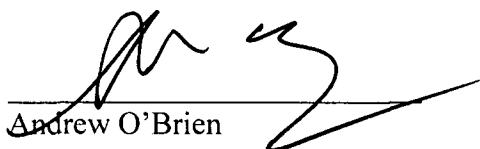


AFFIDAVIT

COMES NOW Andrew O'Brien and states as follows:

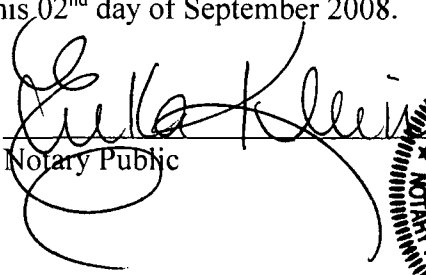
1. I was counsel of record in Donald Ward v. Union Carbide Coporation, et al., Case No. 022-01404, in the Circuit Court of St. Louis City, Missouri.
2. Pneumo Abex Corporation was a Defendant in the above-referenced case and the Petition for Damages which I filed on May 10, 2002, and the two Amended Petitions filed thereafter, sought punitive damages against Pneumo Abex Crporation.
3. On July 07, 2003, trial commenced in the above-referenced case as to Defendant, Pneumo Abex Corporation
4. On July 14, 2003, I filed, on behalf of Plaintiff, a Memorandum of Law in Support of Submitting Punitive Damages.
5. On July 14, 2003, the Honorable Judge Dierker, after considering the motions filed by both parties, memorandum in support thereof, and the arguments of counsel, permitted the issue of punitive damages to be submitted to the jury as to Defendant, Pneumo Abex Corporation.


Andrew O'Brien

STATE OF MISSOURI)
)
COUNTY OF ST. CHARLES)

Subscribed and sworn to before me this 02nd day of September 2008.

My Commission Expires:


Notary Public

