

Edward Drislane
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Hughes et al. v. Johns-Manville et al.
August 23, 1982

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IN THE COURT OF COMMON PLEAS
FOR PHILADELPHIA COUNTY

ROBERT A. HUGHES, SR.,	:	OCTOBER TERM, 1981
Plaintiff	:	
vs.	:	CIVIL TRIAL DIVISION
	:	JURY TRIAL DEMAND
JOHNS-MANVILLE CORPORATION,	:	
ET AL,	:	
Defendants	:	NO. 4530 (811)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JANET M. RICE, Administratrix :	CIVIL ACTION
of the Estate of PAUL S. RICE,	
Deceased	
Plaintiff :	
vs. :	JURY TRIAL DEMANDED
JOHNS-MANVILLE CORPORATION, :	
et al,	
Defendants :	NO. 80-0662
NANCY W. REES, Executrix of :	CIVIL ACTION
the Estate of KERMIT M. REES	
and NANCY W. REES, in her own	
right,	
Plaintiffs :	JURY TRIAL DEMANDED
vs. :	
JOHNS-MANVILLE CORPORATION, :	
et al,	
Defendants :	NO. 80-4034

McKinley Wise & Associates, Inc.
Registered Professional Reporters
1211 Chestnut St., Suite 901
Philadelphia, Pa. 19107
(215) 564-2181

—
Paramus, New Jersey
August 23, 1982
—

Deposition of EDWARD DRISLANE, held at
FRICTION MATERIALS STANDARDS INSTITUTE, E-210, Route 4,
at 10:00 a.m., on the above date, before McKinley Wise,
a Registered Professional Reporter, Notary Public and
Approved Reporter for the United States District
Court.

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IN THE COURT OF COMMON PLEAS
FOR PHILADELPHIA COUNTY

ROBERT A. HUGHES, SR., : OCTOBER TERM, 1991
Plaintiff
vs.

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Defendants : NO. 4530(811)

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JANET M. RICE, Admrx. : CIVIL ACTION
vs.

JOHNS-MANVILLE CORP., et al
Defendants : NO. 80-0662
And related case N
80-4034

E X H I B I T S

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1 MR. AHERNE: Richard Aherne, for
2 Pittsburgh Corning.

3 On July 29, 1982 UNR Industries
4 Corporation filed a petition in the United
5 States Bankruptcy Court for the Northern
6 District of Illinois, Eastern Division seeking
7 reorganization treatment pursuant to Chapter XI
8 of the Bankruptcy Code. As a result of this
9 filing, Pittsburgh Corning Corporation takes the
10 position that all litigation in which UNR or
11 UNARCO was a party at that time or the filing is
12 automatically stayed. That would include this
13 case.

14 On behalf of Pittsburgh Corning
15 Corporation, we respectfully request this
16 discovery be postponed and that stay be
17 respected.

18 If this request is denied, we shall
19 remain and participate; however, it will be the
20 position of Pittsburgh Corning Corporation that
21 first, this discovery will be taken in violation
22 of the automatic stay under title 11 U.S.C.
23 Section 362 and therefore, will be without
24 effect; and second, our participation herein

1 shall not in any way be deemed a waiver of our
2 position as previously stated.

3 MS. BERNER: I think it's
4 appropriate that I respond to the statement,
5 especially to the extent that the request for
6 postponing this discovery is directed to me.

7 First, that request is respectful
8 denied and we intend to proceed. We have made
9 our position quite clear in other depositions
10 taken last week in which the identical statement
11 was read on behalf of Pittsburgh Corning. We
12 not believe that any automatic stay connected
13 with UNARCO's bankruptcy has any effect on
14 litigation with other co-defendants and on that
15 basis we're proceeding.

16 EDWARD W. DRISLANE, having been
17 first duly sworn, was examined and testified as
18 follows:

19 EXAMINATION

20 BY MS. BERNER:

21 Q. Mr. Drislane, what is your position with
22 the Friction Materials Standards Institute?

23 A. Secretary.

24 Q. Do you hold any other position with the

1 - Institute?

2 A. Executive Director.

3 Q. How long have you been associated with t
4 institute?

5 A. October 1970 I started.

6 Q. Is it a full-time position?

7 A. Yes.

8 Q. What was your employment immediately
9 before your position with FMSI?

10 A. Haskins & Sells, a certified public
11 accountant.

12 Q. We're in an office on Route 4 in Paramus,
13 New Jersey.

14 Is that the only office of FMSI?

15 A. Yes.

16 Q. How long has it been at this address?

17 A. January 1, 1972.

18 Q. As Secretary or Executive Director of the
19 Institute, do you have particular responsibility
20 for organizing and maintaining files and other
21 documents?

22 A. Yes.

23 Q. What is that responsibility?

24 A. Repeat your full question before that then

1 It is maintaining files.

2 Q. You have chief responsibility for
3 maintaining the files of the Institute?

4 A. Yes.

5 Q. Where are those files physically locate

6 A. At this office.

7 Q. Are all FMSI files in this office?

8 A. Yes.

9 Q. How long has FMSI been in existence?

10 A. Since about 1948.

11 Q. Did it exist in any other form, by any
12 other name before that date?

13 A. Yes.

14 Q. What was it's prior existence?

15 A. I don't understand the question.

16 Q. In what form did it exist before 1948; d.
17 it have a different name?

18 A. Yes.

19 Q. What was its name then?

20 A. Brake Lining Manufacturers Association.

Stop

21 Q. And how long had that organization existe

22 A. I don't know.

23 Q. As far as you know, is the Brake Lining
24 Manufacturers Association the only predecessor

1 to FMSI?

2 A. No.

3 Q. What are the others?

4 A. I don't know.

5 Q. Mr. Drislane, when we were waiting for
6 this deposition to begin I couldn't help but
7 notice a brochure in the front office, perhaps
8 entitled history of Friction Materials Standard
9 Institute or at least indicating the history of
10 this organization.

11 Are you familiar with the pamphlet

12 A. Yes.

13 Q. Is that pamphlet among the documents that
14 you are producing today in response to a
15 subpoena?

16 A. Yes.

17 Q. To the best of your knowledge, does that
18 pamphlet depict a true and accurate history of
19 this organization?

20 A. Yes.

21 Q. So that the questions I have just asked
22 you and that you are not aware of, I should be
23 be able to find the answer in that pamphlet?

24 A. I think so.

1 Q. Where is that pamphlet.

2 MS. BERNER: let's have that
3 as the first exhibit.

4 We'll do the others quickly.

5 A. Here it is.

6 MS. BERNER: I would just like
7 copy for the Court Reporter to mark. We're
8 going to mark all the exhibits generated by
9 today's deposition as FMSI Exhibit 1 and forward
10 So this one will be FMSI Exhibit 1.

11 (Exhibit FMSI-1 marked for
12 identification.)

13 Q. Mr. Drislane, are you familiar with the
14 Notice of Deposition I caused to be served on
15 you within the last several weeks?

16 A. I don't understand the question. I
17 received a subpoena.

18 Q. All right.

19 That subpoena listed certain items,
20 certain documents that I wanted to inspect, is
21 that correct?

22 A. Yes.

23 Q. The first category of items I am reading
24 from the Notice of Deposition is membership list

1 - of the Friction Materials Standards Institute
2 from the inception of the Institute to the
3 present.

4 Have you produced those membershi
5 lists today?

6 MR. GORMAN: We have produced another
7 group of documents called for, namely, minutes
8 and papers of and Asbestos Study Committee which
9 the group has been looking at. There are other
10 documents over on the window shelf to be
11 produced and we can produce each of those and
12 have them marked on the basis of the files now.

13 MS. BERNER: That's what I
14 understand we were doing, Mr. Gorman, and in
15 light of the subpoena, I would like Mr. Drislane
16 if he has those available today, I would like to
17 know which folder or file contains the
18 membership list of the entire Institute from its
19 beginning to the present. Once that is
20 identified, we'll move on.

21 Or we can, as we said before, take
22 the time now to mark each of those membership
23 lists.

24 MR. GORMAN: They are within

1 another group which he can tell you of. They
2 are not pulled by themselves but they are part
3 of another group which is also called for here

4 THE WITNESS: They don't exist by
5 themselves the way you asked for it.

6 MS. BERNER: All right.

7 Q. How about the second category, membershi
8 list of the Asbestos Study Committee of the
9 Institute from the beginning of that committee
10 to the present.

11 Is there a separate file containi:
12 those membership lists?

13 A. In the Asbestos Study Committee minutes
14 there is a list of the roster of people on the
15 committee at the time. That provides the
16 information you are asking for in that area.
17 That's in the Asbestos Study Committee minutes.
18 That's the only place they exist.

19 Q. Thank you.

20 Where will I find the membership
21 list of the entire Institute?

22 A. In the minutes of the membership meetings
23 which are available to you.

24 Q. That is the third category on the subpoena

1 - that category I am reading from is the subpoe:

2 Minutes of all meetings of the
3 Institute's Board of Directors, general
4 membership, Asbestos Study Committee or any
5 other committee or subdivision of the Institut
6 in which the use of asbestos in brakes and or
7 friction materials was discussed.

8 Have you made available today
9 minutes of the Board of Directors of the
10 Institute?

11 A. Yes.

12 Q. Which files are those?

13 MR. GORMAN: Can I go off the
14 record.

15 (Discussion held off the record.)

16 A. They're identified as Board of Directors
17 Minutes.

18 THE WITNESS: To answer your
19 question, there is a Board of Directors Minutes
20 that is in one book from 1970 on to the present
21 and back further there are blue files up there
22 called Board of Directors and in there you would
23 find everything related to the Board of
24 Directors from 1969 which abuts the other one

1 - back to the formation of the corporation.

2- MR. GORMAN: Would you like to --

3 A. They are the minutes from 1970 on.

4 Everything earlier is in pandaflex folders.

5 Q. The blue pandaflex folders?

6 A. Those particular blue pandaflex folders,
7 these ones here.

8 I don't know whether the red are
9 here.

10 Let me just check.

11 I think it is just these blue ones

12 Q. Mr. Drislane, is there any identifying
13 label on those blue folders?

14 A. Yes, Board of Directors, 1966-1969.

15 Q. That's for one folder. Would you read the
16 other three or four folders?

17 A. Board of Directors, 1965.

18 Board of Directors, 1956-'59.

19 Board of Directors 1950-55.

20 Board of Directors 1949.

21 Q. In addition, you have handed me a black
22 binder and on the binder is a green label that
23 says "Board of Directors"?

24 A. Those are the minutes in the file since I

1 came with the Institute which are organized a
2 little bit better than the earlier ones.

3 Q. Mr. Drislane, to the best of your
4 knowledge are the minutes contained in each of
5 the blue folders you have just described and t
6 black binders true and correct copies of minut
7 of meeting held by the board of this Institute

8 A. Yes.

9 Q. Do you have any reason to believe that th
10 minutes as they appear in those folders or in
11 the black binder have been altered in any way c
12 materially changed?

13 A. No.

14 Q. In your opinion, therefore, they are the
15 official record of those Board meetings, is tha
16 correct?

17 A. Yes.

18 Q. Mr. Drislane, the third category of the
19 Notice of Deposition also refers to minutes of
20 meeting of the general membership?

21 A. Yes.

22 Q. Are there minutes of the general
23 membership in this room?

24 A. Yes.

1 Q. Would you again identify them in the sa
2 manner?

3 A. This book here, black book without a la
4 is the committee's minutes from about 1970 up
5 the present. It's the membership.

6 And around six files here that
7 might possibly be an overlap which start in 19
8 and go up through 1973. So that would overlap
9 of what you have there because that started in
10 1970. So there is six folders:

11 Annual Minutes 1948-'49.

12 Annual Minutes 1950-'55; Annual
13 Minutes, 1956-'59, Annual Minutes 1960-'65;
14 Annual Minutes 1966-'69, and the one which may
15 be an overlap, Annual Minutes 1970-'73.

16 Q. Again, Mr. Drislane, to the best of your
17 information are the minutes contained in those
18 folders and in the binders a true and correct
19 copy of the minutes of the general membership of
20 FMSI?

21 A. Yes.

22 Q. Again, do you have any reason to believe
23 that they have been altered in any fashion?

24 A. No.

1 Q. So these are the official records of the
2 general membership of the Institute, is that
3 correct?

4 A. Yes.

5 Q. Category three of the subpoena also refe
6 to minutes of meetings of the Asbestos Study
7 Committee.

8 Am I correct in understanding that
9 those minutes have already been isolated and
10 shown to me earlier this morning?

11 A. That's correct.

12 Q. Would you just look through these, please
13 Mr. Drislane, the minutes that you
14 are looking at right now are for the following
15 dates and each one indicates that it is a minute
16 of meetings of the Asbestos Study Committee or
17 of that same committee under its new name.
18 Would you remind me please what its new name is?

19 A. The Health and Environmental Affairs
20 Committee.

21 Q. Now the dates of those minute are:

22 September 15, 1971; February 10,
23 1972; August 17, 1972; February 16, 1973; June 1
24 1973; June 14, 1974; April 28, 1975; October 24,

1 1975; March 28, 1977; January 19, 1978; August
2 1978; October 25, 1979; January 14, 1981 and
3 April 28, 1982.

4 Mr. Drislane, you look puzzled at
5 the same point as I did. There are no minutes
6 for 1980.

7 As far as you know, were any
8 meetings held of the Asbestos Study Committee
9 1980?

10 A. I hesitated for a different reason than
11 what you did. Because we always start the
12 meeting with a minute of the previous meeting
13 and that particular meeting they didn't do. I
14 was going by the previous meeting to make sure
15 didn't miss something.

16 Q. Do you know if the Asbestos Study
17 Committee met in 1980?

18 A. I am looking.

19 Would you give me a few minutes?

20 Q. Oh, certainly.

21 A. You people shuffle these things around.

22 Q. That is the complete package in the order
23 that you handed them to me about an hour ago.

24 A. Just give me a minute, please.

1 There are no 1980 minutes. Ther
2 were no minutes.

3 Q. To the best of your knowledge, are the
4 minutes, the dates for which I have just read
5 the complete set of minutes of the Asbestos
6 Study Committee?

7 A. Yes.

8 Q. Do you have any reason to believe that t
9 contents of any of those minutes have been
10 changed in any fashion?

11 A. No.

12 Q. Therefore, is it safe to assume that they
13 are accurate reflections of the meetings of the
14 committee?

15 A. Yes.

16 Q. I do want each of the minutes marked.

17 They can be marked FMSI exhibits
18 through 15.

19 (Exhibit FMSI-2 through 15 marked
20 for identification.)

21 Q. Mr. Drislane, the fourth category on the
22 subpoena asks for reports, bulletins and/or any
23 other communication about the health hazards
24 associated with asbestos exposure which were

1 prepared by and/or distributed by the Institut
2 or any of its subdivisions to all or part of a
3 general Institute and/or to the public?

4 Have you brought any documents or
5 segregated any documents for our review under
6 that category?

7 A. Yes.

8 Q. And where are those documents?

9 A. There were three miscellaneous folders
10 which may relate to what you asked for. I
11 really don't know what you are asking for.

12 This is called Asbestos Articles,
13 this folder here.

14 Q. Where did you get that particular folder
15 called Asbestos Articles?

16 A. I bought the folder from a stationary
17 store. I stuffed it with things that came in
18 here. They seemed to relate to some of the
19 questions on asbestos during the years.

20 Q. Is this a folder that you have kept in
21 your capacity as Secretary or Executive Director
22 of the Institute?

23 A. Yes.

24 Q. Was such a folder maintained before your

1 arrival at the Institute?

2 A. No.

3 Q. When you came to the Institute in 1970,
4 believe you said, do you know if there were
5 files or a file on asbestos health hazards?

6 A. Yes. I know.

7 Q. You know that there was such a file?

8 A. I know there wasn't.

9 Q. How do you know that?

10 A. Because simply I went over files when I
11 came on board and there wasn't any.

12 Q. The file that you have shown me marked
13 Asbestos Articles then is a folder that you have
14 generated since 1970?

15 A. Correct.

16 Q. Glancing through this, Mr. Drislane, it
17 appears to be memorandum reprints of magazine
18 articles or other sorts of articles from other
19 Institutes not written by or produced under the
20 auspices of your Institute, is that correct?

21 A. That's correct.

22 Q. The second of these folders is another
23 manilla folder marked asbestos papers. What is
24 this folder?

1 A. Papers that have been published concern
2 asbestos and health that I have picked up
3 through the years.

4 Q. Again, these articles appear to be
5 documents that were generated outside of the
6 Friction Materials Standards Institute, is that
7 correct?

8 A. That's correct.

9 Q. And the third folder is entitled Asbestos
10 Exposure Levels, Brake Shops.

11 Again, this appears to be a series
12 of articles, papers, magazine articles and
13 similar documents generated by entities other
14 than FMSI, is that correct?

15 A. Yes.

16 Q. You answered earlier that the first of
17 these files, the one marked Asbestos Articles is
18 one that you have maintained since 1970 when you
19 became associated with FMSI. Is that true of
20 all three folders?

21 A. Yes.

22 Q. Again, none of the three folders existed
23 prior to your becoming involved with the
24 Institute in 1970, is that correct?

1 A. That's correct.

2 Q. Have you made any or all of the articles
3 in any of those three files available to the
4 members of FMSI or members of any subcommittee

5 A. Could you state that question again,
6 please?

7 MS. BERNER: Why don't you read it
8 back, Mac.

9 (Pending question was read)

10 MR. GORMAN: What do you mean by
11 available: sent them to them or told them about
12 them or kept them in the office so as somebody
13 came by here they could see them or what?

14 MS. BERNER: Any of those things.

15 THE WITNESS: Yes.

16 Q. Which of those things?

17 A. I don't know.

18 Q. Have you sent some of these articles to
19 members of the Institute?

20 A. Yes.

21 Q. Have you told the members about any of the
22 articles without sending copies?

23 A. I don't recall.

24 I don't believe so.

1 Q. Have you made them available to members
2 who may come into the Institute to review
3 information about asbestos?

4 A. In direct answer to your question, no.
5 Nobody has come in, though.

6 Q. So of those three ways of designating the
7 information it is most likely that if any of the
8 members have received these articles, it has
9 been because you have mailed copies, is that
10 correct?

11 A. Yes.

12 Q. Do you know if that dissemination was
13 limited to the members of the Asbestos Study
14 Committee as opposed to the members at large?

15 A. I don't know.

16 Q. If you had disseminated any of this
17 information to the members, whether the members
18 at large or the members of the Asbestos Study
19 Committee, would there be documentation of that
20 in the folders that you have provided today?

21 A. Yes.

22 Q. Mr. Drislane, how many employees does the
23 Institute have?

24 A. That's a sweet heart.

1 Right now, one.

2 Q. I consider that must be you?

3 A. Yes, right. There is a gentlemen who is
4 out front helping me for a few days. I am
5 trying to get help. Right now there is two of
6 us, he and myself.

7 Q. Generally, how many employees does the
8 Institute have?

9 A. Two.

10 Q. You and a clerical receptionist type
11 person?

12 A. Yes..

13 Q. Mr. Drislane, the first and last category
14 on the subpoena asks you to provide reports,
15 bulletins and/or other communication about the
16 health hazards associated with asbestos exposure
17 which were received by the Institute from any of
18 its members, any government agency, any trade
19 Association and/or any other person or entity.

20 Do you have separate files to be
21 produced today with that file?

22 A. No.

23 Q. Is that included in the three files we
24 have just discussed?

1 have just discussed?

2 A. That's included in one of those three
3 files.

4 Q. Which one would that be?

5 A. Asbestos Study Committee file.

6 Wait a second.

7 Maybe you don't have that.

8 Q. That's true. The three files that you
9 showed me Asbestos Articles, Asbestos Papers,
10 and Exposure Levels.

11 MR. SAMSON: Off the record.

12 (Discussion is held off the
13 record.)

14 MS. BERNER: So again anything tha
15 you have --

16 MR. GORMAN: I think that should b.
17 on the record.

18 BY MS. BERNER:

19 Q. Anything that complies with the first
20 category that I have just read, the first
21 category of the subpoena would be located in the
22 one of several blue folders marked Asbestos
23 Study Committee, is that correct?

24 A. Yes, including the fact that the latest

1 folder is red but I am not sure.

2 Q. While we're on that point, we haven't
3 discussed these folders yet.

4 Before this deposition began, we
5 started reviewing certain documents that are in
6 expandable folders, each is marked Asbestos
7 Study Committee with dates after that name.

8 What are those documents?

9 A. They generally include what you just ask
10 about, in other words, general correspondence
11 that came in, went out, and stuff like that
12 involving asbestos.

13 Q. Involving asbestos or involving Asbestos
14 Study Committee.

15 I am talking about those particula
16 folders now marked Asbestos Study Committee?

17 A. Well, yes that could have been any kind of
18 bulletin to the membership alerting them to some
19 particular problem or things like.

20 Q. Bulletins from you?

21 A. Bulletins from the office out to them, yes
22 stuff like that.

23 I believe the information you were
24 just asking for.

1 Q. To the best of your knowledge, are the
2 contents of the Asbestos Study Committee fold-
3 true and correct copies of all correspondence
4 sent to or received from the members of that
5 Committee?

6 A. Yes.

7 Q. Again, do you have any reason to believe
8 that the contents of any of those folders have
9 been altered in any way?

10 A. No.

11 Q. So that as we look through those today at
12 the marked copies, we can be assured that those
13 are the official records of the Asbestos Study
14 Committee as kept by you, is that correct?

15 A. Yes, but they are correspondence to them
16 not the records of the Committee. They include
17 other things.

18 The answer to your question, yes.

19 Q. Other than the folders we have discussed
20 today, are there other records of the Asbestos
21 Study Committee?

22 A. No.

23 Q. You have produced, then, today, for our
24 inspection, every piece of paper that has to do

1 with the Asbestos Study Committee?

2 A. I believe so.

3 Q. Who has access to all of the records or
4 any of the records that we have been discussing
5 this morning, other than yourself, Mr. Drislane?

6 A. No one.

7 Q. You are the only person?

8 A. Yes.

9 MR. GORMAN: Outside of a session
10 such as this?

11 MS. BERNER: Well, of course.

12 Off the record for a minute.

13 (Discussion held off the record.)

14 MS. BERNER: Let's go back and mark
15 this folders, folders A so that all categories
16 of documents have a folder.

17 We have previously marked FMSI
18 Exhibit 1 through 15.

19 Exhibit 1 will stay the same. That
20 is a pamphlet about the history of FMSI.

21 Exhibits 2 through 15, however,
22 will now have a subcategory.

23 This will be A-2 through 16.

24 That is because we are marking the

1 - temporary folders in which those documents were
2 contained as Folder A.

3 We'll in turn go through each of the
4 folders Mr. Drislane has already discussed and
5 give them a letter designation.

6 So we'll do all that off the record
7 to make ultimate identification of these
8 documents easier.

9 (Folders were marked A through Z
10 and AA for identification.)

11 MS. BERNER: Every folder in every
12 binder now has a letter assigned to it.

13 The only letter FMSI which is the
14 pamphlet on the history on this organization.

15 Each folder has a letter. The
16 first folder letter A is the Asbestos Study
17 Committee minutes, 1971 to 1982.

18 This is the list I previously read
19 into the record. It is certain specific minutes

20 MR. JOHNS: That was Exhibit 2
21 through 15 before.

22 MS. BERNER: Yes, it is now
23 Exhibit 1.

24 The next series of folders are all

1 folders marked Asbestos Study Committee.

2 Folder B is 1971.

3 Folder C is 1971 through '72.

4 Folder D is 1973.

5 Folder E is 1974 through '75.

6 Folder F is 1975 through '76.

7 Folder G is 1977 through '79.

8 Folder H is 1980 through '81.

9 Folder I is undated but contains

10 1982 documents.

11 The next group of folders are all

12 those marked annual meeting.

13 Folder J is 1948 through '49.

14 Folder K is 1950 through '55.

15 Folder L is 1956 through '59.

16 Folder M is 1960 through '65.

17 Folder N is 1966 through '69.

18 Folder O is 1970 through '73.

19 The next group of folders are all

20 all marked Board of Directors.

21 Folder P is 1949.

22 Folder Q is 1950 through '55.

23 Folder R is 1956 through '59.

24 Folder S is 1960 through '65.

1 Folder T is 1966 through '69.

2 Folder U is undated.

3 Folder V is undated.

4 Folder W is a binder.

5 And X is a binder.

6 The last three folders are the
7 manila folders that Mr. Drislane described that
8 he keeps himself with various articles and
9 documents in them.

10 Folder Y is entitled Asbestos
11 Exposure Levels, Brake Shops.

12 Folder Z is entitled Asbestos
13 Papers.

14 Folder AA is entitled Asbestos
15 Articles.

16 All of the folders have been marked
17 on their covers.

18 The binders have been marked on
19 their cover sheet. The marking is FMSI and then
20 the letter that I have read for identification.

21 And today's date, August 23, 1982.

22 MS. BERNER: Off the record.

23 (Discussion is held off the
24 record.)

[illegible]

IN THE COURT OF COMMON PLEAS
FOR PHILADELPHIA COUNTY

ROBERT A. HUGHES, SR.,	:	OCTOBER TERM, 198
Plaintiff	:	
vs.	:	CIVIL TRIAL DIVIS
	:	JURY TRIAL DEMAND
JOHNS-MANVILLE CORPORATION,	:	
ET AL,	:	
Defendants	:	NO. 4530 (811)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JANET M. RICE, Administratrix :	CIVIL ACTION
of the Estate of PAUL S. RICE,	
Deceased	
Plaintiff :	
vs. :	JURY TRIAL DEMANDE
JOHNS-MANVILLE CORPORATION, :	
et al,	
Defendants :	NO. 80-0662
NANCY W. REES, Executrix of :	CIVIL ACTION
the Estate of KERMIT M. REES	
and NANCY W. REES, in her own	
right,	
Plaintiffs :	JURY TRIAL DEMANDED
vs. :	
JOHNS-MANVILLE CORPORATION, :	
et al,	
Defendants :	NO. 80-4034

McKinley Wise & Associates, Inc.
Registered Professional Reporters
1211 Chestnut St., Suite 901
Philadelphia, Pa. 19107
(215) 564-2181

Paramus, New Jersey
August 23, 1982

Deposition of EDWARD DRISLANE, held at
FRICTION MATERIALS STANDARDS INSTITUTE, E-210, Route 4
at 10:00 a.m., on the above date, before McKinley Wise
a Registered Professional Reporter, Notary Public and
Approved Reporter for the United States District
Court.

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IN THE COURT OF COMMON PLEAS
FOR PHILADELPHIA COUNTY

ROBERT A. HUGHES, SR., : OCTOBER TERM, 198
Plaintiff
vs.

JOHNS-MANVILLE CORP., et al
Defendants : NO. 4530 (811)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JANET M. RICE, Admr. : CIVIL ACTION
vs.

JOHNS-MANVILLE CORP., et al
Defendants : NO. 80-0662
And related case No
80-4034

E X H I B I T S

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FMSI-1	Pamphlet about History of FMSI	9
FMSI-2 to FMSI-15	Group of documents	18
FMSI-1A to FMSI-1Z and AA	Group of folders	29

1 MR. AHERNE: Richard Aherne, for
2 Pittsburgh Corning.

3 On July 29, 1982 UNR Industries
4 Corporation filed a petition in the United
5 States Bankruptcy Court for the Northern
6 District of Illinois, Eastern Division seeking
7 reorganization treatment pursuant to Chapter X
8 of the Bankruptcy Code. As a result of this
9 filing, Pittsburgh Corning Corporation takes the
10 position that all litigation in which UNR or
11 UNARCO was a party at that time or the filing is
12 automatically stayed. That would include this
13 case.

14 On behalf of Pittsburgh Corning
15 Corporation, we respectfully request this
16 discovery be postponed and that stay be
17 respected.

18 If this request is denied, we shall
19 remain and participate; however, it will be the
20 position of Pittsburgh Corning Corporation that
21 first, this discovery will be taken in violation
22 of the automatic stay under title 11 U.S.C.
23 Section 362 and therefore, will be without
24 effect; and second, our participation herein

1 shall not in any way be deemed a waiver of our
2 position as previously stated.

3 MS. BERNER: I think it's
4 appropriate that I respond to the statement,
5 especially to the extent that the request for
6 postponing this discovery is directed to me.

7 First, that request is respectful
8 denied and we intend to proceed. We have made
9 our position quite clear in other depositions
10 taken last week in which the identical statement
11 was read on behalf of Pittsburgh Corning. We
12 not believe that any automatic stay connected
13 with UNARCO's bankruptcy has any effect on
14 litigation with other co-defendants and on that
15 basis we're proceeding.

16 EDWARD W. DRISLANE, having been
17 first duly sworn, was examined and testified as
18 follows:

19 EXAMINATION

20 BY MS. BERNER:

21 Q. Mr. Drislane, what is your position with
22 the Friction Materials Standards Institute?

23 A. Secretary.

24 Q. Do you hold any other position with the

1 - Institute?

2 A. Executive Director.

3 Q. How long have you been associated with
4 institute?

5 A. October 1970 I started.

6 Q. Is it a full-time position?

7 A. Yes.

8 Q. What was your employment immediately
9 before your position with FMSI?

10 A. Haskins & Sells, a certified public
11 accountant.

12 Q. We're in an office on Route 4 in Paramus,
13 New Jersey.

14 Is that the only office of FMSI?

15 A. Yes.

16 Q. How long has it been at this address?

17 A. January 1, 1972.

18 Q. As Secretary or Executive Director of the
19 Institute, do you have particular responsibility
20 for organizing and maintaining files and other
21 documents?

22 A. Yes.

23 Q. What is that responsibility?

24 A. Repeat your full question before that then

1 It is maintaining files.

2 Q. You have chief responsibility for
3 maintaining the files of the Institute?

4 A. Yes.

5 Q. Where are those files physically located?

6 A. At this office.

7 Q. Are all FMSI files in this office?

8 A. Yes.

9 Q. How long has FMSI been in existence?

10 A. Since about 1948.

11 Q. Did it exist in any other form, by any
12 other name before that date?

13 A. Yes.

14 Q. What was it's prior existence?

15 A. I don't understand the question.

16 Q. In what form did it exist before 1948; did
17 it have a different name?

18 A. Yes.

19 Q. What was its name then?

20 A. Brake Lining Manufacturers Association.

Stop

21 Q. And how long had that organization existed?

22 A. I don't know.

23 Q. As far as you know, is the Brake Lining
24 Manufacturers Association the only predecessor

1 To FMSI?

2 A. No.

3 Q. What are the others?

4 A. I don't know.

5 Q. Mr. Drislane, when we were waiting for
6 this deposition to begin I couldn't help but
7 notice a brochure in the front office, perhaps
8 entitled history of Friction Materials Standard
9 Institute or at least indicating the history of
10 this organization.

11 Are you familiar with the pamphlet

12 A. Yes.

13 Q. Is that pamphlet among the documents that
14 you are producing today in response to a
15 subpoena?

16 A. Yes.

17 Q. To the best of your knowledge, does that
18 pamphlet depict a true and accurate history of
19 this organization?

20 A. Yes.

21 Q. So that the questions I have just asked
22 you and that you are not aware of, I should be
23 be able to find the answer in that pamphlet?

24 A. I think so.

1 Q. Where is that pamphlet.

2 MS. BERNER: let's have that
3 as the first exhibit.

4 We'll do the others quickly.

5 A. Here it is.

6 MS. BERNER: I would just like
7 copy for the Court Reporter to mark. We're
8 going to mark all the exhibits generated by
9 today's deposition as FMSI Exhibit 1 and forward
10 So this one will be FMSI Exhibit 1.

11 (Exhibit FMSI-1 marked for
12 identification.)

13 Q. Mr. Drislane, are you familiar with the
14 Notice of Deposition I caused to be served on
15 you within the last several weeks?

16 A. I don't understand the question. I
17 received a subpoena.

18 Q. All right.

19 That subpoena listed certain items,
20 certain documents that I wanted to inspect, is
21 that correct?

22 A. Yes.

23 Q. The first category of items I am reading
24 from the Notice of Deposition is membership list

1 - of the Friction Materials Standards Institute
2 from the inception of the Institute to the
3 present.

4 Have you produced those membersh
5 lists today?

6 MR. GORMAN: We have produced anot
7 group of documents called for, namely, minutes
8 and papers of and Asbestos Study Committee whi
9 the group has been looking at. There are othe
10 documents over on the window shelf to be
11 produced and we can produce each of those and
12 have them marked on the basis of the files now

13 MS. BERNER: That's what I
14 understand we were doing, Mr. Gorman, and in
15 light of the subpoena, I would like Mr. Drislar
16 if he has those available today, I would like t
17 know which folder or file contains the
18 membership list of the entire Institute from it
19 beginning to the present. Once that is
20 identified, we'll move on.

21 Or we can, as we said before, take
22 the time now to mark each of those membership
23 lists.

24 MR. GORMAN: They are within

1 another group which he can tell you of. They
2 are not pulled by themselves but they are par
3 of another group which is also called for her

4 THE WITNESS: They don't exist b
5 themselves the way you asked for it.

6 MS. BERNER: All right.

7 Q. How about the second category, membershi
8 list of the Asbestos Study Committee of the
9 Institute from the beginning of that committee
10 to the present.

11 Is there a separate file containi
12 those membership lists?

13 A. In the Asbestos Study Committee minutes
14 there is a list of the roster of people on the
15 committee at the time. That provides the
16 information you are asking for in that area.
17 That's in the Asbestos Study Committee minytes.
18 That's the only place they exist.

19 Q. Thank you.

20 Where will I find the membership
21 list of the entire Institute?

22 A. In the minutes of the membership meetings
23 which are available to you.

24 Q. That is the third category on the subpoena

1 - that category I am reading from is the subpoe
2 Minutes of all meetings of the
3 Institute's Board of Directors, general
4 membership, Asbestos Study Committee or any
5 other committee or subdivision of the Institu-
6 in which the use of asbestos in brakes and or
7 friction materials was discussed.

8 Have you made available today
9 minutes of the Board of Directors of the
10 Institute?

11 A. Yes.

12 Q. Which files are those?

13 MR. GORMAN: Can I go off the
14 record.

15 (Discussion held off the record.)

16 A. They're identified as Board of Directors
17 Minutes.

18 THE WITNESS: To answer your
19 question, there is a Board of Directors Minutes
20 that is in one book from 1970 on to the present
21 and back further there are blue files up there
22 called Board of Directors and in there you woul
23 find everything related to the Board of
24 Directors from 1969 which abuts the other one

1 - back to the formation of the corporation.

2 MR. GORMAN: Would you like to --

3 A. They are the minutes from 1970 on.

4 Everything earlier is in pandaflex folders.

5 Q. The blue pandaflex folders?

6 A. Those particular blue pandaflex folders,
7 these ones here.

8 I don't know whether the red are
9 here.

10 Let me just check.

11 I think it is just these blue ones

12 Q. Mr. Drislane, is there any identifying
13 label on those blue folders?

14 A. Yes, Board of Directors, 1966-1969.

15 Q. That's for one folder. Would you read the
16 other three or four folders?

17 A. Board of Directors, 1965.

18 Board of Directors, 1956-'59.

19 Board of Directors 1950-55.

20 Board of Directors 1949.

21 Q. In addition, you have handed me a black
22 binder and on the binder is a green label that
23 says "Board of Directors"?

24 A. Those are the minutes in the file since I

1 came with the Institute which are organized a
2 little bit better than the earlier ones.

3 Q. Mr. Drislane, to the best of your
4 knowledge are the minutes contained in each of
5 the blue folders you have just described and t
6 black binders true and correct copies of minut
7 of meeting held by the board of this Institute

8 A. Yes.

9 Q. Do you have any reason to believe that th
10 minutes as they appear in those folders or in
11 the black binder have been altered in any way c
12 materially changed?

13 A. No.

14 Q. In your opinion, therefore, they are the
15 official record of those Board meetings, is tha
16 correct?

17 A. Yes.

18 Q. Mr. Drislane, the third category of the
19 Notice of Deposition also refers to minutes of
20 meeting of the general membership?

21 A. Yes.

22 Q. Are there minutes of the general
23 membership in this room?

24 A. Yes.

1 Q. Would you again identify them in the s.
2 manner?

3 A. This book here, black book without a la
4 is the committee's minutes from about 1970 up
5 the present. It's the membership.

6 And around six files here that
7 might possibly be an overlap which start in 1
8 and go up through 1973. So that would overlap
9 of what you have there because that started in
10 1970. So there is six folders:

11 Annual Minutes 1948-'49.

12 Annual Minutes 1950-'55; Annual
13 Minutes, 1956-'59, Annual Minutes 1960-'65;
14 Annual Minutes 1966-'69, and the one which may
15 be an overlap, Annual Minutes 1970-'73.

16 Q. Again, Mr. Drislane, to the best of your
17 information are the minutes contained in those
18 folders and in the binders a true and correct
19 copy of the minutes of the general membership o
20 FMSI?

21 A. Yes.

22 Q. Again, do you have any reason to believe
23 that they have been altered in any fashion?

24 A. No.

1 Q. So these are the official records of the
2 general membership of the Institute, is that
3 correct?

4 A. Yes.

5 Q. Category three of the subpoena also refers
6 to minutes of meetings of the Asbestos Study
7 Committee.

8 Am I correct in understanding that
9 those minutes have already been isolated and
10 shown to me earlier this morning?

11 A. That's correct.

12 Q. Would you just look through these, please
13 Mr. Drislane, the minutes that you
14 are looking at right now are for the following
15 dates and each one indicates that it is a minute
16 of meetings of the Asbestos Study Committee or
17 of that same committee under its new name.
18 Would you remind me please what its new name is?

19 A. The Health and Environmental Affairs
20 Committee.

21 Q. Now the dates of those minutes are:

22 September 15, 1971; February 10,
23 1972; August 17, 1972; February 16, 1973; June 1
24 1973; June 14, 1974; April 28, 1975; October 24,

1 1975; March 28, 1977; January 19, 1978; Augu
2 1978; October 25, 1979; January 14, 1981 and
3 April 28, 1982.

4 Mr. Drislane, you look puzzled a
5 the same point as I did. There are no minute
6 for 1980.

7 As far as you know, were any
8 meetings held of the Asbestos Study Committee
9 1980?

10 A. I hesitated for a different reason than
11 what you did. Because we always start the
12 meeting with a minute of the previous meeting
13 and that particular meeting they didn't do. I
14 was going by the previous meeting to make sure
15 didn't miss something.

16 Q. Do you know if the Asbestos Study
17 Committee met in 1980?

18 A. I am looking.

19 Would you give me a few minutes?

20 Q. Oh, certainly.

21 A. You people shuffle these things around.

22 Q. That is the complete package in the order
23 that you handed them to me about an hour ago.

24 A. Just give me a minute, please.

1 There are no 1980 minutes. There
2 were no minutes.

3 Q. To the best of your knowledge, are the
4 minutes, the dates for which I have just read
5 the complete set of minutes of the Asbestos
6 Study Committee?

7 A. Yes.

8 Q. Do you have any reason to believe that the
9 contents of any of those minutes have been
10 changed in any fashion?

11 A. No.

12 Q. Therefore, is it safe to assume that they
13 are accurate reflections of the meetings of the
14 committee?

15 A. Yes.

16 Q. I do want each of the minutes marked.

17 They can be marked FSMI exhibits 2
18 through 15.

19 (Exhibit FSMI-2 through 15 marked
20 for identification.)

21 Q. Mr. Drislane, the fourth category on the
22 subpoena asks for reports, bulletins and/or any
23 other communication about the health hazards
24 associated with asbestos exposure which were

1 prepared by and/or distributed by the Instit
2 or any of its subdivisions to all or part of
3 general Institute and/or to the public?

4 Have you brought any documents
5 segregated any documents for our review under
6 that category?

7 A. Yes.

8 Q. And where are those documents?

9 A. There were three miscellaneous folders
10 which may relate to what you asked for. I
11 really don't know what you are asking for.

12 This is called Asbestos Articles
13 this folder here.

14 Q. Where did you get that particular folder
15 called Asbestos Articles?

16 A. I bought the folder from a stationary
17 store. I stuffed it with things that came in
18 here. They seemed to relate to some of the
19 questions on asbestos during the years.

20 Q. Is this a folder that you have kept in
21 your capacity as Secretary or Executive Director
22 of the Institute?

23 A. Yes.

24 Q. Was such a folder maintained before you

1 arrival at the Institute?

2 A. No.

3 Q. When you came to the Institute in 1970,
4 believe you said, do you know if there were
5 files or a file on asbestos health hazards?

6 A. Yes. I know.

7 Q. You know that there was such a file?

8 A. I know there wasn't.

9 Q. How do you know that?

10 A. Because simply I went over files when I
11 came on board and there wasn't any.

12 Q. The file that you have shown me marked
13 Asbestos Articles then is a folder that you have
14 generated since 1970?

15 A. Correct.

16 Q. Glancing through this, Mr. Drislane, it
17 appears to be memorandum reprints of magazine
18 articles or other sorts of articles from other
19 Institutes not written by or produced under the
20 auspices of your Institute, is that correct?

21 A. That's correct.

22 Q. The second of these folders is another
23 manilla folder marked asbestos papers. What is
24 this folder?

1 A. Papers that have been published concern
2 asbestos and health that I have picked up
3 through the years.

4 Q. Again, these articles appear to be
5 documents that were generated outside of the
6 Friction Materials Standards Institute, is that
7 correct?

8 A. That's correct.

9 Q. And the third folder is entitled Asbestos
10 Exposure Levels, Brake Shops.

11 Again, this appears to be a series
12 of articles, papers, magazine articles and
13 similar documents generated by entities other
14 than FMSI, is that correct?

15 A. Yes.

16 Q. You answered earlier that the first of
17 these files, the one marked Asbestos Articles is
18 one that you have maintained since 1970 when you
19 became associated with FMSI. Is that true of
20 all three folders?

21 A. Yes.

22 Q. Again, none of the three folders existed
23 prior to your becoming involved with the
24 Institute in 1970, is that correct?

1 A. That's correct.

2 Q. Have you made any or all of the article
3 in any of those three files available to the
4 members of FMSI or members of any subcommittee

5 A. Could you state that question again,
6 please?

7 MS. BERNER: Why don't you read it
8 back, Mac.

9 (Pending question was read)

10 MR. GORMAN: What do you mean by
11 available: sent them to them or told them about
12 them or kept them in the office so as somebody
13 came by here they could see them or what?

14 MS. BERNER: Any of those things.

15 THE WITNESS: Yes.

16 Q. Which of those things?

17 A. I don't know.

18 Q. Have you sent some of these articles to
19 members of the Institute?

20 A. Yes.

21 Q. Have you told the members about any of the
22 articles without sending copies?

23 A. I don't recall.

24 I don't believe so.

1 Q. Have you made them available to members
2 who may come into the Institute to review
3 information about asbestos?

4 A. In direct answer to your question, no.
5 Nobody has come in, though.

6 Q. So of those three ways of designating the
7 information it is most likely that if any of the
8 members have received these articles, it has
9 been because you have mailed copies, is that
10 correct?

11 A. Yes.

12 Q. Do you know if that dissemination was
13 limited to the members of the Asbestos Study
14 Committee as opposed to the members at large?

15 A. I don't know.

16 Q. If you had disseminated any of this
17 information to the members, whether the members
18 at large or the members of the Asbestos Study
19 Committee, would there be documentation of that
20 in the folders that you have provided today?

21 A. Yes.

22 Q. Mr. Drislane, how many employees does the
23 Institute have?

24 A. That's a sweet heart.

1 Right now, one.

2 Q. I consider that must be you?

3 A. Yes, right. There is a gentlemen who is
4 out front helping me for a few days. I am
5 trying to get help. Right now there is two of
6 us, he and myself.

7 Q. Generally, how many employees does the
8 Institute have?

9 A. Two.

10 Q. You and a clerical receptionist type
11 person?

12 A. Yes.

13 Q. Mr. Drislane, the first and last category
14 on the subpoena asks you to provide reports,
15 bulletins and/or other communication about the
16 health hazards associated with asbestos exposure
17 which were received by the Institute from any of
18 its members, any government agency, any trade
19 Association and/or any other person or entity.

20 Do you have separate files to be
21 produced today with that file?

22 A. No.

23 Q. Is that included in the three files we
24 have just discussed?

1 have just discussed?

2 A. That's included in one of those three
3 files.

4 Q. Which one would that be?

5 A. Asbestos Study Committee file.

6 Wait a second.

7 Maybe you don't have that.

8 Q. That's true. The three files that you
9 showed me Asbestos Articles, Asbestos Papers,
10 and Exposure Levels.

11 MR. SAMSON: Off the record.

12 (Discussion is held off the
13 record.)

14 MS. BERNER: So again anything that
15 you have --

16 MR. GORMAN: I think that should be
17 on the record.

18 BY MS. BERNER:

19 Q. Anything that complies with the first
20 category that I have just read, the first
21 category of the subpoena would be located in the
22 one of several blue folders marked Asbestos
23 Study Committee, is that correct?

24 A. Yes, including the fact that the latest

1 folder is red but I am not sure.

2 Q. While we're on that point, we haven't
3 discussed these folders yet.

4 Before this deposition began, we
5 started reviewing certain documents that are
6 expandable folders, each is marked Asbestos
7 Study Committee with dates after that name.

8 What are those documents?

9 A. They generally include what you just ask
10 about, in other words, general correspondence
11 that came in, went out, and stuff like that
12 involving asbestos.

13 Q. Involving asbestos or involving Asbestos
14 Study Committee.

15 I am talking about those particular
16 folders now marked Asbestos Study Committee?

17 A. Well, yes that could have been any kind of
18 bulletin to the membership alerting them to some
19 particular problem or things like.

20 Q. Bulletins from you?

21 A. Bulletins from the office out to them, yes
22 stuff like that.

23 I believe the information you were
24 just asking for.

1 Q. To the best of your knowledge, are the
2 contents of the Asbestos Study Committee fold
3 true and correct copies of all correspondence
4 sent to or received from the members of that
5 Committee?

6 A. Yes.

7 Q. Again, do you have any reason to believe
8 that the contents of any of those folders have
9 been altered in any way?

10 A. No.

11 Q. So that as we look through those today a
12 the marked copies, we can be assured that those
13 are the official records of the Asbestos Study
14 Committee as kept by you, is that correct?

15 A. Yes, but they are correspondence to them
16 not the records of the Committee. They include
17 other things.

18 The answer to your question, yes.

19 Q. Other than the folders we have discussed
20 today, are there other records of the Asbestos
21 Study Committee?

22 A. No.

23 Q. You have produced, then, today, for our
24 inspection, every piece of paper that has to do

1 with the Asbestos Study Committee?

2 A. I believe so.

3 Q. Who has access to all of the records or
4 any of the records that we have been discussing
5 this morning, other than yourself, Mr. Drislane?

6 A. No one.

7 Q. You are the only person?

8 A. Yes.

9 MR. GORMAN: Outside of a session
10 such as this?

11 MS. BERNER: Well, of course.

12 Off the record for a minute.

13 (Discussion held off the record.)

14 MS. BERNER: Let's go back and mark
15 this folders, folders A so that all categories
16 of documents have a folder.

17 We have previously marked FMSI
18 Exhibit 1 through 15.

19 Exhibit 1 will stay the same. That
20 is a pamphlet about the history of FMSI.

21 Exhibits 2 through 15, however,
22 will now have a subcategory.

23 This will be A-2 through 16.

24 That is because we are marking the

1 - temporary folders in which those documents we
2 contained as Folder A.

3 We'll in turn go through each of
4 folders Mr. Drislane has already discussed and
5 give them a letter designation.

6 So we'll do all that off the record
7 to make ultimate identification of these
8 documents easier.

9 (Folders were marked A through Z
10 and AA for identification.)

11 MS. BERNER: Every folder in every
12 binder now has a letter assigned to it.

13 The only letter FMSI which is the
14 pamphlet on the history on this organization.

15 Each folder has a letter. The
16 first folder letter A is the Asbestos Study
17 Committee minutes, 1971 to 1982.

18 This is the list I previously read
19 into the record. It is certain specific minutes.

20 MR. JOHNS: That was Exhibit 2
21 through 15 before.

22 MS. BERNER: Yes, it is now
23 Exhibit 1.

24 The next series of folders are all

1 folders marked Asbestos Study Committee.

2 Folder B is 1971.

3 Folder C is 1971 through '72.

4 Folder D is 1973.

5 Folder E is 1974 through '75.

6 Folder F is 1975 through '76.

7 Folder G is 1977 through '79.

8 Folder H is 1980 through '81.

9 Folder I is undated but contains

10 1982 documents.

11 The next group of folders are all
12 those marked annual meeting.

13 Folder J is 1948 through '49.

14 Folder K is 1950 through '55.

15 Folder L is 1956 through '59.

16 Folder M is 1960 through '65.

17 Folder N is 1966 through '69.

18 Folder O is 1970 through '73.

19 The next group of folders are all
20 all marked Board of Directors.

21 Folder P is 1949.

22 Folder Q is 1950 through '55.

23 Folder R is 1956 through '59.

24 Folder S is 1960 through '65.

1 Folder T is 1966 through '69.

2 Folder U is undated.

3 Folder V is undated.

4 Folder W is a binder.

5 And X is a binder.

6 The last three folders are the
7 manila folders that Mr. Drislane described that
8 he keeps himself with various articles and
9 documents in them.

10 Folder Y is entitled Asbestos
11 Exposure Levels, Brake Shops.

12 Folder Z is entitled Asbestos
13 Papers.

14 Folder AA is entitled Asbestos
15 Articles.

16 All of the folders have been marked
17 on their covers.

18 The binders have been marked on
19 their cover sheet. The marking is FMSI and the
20 the letter that I have read for identification.

21 And today's date, August 23, 1982.

22 MS. BERNER: Off the record.

23 (Discussion is held off the
24 record.)

11 26. 1 211. ~~.....~~ . . . P.