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and who has had no direct contact whatsoever with Independent Life or any of the architects or engineers involved in the construction of Independent Square. Also, Mr. Dobbins admitted in his deposition that he had no knowledge or proof that General Electric did in fact carry out this policy by notifying the potential and actual customers, including Independent Life, of the relevant facts about PCBs. (See Appendix at A 1-5).

Also, General Electric relies upon a portion of the deposition of Paul Lawrence who was one of the General Electric sales engineers involved in the sale of the particular transformers which are the subject of this lawsuit. Notably, the page of Mr. Lawrence's deposition upon which General Electric relies contains testimony that Mr. Lawrence does not recall whether General Electric's internal bulletins did in fact instruct him to tell his "customers or potential customers" as to the danger of PCBs, and he stated specifically that he has no recollection that it was done on every occasion or to Independent Life, but merely believes that it was his custom to disseminate this information (See Appendix at B 1-7). Mr. Lawrence's equivocation on this point alone mandates denial of summary judgment.

Furthermore, there has been ample contrary and conflicting evidence adduced in this case upon which a jury could (and will) conclude that General Electric did not provide an

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v GE

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Plaintiffs' Memo in Opposition to GE Motion for Summary Judgment