

"and that's a big 'if'", the Sprayed Limpet was "still liable to come unstuck according to Mr. Smith when somebody eventually comes in to remove the asbestos." (Emphasis added.) The Court found this was more than just the generalized knowledge evidence found to be insufficient in *Angotti*. Further, the Court determined this was clear evidence that T & N knew of the unreasonably dangerous defect of Sprayed Limpet and also supports an inference that T & N had actual knowledge of a danger to a particular class. Finally, the Court reasons this memorandum was clear and convincing that T & N knew or had reason to know that there was a high degree of probability that their continued sale of Sprayed Limpet would result in lung disease to persons like Mr. Hoskins.

In *Angotti*, the Court had cautioned their decision was based upon the particular facts of the case:

"This is not to say that punitive damages would not be recoverable when there is evidence to show that a defendant had been put on notice of the fact that relevant information in regard to the dangerousness of the product was available to show that the product was actually known to constitute a health hazard to a given class of individuals and the defendant consciously chose to ignore the available information."
812 S.W.2d at 746.

In the instant case, Plaintiff meets the legal standard as applied in *Hoskins* and *Angotti*. Plaintiff directs the Courts attention to Plaintiff's Exhibit 229, a Federal Actions Bulletin by the Automotive Parts & Accessories Association, Inc., in which Abex was a member. This document dated March 19, 1976, was entitled "Service Industry Alerted to Asbestos Hazard". In pertinent part, it states; "(R)esearch by the National Institute for Occupational Safety and Health (NIOSH) has disclosed that '**workers engaged in the maintenance and repair of automobile and truck (clutches and) brake linings are exposed to potentially hazardous levels of airborne asbestos dust.**'" (Emphasis added.) The bulletin further warns the friction product industry that