

Multi-Page™

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1 had American Brakebloo on the labels.
 2 Q. Back --
 3 A. So I have to assume it's all American Brakebloo
 4 inside the box.
 5 Q. Back at that time that Mr. Riley referenced prior
 6 to the late 1980's, did you purchase any -- were
 7 any purchases made of friction materials from other
 8 manufacturers?
 9 A. No. Abex was a good supplier to us. They had some
 10 problems with like some disk pads later on as far
 11 as just probably having too much business, weren't
 12 able to supply a few part numbers, but that was in
 13 the '90's. We didn't have to go outside.
 14 Q. But, again, just to recap, the NAPA stores
 15 themselves they were not required to exclusively
 16 carry products that come from the NAPA distribution
 17 center?
 18 A. No.
 19 Q. So going into a store someone --
 20 A. He's an independent business person. There is no
 21 contract.
 22 Q. Sure. They would supply based upon the product
 23 that was available and the like?
 24 A. I assume. If I was in business, if I couldn't get
 something from my primary supplier, I'd try to find

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1 something I could sell.
 2 Q. Uh-huh. And that product may or may not be an Abex
 3 line?
 4 A. I could not make a statement on that.
 5 MR. ABBOT: No further questions.
 6 EXAMINATION
 7 BY MR. GIANARIS:
 8 Q. Just to clarify, as long as the name NAPA was on
 9 the box, it would be your understanding that it
 10 would be an Abex lining?
 11 A. Yes.
 12 Q. When we talk about historical knowledge, this is
 13 stuff that you learned in your training, is that
 14 right?
 15 A. Yes.
 16 Q. Being trained to do the job that you've done since
 17 1966, you were taught by people who had been
 18 involved in this business before you --
 19 A. Yes.
 20 Q. -- about what had gone on, is that right?
 21 A. Walter Devoe, the plant manager, was -- before he
 22 came and started that plant there at Gepart
 23 Industries, he ran and operated the local NAPA
 store, company owned, in Fort Worth, Texas.
 24 Q. Okay.

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1 A. And it was I think a big operation, machine shop
 2 and everything, they supplied the Air Force base
 3 there, and he had a lot of knowledge as far as NAPA
 4 jobbers, and he tried to pass that on to me.
 5 Q. Great.
 6 MR. GIANARIS: That's all I have.
 7 MR. DICKEY: Pat?
 8 MR. RILEY: Do you want to have him read?
 9 That's it.
 10 MR. DICKEY: We will read and sign.

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 2
 3
 4 CHARLES WILLIAM ALLEN
 5 STATE OF _____ } ss.
 6
 7 COUNTY OF _____)
 8
 9 Subscribed and sworn to before
 10 me this _____ day of _____, 2004.

14 NOTARY PUBLIC
 15 My Commission Expires:

21 (CASE: In Re: ALL SIMMONS FIRM CASES ON THE MAY 3,
 22 2004, TRIAL DOCKET -vs- A.W. CHESTERTON, et al.)
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 24
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