.

16 THE WITNESS: Okay.

17 MS. ROSS: Now you can answer.

18 BY THE WITNESS:

19 **A. All their opinions seem very consistent,**
20 **so --**

21 BY MR. HAMPTON:

22 Q. And would you agree that all of those
23 agencies believe that there's no known safe level of
24 exposure to asbestos?

1 MS. ROSS: I'm going to object to the form
2 as vague and also -- well, and on foundational
3 grounds. None of the documents you showed him
4 address that.

5 BY THE WITNESS:

6 A. Okay. Yes, and all the -- all of the
7 agencies do agree that we should have as low of
8 levels as possible.

9 BY MR. HAMPTON:

10 Q. And that there's no safe level -- known
11 safe level?

12 MS. ROSS: I'm going to object to the form.
13 Do you want to rephrase it or --

14 MR. HAMPTON: Yeah.

15 BY MR. HAMPTON:

16 Q. There's no known safe level of exposure --

17 A. Right.

18 Q. -- to asbestos?

19 A. Yes.

20 Q. Is that correct?

21 A. Yes.

22 Q. Is -- in talking about this, no known safe
23 level of exposures, did you, BWDAC, ever pass that
24 along to end consumers?

1 MS. ROSS: I'm going to object to the form
2 as -- well, I'm going to object to the form as vague
3 and --

4 MR. HAMPTON: I'll try to correct it.
5 BY MR. HAMPTON:

6 Q. Did you -- did you, BWDAC, ever warn or
7 advise anybody you sold to that there was no known
8 safe level of exposure to asbestos, as the agencies
9 we just talked about described?

10 MS. ROSS: I'm going to object to the form
11 as vague. Some of those statements obviously
12 postdate any sale of product by the company.

13 But you can go -- you can answer the
14 question.

15 BY THE WITNESS:

16 A. Yeah. Well, we did have -- as in my prior
17 interrogatory responses, we had safety or warning
18 labels that we had put on our -- on our packages.

19 BY MR. HAMPTON:

20 Q. Did they ever discuss there's no known safe
21 level of exposure?

22 A. Well, not that I'm aware of in any -- on
23 the wording on the -- on the label.

24 Q. Did you ever talk to -- you, BWDAC, did you

1 ever talk to any of your customers, the warehouse
2 companies that we addressed earlier, did you ever --
3 you, BWDAC, ever talk to them about no known safe
4 level of exposures?

5 **A. I'm not -- I -- not that I'm aware of. I'm**
6 **not -- I don't know.**

7 Q. Do you think that's something that the
8 customers and end users, the mechanics in the field,
9 is that information that they would like to have?

10 MS. ROSS: I'm going to just object on
11 foundational grounds and -- and actually, maybe it's
12 outside the scope of the notice.

13 But you can -- you can answer if you know.
14 BY THE WITNESS:

15 **A. Again, I guess I go back to -- and again,**
16 **the fact that, you know, we controlled it in our**
17 **plants, and the fact that we really didn't have any**
18 **cases of workers' comp from the people that -- that**
19 **were working with it 40 hours a week.**

20 MR. HAMPTON: I'll move to strike as
21 nonresponsive.

22 THE WITNESS: Okay.

23 BY MR. HAMPTON:

24 Q. The question, and I'll rephrase it, is

1 don't you think your customers were entitled to know
2 that information --

3 MS. ROSS: I'm going --

4 BY MR. HAMPTON:

5 Q. -- that there's no known safe level of
6 exposure to asbestos?

7 MS. ROSS: I'm going to object on
8 foundational grounds and as outside the scope of the
9 notice.

10 BY THE WITNESS:

11 **A. If we have the information, you know, I**
12 **think, yeah, we should pass it on to our customers.**
13 **And I think if we would have had that type of**
14 **knowledge, I'm sure, you know, we'd pass it on.**

15 BY MR. HAMPTON:

16 Q. The knowledge we just talked about, the
17 NIOSH, the EPA, and the OSHA knowledge, that's the
18 kind of knowledge that --

19 **A. Well, right.**

20 Q. -- BWDAC should have?

21 **A. Right, and that's why by 1993 we weren't**
22 **producing asbestos clutches anymore.**

23 Q. Okay. I'm switching gears. Okay. I'm
24 going to direct you to -- back to Exhibit 1.

1 Interrogatory No. 63 asks about warnings,
2 and there's a response there where you address that:
3 "Beginning in 1986, clutches and clutch parts made
4 with asbestos-containing facings sold by Defendant,
5 were packaged in boxes that bore the following
6 label," then you talk about I believe two different
7 labels.

8 There was one from '86, and then a
9 different one in '87, so I want to talk about the
10 foundation of that briefly.

11 So I've got the March 20th, 1986 Echlin
12 document, subject matter asbestos warning labels,
13 that we'll mark as Exhibit 19.

14 (WHEREUPON, a certain document was marked
15 Plaintiffs' Deposition Exhibit No. 19 for
16 identification as of 07/18/2013.)

17 BY MR. HAMPTON:

18 Q. Mr. Kotzum, please familiarize yourself
19 with that document and read the highlighted portion.

20 A. Okay. Okay. It's an internal memo dated
21 March 20, 1986, to an R. Sturenfeldt from an
22 R. Foster, about asbestos warning labels.

23 "Attached is the asbestos warning label
24 currently used on our asbestos brake products. This

1 is the label discussed during our recent
2 conversation. I believe the label could be easily
3 adapted to asbestos clutch products."

4 And then below there is a note dated 6/3 of
5 1986, on the bottom of the memo. I don't know who
6 wrote that. But it's handwritten, and it says, "EPE
7 and BWD (regardless of brand)," let's see, "should
8 begin to find --" or, "New packaging should begin to
9 find its way into the market sometime in the fall.
10 Currently, inventories of unlabeled packages will be
11 exhausted."

12 Q. Thank you. And from that document, we know
13 that one of Echlin's other entities is already
14 putting warning labels on brake boxes; is that
15 correct?

16 A. Yes.

17 Q. And that up to this point, at least EPE and
18 BWD still have not yet placed warnings on their
19 boxes?

20 A. According to that, yes.

21 Q. Okay. Now, EPE, what is that? Is that
22 just another subsidiary or --

23 A. Yeah, that was another --

24 Q. -- division of Echlin?

1 **A. That was another branded product. They**
2 **had -- when we were talking about that Corona plant,**
3 **they -- that was their plant initially, when -- when**
4 **it was purchased.**

5 Q. What does "EPE" stand for?

6 **A. European Parts Exchange. It's primarily**
7 **all imported parts they saw.**

8 Q. And I think that we saw on some other
9 documents that there was -- they're not a part of
10 BWD, but they did exchange parts, they bought from
11 EPE? Did we see that in one of those other
12 documents?

13 **A. Yes.**

14 Q. I've got another document, same topic, that
15 we will mark as Exhibit 20.

16 (WHEREUPON, a certain document was marked
17 Plaintiffs' Deposition Exhibit No. 20 for
18 identification as of 07/18/2013.)

19 BY MR. HAMPTON:

20 Q. Go ahead. Go ahead and take a look at it,
21 familiarize yourself with it and read the highlighted
22 portion.

23 **A. Okay.**

24 Q. Okay. Go ahead and read those portions.

1 A. That's, again, an internal office memo,
2 subject asbestos regulations check list, from Barbara
3 Peterson to Bill Moreland and Troy Aimone, dated
4 August of 1986.

5 "For your information, I have attached a
6 copy of the check list for compliance with the new
7 asbestos regulations.

8 "As far as the labeling of the product --
9 that will have to be resolved as to whether we want
10 stickers on the product, or if the warning is going
11 to be on the box."

12 And then on the next page on this check
13 list, the last item highlighted is "Material Safety
14 Data Sheets," "In place," "MSDS established in spring
15 1986."

16 Then on the last page, it says, "Label must
17 be attached to product or to container. We will do
18 one or the other as soon as method resolved, and then
19 under "Comments," "Need to resolve soonest possible."

20 Q. Thank you.

21 Do you have any -- does BWDAC have any
22 documents that that was resolved in 1986?

23 A. Well, we know we were placing labels in
24 1986 on the box, so --

1 Q. Okay. Well, this doesn't say that. This
2 just tells them they're putting a plan to do that.

3 **A. Right.**

4 Q. Correct?

5 **A. Yes.**

6 Q. Okay. My question was, is there -- is
7 there any other documents that I haven't seen that
8 show that a plan is in place or that they're placing
9 warning labels?

10 **A. Not on any documents I've reviewed.**

11 Q. Okay. Thank you.

12 Now, earlier we talked about sales
13 catalogs. Is that what we called them?

14 **A. Yes.**

15 Q. And I didn't see any warning labels in
16 those. Do you know if there are or are not warning
17 labels in those sales catalogs?

18 **A. To my knowledge, I don't think there are.**

19 Q. Okay. For any time period? I now only had
20 two there, but they go up through '91, I believe.

21 MS. ROSS: That sounds about -- I mean,
22 somewhere in there.

23 BY MR. HAMPTON:

24 Q. Okay. To your knowledge, do you know of

1 any warnings placed in your sales catalogs --

2 **A. No.**

3 Q. -- at any time?

4 **A. No.**

5 Q. Before we mark this, I'm going to -- before
6 we mark this, I'm going to see if you've ever seen
7 that, if you're familiar with that.

8 **A. Yes, I've seen it. I won't say that I'm**
9 **familiar with all the details on it.**

10 MR. HAMPTON: Okay. Let's go ahead and
11 mark this. It is the BWD clutch service manual from
12 BWD Automotive Corporation.

13 The second page -- I thought I saw a date
14 on the second page. Yeah. 1988. It says, "BWD
15 Automotive Corporation by Mitchell International."
16 If we can have that marked as Exhibit 21, please.

17 (WHEREUPON, a certain document was marked
18 Plaintiffs' Deposition Exhibit No. 21 for
19 identification as of 07/18/2013.)

20 BY MR. HAMPTON:

21 Q. And I'm not going to ask you to look for a
22 warning because I believe I found one in here, so
23 I'll try to mark it and show it to you, in the
24 interest of time.

1 Are you familiar enough with this to know
2 about a potential or a -- if there's a warning in
3 here?

4 **A. No, I'm not.**

5 MR. HAMPTON: Let's go off the record.

6 THE VIDEOGRAPHER: We're off the record.

7 The time is 1:24 p.m.

8 (WHEREUPON, a recess was taken.)

9 THE VIDEOGRAPHER: We're back on the
10 record. The time is 1:26 p.m.

11 BY MR. HAMPTON:

12 Q. Mr. Kotzum, you've had the opportunity to
13 review Exhibit 21 and flip through the various pages,
14 and in this document consisting of, I don't know, 100
15 to 200 pages, we were talking about warnings, and we
16 found a warning in the clutches section under
17 "Chrysler Motors" on Section 2-3; is that correct?

18 **A. Yes.**

19 Q. Did you see warnings in any other section
20 of the document when you had the opportunity to flip
21 through it?

22 **A. No. But I really went through it quick,**
23 **so --**

24 Q. Okay. And take a look at that and the --

1 the front sections. Before you get into any of the
2 different automotive -- specific automotive brands,
3 there's no warning in those sections; is that
4 correct?

5 **A. That's correct.**

6 Q. And then it goes into individual brands of
7 cars, and as best you can tell, having looked at it
8 for just a short period of time, the only one that
9 had any kind of warning was under the Chrysler; is
10 that correct?

11 **A. Yes.**

12 Q. My question is, do you believe BWDAC did
13 everything they could to warn the end users and
14 mechanics about the hazards associated with asbestos?

15 **A. Well, I do know that this was not prepared**
16 **by BWD. It was -- we bought it from Mitchell**
17 **Industries. They do these types of things. We just**
18 **put our names on them, you know. So --**

19 Q. But BWDAC would have the final say on what
20 goes in that catalog?

21 **A. That -- on this document here, I believe we**
22 **basically take it and buy it. They sell it one way,**
23 **and we just basically put our cover page and our --**

24 Q. Then --

1 **A. -- logo on -- on all of their things.**

2 Q. I'll ask the question this way. In spite
3 of everything you just explained, do you believe
4 BWDAC did everything they can to warn the end users
5 of the hazards of asbestos?

6 MS. ROSS: I'm going to object to the form
7 as vague, but --

8 BY THE WITNESS:

9 **A. Again, I go back to the fact that, you**
10 **know, we were monitoring our employees, hadn't had**
11 **any problems with it, and we moved to go to**
12 **nonasbestos as quickly as we could.**

13 MR. HAMPTON: Okay. Well, I appreciate
14 that. I also move to strike.

15 BY MR. HAMPTON:

16 Q. Can you answer the question?

17 **A. Based -- in looking at this -- this book**
18 **and not highlighting it, it doesn't look like we did**
19 **everything.**

20 Q. What could -- what could you have done?

21 **A. Well, I don't know. I guess put a warning**
22 **label on the -- on the service manual, like we did on**
23 **the clutch box.**

24 Q. And while we're mentioning the employees

1 and doing what you could to protect them and keep the
2 exposures low, did BWDAC consider the protections
3 that the end users would have as far as environmental
4 controls and policies in place, whether they did or
5 didn't have any?

6 MS. ROSS: Object on foundational grounds.

7 BY THE WITNESS:

8 A. I can't -- I -- I don't know. I don't know
9 if they thought that far out, figuring that, again,
10 we had people exposed in the plant 40 hours a week
11 versus somebody -- pick a number out of the air. If
12 they do one or two or three clutch jobs a month,
13 what's their total exposure?

14 BY MR. HAMPTON:

15 Q. And exposure without controls? I mean, we
16 all know that there's small garages around that may
17 not have local exhaust or engineering controls; is
18 that correct?

19 A. Probably, yes.

20 Q. And certain clutch jobs -- you may have
21 mechanics who may do one or two a day; isn't that
22 fair?

23 MS. ROSS: Object to the form as vague.

24 One or two what?

1 BY THE WITNESS:

2 A. Yeah, I --

3 BY MR. HAMPTON:

4 Q. One or two clutch jobs a day.

5 A. Yeah. That -- that sounds high. I could
6 say one or two brake jobs a day, but I don't think
7 one or two clutch jobs a day.

8 Q. What -- what would you think? What could
9 a -- a clutch repair facility do in a week? What
10 could one mechanic do in a week?

11 A. Well, my thinking would, again, be if
12 they -- they do one a week on a clutch job, based
13 upon just --

14 Q. You're just picking averages?

15 A. Yeah, just thinking about where are rates,
16 how many things that -- that they do in a mechanic
17 shop back in the '80s and '90s.

18 Q. Fair to say some would do more and some
19 would do less?

20 A. Yes.

21 Q. We'll go back to Exhibit 1, the answers to
22 interrogatories, Interrogatory No. 79. If you'd like
23 to take a look at that question, 79.

24 A. Okay.

1 Q. Familiarize yourself with it and read the
2 highlighted portion, please.

3 A. Okay. You ready?

4 Interrogatory No. 79, "State the date on
5 which any official or Defendant -- any official of
6 Defendant or any predecessor or any related company
7 first had knowledge, notice, information or
8 understanding that exposure to asbestos would, could
9 or might cause each of the following diseases:
10 pleural disease, asbestosis, mesothelioma, lung
11 cancer, any other forms of cancer."

12 Our response, "Defendant as well as the
13 government, the medical and scientific community, and
14 all users, were well aware since at least 1981 (when
15 Defendant commenced business) of an association
16 between exposure of certain types of workers to high
17 levels of asbestos fiber, over long periods of time,
18 and the diseases asbestos, lung cancer, and
19 mesothelioma. Defendant is not aware of any credible
20 scientific or medical data that supports the
21 conclusion that the ordinary and foreseeable use of
22 the products sold by Defendant would cause these
23 diseases."

24 Q. Thank you.

1 My question in part is based on that
2 response that says Defendant as well as the
3 government, the medical and scientific community, and
4 all users, were well aware of the hazards since at
5 least 1981.

6 **A. Okay.**

7 Q. My question is as to the all users and as
8 to -- is it BWDAC's contention there that all users
9 of their products were aware of the hazards of
10 asbestos?

11 **A. Yes. In that statement, yes. I just --**

12 Q. What is -- your statement today on behalf
13 of BWDAC?

14 **A. Yes, that -- you know, it was a general**
15 **knowledge that we felt everyone was aware of.**

16 Q. Okay. And all users, every mechanic in the
17 country that did a clutch job?

18 **A. Yes. Unless, I guess, they weren't paying**
19 **attention to the news or what was --**

20 Q. That's likely that --

21 **A. -- going on at the time.**

22 Q. That's likely there was --

23 **A. Right.**

24 Q. -- quite a few people not paying attention

1 to the news, correct?

2 MS. ROSS: I'm going to object to the form
3 on foundation grounds.

4 BY THE WITNESS:

5 A. It's possible.

6 BY MR. HAMPTON:

7 Q. And this is -- refers to 1981, and when did
8 your company -- when do you contend that your company
9 started to warn, again?

10 A. 1986.

11 Q. Okay. The other question I have has to do
12 with your response that says, "Defendant is not aware
13 of any credible scientific or medical data that
14 supports the conclusion that the ordinary and
15 foreseeable use of the products sold by Defendant
16 could cause these diseases."

17 We've talked about NIOSH, we've talked
18 about OSHA, and we've talked about EPA. Now, those
19 are -- I would think those would be credible agencies
20 who have done a lot of scientific research. Would
21 you agree with that?

22 MS. ROSS: I'm going to object on
23 foundational grounds.

24

1 BY THE WITNESS:

2 A. Yes, they should -- they should be. Yeah.

3 BY MR. HAMPTON:

4 Q. And having said that, do you agree with
5 that statement as answer to these interrogatories?

6 MS. ROSS: I'm going to object on -- well,
7 I'm going to object on foundational grounds. I don't
8 think you've shown him a single document that's
9 contrary to that.

10 MR. HAMPTON: Well, nice speaking
11 objection. Please keep it to form.

12 BY MR. HAMPTON:

13 Q. Can you answer the question as asked?

14 A. I don't think there was any specific --
15 other than making people aware of the -- the asbestos
16 dangers, there was no specific reports that ever said
17 people exposed to these levels for this specific
18 period of time, we have so many people that had
19 contracted that, that I saw.

20 So I think that's what that statement
21 generally said, was, you know, that there's nothing
22 we have other than the general knowledge that -- that
23 it's not -- you know, that it's hazardous to your
24 health.

1 Q. Do you agree that the consumers and the
2 customers of your products need -- need this
3 information to make a choice on how to work with your
4 products?

5 MS. ROSS: Objection, both foundation and
6 beyond the scope of the witness.

7 BY THE WITNESS:

8 A. Okay. Well, obviously we felt in 1986 and
9 going forward that we should place warnings on the
10 products because they needed that kind of information
11 and that, going further, getting out of asbestos
12 eventually.

13 BY MR. HAMPTON:

14 Q. And you believe they have that information,
15 and if -- if they have that information, it's up to
16 them, freedom of choice, they can make the choice on
17 how to handle your products?

18 MS. ROSS: Same objections as before.

19 BY THE WITNESS:

20 A. Yeah, that's --

21 BY MR. HAMPTON:

22 Q. I mean, that's --

23 A. That --

24 Q. Is that the reason why you put the warning

1 out there, so they have a choice, so they can take
2 that information and make a choice?

3 MS. ROSS: Same objection as before.

4 BY THE WITNESS:

5 A. Yeah. Again, I think, you know, we were
6 trying to do the right thing for both our employees
7 and our customers based on the information we had at
8 the time.

9 THE VIDEOGRAPHER: Five minutes, counsel.

10 BY MR. HAMPTON:

11 Q. Do you agree that BWDAC had a safety
12 responsibility to its customers?

13 A. To employees and customers, yes.

14 Q. Do you think that a company like BWDAC has
15 a responsibility to test potential hazards of its
16 products?

17 MS. ROSS: I'm going to object that it's
18 vague and also on foundational grounds, and it's
19 calling for a legal opinion.

20 BY THE WITNESS:

21 A. And that's a tough question. Yeah, I -- I
22 think anybody -- I mean, if you go back to the
23 asbestos, would anybody have ever used it if they had
24 really known about all these hazards that we found

1 **out later, probably not.**

2 BY MR. HAMPTON:

3 Q. Do you believe that a company should pass
4 on any warnings that it receives from its supplier?

5 MS. ROSS: Again, object on foundational
6 grounds, and it's also calling for a legal
7 conclusion.

8 BY MR. HAMPTON:

9 Q. Well, we'll make -- go ahead. It's an
10 objection.

11 A. Well, yeah. And again, I -- yes, I believe
12 any information they have should go on trying to do
13 the right thing.

14 Q. Do you think that a company should
15 substitute a hazardous material in its product for an
16 equally functional nonhazardous material?

17 MS. ROSS: I'm going to object to the form
18 as vague on foundational grounds, and again as
19 calling for a legal conclusion.

20 BY THE WITNESS:

21 A. Yeah. Well, I think that's what we were
22 trying to do, is substitute a nonhazardous
23 component -- nonhazardous component for a hazardous
24 one as we went forward with the product.

1 BY MR. HAMPTON:

2 Q. Do you think that a company should ever
3 sacrifice safety to make more profit?

4 MS. ROSS: I'm going to object as vague.

5 BY THE WITNESS:

6 A. No, they -- they -- they shouldn't. And
7 I -- I can tell you personally and with the whole
8 philosophy of the company it was, again, employees
9 and safety and then profits next.

10 BY MR. HAMPTON:

11 Q. Other than the -- the documents we've
12 talked about today, specifically the BWDAC documents
13 that we marked as exhibits, are there any other BWDAC
14 documents out there that, to your knowledge, haven't
15 been produced to me?

16 A. To my knowledge, no.

17 Q. Okay. Do you know if there's any
18 privileged or confidential documents that we've asked
19 for that have not been produced to us?

20 A. Not that I'm aware of.

21 Q. Okay.

22 THE VIDEOGRAPHER: Two minutes, counsel.

23 BY MR. HAMPTON:

24 Q. The documents we've talked about, all the

1 ones with the BWDAC Bates stamp, or BWD and then a
2 number, do you have any question about any of those
3 documents?

4 Are all those documents authentic and from
5 BWD's repository?

6 **A. They appear that way, yes.**

7 Q. Okay. That stuff, those documents, you
8 would have kept in the normal course of business?

9 **A. Right. The ones that had our numbers on**
10 **them, yes.**

11 MR. HAMPTON: Okay. Thank you. Let's go
12 off the record and take a short break.

13 THE VIDEOGRAPHER: We're off the record.
14 The time is 1:44 p.m.

15 (WHEREUPON, a recess was taken.)

16 THE VIDEOGRAPHER: We're --

17 MR. HAMPTON: Okay. We're going on the
18 record here in the room, and we've got BWDAC's
19 attorney is going to go, and then we'll check on the
20 phone for anybody else that might have a few
21 questions.

22 THE VIDEOGRAPHER: We're back on the record
23 at the beginning of tape No. 5. The time is
24 1:52 p.m.

1 EXAMINATION

2 BY MS. ROSS:

3 Q. Mr. -- Mr. Kotzum, we spent a lot of time
4 today talking about Exhibit 1, these interrogatory
5 responses. When was the first time you assisted BWD
6 in connection with putting together responses to
7 discovery in asbestos litigation?

8 A. 1999 or 2000.

9 Q. And did you have a better memory of what
10 the company did at that point than you do today?

11 A. Yes.

12 Q. And the information that you provided, was
13 that incorporated into discovery responses back in
14 the late '90s or early 2000s?

15 A. Yes.

16 Q. And has that information been used -- or is
17 the information that was used in those earlier
18 discovery responses, is some of that in this set that
19 we looked at from 2013, Exhibit 1?

20 A. Yes, it is.

21 Q. One of the -- we looked at today a number
22 of studies of asbestos exposure in the Ottawa plant.
23 Do you remember that?

24 A. Yes.

1 Q. And one of the ones that we looked at -- it
2 was Exhibit 14 -- was from 1995, and it involved some
3 samples of someone working in the core prep area and
4 someone who was working as a driller. As a driller.

5 What -- where in the plant did the core
6 prep person work?

7 A. That was back at the receiving dock.

8 Q. And -- and what happened at the receiving
9 dock?

10 A. When the cores came back from the customer,
11 they would come back in on skids, or sometimes
12 containers, and they would be sorted out so that we
13 could check them in and issue credit to the customer
14 and then sort them out according to types of clutches
15 for rebuilding.

16 Q. And since I don't think we actually got
17 into this earlier, what is a core, when we're talking
18 about a clutch?

19 A. That is the actual component, either a
20 cover or a driven plate that is -- that is rebuilt.

21 Q. And so it's something that has been used
22 already?

23 A. Yes.

24 Q. And were the cores that came back to the

1 BWDAC plant in Ottawa only clutches that had been
2 remanufactured or sold by BWDAC?

3 **A. No.**

4 Q. Now, the -- the June -- or January 1995
5 report, Exhibit 14, also had sample results for
6 the -- someone who worked as a driller. What did the
7 driller do in the Ottawa plant?

8 **A. Mostly, he would drill out the rivets on**
9 **the -- on the driven plates, sometimes on the cover**
10 **assemblies.**

11 Q. And so was he working with the old
12 materials or was he working on the manufacture of the
13 new clutches, the driller?

14 **A. On -- on the old ones.**

15 Q. And in 1995, was BWDAC selling any
16 asbestos-containing clutches?

17 **A. Not that I'm aware of.**

18 Q. Okay. And you talked about this sort of
19 generally, but I just want to make sure we have a
20 clear question and answer.

21 How does the job of a worker in the Ottawa
22 plant, manufacturing or remanufacturing clutches or
23 handling these cores, compare to a mechanic
24 installing a new clutch with respect to the potential

1 for asbestos exposure?

2 **A. Well --**

3 MR. HAMPTON: Objection, form.

4 BY THE WITNESS:

5 **A. Again, as I had stated, our employees were**
6 **around the product basically 40 hours a week,**
7 **where -- where an installer would naturally only**
8 **handle that product when they were installing the**
9 **clutch.**

10 BY MS. ROSS:

11 Q. Have you ever installed a clutch?

12 **A. Yes.**

13 Q. How long did it take to install the new
14 clutch, if you remember?

15 **A. It's hard to remember, and I was very slow.**

16 Q. Okay. Well, when did you install a new
17 clutch?

18 **A. Back in the '60s.**

19 Q. Okay. I'll skip over that.

20 Mr. Hampton also showed to you and read to
21 you from a couple of different documents from NIOSH.
22 They were marked as Exhibits 15 and 16. Do you
23 recall that?

24 **A. Yes.**

1 Q. And those documents contained some
2 recommendations from NIOSH regarding asbestos
3 exposure levels. Do you recall that?

4 A. Yes.

5 Q. Do you know if those NIOSH recommendations
6 were ever adopted by OSHA?

7 A. I don't know.

8 Q. And as far as you know, however, OSHA
9 adopted permissible levels for exposure to asbestos?

10 A. Yes.

11 Q. And did BWC try to comply with those OSHA
12 levels in its own plant?

13 A. Yes.

14 Q. Those NIOSH documents, and then Mr. Hampton
15 also showed you some EPA document and some OSHA
16 documents, some of which had language in there about
17 no known safe level of asbestos exposure. Do you
18 recall that?

19 A. Yes.

20 Q. Were the documents that Mr. Hampton showed
21 you out of BWDAC's files?

22 A. No.

23 Q. And as far as you know, were the documents
24 that he showed you public documents?

1 **A. Probably, yes.**

2 Q. As far as you know, would they have been
3 available to anyone who cared to find out what OSHA
4 or EPA or NIOSH had to say about asbestos exposure?

5 **A. Yes.**

6 Q. And so, for example, a warehouse
7 distributor to whom you sold clutches would have had
8 access to the EPA and NIOSH and OSHA documents?

9 **A. I assume so, yes.**

10 Q. Okay. When you -- you worked -- well,
11 where did you -- where was your office physically
12 located in -- in the 1980s?

13 **A. In Franklin Park, Illinois.**

14 Q. And were there boxes of clutches stored at
15 Franklin Park? Was there -- well, let me strike
16 that.

17 Was there a warehouse in Franklin Park?

18 **A. Yes.**

19 Q. And did you ever see clutch boxes in the
20 Franklin Park facility?

21 **A. Yes.**

22 Q. And do you recall seeing clutch boxes with
23 warning labels on them in the Franklin Park facility?

24 **A. In the late '80s, yes.**

1 Q. Okay. Mr. Hampton also asked you if BWC --
2 if you believe or -- that BWDAC did everything they
3 could to warn. Do you recall that question?

4 **A. Yes.**

5 Q. Okay. You said BWDAC put warning labels on
6 the boxes, right?

7 **A. Yes.**

8 Q. Would someone who is doing a clutch job see
9 the clutch box?

10 **A. They should.**

11 Q. And if they were opening up a clutch box,
12 would they see the warning label?

13 **A. Yes.**

14 Q. And starting sometime in '86, would that
15 warning label have been on all of the BWD boxes of
16 asbestos-containing clutches?

17 **A. It should have been, yes.**

18 Q. Finally, Mr. Kotzum, do you have any
19 medical training?

20 **A. No.**

21 Q. And do you have any training in industrial
22 hygiene?

23 **A. No.**

24 Q. Did you participate in all of the -- at BWC

1 in connection with decisions about the warning labels
2 and what language ought to be included in those
3 labels or what else ought to be done to warn
4 customers?

5 **A. No, I didn't.**

6 Q. Do you believe that the -- well, do you
7 know who was involved in -- in those efforts?

8 **A. I'm not sure.**

9 Q. Do you believe that Barbara Peterson may
10 have been involved?

11 **A. I'm not sure.**

12 MS. ROSS: Okay. Those are all the
13 questions that I have.

14 MR. HAMPTON: Anybody on the telephone?
15 This is Shane.

16 Don, I know you're out there. You got
17 anything?

18 MR. WARD: No, I don't have anything.

19 MR. HAMPTON: Okay. I don't have any
20 followup either, so I think that will conclude this
21 for today.

22 MS. ROSS: Yeah. Mr. Kotzum will review
23 and make corrections and sign, so we reserve that
24 right.

1 THE VIDEOGRAPHER: This marks the end of
2 tape No. 5 and concludes today's deposition of
3 William Kotzum. We're off the record. The time is
4 2:01 p.m.

5 (WHEREUPON, signature was reserved and the
6 proceedings were concluded at 2:01 p.m.)

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 IN THE CIRCUIT COURT
2 THIRD JUDICIAL CIRCUIT
 MADISON COUNTY, ILLINOIS

3 IN RE: ALL ASBESTOS)
 LITIGATION FILED BY)
4 SIMMONS, BROWDER,)
 GIANARIS, ANGELIDES &)
5 BARNERD, LLC,)
)
6 Plaintiffs,)
)
7 -vs-)
)
8 BWDAC, INC.,)
)
9 Defendant.)

10 I hereby certify that I have read the
11 foregoing transcript of my deposition given at the
12 time and place aforesaid, consisting of Pages 1 to
13 158, inclusive, and I do again subscribe and make
14 oath that the same is a true, correct and complete
15 transcript of my deposition so given as aforesaid,
16 and includes changes, if any, so made by me.

17

18

WILLIAM KOTZUM

19 SUBSCRIBED AND SWORN TO

20 before me this day
21 of , A.D. 20 .

22

23

24 Notary Public

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)
4

5 I, MARIA ELENA GOLDEN, a Certified
6 Shorthand Reporter and Notary Public within and for
7 the County of Cook, State of Illinois, and a
8 Registered Professional Reporter, do hereby
9 certify:

10 That previous to the commencement of the
11 examination of the witness herein, the witness was
12 duly sworn to testify the whole truth concerning the
13 matters herein;

14 That the foregoing deposition
15 transcript was reported stenographically by me,
16 was thereafter transcribed under my personal direction
17 and constitutes a true, complete and correct record
18 of the testimony given and the proceedings had;

19 That the said deposition was taken before me
20 at the time and at the place so specified;

21 That I am not a relative or employee or
22 attorney or counsel, nor a relative or employee of
23 such attorney or counsel for any of the parties
24 hereto, nor interested directly or indirectly in the

1 outcome of this action.

2 IN WITNESS WHEREOF, I do hereunto set my
3 hand of office at Chicago, Illinois, this 29th day of
4 July A.D. 2013.

5

6

7

8

9

MARIA ELENA GOLDEN, CSR, RPR
Illinois CSR License No. 84-3705
Notary Public, Cook County, Illinois
My commission expires 02/02/17

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

A					
abdomen		administered	agrees 117:18	72:7 79:7	apex 6:19
102:19		11:4	121:15	84:1,2,24	apologize
ability 24:18		administra...	ahead 21:21	85:2,19	26:24 31:14
35:1		104:24	22:2 52:24	86:17 87:16	123:24
able 58:22		administra...	53:8 57:9	88:17 91:11	apparently
64:15 70:7		15:20	84:13	91:14	57:7
72:2 82:11		admit 76:22	106:21,23	110:21	appear 148:6
89:14		adopted 153:6	131:20,20	113:9	appearances
abreast 90:12		153:9	131:24	115:21	10:5
113:4		adverse	134:10	117:5	appeared 5:5
absolutely		123:22	146:9	120:12	5:9,14,19
80:22 99:11		advise 126:7	aimone 132:3	121:11,13	5:23 6:5,10
99:14		aetna 97:17	air 95:12	122:14	6:15,19 7:5
acceptable		affairs 101:2	100:12	124:17	7:10,15,21
93:11 116:9		aforesaid	101:21	126:13	8:5,9
116:11		158:12,15	102:7	127:13	applicable
access 154:8		aftermarket	105:11	137:16	92:13
accurate		27:7,13	138:11	143:5,13	application
60:17 106:5		28:22 29:7	airborne	151:20	56:1,3,6
acknowledge		55:1 79:16	100:8	answered	60:15,23
109:11		afternoon	105:12	86:20	61:6 83:15
acquired 27:6		97:14 98:7	107:15	120:16	applications
27:24 28:21		age 11:2	airplane	answering	58:15 59:14
31:9 77:21		agencies 93:7	111:16	23:5,12,19	60:3,10
acquisition		124:8,23	akebono 62:5	answers 21:15	88:4
79:17		125:7 126:8	al 43:11,12	22:17,22	applied 83:16
acronym 96:18		142:19	alma 53:13	24:2,4,10	84:3 92:2
action 105:15		ago 11:8	aloud 110:10	24:15,22,24	appreciate
160:1		71:24	alton 5:4	27:20 28:19	137:13
actions 97:11		agree 57:11	america 8:10	31:18 36:23	appropriate
actual 59:20		85:17,18,19	amount 21:20	51:2 71:15	112:3
150:19		86:3 91:6	analysis 3:3	73:13 74:9	approximate
adapted 130:3		117:15,22	107:14,15	82:6 83:5	34:8,9
add 91:13		118:9,23	107:18,23	88:15 91:3	65:13,16
added 57:6		119:18	108:10	114:2	approximately
addition		121:20	anderson	139:21	11:18 12:23
23:11 50:7		123:1,7,19	37:24 38:6	anybody 50:2	19:3 21:19
52:7 75:5		124:4,7,22	39:14 40:11	50:5 65:6	24:21 34:12
additional		125:7	75:19 77:3	89:21 90:2	34:13 36:6
51:9 63:6		142:21	andrekanic	126:7	36:8 40:19
78:19 102:7		143:4 144:1	5:7	145:22,23	48:17 102:6
address 12:20		145:11	angelides 1:4	148:20	area 13:3,13
12:21 13:20		agreeable	4:4 5:3	156:14	97:15 98:8
125:4 129:2		33:4,10,12	9:17 158:4	anymore	100:15,21
addressed		agreed 9:1	annual 96:7	128:22	104:23
127:2		10:18 88:23	105:21	anyway 71:14	108:12
addresses		agreement	answer 12:7	93:8	118:1 150:3
104:10		2:16 9:8	12:16 17:4	apart 81:11	areas 98:3
adequate		26:9 27:10	23:15 24:18	83:4	108:21
100:16		27:22 29:2	24:19 27:24	apd 31:3,4,22	arent 70:14
120:20		29:20,22	53:6,11	32:7,8,8,23	art 90:12
		30:7 31:9	71:13 72:4	45:8,15	article

116:10
articles
 90:24
asbestos 1:3
 3:14,15,17
 3:19,21,22
 4:3 9:15
 49:11 51:4
 51:12,16,21
 52:5,6,12
 53:21,23
 54:2,3
 55:17 58:4
 58:10,13,23
 59:7 61:23
 63:12 64:3
 64:4,6,16
 64:18,23
 69:20 77:6
 77:7 79:1
 81:20 83:16
 83:23 84:5
 84:9,18
 85:4 86:18
 87:13 88:12
 90:13,19
 92:8,14,17
 100:8,8,9
 100:11,20
 101:21,24
 102:4,16,17
 102:23
 103:23
 104:5
 105:10,12
 106:5
 107:15,24
 110:2
 113:22
 114:4,9
 115:6,8,9
 115:10,23
 116:4,13
 117:12,15
 118:5,20
 119:8,24
 120:7 121:8
 122:23
 123:12
 124:9,24
 125:18
 126:8 128:6

128:22
 129:12,22
 129:23,24
 130:3 132:2
 132:7
 136:14
 137:5 140:8
 140:17,18
 141:10
 143:15
 144:11
 145:23
 149:7,22
 152:1 153:2
 153:9,17
 154:4 158:3
asbestosco...
 83:19
asbestosco...
 51:19 78:20
 92:3,9
 106:1 129:4
 151:16
 155:16
asbestosin...
 113:2
asbestosis
 102:20
 113:1
 140:10
aside 62:1
asked 25:22
 37:12 38:18
 38:23 66:17
 69:18 71:16
 72:1,14
 86:20 96:14
 112:18
 143:13
 147:18
 155:1
asking 24:5
 45:3 75:3
 79:10
 110:10,20
 112:13
 117:18
asks 38:10
 45:3 51:3
 51:12 52:21
 52:22 62:3
 64:2 129:1

assembler
 96:1
assemblies
 151:10
assembly
 122:23
assessment
 113:18
asset 27:11
assets 2:16
 26:9 27:6
 27:11,12,15
 28:21 29:2
 29:8,23
 30:3,6,18
 31:5,10
assign 31:4
assigning
 30:17
assignment
 2:18 30:9
assistant
 35:11,12,13
 41:4 46:13
 47:23
assisted
 149:5
associated
 3:19 105:19
 120:19
 123:12
 136:14
association
 9:24 140:15
assume 33:21
 82:18 87:22
 90:8 92:15
 108:2 154:9
assumes 85:12
assumption
 93:1 108:6
 108:15
attach 22:1
attached 57:8
 100:24
 129:23
 132:5,17
attention
 141:19,24
attorney 12:1
 44:2 104:14
 148:19

159:22,23
attorneys
 12:4 23:19
 24:12 37:4
 46:9 50:11
 52:2 89:5,5
 90:1
august 101:15
 101:16
 132:4
aurora 105:1
authentic
 148:4
authored
 110:19
auto 3:17 8:5
 47:1 67:15
 67:16,19
 68:2,3
 116:13
 117:6
automatically
 32:20
automotive
 2:19,21 3:3
 27:7 28:22
 30:18 31:6
 31:7,23
 43:1 104:9
 104:21
 134:12,15
 136:2,2
autozone
 67:14,16
available
 65:10 76:1
 92:1 102:22
 115:5 154:3
avenue 5:18
 5:22
average 95:12
 107:23
 108:13
averages
 139:14
aware 34:20
 35:6 50:4,5
 63:8 75:24
 77:9 78:7
 78:14 79:22
 88:9,14
 90:17 97:21

98:4 104:4
 113:21
 114:3
 115:23
 119:8 120:6
 121:19
 122:2,15
 126:22
 127:5
 140:14,19
 141:4,9,15
 142:12
 143:15
 147:20
 151:17

B

b 2:10 3:1,11
ba 116:5
back 15:7
 16:20 17:6
 20:8 26:8
 27:4 28:8
 28:11 31:13
 34:2 36:22
 37:22 40:3
 40:10 54:8
 54:15 57:8
 57:15,21
 58:20 62:2
 75:22 78:17
 87:4,8
 88:15 91:9
 92:23 96:13
 101:20
 109:22
 127:15
 128:24
 135:9 137:9
 139:17,21
 145:22
 148:22
 149:13
 150:7,10,11
 150:24
 152:18
background
 40:6 68:19
 121:20
backing 16:4
backwards
 19:14,15,19

68:22	30:3 35:3	53:12 94:24	44:4,7,13	81:10
bad 102:15	36:11 37:11	borgwarner	46:8,11,13	136:22
ballwin 79:4	39:12 54:2	13:16 14:8	46:16 47:19	buyers 57:13
banding 96:2	56:16 57:5	27:7,17	47:21 48:1	buying 18:7
barb 101:13	60:13 78:11	28:22 30:4	48:3 49:4	buys 50:16
105:2 107:1	81:13 86:5	31:8,8	brasel 6:18	68:23
barbara 105:2	103:24	32:20 34:3	break 54:10	bw 52:14
105:5 132:2	117:4	34:7,10	87:1 108:21	bwac 31:24
156:9	124:23	35:10,21	148:12	118:23
barnerd 1:5	129:6 130:2	36:19 40:17	breakdown	bwacs 92:5
4:5 5:3	133:20	40:24 41:3	37:18	bwc 153:11
9:17 158:5	134:22	41:21 42:3	breaks 109:12	155:1,24
based 25:3	136:12,21	42:13,24	brentwood	bwd 2:19,21
58:5 63:21	137:3	43:6,22	7:19	3:3,10,22
73:11 83:13	144:14	44:17,19,22	brian 8:8	3:24 31:22
95:23 112:6	146:3,11	45:10,16,22	43:5	32:23 33:3
137:17	155:2 156:6	45:23 46:22	briefly 11:8	34:4 45:15
139:12	156:9	47:11 48:6	45:8 129:10	47:14 53:11
141:1 145:7	bell 6:12 8:3	48:13 79:17	bring 26:21	59:20 62:19
basically	belleville	82:14,14	britt 7:18	63:12 64:8
15:18 20:12	8:9	113:15	broadway 6:4	65:20,23
27:12 30:17	bentivoglio	bottom 119:23	10:1	66:6,10
33:5 38:10	5:7	130:5	brought 47:5	68:11,23
67:2 84:2	best 12:15,16	bought 131:10	56:18,20	70:15 79:19
98:2 136:22	24:18 37:13	136:16	browder 1:4	82:11,22
136:23	59:6 68:5	boulevard	4:4 5:3	87:12,19
152:6	75:5,6	5:13	9:16 158:4	89:5,22
basis 88:1	109:15	bounds 12:6	browne 7:18	90:11,18
120:20	122:14	bowman 41:2,4	bruce 48:8	97:24 98:15
bates 148:1	136:7	box 132:11,24	49:9 50:16	104:9,21
bearings	better 12:17	137:23	build 82:11	106:8 113:7
57:19	28:18 149:9	155:9,11	82:24 83:4	115:12
beck 53:12	beyond 49:12	boxes 129:5	building 14:5	117:2,4
beginning	144:6	130:14,19	bunch 35:5	119:14
51:17 82:13	big 35:4	154:14,19	bundler 96:2	130:7,18
87:9 109:23	67:19,22	154:22	burns 7:13	131:10
129:3	68:2,10	155:6,15	burr 4:15,15	134:11,12
148:23	bill 2:18,23	brake 117:13	9:21,21,22	134:14
behalf 1:20	30:10 36:13	118:21	business	136:16
4:13 5:5,9	49:19 58:18	119:4,11,22	13:17 14:21	148:1 149:5
5:14,19,23	101:13	120:1	15:9,10	155:15
6:10,15,19	132:3	129:24	16:13,21	bwdac 1:11
7:5,10,15	bills 20:15	130:14	18:2,4 31:5	2:13 4:8
7:21 8:5,9	bit 20:13	139:6	36:20 113:5	5:23 9:17
11:3,14	26:5,9	brakes 119:14	113:7,11,17	10:13,16,23
12:1 21:16	27:22 28:17	brand 130:7	113:21	11:14 12:2
23:5 28:19	31:14 57:13	branded 131:1	115:13	13:12 14:7
59:1 122:9	76:19	brands 6:20	140:15	14:18 16:5
141:12	bluff 12:22	136:2,6	148:8	16:14 18:23
believe 11:21	book 137:17	branford 41:6	button 57:22	19:3,12,17
20:23 21:23	bore 129:5	41:12 43:7	60:21	19:22 21:1
29:2,3,6	borg 47:1	43:16 44:1	buy 18:5 29:7	21:16 23:15

25:15 27:6	133:13	61:11	chains 67:11	158:1
27:23 28:20	calling	136:20	67:11	citation
28:21 29:18	145:19	catalogs	chairman 41:8	103:22
29:20 31:20	146:6,19	56:18 59:5	44:5	104:2
32:19,21,24	cancer 102:18	133:13,17	change 13:20	cited 89:9
33:3,22	118:21	134:1	25:9,10	city 15:19
34:4 44:22	140:11,11	cause 140:9	34:18 35:7	clarification
45:4,9 50:2	140:18	140:22	82:17	29:23 51:8
50:11 51:17	cant 18:13	142:16	changed 27:15	51:10
52:14,15	25:5,6,8	caused 118:20	31:22 67:17	clarify 32:10
58:14 59:1	32:2,12	cavo 7:3	changes 25:3	39:7
67:3 77:5,7	33:17 34:16	cc 100:12,13	25:13	clarifying
79:7 113:4	48:20 52:17	100:14	158:16	45:5
116:5 118:8	53:19 61:24	108:1,4,14	channel 67:2	clark 7:5
120:4,10	61:24 63:1	123:20	characterized	clean 22:1
121:7,15	63:15,19	ceased 51:18	60:18	94:10
122:9	65:15,16,19	52:12	charge 21:6	cleaning 35:4
125:23	71:23 84:8	ceasing 51:21	81:15	51:13 97:14
126:6,24	84:17 85:3	center 6:18	charles 46:7	98:8 102:5
127:3	86:17 117:5	centimeter	47:17	clear 122:10
128:20	117:11	95:11 102:7	104:22	151:20
132:21	138:8	ceo 44:5	check 3:23	cleaverbrooks
136:12,19	carboni 41:7	ceramic 55:24	40:7 71:8	7:16
137:4 138:2	carburetor	57:21 60:21	132:2,6,12	cleveland
141:13	79:18	certain 12:5	148:19	48:20
145:11,14	carcinogen...	22:4,12	150:13	close 109:13
147:12,13	102:15	26:14 30:20	chest 96:8	closed 17:12
148:1 151:1	cardinal 6:20	57:1 58:3	105:23	36:17 77:23
151:2,15	cardinals	69:12 73:2	chicago 6:14	78:9,11
155:2,5	50:19,23	94:18 96:21	7:5,10,15	closer 72:1
158:8	cared 154:3	99:1 101:3	8:5 12:24	closing 17:7
bwdacs 141:8	carlos 6:13	104:15	13:3,6,12	clothing
148:18	carlson 5:7	106:14	42:15 67:20	122:24
153:21	carolina 13:7	110:5	160:3	clue 71:6
bwds 86:14	40:16	112:24	children	clutch 3:24
117:8 148:5	cars 136:7	114:15	118:22	27:9 28:23
bwe 3:6	carver 5:19	116:19	chips 94:11	51:15 52:12
	case 21:16	123:14	choice 144:3	53:13 56:2
	58:3	129:14	144:16,16	56:15,17
C	cases 10:16	131:16	145:1,2	58:20 59:12
c 3:10 5:1	58:12,12	134:17	christopher	60:12,21
6:1 7:1 8:1	64:17	138:20	6:13	62:4 68:23
43:15	127:18	140:16	chronic	80:12,13,17
cabinets	casey 35:24	certified	102:20	80:23 81:9
29:11	36:2,14	4:17 9:4,23	chrysler	81:10,15,21
california	41:13 58:18	159:5	135:17	81:23,24
53:14 77:11	101:13	certify	136:9	82:12,24
77:11,13	casualty	158:10	chrysotile	92:8,9
call 24:6	97:17	159:9	64:4,18	117:13
33:3 57:13	catalog 2:20	cfr 102:4	circuit 1:1,1	119:22
83:2	2:21 56:14	105:19	4:1,1 9:18	120:1,8
called 94:22	57:18 59:8	chain 68:11	9:18 158:1	122:20,21
113:17				

122:22,23	47:4	149:10	conclusion	49:16,18
129:3 130:3	colony 6:20	compare	52:2 140:21	50:3,16
134:11	column 101:24	151:23	142:14	63:3
137:23	combination	compared 32:1	146:7,19	contain 105:9
138:12,20	37:5 58:10	116:9	conduct 87:12	contained
139:4,7,9	62:13	compensated	91:19	51:16 91:22
139:12	come 24:3	21:1	101:17	153:1
141:17	51:22 52:2	compensation	conducted	container
150:18	55:4 62:1	21:3,11,12	92:4 102:12	132:17
151:24	64:6 65:2	complete	conducting	containers
152:9,11,14	72:9,12	21:22 57:6	97:18	150:12
152:17	73:12 78:16	158:14	conferred	containing
154:19,22	81:2 87:4	159:17	10:12,18	55:3 69:20
155:8,9,11	112:4	completed	confidential	83:20 100:9
clutches 3:3	150:11	18:5 83:3	147:18	contend 142:8
17:10 18:8	comes 80:15	completely	confirm 63:7	contention
18:8 49:11	coming 64:19	15:24 18:18	confused 26:7	141:8
49:11 51:15	commenced	completeness	confusing	contents
51:18 52:21	140:15	53:4 91:15	33:14	83:14
52:22 53:11	commencement	99:13 101:9	connecticut	continue
53:18,21,23	159:10	compliance	41:6,12	14:23 15:9
54:3 55:1	comments	132:6	43:8,16	15:10,12
55:17,18,19	132:19	comply 153:11	44:1,4,7,13	36:3 101:18
55:23 61:12	commerce	component	46:8 47:19	continued 3:1
62:12 69:20	101:1 103:2	146:23,23	47:21 48:1	6:1 7:1 8:1
77:17 79:20	commission	150:19	48:3 49:4	52:11
80:9,21	160:9	components	connection	continues
82:10,14	committee	7:16	149:6 156:1	54:23
83:19 87:13	96:18 115:7	comptroller	conscientious	continuous
87:19	community	13:12,18	93:3	92:10,11
119:14	101:2	16:8 35:11	consider	continuously
128:22	140:13	35:12,13	138:2	105:14
129:3	141:3	46:17 48:5	considered	contracted
135:16	comp 127:18	computer	118:9 120:5	143:19
150:14	companies	74:19,24	120:10	contrary
151:1,13,16	19:18,21	75:1 94:11	121:7	143:9
151:22	20:18,22	concentration	consistent	control 79:18
154:7,14	38:11 39:13	100:10	60:2 61:5	82:1,23
155:16	63:11 127:2	concentrat...	124:13,19	100:16,19
clvs 8:12	company 5:19	100:13	consisting	controlled
cm 102:1	6:20,20,21	concern 31:6	135:14	115:10
cm3 102:1,6	6:21 8:5	concerned	158:12	127:16
102:14	54:1 62:24	87:24 93:9	constitutes	controls
cnh 8:10	91:18 93:2	concerning	159:17	93:17 94:2
coburn 8:7	93:3 94:22	87:13 91:20	consumer	94:7 100:20
code 59:9	110:15	159:12	92:16	138:4,15,17
coincident...	126:12	conclude	consumers	conversation
18:20,22	140:6 142:8	156:20	125:24	26:3 49:15
collection	142:8	concluded	144:1	49:17 130:2
101:23	145:14	157:6	contact 50:12	convey 31:4
102:9	146:3,14	concludes	58:21	cook 159:3,7
collins 41:23	147:2,8	157:2	contacted	160:8

cool 103:11	65:21 66:23	12:22 28:10	D	93:12
cooper 23:24	74:2 85:12	109:1 158:1	d 2:1,10 3:1	138:21
25:18	86:19 88:7	cover 10:19	81:22 90:20	139:4,6,7
copies 57:6	90:19 93:19	136:23	96:1 158:21	158:20
105:11	100:21,22	150:20	160:4	160:3
copy 21:22	103:3	151:9	daido 62:6,6	dayafterday
22:1,8	113:22	crane 7:16	daikin 53:13	92:11
42:21 132:6	114:14	created 65:24	daley 42:14	days 67:13
core 107:9	125:20	crebs 6:3	42:17,18	101:19
108:12	126:4	credible	43:2,3	daytoday
150:3,5,17	130:15	140:19	dana 2:22	15:10 92:10
cores 150:10	133:4	142:13,19	16:21,22	dc 5:23
150:24	135:17	credit 150:13	17:15 18:23	deal 10:20
151:23	136:4,5,10	crivello 5:7	19:3,18,21	dealer 67:6
cork 57:22	138:18	crossrefer...	20:18,22	december 3:14
58:7,8,9	142:1	73:9	69:9	31:23 110:4
corona 77:13	158:14	csr 1:23,24	danger 93:14	decide 80:3
77:14 78:13	159:17	4:16 160:7	dangerous	decisions
78:24 79:21	correction	160:8	124:9	156:1
131:2	42:19	cubic 95:11	dangers	defendant
corp 28:22	corrections	100:12	143:16	1:13 4:9
53:14	156:23	102:7	daniel 41:7	23:6 45:4
corporate 3:6	coughlin 42:5	cubs 50:16	danna 5:12	55:1 83:20
18:21 20:11	42:8	curious 27:13	darien 12:22	91:18 129:4
20:24 26:6	couldnt 26:7	current 3:20	12:23	140:5,6,12
31:16,22	counsel 9:2,2	12:20	darn 111:16	140:15,19
39:11,19,21	9:8 33:5	102:11	data 115:5	140:22
41:4 44:2	106:13	123:12	132:14	141:2
45:20 46:9	145:9	currently	140:20	142:12,15
46:16 47:19	147:22	19:12,17	142:13	158:9
47:21 48:1	159:22,23	129:24	date 9:13	defendants
49:5 51:23	counsels	130:10	21:18 25:9	7:11 9:3
110:16	112:6	custodian	31:11 51:22	definitely
112:3,5	country 16:11	25:15,22,24	97:4 98:16	72:21
117:8	16:19	customer	98:18,21	delaware
corporation	141:17	68:18 72:3	116:16	31:21 32:7
2:19,21	county 1:2	73:10	134:13	deliver 31:4
5:10,15 7:6	4:2 9:19	150:10,13	140:4	delmas 5:18
13:17 31:5	10:17 71:17	customers	dated 26:10	demonstrated
31:8,23	109:7 158:2	66:6,17,20	31:12 69:9	106:2
32:9,10	159:3,7	69:19,22	101:12	demonstrates
39:17 45:10	160:8	70:6,11	103:1 104:8	100:18
98:15 104:9	couple 56:18	71:16,17,20	104:22	denise 2:23
104:21	76:8 102:21	72:7,14	106:10	69:10
106:8	103:14	73:7,18	107:3 110:4	department
134:12,15	106:20	74:1 75:6	112:19	81:8,22
corporations	152:21	75:14,22,22	114:9	82:2,4
27:7 33:7	course 148:8	127:1,8	123:11	90:19,20
correct 10:24	court 1:1 4:1	128:1,12	129:20	101:1 103:2
14:9 24:19	5:4 9:18	144:2 145:7	130:4 132:3	104:23
29:22 52:8	10:1,3,4,7	145:12,13	david 48:2	110:3 114:8
60:13 64:1	11:4 12:17	156:4	day 4:14 34:7	123:10

departments	101:23	34:23 36:24	division 27:8	52:1,18
97:12	dettore	37:3 45:3	28:23 30:18	55:8,11,14
depo 49:8	101:14	disagree	31:6,7,8	55:16 56:11
50:6	developed	117:9,11,22	43:13	57:1 62:8
deposes 11:5	79:23	118:24	130:24	62:17,19,21
deposition	developing	121:20	divisions	63:21 70:1
1:17 2:15	102:18	123:2	40:1 45:21	70:4,15
4:11 9:3,12	diagrams	disagrees	dock 150:7,9	72:2 73:24
9:20 10:14	57:24	118:9	document 3:21	74:7 76:1
10:19,21	didnt 32:20	121:16	22:4,12,19	78:1,3,4
11:13 12:12	39:4 50:19	disc 56:17	26:14 27:22	79:11,15
22:1,5,9,13	55:9 59:6	discovery	30:5,11,14	90:11,15
25:21,21	62:9 67:24	10:20 149:7	30:16,20	103:7,14,18
26:15 30:21	72:6,7	149:13,18	31:2,11	106:19
33:4 49:16	74:21 75:1	discs 56:15	52:1 62:23	110:13,15
49:24 50:8	78:2,15	discuss	69:7,12	118:7 125:3
57:2 69:13	90:18	126:20	70:9,16	131:9,12
73:3 94:19	120:21	discussed	73:2 74:10	132:22
96:22 99:2	122:11	50:5 88:22	74:20 94:18	133:7,10
101:4	127:17	104:11	95:5 96:21	147:11,12
104:16	133:15	112:12	98:14 99:1	147:14,18
106:15	138:5 156:5	130:1	99:6 100:23	147:24
110:6	diesel 59:23	discussing	101:3,8	148:3,4,7
114:16	59:24	71:23	104:7,8,15	152:21
116:20	different	discussion	106:14	153:1,14,16
123:15	14:8 25:21	20:6 22:10	110:1,5,18	153:20,23
129:15	33:7 55:22	28:6 49:20	110:23	153:24
131:17	56:15 57:20	89:6 95:24	111:4,15	154:8
134:18	62:5 70:6	99:20 100:7	112:4,12,13	doesnt 12:11
157:2	73:10 75:9	102:3	112:14,19	121:18
158:11,15	86:24 93:7	108:22	112:19	133:1
159:14,19	107:19,20	disease 3:17	113:7 114:7	137:18
depositions	129:6,9	96:9 102:20	114:15,19	dogan 5:17
12:15 73:18	136:2	116:13	114:24	doing 18:9
73:20	152:21	140:10	116:12,19	22:7 79:5
109:10	difficult	diseases	116:24	80:5,17
described	12:19	140:9,18,23	117:3	138:1 155:8
126:9	direct 55:13	142:16	123:11,14	don 6:3 54:19
describes	128:24	disseminated	123:18	103:7
106:3	direction	66:18	129:12,14	156:16
description	159:16	distinguish	129:19	donald 46:18
36:18	directive	63:19	130:12	dont 20:19
designed	95:24	distributed	131:14,16	25:7,12
82:10	directly	51:15 68:17	134:17	27:16 38:22
designers	36:14	79:2	135:14,20	39:16 42:7
79:19	159:24	distribution	136:21	43:10,13,23
detail 15:16	director	51:18	143:8	44:10 49:18
details 89:13	38:11 41:7	distributor	153:15	50:14,15
134:9	45:14 47:10	66:24 67:4	documents	52:17 53:5
determine	47:13,14,20	154:7	18:10 37:8	53:24 55:15
58:1 102:10	48:2 104:23	distributors	37:9,12	61:24 62:23
detroit	directors	66:22	51:22,24	63:15,18

64:13,14	duro 7:6	58:17 67:5	138:17	evidence 1:17
65:15 66:4	dust 124:9	70:4 79:21	engineers	2:4 4:11
70:8 71:2,3	duties 16:17	92:18 116:7	79:19,22,23	9:12 102:22
72:6 76:10	dyne 7:6	150:19	80:10 81:7	115:5 116:3
79:11 82:5		156:20	81:9,12	examination
84:6 86:6	E	elena 1:23	82:23 83:3	2:5,6 11:6
89:12 94:6	e 2:1,1,10,10	4:16 9:4	ensure 97:12	98:5 149:1
95:17 102:2	3:1,1 5:1,1	159:5 160:7	97:14 98:7	159:11
104:7	5:22 6:1,1	eliminate	entirely	examinations
109:10	7:1,1 8:1,1	123:21	20:14 89:4	96:8
110:17	earlier 54:5	eliminated	entirety	examined 4:12
112:2 117:4	60:9 73:12	115:8	111:4	11:2
117:5	100:19	elses 57:8	entities	example 57:21
119:17	113:14	65:6	130:13	59:21 63:16
120:15	127:2	emission	entitled	67:7 68:6
121:13	133:12	79:17	128:1	154:6
122:8,13	149:17	employ 79:19	entity 33:6	examples 59:9
127:6 128:1	150:17	105:18	34:3 45:15	exams 105:22
130:5	early 55:10	employed	environment	exceed 84:6
133:18	55:12 77:19	14:16 40:12	92:20 94:10	exceeding
135:14	149:14	40:13,20,23	environmental	83:23 84:17
137:21	easily 130:2	employee	97:18 138:3	excess 92:13
138:8,8	eastern 53:14	14:23	epa 116:12	95:10 108:4
139:6 143:7	echlin 3:21	159:21,22	124:7	108:17
143:14	13:18 16:14	employees	128:17	exchange
150:16	16:20 17:15	23:11,15	142:18	131:6,10
153:7	18:23 27:23	34:6,14,19	153:15	exclude 53:16
156:18,19	29:23 30:4	34:24 78:12	154:4,8	exclusively
doody 8:12	31:9 32:22	87:24 93:4	epe 53:12	45:14
9:23	34:4 39:21	93:5,9,12	130:6,17,21	excuse 92:10
doty 8:8	39:22,23	95:10 96:12	131:5,11	exec 47:19,22
drafted 89:4	40:1 41:5	105:24	epidemiolo...	exhaust
97:20	43:22 44:5	118:14	102:16	138:17
drill 151:8	44:21 106:9	137:10,24	equally	exhausted
drilled 100:9	129:11	145:6,13	146:16	130:11
driller 150:4	130:24	147:8 152:5	equals 108:1	exhibit 2:12
150:4 151:6	echlins	employment	108:13	3:2 21:21
151:7,13	130:13	14:18 48:11	equipment	22:3,5,11
drills 107:10	education	enclosed	56:8,9	22:13 24:21
107:16	110:3	105:11	60:16 82:8	25:4 26:11
drive 5:8	edward 46:10	encompassing	82:9,20	26:15 27:4
driven 96:1	47:23	29:6	eric 46:2	27:18 30:5
150:20	edwardsville	encourage	established	30:11,21
151:9	5:9 6:19	105:18	132:14	31:17 32:2
dry 103:23	effects	ended 32:23	european	32:8 36:22
ducat 2:23	102:24	engine 59:24	131:6	51:2 56:23
69:10	118:5	engineer	evaluation	57:2,12,18
due 102:14	123:22	58:19	115:4 116:3	69:13 70:2
duly 10:9	efforts 156:7	engineering	eventually	72:8 73:3
159:12	eight 36:7	82:15 83:2	144:12	73:10 83:5
duration	62:4 93:12	94:2,7	everybody	88:15 94:19
102:5,8	either 47:1	100:20	54:9	96:22 97:2

98:17 99:2	123:12	86:10 107:9	february	find 38:22
101:2,4	124:24	facings 52:5	21:19 26:10	59:11,17
104:13,16	125:16	52:6,12	73:14	63:6 70:1
106:12,15	126:8,21	55:23,24,24	feel 12:11	72:5 75:6
110:4,6	128:6	61:12,20	19:8 83:9	130:8,9
111:3	138:13,15	62:4 64:23	91:15 93:13	154:3
114:10,16	140:8,16	83:20 92:8	95:4 120:20	fine 33:8
116:15,20	149:22	92:9 100:9	felt 141:15	51:9 53:4
123:13,15	152:1 153:3	105:9 129:4	144:8	firm 25:18
128:24	153:9,17	fact 93:10	fiber 85:13	first 11:18
129:13,15	154:4	119:11	92:17	37:24 38:4
131:15,17	exposures	127:16,17	107:15	39:13 65:10
134:16,18	88:11 92:13	137:9	140:17	65:18,23
135:13	115:10	fair 21:20	fibers 83:17	83:9 99:16
139:21	118:20	23:14 30:8	83:23 84:5	104:19
149:4,19	124:8	33:24 36:18	84:10,18	140:7 149:5
150:2 151:5	125:23	36:20 60:19	85:4 86:4	firsthand
exhibits	127:4 138:2	86:1 88:8	86:19 92:14	23:14
56:23	extensive	88:13	95:11 100:8	five 54:9
147:13	105:17	113:17	100:11,11	87:3 100:12
152:22	106:3	138:22	100:20	102:6
exist 78:5	extent 79:8	139:18	102:6,23	104:12
existence	110:21	fall 130:9	106:5 108:3	145:9
83:23	115:8,11	falls 122:23	117:13	flight 111:18
expect 68:22	extra 97:13	familiar	119:24	flip 96:13
experiencing	98:6	26:12 30:14	121:3	135:13,20
106:4		38:16 41:10	123:20	floor 6:4
expires 160:9	F	46:6,19	fichtel 53:13	focus 10:22
explain 58:22	f 2:1,10 3:1	55:11 60:24	field 66:12	foley 23:23
66:23	5:3 100:12	103:16,17	127:8	following
explained	100:13,14	103:18,20	figure 26:7	129:5 140:9
137:3	102:1,6,14	104:3 116:5	31:15 32:14	followup
exposed	108:1,14	134:7,9	33:17 75:17	156:20
138:10	face 96:2	135:1	75:22 80:8	foregoing
143:17	122:24	familiarize	81:10 82:24	158:11
exposure 3:15	facilities	88:18 95:5	83:4 88:11	159:14
3:19 88:2	77:7 92:5	97:3 99:5	figuring 81:6	foreseeable
92:14,16	facility 3:12	106:19	138:9	140:21
94:2,8	14:8,11	129:18	file 29:11	142:15
100:14	16:8,19	131:21	filed 1:3 4:3	form 32:3
102:5,10,17	17:21 18:7	140:1	9:16 10:17	60:4 80:18
102:23	32:19 34:22	fane 7:18	21:15 158:3	84:12,19
105:15	40:12,13	far 12:6 18:1	files 110:19	85:5 93:20
107:24	41:6 77:5	34:5,21	153:21	104:1 113:6
108:3,16	77:20 78:3	60:17 70:7	filling	115:16
112:21,24	101:17	78:19 81:21	103:24	121:23
114:9 115:6	103:17	89:18 92:24	final 136:19	124:14
116:1,4	106:10	113:4 132:8	finally	125:1,12
117:14	139:9	138:3,9	155:18	126:1,2,10
118:4,5	154:20,23	153:8,23	finance 47:18	137:6
119:22	facing 61:2	154:2	financial	138:23
122:20	81:3 86:6	fasco 62:6	35:15 46:17	142:2

143:11	frederick	91:24 96:16	131:24	145:17
146:17	44:3	109:9	133:20	146:17
152:3	free 19:8	143:21	134:10	147:4
former 23:10	83:9 91:15	151:19	135:5 137:9	148:17,19
23:15	95:4	gentleman	137:11	golden 1:23
forms 140:11	freedom	36:11	139:21	4:16 9:4
forsyth 5:13	144:16	gentlemen	145:22	10:3 159:5
forward	friction	107:5,6	146:9,12	160:7
122:17	51:16,19	getting 35:5	148:11,19	gomez 43:11
144:9	55:3	75:15	goes 68:23	43:12
146:24	friday 97:19	108:20	122:3 136:6	good 19:12
foster 7:8	fridays 50:20	109:13	136:20	goodwin 5:21
129:22	front 136:1	144:11	going 15:22	government
found 37:7,9	fully 113:16	gianaris 1:4	17:2 18:15	140:13
37:11 63:22	113:21	4:4 5:3	20:13,16	141:3
95:10	114:3	9:16 158:4	21:19 22:17	grab 69:7
134:22	fulwider 6:7	gillies 5:17	23:3 26:8	greater
135:16	function 96:9	give 12:8	27:21 28:16	120:24
145:24	105:23	50:19 54:9	30:19,24	green 6:17
foundation	functional	67:7 115:16	31:6,13,14	greer 43:15
17:3 69:2	146:16	given 75:4	31:18 32:2	grounds 17:3
117:22	functions	158:11,15	33:2 34:2	66:14 69:2
129:10	15:20,22	159:18	36:22 38:8	79:7 117:17
142:3 144:5	67:17	giving 96:7	38:15 40:10	118:11
foundational	furniture	glance 39:2	42:19 52:13	119:2,14
66:14 79:6	29:10	glasses 26:20	52:20 54:8	120:12
117:17	further 58:22	glastra 43:9	54:17 66:13	121:10,18
118:11	144:11	go 16:20	69:1 71:13	123:4 125:3
119:2,14		19:24 21:20	80:4,4,18	127:11
120:12	G	22:2 23:3	85:5,13,13	128:8 138:6
121:9,18	gallinger	26:18 28:3	85:22,23	142:3,23
123:3 125:2	43:5	32:18,20	86:23 88:17	143:7
127:11	game 50:20	36:22 38:7	90:3,5 98:5	145:18
128:8 138:6	garage 68:19	40:3 43:20	110:20	146:6,18
142:23	88:4 120:2	51:2 52:24	112:9,11	group 39:5,7
143:7	120:9	53:8 54:6,7	113:6	41:11 47:11
145:18	garages 121:8	57:9 67:1	115:14	48:5
146:5,18	138:16	68:11,20	117:16,20	grove 6:18
four 26:22,23	gardner 7:3	70:19 71:5	118:10	grundon 96:2
frank 47:9	gears 128:23	72:21 74:21	119:1,13	guardline
franklin	general 2:18	75:15 76:1	124:14	5:19
13:24 14:1	29:12 30:9	81:10 84:13	125:1,12	guess 16:13
14:13 16:9	55:16 56:12	86:24 88:15	126:1,2,10	16:20 17:7
35:18 40:15	64:21 85:20	89:18 91:9	127:10	32:16 55:16
42:1,9	100:15	95:18,18	128:3,7,24	57:9 65:14
43:19 44:10	105:20	100:2	132:10	65:15 75:19
44:16 46:3	119:6,7	106:21,23	134:5,6,21	86:15 87:16
46:21 47:7	141:14	108:8 109:4	137:6	95:19
48:5,9,23	143:22	122:17,19	141:21	116:11
154:13,15	generally	126:13	142:2,22	118:1
154:17,20	37:18 52:14	127:15	143:6,7	122:13,17
154:23	83:15 84:3	131:20,20	144:9,11	123:7

127:15
137:21
141:18
guessing
95:20
guidance 3:17
116:12
guides 57:14
guy 48:1
68:14
guys 37:19, 20
78:15 81:14
82:23 103:5

H

h 2:10 3:1
62:6
hadnt 137:10
hagberg 43:18
43:21
half 74:15
hampton 2:5
5:3 10:11
10:18, 24
11:7 17:5
19:8, 14, 16
19:24 20:3
20:10 22:7
22:15 26:17
26:23 27:3
28:3, 10, 15
29:17, 21
30:23 32:4
33:9, 13
40:5, 9 45:5
45:11 46:1
51:1 52:15
52:19 54:6
54:17, 21
57:4 60:8
66:19 69:5
69:15 70:17
70:19, 22, 24
71:3, 5, 9, 11
72:18, 22, 24
73:5, 23
79:9 80:22
81:1 84:16
84:20 85:9
85:21, 23
86:7, 23
87:3, 11

90:10 94:1
94:13, 21
96:4 97:1, 9
98:20 99:4
99:11, 14
100:1, 5
101:6 103:6
103:9, 13
105:4
106:17
108:20
109:15
110:1, 24
111:5, 7, 9
111:11, 13
111:16, 18
111:22
112:1, 6, 10
113:10
114:12, 14
114:18, 21
114:23
115:18, 20
116:17, 22
117:18
118:2, 17
119:9, 15, 20
121:1, 14, 22
122:7 123:9
123:17, 24
124:2, 5, 11
124:21
125:9, 14, 15
126:4, 5, 19
127:20, 23
128:4, 15
129:17
131:19
133:23
134:10, 20
135:5, 11
137:13, 15
138:14
139:3 142:6
143:3, 10, 12
144:13, 21
145:10
146:2, 8
147:1, 10, 23
148:11, 17
152:3, 20
153:14, 20

155:1
156:14, 19
hand 52:23
70:2 99:18
104:13
160:3
handing
114:24
handle 144:17
152:8
handling
151:23
handwritten
130:6
happen 17:14
17:17 21:4
24:5
happened
14:20 17:22
150:8
hard 152:15
harmful
102:23
havent 50:1
64:13 71:6
117:4 133:7
147:14
hawkhead 62:7
hayde 7:19
hays 6:8
hazard 119:18
119:19
120:2
hazardous
143:23
146:15, 23
hazards 87:14
87:20 91:21
113:21
114:4 119:8
120:6 122:3
122:4, 16
136:14
137:5 141:4
141:9
145:15, 24
head 122:22
headquarters
14:5 35:17
health 87:14
87:20 96:17
102:13

104:24
110:3 114:8
118:5, 15
120:21, 23
123:22
143:24
healthy 96:17
hear 40:7
heat 56:1
heavy 56:8
heavyduty
56:5, 7 60:3
60:14, 21
held 9:20
38:13, 24
help 19:13
32:10
helped 52:2
helping 23:15
93:18
helps 39:18
henrick 43:9
43:10
hereto 159:24
hereunto
160:2
herzog 6:3
hes 38:1
49:16, 18
54:7 67:19
98:10
121:19
hey 24:6
high 56:1
94:11 139:5
140:16
highland
67:20
highlight
30:24 100:1
highlighted
31:1 51:5, 7
51:14 53:1
61:16 73:6
83:7, 8, 18
91:9, 11
95:2, 8
97:10 99:7
99:9, 23
101:8, 10
107:6
111:21

112:15
116:24
117:9
129:19
131:21
132:13
140:2
highlighting
104:12, 18
137:18
highlights
21:23, 24
hill 6:7
hinrichs 5:12
history 18:21
20:12 26:6
51:23 96:9
hit 109:10
hold 40:4
holdings 7:21
honda 8:10
hope 50:19
hopefully
12:13 28:17
hour 21:11
hourly 21:4, 5
21:7, 7
hours 4:14
25:2 93:12
127:19
138:10
152:6
house 35:4
human 105:6
114:8 115:5
hwa 53:15
hygenix 106:9
hygiene 3:4, 6
3:9, 12
87:17 92:1
92:4 94:15
94:24 97:18
98:9 100:24
100:24
101:12, 17
106:7 107:2
155:22
hygienists
107:21
hypothetic...
75:13

I				
id 21:14	9:19,22	88:9,14,16	including	78:21
27:19 39:1	12:22,24	90:5,17	10:20	113:12
65:14 83:8	14:9 15:22	91:1 97:4	104:11	127:9 128:2
96:19	15:23 16:18	97:21 98:18	inclusive	128:11
112:13	16:24 31:5	102:15	158:13	132:5 140:7
116:23	32:8 78:15	103:6,9,20	inconsistent	144:3,10,14
identifica...	101:1,16	104:4,11,12	32:5	144:15
22:6,14	103:2 105:1	110:20	incorporated	145:2,7
26:16 30:22	109:8	111:2,17	31:20 32:6	146:12
57:3 69:14	154:13	112:11,12	149:13	149:12,16
73:4 94:20	158:2 159:1	113:6,13,23	increases	149:17
96:23 99:3	159:7 160:3	114:24	102:18	initially
101:5	160:8,8	115:14,14	indiana 6:8	131:3
104:17	illustrated	115:22,23	76:9,11	injury 113:22
106:16	92:5	116:7 117:5	indianapolis	input 88:20
110:7	im 16:3 17:2	117:16,18	6:9	89:6 92:22
114:17	18:2,20	117:20,20	indicated	inspection
116:21	21:18 22:17	118:10	102:13	97:13
123:16	23:13,24	119:1,13	indirectly	install 84:9
129:16	24:5 27:13	124:14	159:24	84:15,18
131:18	27:13,21	125:1,12	individual	85:3 86:18
134:19	29:8 30:19	126:1,2,10	12:21 64:14	152:13,16
identified	30:24 31:15	126:22	107:17	installation
37:10	31:18 34:20	127:5,5,5	136:6	92:18
identify 23:4	34:22,23	127:10	individuals	installed
58:22	35:6 38:8	128:3,7,14	34:21 37:15	83:16,22
il 5:4,9 6:14	38:15 41:22	128:23,23	38:12,24	84:3,4
6:19 7:5,10	42:10,19	134:5,6,8	50:10 58:22	152:11
7:15 8:5,9	44:8,13	134:21	80:7 96:10	installer
ill 12:15	45:5 46:3,6	135:4 137:6	107:24	67:5 152:7
26:11 27:17	46:19 47:7	142:2,22	120:9	installing
28:12,12	48:7 49:2	143:6,7	industrial	86:12 93:15
29:14 30:11	50:4 52:13	145:17	3:4,12 6:20	151:24
32:3 33:20	52:20 54:5	146:17	7:6 79:23	152:8
34:9 52:23	55:10,20	147:4,20	80:10 81:12	institute
53:8 57:5,9	56:2,16	151:17	87:17 92:1	102:12
59:17 60:4	59:3,16,18	156:8,11	92:4 93:17	instruct 12:7
69:11 79:6	60:14 61:15	immediately	94:15,23	111:20,23
91:2,2	63:8 65:12	35:9	98:9 105:7	112:7
93:20	66:13,16,18	implication	106:7	instructing
104:13	69:1,4	25:24	155:21	110:24
106:12,20	70:22,24	imported	industries	instruction
109:15	71:13 73:21	131:7	53:14	12:10
117:1 122:5	74:14 75:24	inch 100:12	136:17	insulation
126:4	76:15,20	include	information	6:20 7:6
127:20,24	77:9,14,20	105:23	23:9 49:12	intended
134:23	78:7,14	included	55:4 61:7,9	83:21
137:2	79:10,22	10:14 92:7	63:22 64:5	intent 29:7
152:19	80:11,18	96:2,11	65:1,9	interest
illinois 1:2	81:19 82:20	156:2	66:17,18	134:24
1:24 4:2,15	84:22,22	includes 96:8	73:17 75:15	interested
	85:5,22,23	158:16	76:14 78:19	76:20

159:24	150:2 156:7	67:7,9,12	8:3	91:14 92:24
interject	156:10	67:15,21,22	kimberlyclark	93:1,13
12:9	island 15:18	68:7	5:15	94:6,8,9
internal	isnt 94:9	jobbers 67:8	kind 38:8	95:15 96:14
129:20	138:21	68:9,18,20	39:2 46:24	96:15,18
132:1	issue 115:23	jobs 138:12	55:13 63:22	98:13 102:2
international	150:13	138:20	64:16 81:19	109:11
31:7 43:13	issues 10:16	139:4,6,7	87:13 88:8	110:15
53:12	10:23	john 7:16	90:23 91:20	111:8,14
134:15	120:21,23	8:12 9:23	94:6 113:12	115:22,24
interoffice	item 132:13	35:24 41:13	128:18	116:7,9
107:1	items 29:10	41:23 42:5	136:9	117:5
interpreta...	ive 22:20	47:4 48:4	144:10	118:14,15
29:5 53:5	27:2 30:10	58:18	kits 79:18	119:5,6,17
interrog	30:15 51:5	101:13,14	klemm 107:10	119:19
73:21	55:8 69:24	johnson 6:12	klenen 107:19	120:12,15
interrogat...	70:6 73:6	jon 43:24	knapp 6:17	120:16,17
2:14 21:15	94:14 95:2	joseph 46:12	know 12:12,13	120:20,23
22:17,23	95:3 96:19	47:20	12:14 17:4	121:11,13
23:5 24:2,4	99:6 100:23	judicial 1:1	19:11 20:19	121:18
24:10,23	103:14	4:1 9:18	21:18 22:18	122:2,4,13
28:19 31:18	104:8	158:1	23:18 25:7	122:13,14
36:23 51:3	111:14	july 1:21	25:9,12	122:18
71:15 73:20	112:18	4:13 9:13	26:2 27:16	127:6,13,16
73:22 74:9	114:18	31:12 51:17	30:1 37:10	128:1,11,14
83:6 88:16	123:10	101:12	37:14 38:2	130:5,12
91:3,17	129:11	160:4	38:23 40:18	132:23
114:2	131:14	june 3:13,17	40:23 41:17	133:16,24
139:22	133:10	31:24 97:19	41:20 42:2	135:1,14
143:5	134:8	98:16,20	42:4,23	136:15,18
interrogatory		106:11	43:5,10,13	137:10,21
23:12,20	J	107:3	43:21 44:10	138:8,8,16
24:7 40:3	j 5:7 6:13	116:17	44:17,18	141:14
40:10 54:23	96:2 104:22	151:4	48:10,17	143:21,23
83:11,12	108:12	jurisdiction	49:6,16,18	145:5
88:16	james 5:7	10:15,21	50:2,11,14	147:17
103:21	janis 23:23		50:15 51:20	153:5,7,8
110:14	january 3:12	K	53:24 55:16	153:23
120:17	11:22	k 62:6	58:3,8 59:1	154:2 156:7
126:17	106:11	keep 33:18	61:24 62:10	156:16
129:1	107:3 151:4	38:19 79:11	62:11,20,23	knowing 93:1
139:22	jeffrey 43:18	90:23 93:18	63:9,13	knowledge
140:4 149:4	43:21	94:2,7	64:16 67:10	23:14 33:20
inventories	jennifer 8:3	106:21	68:15 71:2	49:13,14
130:10	jessica 6:18	121:23	71:3,13,19	51:23 55:17
involve 16:10	jim 107:9	138:1	72:18 73:17	58:15 64:19
16:13	job 16:6	143:11	75:8,14,16	64:21 65:6
involved	139:12	keith 6:8	76:11,13	65:7 66:9
23:19 24:1	141:17	46:5	78:4,10	72:13,15
24:3 35:15	151:21	kept 113:4	79:12 80:13	74:1 75:4
39:10 80:17	155:8	148:8	81:18 82:5	78:17,18
81:5 91:21	jobber 67:4,5	kilpatrick	89:8,12	89:21,24

90:2,7,9,12	129:6,23	115:6 116:4	70:10 71:18	47:7,12
105:16	130:1,2	118:4	72:8,11	48:23
117:3 119:7	132:16	123:20	73:10 74:1	154:12
128:14,16	137:22	124:9,23	132:2,6,13	location
128:17,18	155:12,15	125:10,11	listed 37:7	13:22 14:14
133:18,24	labeling	125:16,23	38:1 48:18	18:13
140:7	132:8	126:8,21	61:23 62:4	107:16
141:15	labels 3:21	127:4 128:5	73:7 83:12	locations
143:22	126:18	153:17	90:3 91:16	98:3
147:14,16	129:7,12,22	levels 93:11	listing 57:20	locke 101:14
knowledgeable	130:14	93:18 94:3	lists 53:11	logic 122:17
76:6	132:23	116:1	56:14	logical 123:6
known 91:24	133:9,15,17	120:18	litchfield	123:6
118:4	154:23	125:8	7:3	logo 137:1
119:19	155:5 156:1	140:17	literature	long 13:2
124:23	156:3	143:17	92:2 114:3	14:16 15:2
125:10,16	labor 104:23	153:3,9,12	litigation	15:7,18
125:22	123:10	liberate	1:3 4:3	28:2 34:10
126:7,20	lady 97:21	85:13	9:16 74:6	36:6,16
127:3 128:5	language	liberating	149:7 158:3	40:11,17
145:24	153:16	83:16 84:4	little 15:16	140:17
153:17	156:2	84:5,9,18	20:13 26:5	152:13
knows 79:8	large 24:11	85:3 86:4	26:9 27:22	longer 52:6
110:21	larger 59:22	86:18	28:17 31:14	100:11
kolon 53:14	60:15 67:11	library 90:23	32:14,14	look 22:18,21
77:11	larry 44:12	91:4	54:9 57:13	24:8 26:12
kotzum 1:18	lasalle 7:9	license 1:24	59:15	30:11 37:2
2:4,15,23	7:14	160:8	102:22	42:16 44:20
4:12 9:13	late 36:9	life 97:17	109:12	44:24 51:6
10:13 11:1	77:23	limit 92:2	live 13:5	53:4 57:10
11:8,12	149:14	100:14	lived 13:2,7	57:23 59:18
22:16 28:16	154:24	108:3,16	40:16	69:11 83:6
69:10 87:12	law 25:19	109:9	llc 1:5 4:5	85:10 88:24
99:5 101:7	lawful 11:2	112:21,24	5:3,7 7:13	89:2,17
103:14	lawrence	116:11	8:10 158:5	95:4 96:20
106:18	46:20	limits 85:14	llp 5:21 6:3	99:8,17
108:8	leckerling	92:14	7:3,18 8:3	101:7,9
111:20	43:24	112:21	8:7	106:18
112:11,18	left 27:16	116:9	local 58:18	111:19
114:24	legal 9:23	line 10:22	100:14,18	112:14,18
116:23	74:7 145:19	58:20 95:23	138:17	114:19
117:2	146:6,19	101:23	locate 70:7	115:1
129:18	letter 52:3	lines 23:6	89:14	116:23,24
135:12	105:1 106:3	lining 61:7	located 9:21	131:20
149:3	letterhead	102:19	10:1 13:12	134:21
155:18	2:22 69:9	linings 62:24	15:18 41:5	135:24
156:22	104:10	63:12	41:12 42:1	137:18
157:3	106:8,9	lipe 53:12	43:7,16,19	139:23
158:18	level 97:19	list 3:23	44:1,4,7,10	looked 27:11
	102:10	36:23 37:2	44:13,16	55:8 59:5
	105:15,15	37:24 38:15	46:3,8,11	59:22 61:14
	112:24	39:13 69:18	46:13,16,21	62:8 63:21
L				
label 126:23				

74:15 75:9	135:7,10	manufacturing	134:16,17	94:8 96:5
116:8 136:7	148:14,24	6:10,21	147:13	98:1 109:11
149:19,21	157:4,6	14:11 15:21	152:22	119:4,17
150:1	machine 9:4	17:9,9,20	market 67:2	122:11
looking 21:18	madam 28:10	63:14 79:23	130:9	133:21
59:4,5 78:1	madison 1:2	83:14 92:5	marketing	138:15
137:17	4:2 7:4	94:8 151:22	48:8,18	144:22
looks 70:3	9:18 10:17	march 104:9	81:8	145:22
76:8,10	71:17 109:7	104:22	markings	meaning 98:10
95:3 102:1	158:2	129:11,21	21:23	means 15:17
104:11	magnifier	marcy 2:23	marks 54:11	33:21 66:24
106:11	26:21	69:10	109:18	112:22
107:20	main 8:8 52:3	margaret 7:8	157:1	mechanic
lot 37:20	maintenance	maria 1:23	married 13:8	66:12 68:19
38:12 40:2	101:22	4:16 9:4	marriott 9:21	68:19,23
57:14 67:10	102:4	10:3 159:5	martin 8:3	139:10,16
72:1 93:8	119:22	160:7	44:9	141:16
142:20	majority	mark 7:13	match 57:24	151:23
149:3	34:24	21:21 22:2	72:7 74:22	mechanics
lou 44:15,24	making 24:15	22:10 26:11	80:16	3:17 88:5
loud 53:2	79:20 81:15	30:10,19	material	116:14
99:9	143:15	56:22 69:8	51:21 58:2	117:6,14
louis 5:14	man 101:22	69:11 94:15	58:8 83:13	118:21
6:5 7:20	manager 16:8	94:17 96:19	101:22	119:5,11,11
10:2	34:23 35:20	98:16 101:2	132:13	122:22,24
low 93:10,18	36:3,16	104:13	146:15,16	127:8
94:3,8	41:15 48:20	106:12	materials	136:14
118:20	49:21 58:19	110:4	51:17,19	138:21
124:9 125:7	76:24 105:6	114:10	55:3 56:15	medical 90:24
138:2	managers	116:15	91:22 106:1	91:4 92:1
lowered	76:23	129:13	115:9	96:7 114:3
102:14	mancheski	131:15	151:12	140:13,20
lowering	44:3	134:5,6,11	matter 9:15	141:3
118:3	manning 44:6	134:23	27:19	142:13
lowers 118:4	mans 102:4	marked 2:12	129:12	155:19
luck 53:13	manual 3:24	3:2 22:4,12	matters 10:19	medium 59:24
lung 102:19	134:11	22:16 24:21	29:13	meet 97:12
102:20	137:22	26:14 30:5	159:13	112:23
140:10,18	manufacture	30:20 57:1	matthew 7:3	meets 81:15
lusestevenson	77:16	69:12 70:2	maximum	82:24
6:15	151:12	73:2 94:18	115:11	memo 3:6,10
lyle 44:9	manufactured	96:21 97:2	mayor 42:15	3:12,22
	51:4,13	99:1 101:3	mccurdy 44:12	69:17 70:16
M	77:6,8 79:1	104:15	mkenna 7:8	96:19 97:3
m 2:1 4:14,14	80:2 83:21	106:14	mckitrick	97:20
7:8 9:14	87:23 105:9	110:5 111:3	5:12	100:24
20:5,9 28:5	manufacturer	112:15	mean 19:10	104:22
28:9 54:13	2:14 67:3	114:15	47:14 53:3	106:7 107:1
54:16 62:6	91:19	116:19	61:22 67:8	129:20
87:6,10	manufacturers	123:14	75:8 80:20	130:5 132:1
101:18	55:2 82:8	129:14	81:17 84:8	memorandum
109:20,24	82:19,21	131:16	86:9 90:7	69:8

memory 55:6 56:13 62:14 62:17 71:22 72:12 73:12 76:15 149:9	136:16 mo 5:14 6:5 7:20 mode 15:15 model 80:15 modine 6:20 moise 3:9 molded 57:21 57:21,22 58:9 mom 67:14 monitor 122:16 monitored 120:17 monitoring 101:21 102:7 137:10 monroe 6:13 month 138:12 months 21:10 21:13 120:2 121:4 moreland 36:12,13 49:19 58:18 101:13 132:3 motor 14:21 14:24 15:3 15:8,11,13 16:2 48:14 motors 135:17 mouth 110:18 move 15:19 54:18 109:15 127:20 137:14 moved 137:11 mrc 7:21 msds 55:5 62:13 64:7 64:10,14 65:3,5,10 65:18,20,24 66:5,10 68:24 132:14 mute 40:7,7 myers 46:2	N n 2:1,1,1,10 3:1 5:1,22 6:1 7:1 8:1 name 9:23 11:10 31:21 31:22 32:7 36:1 38:4 41:15 44:23 45:1 46:6 46:19 67:24 77:2 named 36:12 97:21 names 37:12 39:8 50:6 62:9,10 63:6,9 71:20 72:3 72:10 73:18 74:13 75:8 76:9,23 107:6,7 136:18 napa 67:9 68:5 national 67:11 102:12 natlsco 94:23 naturally 152:7 near 12:24 necessary 97:11,12 need 26:21 32:13 53:3 54:6 89:17 104:7 132:19 144:2,2 needed 144:10 needs 51:10 neoplasms 113:2 never 68:14 88:10 89:18 new 5:22 15:19,20 18:7,8 34:17 35:2 35:8 36:19	40:18 45:15 52:21 53:11 55:1 61:7,9 80:15,16,16 81:3 82:21 130:8 132:6 151:13,24 152:13,16 news 141:19 142:1 nice 11:9 121:22 143:10 nicholls 46:5 niosh 3:14 95:10,15 96:14,16 102:13 110:2,18 112:12,19 114:7 115:3 116:2 118:7 124:6 128:17 142:17 152:21 153:2,5,14 154:4,8 nioshs 112:22 113:4 noise 3:6 40:6 97:18 100:23 101:11,17 nonasbestos 49:11 53:18 55:2,9,12 55:20 56:4 58:4,5,23 59:10,14 60:13 61:2 61:7,12,16 61:17,20 137:12 nonhazardous 146:16,22 146:23 nonresponsive 127:21 normal 102:10 148:8 north 6:4,9	7:9,19 8:4 105:1 northeast 76:12 notary 4:18 9:6 158:24 159:6 160:8 note 130:4 noted 114:1 notice 2:15 10:14 22:8 22:8 127:12 128:9 140:7 november 3:5 95:1 114:9 nowadays 67:11 number 10:14 34:14,18 65:4 76:12 138:11 148:2 149:21 numbered 70:14 numbers 70:15 148:9 numerous 23:7 nutum 62:5 63:16,16
				O o 2:1,1,10 3:1 5:10 oath 11:4 74:14 158:14 object 12:5 17:2 27:21 29:15 32:3 45:2 52:13 60:4 66:13 69:1 79:6 80:18 84:12 84:19 85:5 85:22,23 86:20 90:5 93:20 110:10 113:6 115:14,15 117:16,20

118:10	39:12 45:3	70:21,23	147:17,21	44:19 89:22
119:1,13	official	71:1 72:4	148:7,11,17	97:24 98:11
120:11	39:12,16	72:13 73:24	151:18	98:12 116:6
124:11,14	140:5,5	74:11,17,23	152:16,19	original
125:1,12	offroad 56:8	75:2 76:3	154:10	27:17 82:9
126:1,2,10	offtherecord	77:4,18,22	155:1,5	82:19
127:10	108:22	78:1,9 79:4	156:12,19	originally
128:7 137:6	oh 21:9 72:22	79:10 80:6	old 67:12	26:10 31:20
138:6,23	73:1 103:8	80:11 81:12	151:11,14	32:6 71:4
142:2,22	ohl 6:17	81:14 82:17	ones 37:10	orourke 2:23
143:6,7	oil 6:19	83:5 84:8	58:3 59:15	69:10
145:17	okay 11:18	84:23 86:8	61:12,15,22	osha 3:11
146:5,17	12:23 13:2	86:11,16	63:1 72:8	93:7 95:24
147:4	13:15,23	87:2 88:19	148:1,9	100:13
objected 54:4	14:4,7,16	88:24 89:3	150:1	103:15,15
objection	14:20 15:2	89:8,16	151:14	103:16
12:10 28:13	15:21 16:3	90:18 91:5	onorato 46:12	104:10
85:21,24	16:17 17:17	91:9,12	ooo 9:10	123:10
94:4 115:17	17:24 18:12	95:7,13,14	opening	124:7
121:9,17,22	19:6,19,20	97:8,20	155:11	128:17
123:3	20:2,24	100:4,7	operating	142:18
143:11	21:6,14,14	101:11,11	34:11	153:6,8,11
144:5 145:3	23:18,22	101:11,20	operation	153:15
146:10	25:11 26:5	103:8,22	92:10 93:16	154:3,8
152:3	30:13,16,19	104:2,8,21	102:9	oshas 3:19
objections	31:1,11,13	106:18,22	operational	123:11,19
2:13 21:16	32:18,24	107:4,11,12	45:20	otoole 46:10
23:2 91:24	33:16,23	107:17,22	113:16	ottawa 3:12
144:18	34:1,21	108:7,9,15	operations	14:8 15:22
obviously	35:10 37:6	108:20	16:10 27:8	15:23 16:6
16:18 61:16	37:14,17,22	109:6 112:1	27:13 28:22	16:12,18,24
126:11	38:17 39:3	112:6,16,17	29:7 42:6	17:7,20
144:8	39:4,9,15	114:1 115:2	92:11,12	18:15,18
occupational	40:3,14,17	116:2	opinion 27:19	31:7 32:19
102:12	41:7,13	119:10	60:2 86:14	34:22 35:18
104:24	42:2,5,21	124:16	86:14,15	35:21,22
occur 118:6	42:23 43:5	125:6	112:22	40:12,13
122:21	44:3 47:13	127:22	115:4	77:5 78:13
occurred	49:1,6	128:23,23	145:19	79:21 90:8
118:21	50:21 51:11	129:20,20	opinions	94:24
oconnell 7:13	53:7 55:8	130:21	113:5 124:8	106:10
oconnor 46:7	56:18,21	131:23,24	124:19	107:2
offered 35:1	57:23 58:6	133:1,6,11	opportunity	149:22
office 14:5	58:14 59:17	133:19,24	135:12,20	151:1,7,21
25:19 40:16	59:20 60:22	134:10	opposed 52:21	ought 156:2,3
132:1	60:24 61:10	135:24	62:17	outcome 160:1
154:11	62:1,22	137:13	order 109:7,8	outside 98:3
160:3	63:15 65:20	139:24	ordinary	127:12
officer 39:17	67:19,24	140:3 141:6	140:21	128:8
45:15,20	68:11,22	141:16	142:14	overall 12:18
officers	69:16,21,24	142:11	oreilly 68:8	overlooked
36:24 37:3	70:10,13,18	144:8	organization	70:5

owned 16:14
19:3 67:13
77:7
owner 40:18
ownership
34:18 35:2
35:8 36:19
owns 19:12,17

P

p 4:14 5:1,1
6:1,1 7:1,1
8:1,1 37:24
62:6 109:20
109:24
135:7,10
148:14,24
157:4,6
package 18:6
packaged
129:5
packages
126:18
130:10
packaging
130:8
page 2:3
22:20 26:22
26:23 57:19
59:20 61:2
61:13 89:1
89:1,10
90:3,4,13
101:20
102:3,11
104:19
106:23,24
107:4,11,13
108:8
111:10
114:21
115:1,3
132:12,16
134:13,14
136:23
pages 38:21
74:21
104:12
110:23
111:7
112:14
135:13,15

158:12
painful
103:10
paragraph
27:5,19
28:20 31:19
31:19 89:1
89:9 90:3
99:23,24
100:10
119:23
paragraphs
102:21
parentheses
98:6
park 13:24
14:1,14
16:9 35:18
40:15 42:1
42:9 43:19
44:10,16
46:3,21
47:7 48:5,9
48:24 67:20
154:13,15
154:17,20
154:23
parkway 4:15
9:22
part 12:11,12
15:24 16:22
24:11 54:22
78:8 79:7
79:14,16
91:14 131:9
141:1
participate
23:11
155:24
participated
23:7
particular
30:5 61:1
63:10,11
98:10
parties
159:23
parts 30:18
31:6,7
51:16 67:15
67:16,19
68:2,4,20

77:6,8
78:20 79:18
129:3 131:6
131:7,10
pascagoula
5:18
pass 106:12
125:23
128:12,14
146:3
patrick 5:12
patterson
46:15
pattison
46:18
pavey 46:20
pay 20:17
21:7
paying 20:15
141:18,24
pc 5:12 6:7
peabody 97:21
101:13
pel 3:20
83:23 84:6
84:17
102:13
108:2,4,15
108:17
123:13,20
pending 9:17
pennsylvania
6:9
people 23:23
47:5 82:3,9
90:8 98:4
120:19,22
127:18
138:10
141:24
143:15,17
143:18
percent 64:24
64:24 105:8
percentage
64:22
percents 65:4
period 13:11
14:17 16:7
16:15 18:17
18:22 54:24
55:20 63:14

64:20 75:18
77:18
133:19
136:8
143:18
periodically
93:14
120:22
periods
140:17
permissible
92:14
100:14
105:15
108:3,16
112:21,24
153:9
person 23:5,8
43:4 46:17
67:6 76:6
150:6
personal
10:15,21
33:20 75:4
86:13,15
159:16
personally
37:14 147:7
persons 23:7
23:18
pertain 56:12
pertaining
55:9
pete 38:5,5,5
39:4,13
40:10 75:19
77:3
peterston 3:11
101:13
105:3,5
107:2 132:3
156:9
phillips 47:6
philosophy
147:8
phone 40:6
148:20
physical
13:20
105:22
physically
154:11

pick 75:1
138:11
picking
139:14
picou 5:7
pictures
57:14,19,24
piece 75:21
pillling 47:9
47:9
pine 12:22
place 93:18
132:14
133:8 138:4
144:9
158:12
159:20
placed 130:18
134:1
placing
132:23
133:8
plaintiffs
1:7,20 2:13
4:6,13 5:5
9:2 11:3
22:2,5,13
26:15 30:21
57:2 69:13
73:3 94:19
96:22 99:2
101:4
104:16
106:15
110:6
114:16
116:20
123:15
129:15
131:17
134:18
158:6
plan 120:24
133:2,8
plant 16:7
17:1,7 34:5
34:23 35:20
36:3,16
41:15 49:21
58:17,18
63:4 78:5,6
78:9 79:5

81:9 87:15	policies	22:10 23:2	74:18,20	145:16
87:16,18,23	138:4	27:5 28:20	77:23 111:5	professional
88:2 90:8	pop 67:14	29:18 31:17	111:7	4:17 9:5
97:19	79:11	premise 123:8	113:23	159:8
120:18	porter 62:6	prep 107:9	138:19	profit 147:3
131:2,3	portion 31:2	150:3,6	146:1 154:1	profits 147:9
138:10	51:5,7 53:1	preparation	problems	program 95:24
149:22	93:1 97:10	23:8 98:8	137:11	96:3,11
150:5 151:1	99:7 111:21	108:12	proceedings	proposition
151:7,22	129:19	prepared	157:6	85:20
153:12	131:22	24:11,11	159:18	protect
plants 79:1	140:2	25:4 98:4	process 18:9	118:14
122:16	portions	98:15	79:24 83:1	138:1
127:17	91:10 95:2	136:15	92:7 94:9	protection
plate 96:1	95:8 99:12	present 120:2	procter 5:21	105:18
150:20	101:8	president	produced 4:12	protections
plates 57:20	116:24	38:1 39:14	11:2 56:19	138:2
92:9 151:9	117:10	40:11 41:11	70:1 74:6	provide 69:18
played 50:18	131:24	41:13,23	78:2 93:4	102:22
pleadings	position 3:19	42:6 44:21	147:15,19	105:17,21
57:8	47:5 123:11	44:21 45:8	producing	provided 23:9
please 10:7	123:19	45:9,9,16	128:22	37:3,4
11:10 12:8	positions	47:4,12,17	product 58:19	38:11 71:18
28:11 31:1	38:13,24	pretty 28:2	66:2,11	149:12
36:1 40:6	39:20	65:4	80:1,2,6,12	provides
52:24 57:10	possible	prevent 113:1	83:3,12,15	100:16
88:18 91:15	74:24 87:14	113:1	87:20 92:15	115:5
95:4,8 97:2	87:20 91:21	preventing	126:12	public 4:18
97:10,11	115:11	3:17 116:13	131:1 132:8	9:6 153:24
99:5 100:6	117:7 125:8	previous	132:10,17	158:24
101:7	132:19	12:14 34:15	146:15,24	159:6 160:8
106:18	142:5	35:14 47:5	152:6,8	pulling 56:13
111:21	possibly	96:13	products	pulmonary
115:1	69:19	105:12	14:22,24	96:9 105:23
129:18	postdate	159:10	15:3,8,11	pump 5:19
134:16	126:12	primarily	15:13 16:2	purchase
140:2	potential	68:9 131:6	27:9 28:24	19:21 27:11
143:11	10:21 86:4	primary 14:13	48:14 51:4	46:24 47:3
pleural	87:14,20	principle	51:13 53:14	purchased
140:10	91:21 92:17	29:12	66:6 79:1	15:11 18:23
pllc 5:17	122:16	print 9:7	83:22 88:5	69:19 78:6
plummer 5:8	135:2	printer 57:7	88:12 91:16	131:4
pohlmanusa	145:15	prior 14:7	91:19,20	purchasers
9:24 10:4	151:24	34:5 44:11	92:3,6,18	78:21
point 17:17	power 102:2	45:24 46:22	93:3,15	purchasing
19:21 24:14	precision	49:2 73:18	129:24	63:4
95:22	7:16	96:6 126:16	130:3	purposes 33:4
109:13	predecessor	privileged	140:22	33:14 79:20
130:17	91:18 140:6	147:18	141:9	pursuant 31:9
149:10	preemployment	probably 20:1	142:15	put 26:23
pointed	105:22	37:5 56:5	144:2,4,10	71:23 80:12
108:23	preliminary	60:20 69:4	144:17	80:13 81:3

110:17
126:18
136:18,23
137:21
144:24
155:5
putting 62:14
130:14
133:2 149:6
pyeong 53:15

Q

quality 81:21
81:23 82:1
82:23
quantifica...
107:16
question 12:8
12:17 17:14
19:13 23:4
23:10 25:22
27:17,20,23
27:24 28:11
28:17 29:1
30:2,6 32:1
38:23 41:24
42:23 43:9
43:24 45:2
49:19 51:3
51:6,12,20
52:21,24
53:4,6,8,10
53:16 54:18
59:13 60:7
60:17 61:11
62:10 64:5
64:22 65:1
69:7 71:12
71:19,24
72:5,9,16
72:19 73:6
74:12 75:11
81:5 84:1
84:24 85:2
85:12 86:16
88:17,21
91:10,11,14
96:13 112:3
113:3 120:9
121:2,6
122:15
126:14

127:24
133:6
136:12
137:2,16
139:23
141:1,7
142:11
143:13
145:21
148:2
151:20
155:3
questions
12:5,16
24:17 31:16
37:23 38:8
38:16
106:20
110:9,20
112:8 117:1
148:21
156:13
quick 57:10
135:22
quickly
137:12
quite 12:19
76:18,19
109:10
141:24

R

r 5:1 6:1 7:1
8:1 81:22
90:20
129:21,22
racing 56:2
radius 71:17
raised 10:16
ralph 44:6,7
range 100:11
rates 93:10
139:15
raymark 52:4
52:8,12
62:5
raytech 52:4
reach 56:19
read 24:17,17
26:19 27:10
27:18 28:11
31:1,19

32:21 49:8
51:7,8 53:1
53:2,3,9
77:10 83:8
83:9 89:19
89:22 90:2
91:10 92:23
95:4,8
97:10 98:1
99:9,10,18
99:22 100:4
101:9
104:12
107:7
110:10,16
111:1,21
112:7,13
129:19
131:21,24
140:1
152:20
158:10
reading 25:20
42:20
110:13
reads 27:6,12
86:16,17,22
ready 86:24
108:20
140:3
real 67:24
88:4
realize 16:6
really 15:24
38:5 39:10
40:15 67:8
98:13
120:15
127:17
135:22
145:24
realtime
103:19
reask 28:16
reason 39:5
144:24
reasonability
88:23
reasonable
92:15
reasons 26:24
rebuilding

150:15
rebuilt
150:20
recall 26:2
35:20 37:6
52:1 62:16
65:23 77:18
152:23
153:3,18
154:22
155:3
receive 66:12
received
21:11 82:7
receives
146:4
receiving
150:7,8
recess 54:14
87:7 109:21
135:8
148:15
recited 90:13
recollection
25:11 61:6
recommenda...
95:11 96:7
recommenda...
95:22 153:2
153:5
recommended
3:14 96:11
102:8 110:2
recommends
115:7
record 9:11
10:6,11
11:11 12:18
19:24 20:4
20:7,9,14
28:3,4,7,9
54:6,7,12
54:16 87:5
87:8 99:19
99:21 109:1
109:2,3,19
109:22
135:5,6,10
148:12,13
148:18,22
157:3
159:17

records 25:15
25:23 26:1
39:11
reduce 88:11
116:1
123:21
reducing
123:20
refer 21:14
27:18 33:19
52:20
103:15
referred 22:9
112:20
referring
27:4 29:17
59:7,21
100:19
refers 61:3
142:7
reflected
10:5
refreshing
76:15
regard 26:7
regarding
66:10 78:5
106:10
153:2
regardless
130:7
region 75:14
76:4,6,7
regional
48:19 67:13
76:23
regions 75:9
75:10 76:12
76:21 77:1
registered
4:17 9:5
159:8
regular 87:15
88:1 120:19
regulations
3:23 132:2
132:7
relate 10:15
related 81:20
85:11 90:13
90:19 91:18
104:5

113:22	101:22	research	101:21	111:11,13
114:4 140:6	repackager	32:14 90:18	105:12,14	111:22
relates 117:6	18:5	102:11	106:8,9	125:17
119:4	repackaging	142:20	151:5	128:19,21
relating	18:8	reserve	retail 68:10	133:3
10:23	repair 122:20	156:23	retailer 67:6	141:23
relation	122:21,23	reserved 9:8	67:17,23	145:6
42:22 93:11	139:9	157:5	retired 15:6	146:13
relations	repeat 60:7	reset 54:8	returned 13:9	148:9 155:6
105:7	rephrase	residual	13:10	156:24
relative	28:13 75:11	121:7	reverse 83:2	riley 67:15
159:21,22	125:13	resolve	review 25:4	67:16
release 83:22	127:24	132:19	52:24	risk 3:19
92:17 106:5	replacing	resolved	135:13	118:4,16
released	92:8	132:9,18,22	156:22	123:12,21
100:21	replies 64:4	respect 83:11	reviewed	risks 102:18
117:13	reply 23:6	91:16	88:22 116:8	rivet 100:15
119:24	39:1 64:23	151:24	117:3,10	riveter 96:1
121:3	replying	respiratory	119:24	rivets 151:8
remain 14:1	62:11	96:9 105:18	123:18	road 6:18
remaining	report 3:4,7	responding	133:10	robert 42:17
121:3,8	94:23 98:14	11:3	reviewing	43:2
remanufacture	103:1	response 51:5	24:24 29:1	rockford
28:23 80:4	107:21	51:7,14	revised 3:14	53:13
81:9,11	151:5	54:22,23	110:2	roentgenogram
82:16	reported 1:23	60:14 72:16	richard 42:14	96:8
remanufact...	159:15	83:12,18	42:17 43:2	rogers 107:9
3:3 51:15	reporter 4:17	88:20,23	46:15 49:3	108:12
52:22 62:4	4:18 9:5,6	91:17,23	rid 35:5	role 24:14
62:12 80:20	10:3,7 11:4	92:22	ridge 4:15,15	35:7
80:23 82:12	12:18 28:10	120:16	9:21,21,22	ron 101:14
82:14 92:6	109:1 159:6	129:2	right 17:8	ronald 47:6
92:8 151:2	159:8	140:12	18:11,11,11	room 148:18
remanufact...	reporting	141:2	22:16 25:14	ross 2:6 5:22
18:1,9 27:8	10:1,4	142:12	32:1,17	10:10,12
92:7,12,20	reports 94:14	responses	42:9,12	12:1 17:2
151:22	116:8	2:13 21:17	45:5,17	19:7,10,15
remember	143:16	23:8,9,12	48:19 49:22	20:2 23:24
18:13 25:5	repository	23:16,20	54:22 61:19	26:19,21
25:6,8	25:19 64:11	38:12	61:19 63:18	27:20 29:14
34:16 48:20	64:15 70:9	103:21	63:24 68:8	29:19 32:3
52:17 63:1	70:11 78:8	110:14	68:13,16,16	33:8,12
70:8,10	89:12,15	126:17	69:16 73:1	45:2,18,22
71:23 72:2	148:5	149:5,6,13	73:15 74:3	50:22 52:13
75:20 76:22	representa...	149:18	74:11 77:1	54:4 60:4
149:23	20:24 33:21	responsibi...	80:3,24	66:13 69:1
152:14,15	117:9	44:8 145:12	81:4 83:1	70:14,18,21
removal 92:7	representing	145:15	85:1,1,1,8	70:23 71:1
92:18	10:13	result 92:13	85:15 86:23	71:4,7,10
remove 57:9	requests 24:7	92:15	90:21	72:20,23
84:9 86:18	requirements	results 3:12	104:19	73:1,20
removing	93:6 97:13	95:9,23	110:16,17	79:6 80:18

80:24 84:12	s	134:13	119:21	sepco 7:16
84:19 85:5	s 2:1,10,13	143:19	122:19	september
85:18,22	3:1 5:1 6:1	saying 59:7	135:16,17	69:9
86:1,20	7:1 8:1,3	111:3	135:19	sequentially
90:5 93:20	28:22	116:10	sections	70:15
94:4 95:20	104:23	says 11:5	136:1,3	series 33:6
97:4 98:18	110:3 114:8	32:8 41:7	see 11:9	served 38:10
98:22 99:8	123:10	44:20 47:9	26:12 39:1	service 3:24
99:12,15,17	sachs 53:13	47:13 54:23	39:4 55:9	134:11
99:22	sacrifice	58:7 83:11	59:6,18	137:22
104:18	147:3	85:19 86:3	61:10,13	services 3:7
108:23	safe 83:20	91:3,7,8	62:9,23	98:15 114:8
109:2,6,17	96:17 115:6	98:6 101:22	72:6,6	servicing
110:8 111:2	116:4	107:15	75:20 76:8	117:14
111:6,8,10	124:23	108:13	78:2 88:2	set 24:20
111:12,14	125:10,11	118:19	94:10 95:24	25:4,11
111:17,19	125:16,22	119:23,24	99:16 105:2	62:1 149:18
111:23	126:8,20	122:10,20	110:22	160:2
112:2 113:6	127:3 128:5	130:6	117:6,11	shalagan
114:11,13	153:17	132:16	130:7	47:23
114:20,22	safely 92:6	134:14	131:11	shane 5:3
115:14,19	92:16	141:2	133:15	156:15
116:16,18	safety 93:4,9	142:12	134:6	sheet 64:14
117:16,20	102:13	scattered	135:19	65:18 66:10
118:10	104:24	120:1	154:19	68:24 76:7
119:1,13	126:17	scientific	155:8,12	sheets 55:5
120:11	132:13	90:24 91:4	seeing 70:8	62:14 64:7
121:9,17	145:11	92:1 114:3	70:10 79:11	64:9,10
122:6 123:3	147:3,9	121:20	154:22	65:3,11,20
123:23	sale 2:16,18	140:13,20	seen 18:10	65:24 66:5
124:1,14,17	15:8 16:23	141:3	27:2 30:15	82:15
125:1,12	17:15 18:6	142:13,20	111:15	132:14
126:1,10	26:9 27:10	scope 127:12	117:2 133:7	shell 12:12
127:10	29:2,23	128:8 144:6	134:6,8	shes 98:11
128:3,7	30:10 31:9	scott 43:15	selected	shields 3:10
133:21	126:12	47:20	110:23	104:23
137:6 138:6	sales 39:14	searching	selfdescribed	shop 139:17
138:23	48:19,22	74:18,20	106:3	short 20:3
142:2,22	75:16,18	second 25:21	sell 31:3	87:1 108:21
143:6 144:5	133:12,17	39:4,7	52:11 67:5	136:8
144:18	134:1	88:24 90:3	136:22	148:12
145:3,17	salesmen 75:8	95:22 99:23	selling 18:8	shorthand
146:5,17	sample 151:5	134:13,14	52:6 66:3	4:17 9:4,5
147:4 149:2	samples 150:3	secretary	151:15	159:6
152:10	sampling	48:2	sense 73:11	shortly 54:8
156:12,22	105:11	section 30:24	84:21	shouldnt 86:5
rpr 1:23	sanded 100:9	83:7,9	sent 24:12	116:11
160:7	saw 35:11	100:7	sentence	120:23
rules 109:8	36:11 42:18	101:10	25:10 51:9	147:6
run 34:13	59:8 79:11	104:12	sentences	show 38:15
russ 47:17	116:5 131:7	112:20	95:3	55:11 88:17
	131:8	118:18	seojin 53:15	110:9 133:8

134:23	129:4	33:20 37:6	11:10 31:21	stroke 103:12
showed 118:8	140:22	59:7 61:13	32:6 76:10	strongly
125:3	142:15	119:10	83:13 90:12	102:8
152:20	151:2 154:7	147:12	101:16	studies 89:9
153:15,20	somebody 40:5	specificat...	118:3 140:4	89:11,15,18
153:24	57:7 78:10	80:16 81:16	159:1,7	89:19,23
shown 102:17	93:14	82:7,21,22	stated 152:5	90:2,9 92:4
143:8	138:11	specified	statement	94:15
shows 57:21	somewhat 32:5	159:20	23:2 27:5,6	102:16,22
60:1 96:6	son 42:15	spell 36:1	28:21 29:18	149:22
102:1	soon 132:18	spelling	31:17 88:13	study 3:4,7
shut 15:23	soonest	107:20	98:1 112:7	94:22,24
16:7,12	132:19	spencer 7:18	117:19	95:23 98:15
17:1,22	sophisticated	spend 24:22	119:6	101:1
18:18	93:17	spent 149:3	121:21	stuff 20:12
shutdown	sorry 49:6	spiller 48:2	122:3,11,18	74:19 99:9
15:14 17:20	73:22 77:14	spite 137:2	123:7 124:4	148:7
sic 31:24	97:4 98:18	sprieser 48:4	141:11,12	sturenfeldt
47:17 92:5	114:20	48:4	143:5,20	129:21
sign 156:23	115:14	spring 132:14	statements	style 56:17
signature 9:7	124:2	square 6:8	126:11	58:5
22:22 157:5	sort 59:23	ss 159:2	states 117:12	styles 55:22
significant	117:24	st 5:14 6:5	stay 35:1	56:14
122:20	150:14	7:20 10:2	109:2	subject 91:23
123:21	151:18	staff 23:23	stayed 90:11	129:12
simmons 1:4	sorted 150:12	stamp 21:18	steel 57:21	132:2
4:4 5:3 6:5	sound 100:22	148:1	58:9,11	submit 57:5
9:16 158:4	sounds 96:10	stand 131:5	stenographic	91:2
simple 20:14	133:21	standard 3:14	10:6	subscribe
25:9 29:9	139:5	14:21,24	stenograph...	158:13
33:18	source 65:5,8	15:3,8,11	159:15	subscribed
122:17	south 7:14	15:13 16:1	steps 80:5	158:19
single 143:8	10:1 13:7	48:14 110:2	steves 68:3	subsidiaries
sir 23:10	40:16	standards	stickers	40:1
26:18 27:10	southeast	96:17	132:10	subsidiary
69:16 113:3	76:13	standing	stipulated	16:14
114:18	speaking	109:7,8	9:1	130:22
site 107:16	115:16	stands 95:15	stop 110:20	substantially
skids 150:11	121:22	96:15	stopped 63:14	92:19
skip 152:19	143:10	start 23:1	store 67:9	substitute
skipped 74:19	special 56:1	28:12,12,14	68:5,8	146:15,22
skips 111:10	specialist	37:1 76:3	stored 154:14	substituted
slow 152:15	9:24	started 10:10	storer 7:8	115:9
small 138:16	specific	13:16 38:7	street 5:4	succeed 36:14
smith 5:10	52:18 55:15	40:21 41:3	6:9,13 7:4	suite 5:8,13
smoking	60:12 65:4	41:18	7:9,14 8:8	6:8,14 7:4
117:24	65:9 80:1	109:11	68:14	7:9,14,20
sold 13:17	105:19	113:20	strike 54:17	8:4 10:2
14:21 16:20	122:3 136:2	142:9	127:20	summary 95:9
55:1 67:3,4	143:14,16	starting 89:9	137:14	sundays 50:18
78:9 79:2	143:17	155:14	154:15	supervisors
83:20 126:7	specifically	state 10:11	strip 81:2	101:14

supplied	swear 10:7	73:17 87:7	121:2	testing 81:20
52:23 53:17	sweeping	109:12,21	122:19	81:21 87:15
53:20,22	103:23	135:8	tape 54:8,12	87:18 88:1
54:2 62:9	switch 108:21	148:15	87:9 109:19	93:7 96:12
62:24 63:10	switching	159:19	109:23	107:8
63:11,16	128:23	takes 82:22	148:23	tests 87:12
supplier 52:5	switchover	talk 26:8	157:2	87:19 88:7
65:19 146:4	49:10	33:2 66:20	tartaglione	88:10,11
suppliers	sworn 4:12	75:19	48:8 49:9	91:19 93:10
52:7,10,11	10:9 11:2	126:24	tech 94:11	96:10
53:1,10	158:19	127:1,3	technical 3:7	thank 23:1
62:3,5,12	159:12	129:6,9	98:14	32:17 39:18
63:7 64:2,8	symbols 57:23	talked 20:12	technically	40:8 49:6
64:13,15	system 101:23	26:5 49:23	16:21	71:10 74:11
65:11 78:20	105:17	50:7,16	tedious 31:14	77:4 92:21
82:20	systems 102:5	60:9 61:1	49:7	97:23 98:22
supply 8:5	102:9 106:4	73:11	telephone 5:9	99:15
54:2 66:16		113:14	5:14,19 6:5	100:17
82:15	T	124:6,6,7	6:10,15,19	103:1
supports	t 2:1,10 3:1	126:9	7:5,10,15	108:19
140:20	5:12,17	128:16	7:21 8:9	112:17
142:14	tabbed 22:20	133:12	156:14	114:20
sure 20:19	99:6 115:1	142:17,17	tell 15:16	115:18
23:13,24	table 101:21	142:18	22:20,21	116:18
24:15 29:8	tagged 95:3	147:12,24	24:14 32:2	117:1 124:1
41:22 42:10	take 24:7	151:18	34:4 45:1	130:12
44:8,14	26:12 30:11	talking 12:18	55:19 56:2	132:20
45:6 46:3	37:2,22	17:6 19:1	59:6 60:12	133:11
47:7 48:7	38:8 42:16	34:22,23	65:16	140:24
49:2 57:11	44:24 51:6	39:20,21	106:23	148:11
59:3,16	54:9 57:10	49:9,10	108:10	thats 10:24
61:15 65:12	59:18 65:14	55:21 56:7	136:7 147:7	14:5 22:21
66:18 69:4	69:11 81:11	56:8 59:18	telling 98:10	29:22 33:8
70:24 81:15	83:4,6 87:1	60:10 69:6	98:11	37:2 45:6
81:23 82:20	89:1,17	70:5 80:11	tells 133:2	53:4 59:21
91:1 103:12	97:11,13	81:19 85:24	ten 36:7	61:9 66:11
113:13,23	98:6 99:5	86:13,14	71:24 74:20	67:8 73:1
115:22,24	101:7	97:16,17	tenant 6:21	75:3 79:10
116:7	106:18	106:24	term 29:6	85:18 86:15
118:15	108:21	119:10	56:16	86:22 87:16
128:14	115:1	120:8	termination	91:7,8,14
151:19	116:23	125:22	105:22	103:1,11
156:8,11	131:20	131:2	test 81:23	104:18
survey 3:9,9	135:24	135:15	87:19 98:9	108:6 111:5
97:19 98:16	136:22	149:4	105:23	112:2
98:20	139:23	150:17	106:8	114:13
100:23,24	145:1	talks 56:15	145:15	127:7
101:11,12	148:12	61:2 112:20	testify	128:17,21
101:17,18	152:13	115:4 116:2	159:12	132:1 136:5
103:3 107:2	taken 1:20	116:3	testimony	141:20,22
surveys 3:6	4:15 9:3	118:18	35:14	143:8,20
swanson 8:3	11:14 54:14	119:21	159:18	144:20,22

145:21	110:15,17	14:17 16:7	titles 39:24	36:18
146:21	112:2	16:13,15	80:8	travel 26:24
theres 23:1	113:16	17:14 18:17	tivin 7:13,13	treasurer
27:16 30:9	118:13	18:22 19:11	tlv 83:23	41:5 46:14
32:22 39:5	127:7 128:1	20:5,9,17	today 10:3	46:14 47:23
55:15 57:20	128:12,13	21:1,8	20:11,15,16	49:5
67:10 76:11	131:8	24:21 28:5	21:20 33:15	treating 33:5
100:20	133:18	28:9,18	141:12	tricky 84:22
101:20	139:6,8	32:18 34:2	147:12	tried 50:12
107:5,20	142:19	34:6,17	149:4,10,21	58:21
109:9	143:8,14,20	35:21 39:23	156:21	115:12
112:23	145:5,14,22	45:12,18	todays 9:13	troy 132:3
119:7,21	146:14,21	49:10 54:12	157:2	truck 59:22
124:23	147:2	54:16,24	told 76:24	59:24 60:15
125:10,16	150:16	55:20 62:14	top 114:21	61:3
126:20	156:20	64:20 69:18	topic 26:8	trucks 56:7
128:5 129:2	thinking	71:22 75:18	49:20	true 111:5
135:2 136:3	60:20 77:20	77:18 82:17	131:14	158:14
138:16	139:11,15	83:24 87:6	topics 10:15	159:17
143:21	third 1:1 4:1	87:9 90:9	total 21:12	truth 159:12
147:17	9:18 11:17	95:12 97:13	138:13	try 20:13
theyre 57:12	11:23 102:2	98:2,7 99:5	touch 86:6	33:18 63:6
72:11 85:13	158:1	107:23	tough 30:6	74:21 75:21
97:17 106:4	thomas 7:19	108:13,16	145:21	121:23
131:9 133:2	thompson 8:7	109:9,19,23	toxic 115:9	126:4
133:8	thorough	113:8,20	traditional	134:23
theyve 50:15	97:14 98:7	133:19	67:1	153:11
80:15 96:11	thought 25:20	134:3,24	trailer 6:10	trying 18:2
thi 5:17	49:12 60:18	135:7,10	training	18:20 31:15
thing 69:24	68:1 71:2	136:8	105:19	33:15 56:16
108:23	77:10	140:17	155:19,21	84:22,24
145:6	134:13	141:21	transaction	103:9 145:6
146:13	138:9	143:18	16:1,1	146:12,22
things 86:24	three 13:1	145:8	transactions	tuesday
94:12	23:6 25:2	148:14,23	78:5	101:15
136:17	34:12,14,14	149:3,5	transco 6:21	turn 40:7
137:1	102:9	157:3	transcribed	67:4 107:4
139:16	105:12	158:12	9:7 159:16	107:11
think 18:2	138:12	159:20	transcript	turning 38:19
19:10 20:19	threehour	timeframe	158:11,15	two 13:1,7
20:22 23:21	109:9	60:10 65:13	159:15	25:2 38:8
25:20,23	threshold	timeline	transfer	50:7 59:4
26:10 35:11	92:2 112:21	17:18 19:9	15:14 31:3	65:16 70:3
39:16 51:10	115:6 116:3	times 11:16	34:3,5,17	78:16 95:2
55:15 56:16	throwout	12:5	35:21	95:2,9
57:17 68:5	57:19	timothy 48:22	transferred	96:10
71:12,22	thursday	title 45:20	13:19 18:2	101:19
83:1 87:22	97:14 98:7	81:13	29:3,4,9,11	107:5,7
88:22 96:14	tickets 50:17	titled 94:23	29:13,14,16	129:6
98:2 103:20	time 9:14	100:23	30:4,7 34:7	133:20
107:5 109:7	11:17,23	110:1	transition	138:12,21
109:10	12:9 13:11	116:12	35:8 36:4	138:24

139:4,6,7	141:4,7,8	vice 35:11	want 10:11	156:1
147:22	141:16	38:1 39:14	38:19,20	warnings
type 15:12	uses 115:8	40:11 41:11	51:8 53:2,5	129:1
56:3,6	usual 36:20	41:13 42:5	65:15 71:9	130:18
60:12 64:3	113:17	44:21 45:9	75:11,13	134:1
64:3,6 83:3	utility 6:10	45:16 47:11	81:8 85:10	135:15,19
90:20	utilized 27:8	47:17	99:10,16	144:9 146:4
128:13	utilizing	video 9:24	100:1,4	washington
types 57:20	28:23	54:7	108:2	5:23 79:4
136:17		videographer	109:13	wasnt 15:24
140:16	V	9:11 20:4,8	122:4,8	32:20 35:4
150:14	vague 29:15	28:4,8	125:13	39:6 45:14
typically	52:13 80:19	54:11,15	129:9 132:9	89:14
122:22	84:13 85:6	87:5,8	151:19	103:12
	85:22 90:5	109:5,18,22	wanted 15:19	113:7
U	93:21	135:6,9	26:8 98:4	way 53:24
u 104:23	115:15,16	145:9	103:11	63:16 75:17
110:3 114:8	124:15	147:22	ward 6:3	75:21 84:21
123:10	125:2 126:2	148:13,16	54:20 99:19	86:16,17
uhhuh 61:4	126:11	148:22	103:5,8,11	93:16
119:12	137:7	157:1	156:18	122:12,14
121:5	138:23	videotaped	warehouse	130:9
understand	145:18	1:17 2:15	62:6 66:22	136:22
11:13 18:21	146:18	4:11 8:12	66:24 67:3	137:2 148:6
29:19 66:5	147:4	9:12	68:12,15,17	wed 24:7
82:6 88:3	valeo 53:15	violation	69:21 70:6	123:7
119:15	valerie 5:22	103:15	70:11 71:16	128:14
understanding	10:12 12:1	104:10	71:17 74:1	wednesday
12:2 14:4	23:24 72:18	violations	127:1 154:6	101:15
52:11 109:6	values 92:2	103:16	154:17	weeding 103:6
114:5 140:8	112:22	virtually	warehouses	week 127:19
undertaken	various 50:6	93:12	69:6	138:10
87:19	135:13	visitors 98:3	warn 126:6	139:9,10,12
unit 113:16	vehleweld	vonnice 97:21	136:13	152:6
units 18:6	48:22,23	101:12	137:4 142:9	weighted
105:9	vendors 55:7	vp 48:2,8,18	155:3 156:3	95:12
unlabeled	ventilation	48:22 75:16	warnerecklund	107:23
130:10	100:15,15	75:18	94:24	108:13
unrelated	100:19	vs 1:9 4:7	warning 3:21	welcome 110:8
16:18	105:17	158:7	126:17	115:19
use 55:20	106:4		129:12,22	welfare 110:3
83:21 91:21	verification	W	129:23	wendt 96:1
91:22 92:17	22:20	w 5:22 6:3	130:14	went 20:11
105:18	verified	7:19 107:19	132:10	32:22,22
140:21	22:22	wabash 8:4	133:9,15,16	59:22 82:17
142:15	110:14	waiving 91:24	134:22	113:11
user 66:11	verify 24:19	walinski	135:2,16	135:22
88:4	37:12	23:24 25:18	136:3,9	146:24
users 127:8	verifying	walker 42:4	137:21	west 6:13 7:4
136:13	24:3,15	43:1 46:23	144:24	8:8
137:4 138:3	versus 9:17	47:1	154:23	western 8:5
140:14	138:11	wanda 107:10	155:5,12,15	weve 24:6,20

32:6 40:5
 109:10,12
 142:17,17
 142:18
 147:11,18
 147:24
 148:18
whats 12:20
 30:16 32:2
 38:4 44:24
 69:16,16
 79:4 96:5
 98:18
 107:13
 116:16
 138:13
whereof 160:2
whos 20:15,16
 80:7 81:5
 105:5
wilkinson
 5:17
william 1:18
 2:4,15 4:12
 9:12 11:1
 11:12 38:5
 41:2,4
 157:3
 158:18
wisot 49:3,3
witness 2:3
 5:23 9:8,9
 10:8,9
 26:20 27:1
 28:1 45:7
 45:19,23
 50:23 52:16
 60:6 66:15
 69:3 73:21
 84:14 85:7
 86:2,21
 87:2 90:6
 93:22 94:5
 95:21 97:6
 97:7 99:16
 100:3
 104:20
 110:16
 112:3
 117:23
 118:12
 119:3,16

120:14
 121:12
 122:1 123:5
 124:3,12,16
 124:18
 125:5
 126:15
 127:14,22
 128:10
 137:8 138:7
 139:1 142:4
 143:1 144:6
 144:7,19
 145:4,20
 146:20
 147:5 152:4
 159:11,11
 160:2
wives 118:22
woman 107:6
won 50:22
wondered
 60:11
wondering
 39:5 49:14
 55:10 56:2
 70:4 98:9
wont 134:8
word 59:7
 74:18,20
 102:15
wording 89:7
 126:23
words 110:17
work 15:2,12
 19:14,15,19
 20:3,13
 35:1,15
 37:19 40:14
 40:17
 100:21
 112:9
 118:15
 120:1,8
 144:3 150:6
worked 40:15
 41:21 42:3
 42:11,24
 43:6,21
 48:12 78:12
 93:16 94:11
 105:24,24

151:6
 154:10
worker 115:9
 151:21
workers 35:5
 102:17
 127:18
 140:16
workforce
 105:20
working 20:16
 24:22 34:21
 78:16 87:24
 93:12
 127:19
 150:3,4
 151:11,12
workplace
 3:15 14:13
 114:9
works 54:20
world 88:4
worn 92:7
worry 38:22
written 105:2
wrong 60:14
 104:1
wrote 130:6

X

x 2:1,1,10,10
 3:1,1 62:23
xrays 105:23

Y

yeah 19:10
 33:1 35:23
 38:20 42:4
 48:3 53:3
 54:20 57:16
 59:24 60:20
 66:9 71:10
 73:1,17,21
 74:15 75:24
 79:10 80:3
 80:22 81:17
 84:15 85:16
 89:7 90:7
 90:16 93:23
 94:6 103:6
 107:9 108:7
 109:2,5,17

111:8,9
 114:22
 115:22
 117:24
 118:1,13
 119:4
 122:11
 125:14
 126:16
 128:12
 130:23
 134:14
 139:2,5,15
 143:2
 144:20
 145:5,21
 146:11,21
 156:22
year 48:21
 49:8 65:10
 65:16,18,23
 73:16 78:16
 103:2
yearly 21:4
years 13:7,15
 32:23 34:12
 34:15 36:7
 39:24 40:19
 63:10 67:18
 70:3,6
 71:24 76:18
 76:20 105:8
 105:13
 120:3 121:4
yellow 21:23
yesorno 85:2
yesterday
 10:18
york 5:22
 15:19,20
youd 34:11,11
 83:9 95:5
 101:9
 139:22
youre 26:12
 27:21 38:16
 39:20,21
 43:20 45:3
 55:10 56:13
 85:12,12
 86:12,13,14
 104:2 110:8

112:9
 115:19
 134:7
 139:14
 156:16
youve 11:13
 50:7 63:21
 76:24 85:11
 111:3 134:6
 135:12
 143:8

Z

0

0 59:20 95:11
 100:11,12
 102:1,6,14
 108:1,3,13
 108:16
 123:20
00 101:18
00699 59:21
01 4:14 157:4
 157:6
01memo 2:22
02 160:9,9
04 100:11
07 22:6,14
 26:16 30:22
 57:3 69:14
 73:4 94:20
 96:23 99:3
 101:5
 104:17
 106:16
 110:7
 114:17
 116:21
 123:16
 129:16
 131:18
 134:19
08 28:5

1

1 2:13 7:19
 21:21 22:3
 22:5 23:3,4
 24:21 25:4
 27:4,18,18
 31:17 36:22

51:2 54:12	104:13,16	19685 70:19	1989 54:24	21:19 22:6
76:4,6,7	123:11	19701 70:19	1990 54:24	22:14 26:16
83:5 88:15	131 3:23	1974 13:6	103:23	30:22 57:3
95:11,23	134 3:24	19745 70:20	1993 51:19,20	69:14 73:4
106:23,24	135 7:14	1975 13:4	104:9,22	94:20 96:23
108:3,16	13th 101:12	1976 3:14	128:21	99:3 101:5
123:20	14 2:18,22	110:4	1995 3:13	104:17
128:24	3:12 106:12	112:19	106:11	106:16
135:7,10	106:15	113:7	107:3,3	110:7
139:21	150:2 151:5	1978 13:16	108:3	114:17
148:14,24	1400 7:9 10:2	34:11 40:20	123:19,23	116:21
149:4,19	149 2:6	41:3,17	150:2 151:4	123:16
158:12	14th 6:4	1980 3:16	151:15	129:16
10 3:6,10	31:12 69:9	114:10,13	1998 15:24	131:18
10:1 28:5,9	15 3:14 59:10	115:3	16:3,21	134:19
54:13,16	59:11,15	1980s 58:14	17:23 18:19	149:19
64:23,24	61:18 110:4	58:20	19:1,23	160:4
96:22 97:2	110:6	154:12	36:17	20th 129:11
100 6:4 21:9	152:22	1981 3:5	1999 123:11	21 3:24 52:20
21:11 111:7	158 158:13	13:19 14:17	123:23,24	54:23
135:14	16 3:15 51:2	26:11 31:12	149:8	134:16,18
1000 7:20	101:15	31:21,23		135:13
1001 102:4	114:11,12	32:18 34:2	2	211 6:9
105:19	114:16,24	45:24 51:17	2 2:15,17	22 2:14,15
100s 72:21	152:22	54:24 55:21	4:14 22:11	23 135:17
101 3:9	17 3:17	63:14 94:15	22:13 31:19	2300 7:14
1012 5:8	101:16	113:11,20	89:9 100:14	24 105:2
104 3:11	116:15,20	115:13	105:2	135:7
106 3:13	160:9	140:14	111:12	2400 6:8
108 72:23	18 1:21 3:19	141:5 142:7	157:4,6	25 40:19 62:3
109 72:24	4:13 22:6	1982 97:6	20 3:21,22	26 2:17 3:6
73:6	22:14 26:16	98:16	129:21	97:6 135:10
10th 104:9,22	30:22 57:3	1983 101:12	131:15,17	27 31:21
11 2:5 3:7,8	69:14 73:4	103:2	158:21	2700 6:14
3:22 28:9	94:20 96:23	1985 77:20	200 135:15	27th 32:7
31:23 87:6	99:3 101:5	1986 2:19	2000 11:19	28 2:17
87:10 97:19	104:17	3:18 56:20	149:8	28th 26:10
98:16,17,20	106:16	56:23 57:18	20001 5:23	29 105:19
99:2	110:7	59:5 60:11	2000s 149:14	29th 160:3
110 3:14	114:17	75:14	2001 69:9	
114 3:16	116:21	116:17	2003 14:19,20	3
116 3:18	123:13,15	129:3,11,21	15:10 16:3	3 2:16 3:10
12 3:9 21:10	123:16	130:5 132:4	16:5,22	3:21 26:11
21:13 101:2	129:16	132:15,22	19:4,5	26:15 27:5
101:4	131:18	132:24	2004 15:4,5	27:18 28:20
109:20,24	134:19	142:10	15:13 19:4	30:5 87:9
1200 4:15	182 108:1	144:8	31:24	109:19
9:21	18th 9:13	1987 2:21	200mile 71:16	115:3 130:4
123 3:20	19 3:21 83:13	56:20 59:5	201 5:8	30 2:18
108:13	91:17 102:4	60:11	2012 11:21,22	109:12
129 3:21	129:13,15	1988 3:24	2013 1:21	300 7:4
13 3:9,10,20	1910 105:19	134:14	4:13 9:13	303 7:4

33 6:13 7:9
 83:5 109:20
 330 8:4
 3300 8:4
 34 87:6
 37 64:2 102:1
 102:6
 385 108:14
 39 4:14 9:14
 64:24 65:4
 39567 5:18

4

4 2:18 30:11
 30:21 32:2
 32:8 75:14
 109:23
 40 89:1,10
 90:3,13
 127:19
 138:10
 152:6
 400 34:9
 401 108:1
 41 89:1 90:4
 90:14
 42 91:17
 43 54:13
 88:16
 109:24
 44 148:14
 46 87:10
 46204 6:9

5

5 2:19 3:6,20
 56:23,23
 57:2,12,18
 102:14
 123:11
 148:23
 157:2
 50 20:5 54:16
 52 148:24
 525 8:8
 56 20:9
 57 2:20,21

6

6 2:21 3:8
 21:13 56:23
 57:3 130:4

60602 7:10
 60603 6:14
 7:15
 60606 7:5
 60611 8:5
 60s 152:18
 61 100:12
 6100 6:18
 62002 5:4
 62025 5:9
 6:19
 62220 8:9
 63 129:1
 63102 6:5
 63105 5:14
 7:20
 69 2:23
 6th 107:3

7

7 2:18,22 3:9
 69:13
 101:18
 700 21:13
 73 3:3
 734 5:18
 7701 5:13
 78 13:21
 57:19
 79 139:22,23
 140:4
 7th 31:24

8

8 3:3,22
 36:23 37:1
 37:2 40:3
 40:10 70:2
 72:8 73:3
 800 5:13
 80s 36:9
 77:24
 139:17
 154:24
 81 2:17,18
 13:21 14:2
 36:8 41:13
 47:20 65:17
 95:1
 82 3:6,8
 41:14 47:13
 47:15,20

98:20
 8200 12:22
 83 3:9 41:23
 47:14,15
 63:17
 843705 1:24
 4:16 160:8
 85 63:17
 86 3:21,22
 59:8 63:17
 129:8
 155:14
 87 41:8 59:8
 129:9
 88 41:24
 47:23 48:18
 89 38:1 40:11

9

9 2:22 3:4
 4:14 9:14
 20:5,9
 36:24 38:7
 38:10,16,22
 94:17,19
 109:12
 90 41:8
 901 5:22
 90s 139:17
 149:14
 91 133:20
 92 111:12
 93 3:10 38:1
 40:11 47:24
 48:18 65:17
 105:2
 94 3:5
 95 105:8
 96 3:6 70:3
 98 16:5,22,24
 17:12 70:3
 99 3:8,20