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1ST CIRCUIT COURT
STATE OF HAWAII
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N. ANAYA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN RE:
HAWAII STATE ASBESTOS CASES

This Document Applies To:

FAYE GARRETT-TAKAKI and
HENRY TAKAKI,

Plaintiffs,

vs.

UNION CARBIDE CORPORATION, et al.,

Defendants.

CIVIL NO. 08-1-1110-06 (EEH)
(Toxic Tort/Asbestos Personal Injury)

PLAINTIFFS' **AMENDED** NOTICE OF
TAKING DEPOSITION UPON ORAL
EXAMINATION PURSUANT TO RULE
30(b)(6) OF THE HAWAII RULES OF
CIVIL PROCEDURE OF A CORPORATE
REPRESENTATIVE OF DEFENDANT
**EATON CORPORATION AND EATON
ELECTRICAL, INC., successor in interest
to CUTLER-HAMMER, INC., TO BE
TAKEN STENOGRAPHICALLY AND BY
VIDEOTAPE; CERTIFICATE OF SERVICE**

Deponent: Eaton Corp./Eaton Electrical
Date/Time: 4/22/09; 9:00 a.m. CDT
Location: Milwaukee, WI

Trial Date: May 4, 2009
Complex Litigation
Judge: Hon. Eden Elizabeth Hifo

EXHIBIT

#1 Boness
04-22-09 Takaki

**PLAINTIFFS' AMENDED NOTICE OF TAKING DEPOSITION UPON ORAL
EXAMINATION PURSUANT TO RULE 30(b)(6) OF THE HAWAII RULES OF CIVIL
PROCEDURE OF A CORPORATE REPRESENTATIVE OF DEFENDANT EATON
CORPORATION AND EATON ELECTRICAL, INC., successor in interest to CUTLER-
HAMMER, INC. TO BE TAKEN STENOGRAPHICALLY AND BY VIDEOTAPE**

TO: ALL COUNSEL OF RECORD ON ATTACHED
CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that Plaintiffs will take the oral deposition stenographically and by videotape of a representative of EATON CORPORATION AND EATON ELECTRICAL, INC., successor in interest to CUTLER-HAMMER, INC., ("EATON") on **Wednesday, April 22, 2009, at 9:00 a.m. CDT** at the **Wyndham Milwaukee Airport and Convention Hotel, 4747 S. Howell Avenue, Milwaukee, WI, 53207** (Location Tel. No. (414) 481-8000).

DEFINITIONS

The term "**ASBESTOS**" refers to any matter, substance, or material containing at least some asbestos fibers.

The term "**YOU**" and "**YOUR**" shall refer to Defendant EATON CORPORATION AND EATON ELECTRICAL, INC., successor in interest to CUTLER-HAMMER, INC., including but not limited to any of its merged, consolidated, or acquired predecessors, divisions, parents, subsidiaries, foreign subsidiaries, successors-in-interest, and/or affiliates.

The term "**ELECTRICAL PRODUCTS**" shall refer to any electrical components, parts, control apparatus, and systems manufactured, designed, supplied, marketed, delivered, incorporated or attached to your products, and/or sold by YOU including but not limited to: control boxes, asbestos, wire, electrical motors, switchgears, electrical switches, contactors, circuit breakers, transformers, arc chutes, arc shields, controllers, control units, motor starters,

insulated wiring, electrical insulating materials, laminate boards, citation lines for motor starters, and the enclosure for definite purpose contactors, electric control panels, phenolic molded electrical parts/components, terminal strips, Micarta, Bakelite (molded form and boards/sheets/panels), JM Marinite and other electrical components believed to contain asbestos or incorporate asbestos components.

The term **“SOURCE”** shall refer to the manufacturer(s) and supplier(s) of the identified component(s).

The term **“SPECIFIED”** shall refer to directions YOU or YOUR distributors communicated in any manner to the U.S. Navy identifying the particular ELECTRICAL PRODUCTS to use with YOUR ELECTRICAL PRODUCTS.

The term **“WARNINGS”** shall refer to cautionary language and/or preventive measures.

The term **“TESTING”** shall refer to any air sampling YOU or anyone else to YOUR knowledge conducted to determine the levels of asbestos released from operation or maintenance of YOUR ELECTRICAL PRODUCT.

Plaintiffs will take the deposition of a representative or representatives of Eaton, who is the most knowledgeable and/or familiar with:

1. YOUR incorporation of ASBESTOS into ELECTRICAL PRODUCTS from 1940 through 1985.
2. YOUR SUPPLY of ELECTRICAL PRODUCTS to the U.S. Navy from 1940 through 1980.
3. YOUR SUPPLY of ELECTRICAL PRODUCTS for installation and/or USE aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS

Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula from 1940 through 1980.

4. Exemplars of ELECTRICAL PRODUCTS YOU SUPPLIED to the U.S. Navy prior to and/or during the year 1980.

5. Written agreements regarding YOUR SUPPLY of ELECTRICAL PRODUCTS to the U.S. Navy from 1940 through 1980.

6. Written agreements regarding YOUR SUPPLY of ELECTRICAL PRODUCTS to anyone for USE in CONTROL BOXES aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula, and at the Pearl Harbor Naval Shipyard from 1940 through 1980.

7. Exemplars of ELECTRICAL PRODUCTS YOU SUPPLIED for installation and/or USE aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula, and at the Pearl Harbor Naval Shipyard from 1940 through 1980.

8. The SOURCE of the ELECTRICAL PRODUCTS YOU SUPPLIED to the U.S. Navy from 1940 through 1980.

9. The SOURCE of ELECTRICAL PRODUCTS YOU SUPPLIED to anyone for USE aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS

Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula, and at the Pearl Harbor Naval Shipyard from 1940 through 1980.

10. The SOURCE of ARC SHIELDS YOU SUPPLIED and SPECIFIED for the U.S. Navy to USE with YOUR CONTROL BOXES from 1940 through 1980.

11. The composition of ELECTRICAL PRODUCTS incorporated into YOUR CONTROL BOXES from 1940 through 1980.

12. The composition of ELECTRICAL PRODUCTS YOU SUPPLIED to the U.S. Navy from 1940 through 1980.

13. The composition of ELECTRICAL PRODUCTS YOU SUPPLIED to anyone for USE in CONTROL BOXES aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula, and at the Pearl Harbor Naval Shipyard from 1940 through 1980.

14. The composition of ELECTRICAL PRODUCTS YOU SPECIFIED for the U.S. Navy to USE with YOUR CONTROL BOXES from 1940 through 1980.

15. Whether the ELECTRICAL PRODUCTS YOU incorporated into YOUR ELECTRICAL PRODUCTS from 1940 through 1980 were interchangeable with ELECTRICAL PRODUCTS any other Manufacturer incorporated into their CONTROL BOXES during the same time frame.

16. Whether the ELECTRICAL PRODUCTS YOU SUPPLIED to the U.S. Navy for USE with YOUR ELECTRICAL PRODUCTS from 1940 through 1980 were interchangeable

with any other brand of ELECTRICAL PRODUCTS.

17. The process by which the U.S. Navy could obtain replacement ELECTRICAL PRODUCTS for USE in YOUR ELECTRICAL PRODUCTS from 1940 through 1980.

18. Instructions that YOU SUPPLIED to anyone for the safe maintenance of The ELECTRICAL PRODUCTS you incorporated into YOUR ELECTRICAL PRODUCTS from 1940 through 1980.

19. Instructions that YOU SUPPLIED to anyone for the safe maintenance of ELECTRICAL PRODUCTS from 1940 through 1980.

20. YOUR knowledge that electric arcs from the operation of controls in YOUR ELECTRICAL PRODUCTS created dust that fell to the bottom of the ELECTRICAL PRODUCT.

21. YOUR decision to stop incorporating ASBESTOS containing ELECTRICAL PRODUCTS into YOUR ELECTRICAL PRODUCTS.

22. YOUR decision to stop SUPPLYING ASBESTOS containing ELECTRICAL PRODUCTS to the U.S. Navy.

23. YOUR knowledge of the HAZARDS OF ASBESTOS between 1940 to the present.

24. When YOU first learned about the HAZARDS OF ASBESTOS.

25. WARNINGS accompanying YOUR ELECTRICAL PRODUCTS at any time regarding the HAZARDS OF ASBESTOS.

26. TESTING YOU performed between 1940 and the present.

27. The dates of operation of EATON's NAVY CONTROLS DIVISION, including the services that EATON's NAVY CONTROLS DIVISION supplied to the United States Navy

and the Pearl Harbor Naval Shipyard from 1940 through 1980.

28. Whether EATON maintains a continued relationship with the US NAVY and/or the Pearl Harbor Naval Shipyard, including whether EATON currently manufactures products for naval shipboard use.

29. EATON's supply of Cutler-Hammer products for naval shipboard use, including but not limited to the products listed in EATON CORPORATION'S Cutler-Hammer Navy Breakers Product Guide PG01218003E of August 2006.

30. When EATON began offering products for use in US Navy vessels that contained anti-shock devises, plug in bases/blocks and/or were vibration -hardened.

31. Information regarding (1) sale of the Cutler-Hammer naval division to DRS Technologies, Inc., if any, (2) the specific liabilities retained by EATON, (3) EATON's insurance coverage and policy limits with regard to asbestos-related tort claims involving Cutler-Hammer equipment/components.

32. The specifications of EATON's control panels and component parts supplied to the US Navy from 1940 through 1980.

33. EATON's current net worth.

34. Any products or components purchased from Rostone and/or Allen Bradley Company for use in manufacturing Cutler-Hammer arc chutes, including the years of purchase and (1) the years in which these products were exclusively supplied by Rostone and/or Allen Bradley Company or (2) the years in which Rostone and/or Allen Bradley supplied the majority of these materials.

35. Any Bakelite products or components purchased from Union Carbide Corporation or any other supplier for use in manufacturing component parts of Cutler-Hammer controller

units, including but not limited to arc chutes, including the years of purchase and (1) the years in which these products were exclusively supplied by Union Carbide Corporation and/or other suppliers and (2) the years in which Union Carbide and/or other suppliers provided EATON with the majority of these materials.

36. Documents produced herein, including but not limited to those Bates-numbered: EATON-CH-0001 through EATON-CH-0496; CH-0509Group001 through -181; and EATON-05/09-0001 through -118, and why you claim any are proprietary or confidential.

37. Records regarding the Navy Controls Division of Eaton Corporation, including contracts for sale or supply of equipment to any class of U.S. Navy vessel from 1935 to 1985.

38. The sale of the Cutler-Hammer Naval Division to DRS Technologies, Inc., including the sales contract and all exhibits and addendums thereto, all correspondences regarding this sale.

39. Brochures, advertisements and promotional materials regarding the Naval Controls Division of Eaton Corp.

40. The purchase/acquisition of Cutler-Hammer by Eaton Corp. including the sales contract and all exhibits and addendums thereto, all correspondences regarding this sale.

41. All documents regarding the Naval Division of Cutler-Hammer, including contracts for sale or supply of equipment to any class of U.S. Navy vessel from 1935 to 1985, brochures, advertisements, promotional materials.

42. Cutler-Hammer's sale of motor controllers to pump companies (such as Buffalo Pumps, DeLaval Steam Turbine Co., Warren Steam Pump Co., Ingersoll-Rand Company) who in turn sold pump and motor units to the US Navy from 1940 to 1980 for use onboard Navy vessels and the manuals Cutler-Hammer drafted regarding these motor controllers and their

proper use and maintenance.

43. Any and all other information that the YOU may have regarding Discoverable matters for the above-referenced case.

WRITINGS AND OTHER TANGIBLE ITEMS REQUESTED

Additionally, the deponent, a party to this action, is required to produce the following documents, records or other materials at said deposition:

INSTRUCTIONS

1. You are requested to produce not only those writings in your possession, custody or control, but also those writings also reasonably available to you, including those in the possession custody or control of your attorneys, agents or any other person acting on your behalf.

2. You are requested to produce all writings and forms in the same order as they were kept prior to this notice to produce.

3. In the event you are able to produce only some of the writings called for at particular request, please produce all writings you are able to produce.

ITEMS REQUESTED

1. Any documents used to refresh the recollection of the designated person(s) most knowledgeable and/or to prepare that person to testify as to areas of inquiry above.

2. Any and all documents in Defendant's possession, custody or control setting forth and/or referring to Defendant's profits and financial condition.

3. Any documents used to refresh the recollection of the designated witness and/or to prepare that person to testify, and/or that are responsive in any way, as to the areas of inquiry numbered above.

4. All drawings, assembly outlines, lists of spare parts or any other document

relevant to CUTLER-HAMMER equipment sold to the U.S. Navy or installed aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula, and/or supplied to the Pearl Harbor Naval Shipyard from 1940 through 1980, including, but not limited to, CONTROL BOXES, ARC SHIELDS, and CONTROL BOX COMPONENTS.

5. All drawings, assembly outlines, lists of spare parts or any other document relevant to CUTLER-HAMMER equipment installed at Pearl harbor Naval Shipyard, including, but not limited to, CONTROL BOXES, ARC SHIELDS, and CONTROL BOX COMPONENTS.

6. All technical manuals, operating manuals, service manuals, instructions manuals, and/or maintenance manuals, for all of the CUTLER-HAMMER equipment installed aboard the USS Blueback, USS Swordfish, USS Scamp, USS Sailfish, USS Pintado, USS Skate, USS Omaha, USS Tunny, USS Aspro, USS Hawkbill, USS Current, USS Cabonero, USS Greyback, USS halibut, USS Preble, USS Puffer, USS Cochrane, USS Cocopa, USS Fletcher, USS Tang, USS Wahoo, USS Kawishiwi and the USS Ponchatoula from 1940 through 1980, including, but not limited to CONTROL BOXES, ARC SHIELDS, and CONTROL BOX COMPONENTS.

All technical manuals, operating manuals, service manuals, instructions manuals, and/or maintenance manuals, for all of the CUTLER-HAMMER equipment installed at Pearl Harbor Naval Shipyard, including, but not limited to CONTROL BOXES, ARC SHIELDS, and CONTROL BOX COMPONENTS.

CERTIFICATE OF SERVICE

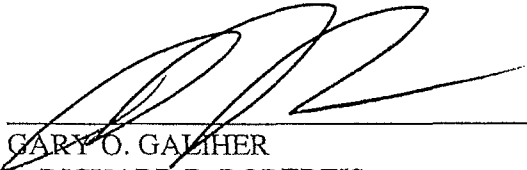
I HEREBY CERTIFY that a copy of the foregoing document was duly served on the following attorneys at their last known address and by the method indicated below on the date filed herein.

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DATED: Honolulu, Hawaii, APR 03 2009.


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