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1 IN THE COURT OF COMMON PLEAS
2 CUYAHOGA COUNTY, OHIO
3 JUDGE HANNA
4 CV-588713

5
6 LOWELL WAYNE REESE; et al.,
7 Plaintiffs,
8
9 V.

10

11 A. C. Delco; et al.,
12 Defendants.

13

14

15

16 DEPOSITION TESTIMONY OF:
17 LOWELL WAYNE REESE
18 OCTOBER 10, 2006
19 9:00 A.M. EST

20

21

22

23 REPORTED BY: LORI S. SIZEMORE, CSR, RPR

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EXAMINATION OF LOWELL WAYNE REESE

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16 ALSO PRESENT:

17 Torey Lindsey

18 Becky Reese

19

20

21

22

23

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1 I, Lori S. Sizemore, a Registered

2 Professional Reporter, acting as

3 Commissioner, certify that on this date,
4 pursuant to the Ohio Rules of Civil
5 Procedure, and the foregoing stipulation
6 of counsel, there came before me at The
7 Marriott, Cincinnati, Ohio, commencing at
8 approximately 9:00 A.M. EST on OCTOBER 10,
9 2006, LOWELL WAYNE REESE, witness in the
10 above cause, for oral examination,
11 whereupon the following proceedings were
12 had:

13
14 THE VIDEOGRAPHER: This begins
15 videotape number one in the deposition of
16 Lowell Wayne Reese, in the matter of
17 Lowell Wayne Reese; et al. vs. A.C. Delco;
18 et al. Defendant Case No. CV-588713.
19 We're on the record at 9:14 a.m. Today is
20 Tuesday, October 10, 2006. My name is
21 Paul Brewer. Will counsel please identify
22 yourself and state whom you represent.

23 MR. DIMUZIO: My name is Gary
0008

1 DiMuzio, and I am here for the plaintiffs.

2 MR. LEWIS: Robert Lewis, and I am
3 here for Hennessy Industries. And I'd
4 like to note for the record that Hennessy
5 has not yet been served and by appearing
6 today we're not waiving proper serving.

7 MR. DIMUZIO: Off the record.

8
9 (Whereupon, a brief discussion was
10 held off the record.)

11
12 MR. DIMUZIO: Back on the record.

13
14 LOWELL WAYNE REESE,
15 being first duly sworn, was examined
16 and testified as follows:

17
18 COURT REPORTER: And you stated
19 your stipulations. Do you want them on
20 the record?

21 MR. DIMUZIO: Yeah, I guess we do

22 want them on the record. One objection by
23 one party present is good for all, going
0009

1 by the Ohio rules, waiving objections
2 except as to form. Any other housekeeping
3 matters?

4 (No response.)

5

6 EXAMINATION

7 BY MR. DIMUZIO:

8 Q. Good morning, Mr. Reese.

9 A. Good morning.

10 Q. Mr. Reese, could you please state
11 your full name for the record?

12 A. Lowell Wayne Reese.

13 Q. And, Mr. Reese, how old a man are
14 you?

15 A. I'm sixty-two.

16 Q. Starting with the easy ones. And
17 where were you born?

18 A. I was born in the state of
19 Kentucky, Lee County.

20 Q. And do you have any brothers and
21 sisters?

22 A. I have four sisters and I have
23 eight brothers.

0010

1 Q. And where did you fall in the mix?
2 What child were you?

3 A. I'm the caboose. I'm the last
4 one. I'm the youngest one.

5 Q. And what sort of line of work was
6 your family engaged in back then?

7 A. My dad done farming and logging.
8 Just farming and logging is about all he
9 ever done.

10 Q. Now, I heard you mention previously
11 something about your father being a
12 sharecropper. First of all, exactly what
13 is a sharecropper?

14 A. Well, a sharecropper -- I was born
15 on a sharecropper's farm. That's where my
16 dad and mom moved to. And they tended

17 hemp after World War II. And then they
18 had hay and corn, and you get a part of it
19 for tending it. You know, for the crop,
20 you get a part of the crop.
21 Q. I see. And were you living in your
22 own house or were you living in a house
23 that the landowner owned, or how did that
0011

1 work?

2 A. We lived in the house the landowner
3 owned.

4 Q. Was it a pretty nice place?

5 A. Well, that's where I was born at.
6 We survived. I guess back at that time it
7 was a normal sharecropper's house to live
8 in.

9 Q. Did you have electricity and that
10 sort of thing and plumbing?

11 A. No.

12 Q. No electricity?

13 A. No electricity.

14 Q. No plumbing?

15 A. No plumbing.

16 Q. And did you ever help out around
17 the farm? Did you ever do anything
18 yourself?

19 A. Not there. No, I was born there.
20 I was little at that sharecropper farm.

21 Q. Did eventually your family move
22 away from a sharecropping home and get
23 into their own home?

0012

1 A. They did.

2 Q. About how old were you when that
3 happened?

4 A. We moved back to the old farm when
5 I was seven.

6 Q. And what kind of work was your
7 father engaged in at that time?

8 A. At that time, he was in the sawmill
9 business. He was a logger.

10 Q. And did he do any farming or
11 ranching as well?

12 A. He done some farming. He had a
13 tobacco crop and hay and corn.

14 Q. Now, were you living on your own
15 property at this time?

16 A. Yes, sir.

17 Q. Was this your own house that your
18 family owned?

19 A. Yes, sir.

20 Q. Did that house have any kind of
21 electricity or running water or anything
22 like that?

23 A. It did not.

0013

1 Q. First of all, what sort of chores
2 would you do working around the house or
3 the farm when you were a boy growing up at
4 that house?

5 A. Well, just whatever you could do.
6 Most of the time, I was the water boy. I
7 carried the others water and helped feed
8 the livestock.

9 Q. Did you ever work on any of the
10 equipment there, by any chance?

11 A. We didn't have but just a mowing
12 machine and a rake with the horses. We
13 didn't -- at that farm, we didn't even
14 have any tractors or anything, combustion
15 engines or anything on it.

16 Q. Now, it's my understanding at some
17 point your father died when you were a
18 boy; is that correct?

19 A. Yes.

20 Q. How old were you when that
21 happened?

22 A. I was eleven.

23 Q. Did you have to kind of step up

0014

1 your responsibilities about what you were
2 doing around the house and the farm after
3 that?

4 A. Yes.

5 Q. What sort of things were you doing
6 from the time you were eleven on?

7 A. I would milk the cows and feed the
8 hogs, feed the horses. Just work
9 around -- anything that I could do that I
10 was big enough to do.

11 Q. I see. I understand from your
12 prior testimony that at some point your
13 family managed to get enough money
14 together to buy a tractor of some sort is
15 that correct?

16 A. My brother bought a tractor when he
17 got enough money, yes.

18 Q. And did you ever help out working
19 on that tractor at all? Was that some of
20 the first mechanic-type work you did as a
21 boy?

22 A. That is the first, yes, sir.

23 Q. And how old were you, for example,
0015

1 when you did your first brake job, for
2 example?

3 A. Well, the first brake job, I was
4 probably twelve or thirteen year old then.

5 Q. I gotcha. And when did you leave
6 the farm, so to speak? How old were you
7 when you finally got off the farm or went
8 to do some other work?

9 A. Well, really we done farming work
10 till I was about seventeen year old.

11 Q. And it's my understanding that at
12 some point you began to work at some sort
13 of a service station up here in
14 Cincinnati; is that correct?

15 A. Yes.

16 Q. And what was the name of the shop
17 that you first started working at?

18 A. The first place I worked was Tyson
19 Senoco.

20 Q. And that was about what year?

21 A. 1961.

22 Q. I do want to just go back to your
23 family before we start talking about some
0016

1 of these other things. First of all, you

2 mentioned your brothers and sisters. How
3 many of them are still surviving, by the
4 way?

5 A. I've got two brothers still alive
6 and three sisters.

7 Q. And you're the baby of the family;
8 correct?

9 A. Yes, sir.

10 Q. Now, what about your current
11 family? Are you a married man?

12 A. Yes, sir.

13 Q. How long have you been married?

14 A. This time -- my first wife died in
15 19 -- well, she died in '90, and I married
16 this lady here in '92.

17 Q. And you say this lady. She's here
18 present in the room today; is that
19 correct?

20 A. She is.

21 Q. And what's her name?

22 A. Becky.

23 Q. And now what about children? Do
0017

1 you have any children yourself?

2 A. I have four girls with my first
3 wife.

4 Q. And what's the age range on those
5 girls right now?

6 A. The oldest one is forty-five, the
7 next one is forty and thirty-eight and
8 thirty-three.

9 Q. And what about grandkids? Do you
10 have any grandkids at this point?

11 A. By my kids, I have ten.

12 Q. Ten grandkids. And I don't want
13 you to list them all for us, but what kind
14 of age range are we talking about?

15 A. The oldest one is twenty-three and
16 the youngest one is probably -- she's
17 about two and a half now.

18 Q. And do you get a chance to see
19 them? Are they in the Cincinnati area, or
20 how often do you get to see your family?

21 A. Every week.

22 Q. When's the last time you saw most
23 of your grandkids, for example?

0018

1 A. Sunday.

2 Q. Good enough. Now, in terms of -- I
3 know you work a lot. It's my
4 understanding, and I believe you testified
5 before, that you've been working like,
6 what, sixty-hour weeks since the time you
7 were eighteen, nineteen years old; is that
8 correct?

9 A. That's correct.

10 Q. What do you do when you want to
11 have some fun when you're not working at
12 the service station?

13 A. Well, we usually get together and
14 go down -- we've got a farm in Kentucky.
15 We go down there and ride four-wheelers
16 and just camp out when we get time. But
17 usually they all go when I go, if they
18 can.

19 Q. Do you and your wife do any of this
20 four-wheeling yourselves?

21 A. Oh, yes.

22 Q. Like what kind of things would you
23 and your wife do on four-wheelers?

0019

1 A. Well, we usually ride and -- I take
2 the front and she takes the back and put
3 the grandkids between us. They've got
4 four-wheelers also, the ones that are big
5 enough to ride.

6 Q. Now, I also understand that
7 recently you bought some sort of a large
8 -- like travel bus or trailer; is that
9 correct?

10 A. Yes, sir.

11 Q. What is that, exactly?

12 A. I've got a forty-foot American
13 Eagle motor coach.

14 Q. Is that like one of those buses
15 like country and western bands or rock

16 bands will buy and travel around in? Is
17 that what that is?

18 A. Yes, sir.

19 Q. And what was the basic plan with
20 that piece of equipment? What were you
21 going to do that?

22 A. I'm trying to slow down a little
23 bit and enjoy it before I get too old to
0020

1 drive it.

2 Q. And when did you buy that thing?

3 A. In February of '04.

4 Q. Have you got a chance to take that
5 out on the road at all with your wife?

6 A. Well, we did -- I've had it out a
7 couple of times before I got sick. But I
8 can't go much with it now. We haven't
9 been out but once this year.

10 Q. I gotcha. I also understand in
11 addition to four-wheelers and hanging out
12 with the family for fun and then your work
13 with automobiles, you actually have a
14 personal interest in auto racing; is that
15 correct?

16 A. That is correct.

17 Q. And I don't need all of your
18 involvement. If you'd just give us a
19 thumbnail sketch of what sort of things
20 you like to do that involve racing and
21 what your activities have been.

22 A. Well, for the last -- about the
23 last six year, we went with a ASA team.
0021

1 And I would take the motor home -- I had a
2 motor home, a little one, before I got the
3 one I have now. And I would pull a
4 trailer. And it had a golf cart in it.
5 And my main job was to haul the fuel tanks
6 in. The small tracks where you can't get
7 the big trucks in, haul the fuel tanks in
8 with the golf cart or take the driver to
9 wherever he needs to go in the golf cart.

10 Q. I don't know much about this area.

11 Are we talking about drag strips or where
12 they go around in circles or on streets?
13 What kind of racing is this exactly?
14 A. No. It was what you call the
15 roundy round. You know, the -- they were
16 small tracks like a quarter-of-a-mile
17 track or half-a-mile track, not the super
18 speedways.
19 Q. I gotcha. Okay. And where would
20 you go to do this sort of activity?
21 A. Well, all over -- I never did go
22 out west with them, but eastern states:
23 Kentucky, Florida, Michigan and Indiana.
0022

1 Q. When I visited your shop, I noticed
2 you had a bunch of like metals and
3 trophies and that sort of things. Is that
4 what those awards were for?
5 A. No. Them are back when I was young
6 drag racing. That was a quarter-mile
7 straight line.
8 Q. I gotcha.
9 A. I had my own car back when I was --
10 first went into business. I built me a
11 race car. And after I got kids, I
12 couldn't afford the car and afford the
13 kids so the car had to go.
14 Q. Fair enough, fair enough. Now,
15 also -- I know we just very quickly
16 touched on you starting to work in the
17 auto business, but before we get into the
18 details of that, when you began working,
19 it was part-time, and you were working for
20 another service station owner; is that
21 correct?
22 A. That is correct.
23 Q. And then finally, about 1966 or so,
0023

1 you managed to open your own station; is
2 that correct?
3 A. 1967.
4 Q. 1967. Can you just sort of give us
5 a thumbnail sketch of what other

6 businesses you eventually started becoming
7 involved in over time?

8 A. Well, after I got my own service
9 station, then I went into the towing
10 business and then later went into the body
11 shop and -- you know, body shop business.
12 And I bought some property, you know,
13 housing, and had that developed. And I
14 bought a farm. You know, I've always had
15 two or three things going at the same
16 time, if I could, you know, in the last
17 few years.

18 Q. I see. And in terms of these
19 businesses now -- well, first of all, one
20 other question I had, at one point I
21 understand that you had a dealer's
22 license, and you actually sold cars; is
23 that right?

0024

1 A. I still do.

2 Q. Are you doing a lot of that right
3 now?

4 A. I haven't done any this year.

5 Q. And why is that?

6 A. Well, I haven't been able.

7 Q. I gotcha. Now, right now, of the
8 businesses there at your service station
9 on Montgomery Road, what businesses there
10 do you still currently own?

11 A. I still own -- I'm over everything,
12 but the tow I've got and the service, and
13 the rental property.

14 Q. What about the quick store in
15 there? Do you still own that?

16 A. No.

17 Q. Who did you sell that to?

18 A. I sold that to my daughter and
19 son-in-law.

20 Q. And you still have management
21 responsibilities for those stores; is that
22 correct?

23 A. Well, yes.

0025

1 Q. Now, have you had to cut back on
2 the amount of work you've done in the last
3 year or so?

4 A. I haven't done any work in the last
5 year.

6 Q. And again, I think you mentioned it
7 before, but why is that?

8 A. Well, I've been under that chemo
9 and then in and out of the hospital so
10 many times, I haven't felt like working.

11 Q. Now, I understand your wife also
12 did some work in conjunction with your
13 businesses; is that correct?

14 A. Yes, sir.

15 Q. Has she been able to keep up the
16 sort of work schedule she did prior to you
17 getting sick?

18 A. No.

19 Q. And why is that?

20 A. She's been taking care of me.

21 Q. In terms of your businesses over
22 the year, have you ever had any really
23 long-term employees? People who would
0026

1 stay with you for a number of years?

2 A. Yes.

3 Q. Can you just name a few people and
4 approximately how long they stayed with
5 you?

6 A. Kenny Wilson has been with me over
7 twenty-five year.

8 Q. Is he still with you?

9 A. He's still with me today. And I
10 have had -- Cooley Miller was with me
11 probably fifteen year, and Mergenthal was
12 with me -- Dave Mergenthal was with me
13 probably a good ten, twelve year. A lot
14 of them break off on their own. They
15 learn the business, and they go out and
16 start their own. And I have helped them
17 do so, if they leave on good terms, you
18 know.

19 Q. Well, let's talk about some of

20 these long-term guys. What about Cooley
21 Miller? Did he actually work with you
22 doing auto repair work at your station
23 over the years?

0027

1 A. Yes.

2 Q. And for how long did he do that?

3 A. He was with me at Tyson's too. We
4 worked together part-time there together.

5 And then when I bought my station, he
6 come -- or leased it the first -- he come
7 to work for me then. And he stayed with
8 me for about -- I want to say probably
9 fifteen year.

10 Q. And would he be familiar with your
11 basic work practices and the products that
12 were being worked on in the shop and that
13 sort of thing?

14 A. Yes, sir.

15 Q. Now, what about Dave Mergenthal?
16 How long did he stay with you?

17 A. Dave was probably with me for about
18 ten year.

19 Q. And was he also doing automotive
20 repair work with you?

21 A. Yes.

22 Q. And would he also be familiar with
23 your basic work practices and the kind of

0028

1 products you'd be working on?

2 A. Yes.

3 Q. Are both of those fellows still
4 alive?

5 A. Yes.

6 Q. Are they both in the Cincinnati
7 area?

8 A. Yes.

9 Q. Right now, including the quick
10 store and your service station, your
11 towing business and the lot and all those
12 things, approximately how many employees
13 do you have?

14 A. I'd say about twelve.

15 Q. And has that been much fluctuation
16 over the years? Have you ever had a lot
17 more or a lot less since, say, the early
18 '70s?

19 A. That's been about average.

20 Q. Now, I don't want to get into a lot
21 of this, Mr. Reese. I know it's a little
22 unpleasant for you. But I understand that
23 you've come down with a pretty serious
0029

1 illness; is that correct?

2 A. Yes, that's correct.

3 Q. How did you start realizing that
4 something was wrong?

5 A. Well, I was working, and I started
6 running out of air, which I'm still out of
7 air. I apologize for my voice, but that's
8 the best I've got. And I would get to the
9 point where I would go out to work -- and
10 then I started hauling the cars where I
11 could sit down a lot in the last year, and
12 I would get out on my truck and bend over
13 and hook up my car, and I would get
14 dizzy. I would have to hold onto the
15 car. And then one Sunday morning, I
16 couldn't breathe. So my wife took me to
17 the hospital, and that's where they
18 diagnosed me with having cancer, Christ
19 Hospital.

20 Q. Christ Hospital here in Cincinnati?

21 A. Yes, sir.

22 Q. And about when was that? When did
23 the symptoms get so bad you felt like you
0030

1 had to get some medical attention?

2 A. It was in November of '05.

3 Q. Do you remember any of the names of
4 the doctors who helped out with diagnosing
5 you?

6 A. Well, the only one that I really
7 know is Dr. Lemming. And of course, he
8 had other -- there was other people --
9 staff doctors at the hospital, but I don't

10 recall their names. I mean, I could
11 probably get it. I've got bills from all
12 of them.

13 Q. What did the doctor tell you about
14 your illness once he figured out what was
15 wrong with you?

16 A. He said I had lung cancer.

17 Q. Did he have any particular name of
18 the disease? The particular form of
19 cancer that you have?

20 A. Yeah, but I can't pronounce it.
21 I've got a card with it wrote on it.

22 Q. Do you have that card with you?

23 A. I do.

0031

1 Q. Why don't you pull that out just so
2 we can get on the record what it is. You
3 can read it.

4 A. His name is Dr. Lemming, and it's
5 M-E-S-O-T-H-E-L-I-O-M-A, mesoloma (sic).

6 Q. Mesothelioma.

7 A. Mesothelioma.

8 Q. And why did you have that written
9 on a card like that, actually?

10 A. Because I couldn't remember what I
11 had.

12 Q. Fair enough, fair enough. Let me
13 ask you first of all, was that the first
14 time that you'd ever heard of
15 mesothelioma?

16 A. Yes, sir.

17 Q. Did the doctor discuss your work
18 history or come to any kind of conclusions
19 about what might have caused this?

20 A. He said it's caused by asbestos.

21 Q. And did he ask you about your work
22 history?

23 A. He did.

0032

1 Q. Did he point anything out to you
2 about your work history?

3 A. After I told him what I did and
4 then we talked about it, he said it was

5 probably in brakes, where I got it from.

6 Q. I think you may have already
7 answered this, but just to be clear, when
8 did you first realize that working with
9 asbestos in the automotive industry could
10 give you cancer?

11 A. Well, I've known about it for
12 probably five, six, seven, eight year
13 that -- on things to look for. But in
14 talking with -- nobody has ever told me
15 what or when, you know, any particular
16 thing. I knew that anything that had
17 asbestos in it in the last few years, you
18 know, was not good for you.

19 Q. When did you first realize that
20 actually working around automotive
21 products and that sort of thing could
22 actually give you a disease like
23 mesothelioma?

0033

1 A. I didn't know that until the doctor
2 told me.

3 Q. I just want to know -- and I know
4 you're not a medical doctor and you
5 probably don't understand a lot of what
6 they did to you, but could you just
7 basically tell me what the doctors have
8 tried to do for you? First of all, what
9 did they have to do to figure out that it
10 was mesothelioma?

11 A. Well, the first I went in into the
12 emergency room because I couldn't
13 breathe. And my regular family doctor had
14 me admitted, and had some tests run. And
15 the right lung was totally collapsed. It
16 was flat when I went in the hospital. And
17 then once they admitted me, you know, they
18 done several things to me in the emergency
19 room. I was in there for about probably
20 four hours. Then they sent me up to a
21 room. And then another doctor come in,
22 the lung doctor, and checked me. And it
23 was on a Sunday night. And he said, We've

0034

1 got to do an operation on you to get that
2 fluid off of your lung tonight. And I
3 said, On a Sunday night? And he said,
4 Yeah, I'm afraid if we wait until
5 tomorrow, we won't have a patient. So
6 they went in my back and got two liters of
7 fluid off the right lung. And then they
8 come back -- I think it was Tuesday or
9 Wednesday of the following week -- that
10 was on a Sunday, and on a Tuesday or
11 Wednesday they got another liter and a
12 half of fluid off that lung. At which
13 time the -- whatever they do in that lung,
14 they got it back up and operating. Then
15 they cleaned it all out, and then they
16 glued it -- they call it talc. They glued
17 that lung in my right side, and it's still
18 glued in. And I'll have to keep that in
19 as long as I live.

20 Q. And did they give you any kind of
21 medications or chemotherapy after this?

22 A. Oh, yeah, I had another operation
23 after that in the lung -- with another

0035

1 lung doctor, and then I went on chemo. I
2 was on chemo for six months.

3 Q. And when did that start and end,
4 approximately?

5 A. They started the chemo in December
6 and went one treatment a month.

7 Q. What was the impact on that
8 treatment on you? Did you suffer any kind
9 of side effects from that treatment?

10 A. Well, yeah. Chemo makes you so
11 sick you just want to die.

12 Q. Fair enough. What about today?
13 Are you on any particular sorts of
14 medications or ongoing treatment plan or
15 anything else?

16 A. Well, I'm still on my blood
17 pressure medicine, and I have just a
18 little pill I take for sugar. I'm

19 watching my sugar. But then I'm on

20 Oxycodone for pain.

21 Q. Are you having to take Oxycodone

22 on -- what, a daily, weekly basis? How

23 often do you have to take it?

0036

1 A. Just when you get in a bad pain.

2 And sometimes I take three or four a day,

3 and then I might go a day that I don't

4 have to take any. It's just whenever I

5 need it, I can take it if I want to. I'm

6 the judge on that. He don't tell me when

7 to take it or when not to take it on

8 that. He said, the pain -- you know, when

9 it hurts, you'll know when to take it.

10 Q. Do you feel like -- even though you

11 may be on some medications, do you feel

12 like you're in good shape to testify

13 today?

14 A. Oh, I think so.

15 Q. Now, you've already given prior

16 days' of deposition testimony in this

17 case; correct?

18 A. Yes, sir.

19 Q. Do you feel like when you gave

20 those depositions that you were in pretty

21 good shape and were clear enough to give

22 good testimony?

23 A. I think so.

0037

1 Q. Now, there was a lot of

2 conversation -- that I don't want to

3 duplicate, but there was a lot of

4 conversation about how often you did

5 certain types of work and what percentages

6 of various companies' products that you

7 worked with. Do you remember all that

8 testimony, sir?

9 A. Yes, sir.

10 Q. Do you think your estimations for

11 the various amounts of time that you did

12 certain types of work was reasonably

13 accurate?

14 A. To the best of my knowledge, I give
15 the best that I could recall and remember
16 to doing it, yes, sir.

17 Q. And what about the various
18 percentages of one brand from another? Do
19 you think that was about the best
20 approximation you could come up with off
21 the top of your head?

22 A. Yes, sir.

23 Q. Do you think those numbers are
0038

1 exact numbers, for example?

2 A. It wouldn't be exact, but it's as
3 close as I could remember.

4 Q. Fair enough, fair enough. Now,
5 given this diagnosis of mesothelioma, let
6 me just point blank ask you: Are you
7 worried about it?

8 A. Well, sure, I'm worried about it.

9 Q. And why are you worried about it?

10 A. Well, they told me I only had
11 twelve to eighteen months to live.

12 Q. What sort of things are you
13 concerned about other than obviously the
14 fact that they've given you a bad
15 prognosis?

16 A. Well, I'm just -- I mean, until you
17 sit where I sit, I don't know how to
18 explain it to you. You just see the whole
19 world shut down in front of you. I mean,
20 it's hard -- you can't work, and I can't
21 take the grandkids and my wife or nothing.

22 Q. You okay?

23 A. Yeah.

0039

1 Q. Let's get on to another subject.
2 Other than working as an auto mechanic, do
3 you have any knowledge that you were
4 exposed to asbestos in any other way?

5 A. Not to my knowledge.

6 Q. Okay. Are you okay to keep going?

7 A. Oh, yeah, I'm fine.

8 Q. I want to kind of start talking

9 about your work history now as a mechanic,
10 if we can. Okay?

11 A. Okay.

12 Q. Approximately what year did you
13 start working as a mechanic?

14 A. 1961.

15 Q. Now, was that full or part-time
16 work at that time?

17 A. At that time, it was part-time.

18 Q. And who was the gentleman that you
19 were working with?

20 A. That I worked for?

21 Q. Right.

22 A. I worked for a guy by the name of
23 Ed Tyson.

0040

1 Q. Was Ed Tyson a pretty good
2 mechanic?

3 A. He was an excellent mechanic.

4 Q. How did he get his training, if you
5 know?

6 A. He was a mechanic and -- supervisor
7 working mechanic for Anchor Motor
8 Freight. They hauled new cars.

9 Q. And what kind of cars was he
10 working on when he was trained as a
11 mechanic for Anchor?

12 A. Basically, trucks. He worked
13 for -- Anchor was the carrier that hauls
14 the trucks.

15 Q. And what sort of work would he do
16 on those trucks, if you know?

17 A. Anything that went wrong. They had
18 like -- it was a big company. Anchor
19 Motor Freight is a big company. And
20 whatever needed to be done to their trucks
21 in the Cincinnati terminal. They run the
22 terminal out of Cincinnati, and he was the
23 worker supervisor. I think maybe he might

0041

1 have started out as a mechanic, and then
2 he became supervisor for Anchor Motor
3 Freight working on the trucks' motors,

4 transmissions, clutches, brakes or
5 anything that they would need done. I
6 mean, he could do anything.

7 Q. Now, in addition to being trained
8 by Mr. Tyson, have you ever had any
9 opportunity to train under any other
10 mechanics or take any sort of course work
11 or anything like that?

12 A. Well, when I went in business for
13 Sun Oil Company, I went to Sun Oil Company
14 school and took their training. And I've
15 had -- over the years since then, I've had
16 training from a lot of the -- like Delco
17 school, General Motors. Which Delco and
18 General Motors are the same thing. But
19 went through their training and through
20 their schools and took seminars where they
21 would be putting them on at my parts house
22 where I bought most of the parts. So I've
23 been in a lot of training schools.

0042

1 Q. When you talk about these training
2 schools, are we talking about like
3 fifteen, twenty minutes or an hour
4 presentation, or was this a more in-depth
5 sort of presentation?

6 A. Well, Sun Oil Company was six
7 weeks, forty hours a week. And then the
8 Delco, where we went at General Motors
9 training center, that could be a one-day
10 or a two-day seminar. It was -- you know,
11 it depends on what you were going for. It
12 could be -- one or two-day, normally,
13 would take care of that. I don't ever
14 remember going to them more than three
15 days in a row.

16 Q. Was this an actual structure that
17 was being operated by Delco to do these
18 courses, to your knowledge?

19 A. General Motors training center,
20 yes, sir.

21 Q. And where was that located?

22 A. Out on Reading Road in

23 Sherrodsville.

0043

1 Q. Let me get on to a little bit of a
2 different subject. Did you ever have
3 contact with, say, salespeople at these
4 various parts stores?

5 A. Yes.

6 Q. Like -- obviously, they were trying
7 to sell you products; right?

8 A. Correct.

9 Q. You know, would they have
10 presentations they would actually make to
11 you as well?

12 A. They did.

13 Q. And where would these generally
14 occur, these presentations?

15 A. It depends on what it was. Some of
16 them could be -- if it was a large piece
17 of equipment or something, they would come
18 to your shop and teach you how to use it.
19 Or in most cases, they would have it in
20 the parts house that was selling the
21 part. And they would have more than just
22 you there. They would invite in maybe as
23 high as ten people at a time to put on the

0044

1 seminar in the parts house.

2 Q. And what were some of the parts
3 houses that you purchased parts from in
4 the Cincinnati area?

5 A. Well, the biggest one that I
6 always -- was Staggy Auto Parts, and then
7 there was a Wilcox Auto Parts that we
8 bought from and NAPA. Staggy was our big
9 supplier.

10 Q. Where was the NAPA store that you
11 purchased items from?

12 A. It was in Norwood.

13 Q. Do you remember, by any chance, the
14 actual location in Norwood?

15 A. I don't remember the address. I
16 know where it's at.

17 Q. Fair enough. And when did you

18 first start doing business with that NAPA
19 dealer?

20 A. In 1961.

21 Q. And when did you stop doing
22 business with them?

23 A. I still -- I haven't. I still buy
0045

1 from them.

2 Q. What kind of parts would you be
3 purchasing from this NAPA dealership in
4 Norwood?

5 A. Well, normally, whatever we --
6 basically, with Staggy, but NAPA had a lot
7 bigger supply. Anything that the other
8 parts house maybe didn't have, you would
9 get from the NAPA. And then they had a
10 machine shop in NAPA where if you was
11 doing valve jobs -- back in those days,
12 cars going up to forty thousand miles,
13 they needed a valve job. And then we
14 would take the heads off the cars and then
15 take them to NAPA, or they would come and
16 get them and resurface the heads and bring
17 them back.

18 Q. Now, I believe you got into a
19 fairly extended conversation about that in
20 one of the other days of your deposition;
21 is that correct?

22 A. Yes.

23 Q. All that testimony, to your
0046

1 knowledge, was accurate?

2 A. To the best I could do.

3 Q. Sure. Now, did you also buy any
4 parts from, say, any of the local car
5 dealers?

6 A. We bought parts from all the car
7 dealers if the parts house didn't have
8 it. And a lot of times, if it was -- like
9 brakes, we would buy brakes from the car
10 company. You know, Ford or Chevrolet or
11 whatever the car was, if the people would
12 let us buy there. If they want to pay it,

13 it was always higher. So we would go
14 there to get the parts if they wanted
15 premium parts.

16 Q. I see. And again, in your prior
17 deposition testimony, you got into a
18 pretty extensive conversation about what
19 dealers you went to around town; is that
20 correct?

21 A. Yes.

22 Q. Was all that testimony accurate, to
23 your recollection?

0047

1 A. Yes, sir.

2 Q. And again, I don't want to belabor
3 it and go through all those, but as you
4 sit here today, what are some of the
5 locations of the dealers that you remember
6 going to?

7 A. Well, the biggest one we used to go
8 to was Economy Chevrolet in Norwood. It
9 was a Chevrolet dealership. And Norwood
10 Ford was -- the guy that owned it was
11 Joseph Leonard, Norwood Ford. And then we
12 had Kim Ott Dodge. We'd go to Kim Ott
13 Dodge. And another Ford dealer we used
14 was Rocky Fill over on Vine Street. And
15 Hassen's VW was in Norwood. And then just
16 about -- you know, any of the -- the
17 Cadillac dealer was in Montgomery. That
18 was CaMargo Cadillac. It wasn't called
19 CaMargo then. It was a different name,
20 but that's who owns it now. It's still in
21 business you can get parts from.

22 Q. Any others that you can remember
23 buying auto parts from just as we sit here

0048

1 today?

2 A. Well, I mean -- like I say, all the
3 dealers, I've bought parts from over the
4 years.

5 Q. Now, in all the time where you were
6 having training or salesmen were talking
7 to you about selling their products, did

8 anyone -- over all those years, did anyone
9 ever warn you that asbestos was dangerous
10 and could cause cancer?

11 A. No, sir.

12 Q. Do you think if somebody had warned
13 you about that and gotten your attention,
14 you'd remember that kind of a warning?

15 A. I certainly would.

16 Q. Going a little bit further, do you
17 recall anybody -- any of these salespeople
18 or any of these dealers or anyone at any
19 of the training sessions you ever had, did
20 any of them ever warn you about doing
21 specific work on a car, that it could be
22 dangerous and give you cancer?

23 A. No, sir.

0049

1 Q. I want to ask you a little bit
2 about some of the work that you did. And
3 I think we're going to take a short break
4 here in just a minute, but what sort of
5 repair work did your shop do over the
6 years?

7 A. Over the years, we did everything,
8 you know, that there was to do to a car
9 from bumper to bumper at one time or
10 another, you know. But then as time went
11 on, we got away from the engine overhauls,
12 because they don't need that today like
13 they used to. And valve jobs, they don't
14 need that. But we would do anything to an
15 automobile that -- whatever the problem it
16 would have.

17 Q. Now, would you actually be doing
18 this work hands-on yourself?

19 A. A lot of it, yes, sir.

20 Q. And for example -- I just want to
21 sort of go decade by decade. In the '60s,
22 how often were you actually doing hands-on
23 work at the garage?

0050

1 A. In the '60s, all the time.

2 Q. Are we talking three days a week,

3 four days a week, five days?

4 A. Seven, a lot of times. Either six
5 or seven. Sometimes I didn't have to work
6 on a Sunday if I could get somebody.

7 Q. What about in the '70s? How often
8 were you doing hands-on work where you
9 were actively repairing a car?

10 A. All of the '70s.

11 Q. What about the '80s?

12 A. '80s, I started to slack off a
13 little bit and be more of a manager and
14 helper.

15 Q. Were you still doing hands-on auto
16 mechanic work in the 1980s.

17 A. Yes, sir.

18 Q. Were you doing all the different
19 sorts of repairs that were being done in
20 the shop at that time?

21 A. Yes.

22 Q. And again, I think you've given
23 extensive testimony about this in the
0051

1 prior days' deposition. To the best of
2 your knowledge, all that testimony was
3 accurate?

4 A. Yes, sir.

5 Q. Now, were you the only person doing
6 work at the garage at this time?

7 A. No, I've always had helpers.

8 Q. And a lot of these repairs, could
9 you do them by yourself, or did you need
10 somebody to actually assist you?

11 A. Well, it depends on what the job
12 was. If you were doing motor work, you
13 had to have help. You couldn't lift it by
14 yourself. And if you were doing brakes,
15 you could do that by yourself. If you
16 were doing -- basically, anything to the
17 car you could basically do by yourself if
18 you had the right jacks and stuff to do
19 it, but a lot of the work we helped each
20 other on. So we didn't have to fool
21 around with a jack, we'd lift it out and

22 set it on the floor.

23 Q. Now, were there other mechanics

0052

1 that sometimes would be doing work on

2 projects that you had no involvement with?

3 A. They'd just do it on their own?

4 Q. Right.

5 A. Yes, sir.

6 Q. In fact, starting in about 1967,

7 typically how many mechanics would be

8 working during your busy shift?

9 A. Well, up to '70, there was only two

10 mechanics. That was me, and I had one

11 more. We had gas pumpers, but actual

12 mechanics -- we was in a two-bay at that

13 time, and we worked one bay per man, and

14 then we'd help each other if we needed to.

15 Q. You said that was a two-bay garage?

16 A. In the '70s, yes, sir.

17 Q. And about how -- what were the --

18 A. Well, now, in '67 up to '70. Until

19 we built the new colonial style, we only

20 had two bays.

21 Q. Just talking about the '60s before

22 you built the newer style, about what were

23 the dimensions of that two-bay garage?

0053

1 A. You mean --

2 Q. How long, how wide?

3 A. I think they were -- the stalls

4 were thirty foot deep and fifteen foot,

5 each, wide. But there was no divider or

6 anything in it, so the two-bay was

7 probably thirty by thirty back in those

8 days.

9 Q. And what about in the '70s? What

10 were the dimensions of the area where you

11 were doing most of your garage work?

12 A. Well, that was -- they still today

13 have the thirty-foot depth. So three

14 bays, that'd be forty-five foot from one

15 side to the other.

16 Q. And how many mechanics were you

17 working with at that point in time?

18 A. We normally had three then.

19 Q. Three, and yourself on top of that;
20 right?

21 A. Yes, sir.

22 Q. So two teams of two?

23 A. Well, a lot of times I was the

0054

1 helper and let them do their own work.

2 You know, I'd just help them out where

3 they needed work at in the garage.

4 Q. And when did that -- when did the
5 dimensions change in a significant way
6 from that? When did the garage get bigger
7 or smaller, approximately?

8 A. In the service station, they
9 didn't -- well, in the type that we had,
10 it didn't. Some places built what's
11 called a car care center where they had
12 like six bays or something, and they were
13 all open. But the regular service station
14 like we had, I don't think they've changed
15 it today, if it was a three-bay.

16 Q. So you've never had more than three
17 bays at a time; is that correct?

18 A. Well, I built four on till I had
19 seven at one time on the shop when it was
20 finished.

21 Q. And what was the most mechanics you
22 ever had working, typically, on a shift
23 period?

0055

1 A. On the shift, just me and two
2 more. Now, that's in the garage part.
3 Then the body part was totally different.
4 It had its own crew over there. Normally,
5 two people worked there.

6 Q. I see. Okay. Good. I want to ask
7 you some questions here -- I think we're
8 going to take a break in just a moment,
9 but first of all, you gave a lot of
10 testimony in the first four days here
11 regarding how to do various brake jobs.

12 Do you recall that, sir?

13 A. Yes, sir.

14 Q. Is there any kind of real
15 difference between how you change brakes
16 on one brand of car versus another brand
17 of car?

18 A. Very little.

19 Q. So all drum brakes, it's a pretty
20 similar process; correct?

21 A. Except for the Chrysler. You have
22 to use a puller to take the rear wheel off
23 of a Chrysler because it's on a spline.

0056

1 Q. But all other aspects would be very
2 similar; correct?

3 A. Yes.

4 Q. What about disc brakes? Is that
5 very similar from manufacturer to
6 manufacturer?

7 A. Yes, they're basically the same
8 thing.

9 Q. What about clutches?

10 A. Clutches are still the same.

11 Q. What about doing gasket work?

12 A. That's all the same.

13 Q. Now, prior to the widespread use of
14 catalytic converters, what about
15 mufflers? Was that work pretty much the
16 same from car to car?

17 A. Same thing from car to car.

18 Q. Good. Now, I notice that you
19 brought a few things to the depo today. A
20 few items that you actually worked with.
21 First of all, you brought some sort of a
22 long elaborate tool. Could you pick that
23 up and hold that and explain what that is

0057

1 to the jury?

2 A. This is called the slap hammer.
3 It's made by Snap-On. And this part here
4 screws off of it, this here does
5 (indicating). They make all kind of
6 different -- this piece here is the

7 actual -- the axle puller that's on there,
8 that was what was on it. But then you can
9 also pull the drum. It's got different
10 settings on it. And you -- if you get one
11 that's stuck, what you do, you take this
12 and put it on the tool, and you hit it
13 like that, and it jerks the axle out or
14 jerks the brake drum off or whatever
15 you've got it hooked to.

16 Q. And how often would you have to use
17 a tool like that?

18 A. Every time on a Chrysler,
19 normally. And then if you got one that
20 hadn't had the brakes changed on it for a
21 while -- it comes in very handy on all of
22 them. But most of the time you can take a
23 hammer and beat them with a hammer, and
0058

1 it'll come off. It's a lot easier with a
2 hammer than it does this.

3 Q. And I think you actually have
4 brought a hammer that you used when you
5 were doing brake work; correct?

6 A. Yeah. I've had this hammer
7 probably for forty years.

8 Q. It's not going to wear out anytime
9 soon, I guess. What exactly would you do
10 with that when you were doing --

11 A. On your brakes, when they're rusty
12 and stuck, you just hit the drum where it
13 goes over the flange on the axle and break
14 the rust loose and pound it with this, and
15 you turn it and pound it, turn it and
16 pound it, and it'll pop off in a little
17 bit.

18 Q. Now, let me just ask you a
19 question. When you would hit those brake
20 assemblies with that hammer would that
21 affect the air around you in any way?

22 A. I don't understand what you mean
23 "affect the air".

0059

1 Q. Was it a clean process?

2 A. No. The dust would come out of the
3 drum. You know, when you'd hit it, all
4 that dust would come out of there when
5 you're pounding on it, especially when it
6 pops off.

7 Q. What about that slap hammer? Was
8 that a clean process?

9 A. Not when the drum -- when the drum
10 would come off, it was not.

11 Q. And would that affect the air
12 around you in any way?

13 A. Well, it got dust in the air from
14 the brake.

15 Q. And in both those instances, with
16 the slap hammer and the kind of little
17 small sledge hammer you were using there,
18 could you actually see that dust in the
19 air?

20 A. Oh, yeah, it was very visible.

21 Q. Now, I understand that you actually
22 brought a new brake pad and -- you didn't
23 have a lot around the shop, but you
0060

1 actually did have one used brake shoe; is
2 that right?

3 A. Yes, sir.

4 Q. Why don't we start with the brake
5 shoe first.

6 A. This is the primary shoe. And
7 you've got a primary and a secondary shoe
8 on each car, each drum. And the
9 difference is that -- this is the long
10 shoe. The one that goes in the front
11 would be a short shoe. And you bring
12 those in here. And your emergency brake
13 adjuster goes up here. This is the
14 spring-hold here that holds it on the
15 car. There is a spring that goes in here
16 to the other shoe. And you flip it back
17 and put your adjuster in there. See,
18 that's where the adjuster goes, right
19 there.

20 Q. What part of that actually stops

21 the car?

22 A. This part right here.

23 Q. Now, that's a used one. Would it
0061

1 have looked that same thickness when it
2 was brand new?

3 A. No. This brake shoe here is about
4 wore out. See the rivets. It's probably
5 eighth of an inch thicker when it's new.

6 Q. And what is that actually pressing
7 up against to slow the car down or stop
8 the car?

9 A. When you put the brake on, it goes
10 agin the drum. The drum sets out here
11 like this, and this goes up agin the drum.
12 And the harder you push on your brake
13 pedal, the harder that pushes on the drum
14 to stop it.

15 Q. Good deal. We may come back to
16 that a little bit later, but I want to see
17 what else you've got in your box there.
18 You brought a brake pad as well; is that
19 right?

20 A. This is a brake pad. And the
21 pad -- what it does, you have a rotor that
22 goes in the center. This pad goes on the
23 top or the front or the back, depending on
0062

1 which car it goes on. And what it does is
2 you apply your brakes. And you've got one
3 of these on the front of the rotor, and
4 you've got one of these on the back of the
5 rotor. And what it does, it actually
6 squeezes together off the pressure. And
7 the brake -- the master cylinder, when
8 push your foot pedal down, squeezes this,
9 and it goes into the rotor on each side.
10 Where the shoe, you've got a front and
11 rear. This you've got a back and a front
12 because they fit together like this.

13 Q. I see. Now, the brake shoe that
14 was used, was that used in drum brakes?
15 Is that right?

16 A. The shoe, yes.

17 Q. And what kind of brakes was that
18 used on?

19 A. That goes on one with the rotor on
20 it, disc brake.

21 Q. A disc brake?

22 A. Yes.

23 Q. And you were mentioning that they
0063

1 both pinched into the disc; is that
2 correct?

3 A. Yes, sir.

4 Q. Is that a lot like the way, say, a
5 bicycle brake works?

6 A. Basically, the same thing. Like
7 where you squeeze your handle, it goes in
8 on it.

9 Q. I gotcha. We may come back to that
10 a little bit later, but I want to go over
11 some diagrams here in just a minute.

12 A. This shoe here -- this is new. See
13 how thick that is?

14 Q. Um-hum.

15 A. That wouldn't hardly be that thick,
16 but it would be almost that thick when it
17 was new. And this is riveted. See, it's
18 riveted on.

19 MR. DIMUZIO: Off the record.

20
21 (Whereupon, a brief discussion was
22 held off the record.)
23

0064

1 THE VIDEOGRAPHER: Back on the
2 record. The time is 10:22 a.m.

3
4 (Whereupon, Plaintiff's Exhibit Two
5 was marked for identification and
6 copy of same is attached hereto.)
7

8 Q. (BY MR. DIMUZIO:) Mr. Reese, we're
9 back after a short break. Just as sort of
10 a prelude here, I want to go through some

11 of the operations that you did at the
12 service station. And I've got some
13 pictures here that I'm hoping will be a
14 little bit helpful. I want to kind of
15 march through a few of them and then have
16 you just tell me what you did with all
17 these parts. First of all, we have on the
18 screen right there what's been marked as
19 Exhibit Number Two. Can you explain to
20 the jury what we're looking at right
21 there?

22 A. This is the drum, brake drum, and
23 that's the axle, and that's where you put
0065

1 your lug nuts on that holds the wheel onto
2 this part. And that's a balance right
3 there to balance the drum.

4 Q. Okay. And we may come back to some
5 of these pictures if you need them, but
6 let's just kind of -- go ahead. Do you
7 want to point something else out?

8 A. That's the one that you use the
9 hammer on. Right here is where that -- it
10 gets stuck at on the axle. And if you hit
11 this right out here with the hammer,
12 that'll make this pop off here, the lug
13 nuts. And right here on the axle on the
14 flange where that goes up on the axle,
15 that's where it always gets stuck right
16 there. And you hit it with the hammer.
17 And most of the time, if you hit it a few
18 times and turn it, it'll pop it off.

19 Q. Okay. I gotcha. And that was a
20 drum brake; right?

21 A. Yes, sir.

22
23 (Whereupon, Plaintiff's Exhibit
0066

1 Three was marked for identification
2 and copy of same is attached
3 hereto.)
4

5 Q. And what do we have a picture of

6 right there? In fact, what do we have
7 there, sir?

8 A. Well, that is the vacuum plate, the
9 back part of -- that's what the shoes goes
10 onto. And there is the axle and the studs
11 that the wheel goes on and the flange
12 where the drum goes onto this part.

13 Q. Okay. Now, this is still the same
14 drum brake; right?

15 A. Yes, sir.

16 Q. And the drum has been removed;
17 right?

18 A. Yes, sir.

19 Q. Now, where would the actual brake
20 pads that press up against the drum be in
21 this photograph?

22 A. This is your brake pad here. This
23 is your secondary, and that's your primary
0067

1 back here.

2

3 (Whereupon, Plaintiff's Exhibit
4 Four was marked for identification
5 and copy of same is attached
6 hereto.)
7

8 Q. Okay. I'm hoping that's showing up
9 on the video there. I'm not sure how well
10 that's coming across, but we've got some
11 other diagrams we can use a little bit
12 later. In fact, right now I want to put
13 on the screen this diagram that's been
14 marked Exhibit Number Four. Could you
15 tell the jury what this is?

16 A. That's the assembly, the brakes.
17 This up here is your wheel cylinder that
18 pushes the brakes out agin the drum. And
19 this is your emergency brake here that --
20 you push your emergency brake on and it
21 pushes against the drum. This is the
22 spring that goes into this self-adjuster
23 here. You've got two springs up here to
0068

1 pull the shoes back when they've been
2 out. You put the brake on, and the
3 springs make it return. And this yellow
4 here is your self-adjuster. When you back
5 up, this arm here adjusts that brake to
6 keep your brakes adjusted up so you'll
7 have a good brake pedal. And it just
8 stops it from -- the brake pedal from
9 rubbing again this drum.

10 Q. So just to be clear, when you put
11 your foot on the pedal, what happens to
12 that little piston there?

13 A. That piston has got fluid and a
14 line that comes from what's called the
15 master cylinder down to that. When you
16 put your brakes on, that pushes both these
17 shoes out against the drum.

18 Q. Okay. Fair enough. Now, to your
19 knowledge, what part of this assembly
20 contains asbestos?

21 A. The only part I can see would be
22 the lining that's on the shoe.

23 Q. I gotcha. Now, do you have one of
0069

1 those brake shoes? Is that what you
2 brought here with us earlier today?

3 A. I do.

4 Q. Could you -- let's see if we could
5 put that on the diagram. If you could
6 show me that and show me where that same
7 part would be on that diagram, that would
8 just be great. You can just hold it up
9 and --

10 A. This here?

11 Q. Right.

12 A. This is the lining right here.
13 This is the brake lining. This is called
14 the hardware for the brake where all your
15 springs and your adjusters go. And this
16 is the lining right here that's riveted on
17 there.

18 Q. And excuse me for being a little
19 slow on this, but could you point on that

20 diagram where exactly that brake shoe is?

21 A. It's right here and right there.

22 Q. So there are two of them on that
23 drum brake; right?

0070

1 A. Yeah. You have a front and a rear.

2 Q. Now, when you first started
3 practicing in the '60s, what kind of
4 brakes were the most common brakes on
5 cars?

6 A. About all drum brakes, all four
7 wheels.

8 Q. All four wheels had drum brakes?

9 A. Yeah.

10

11 (Whereupon, Plaintiff's Exhibit
12 Five was marked for identification
13 and copy of same is attached
14 hereto.)

15
16 Q. Fair enough, fair enough. You can
17 set that down for a minute. This may be a
18 little redundant here, but I want to show
19 you what's been marked as Exhibit Number
20 Five. And could you explain to the jury
21 what that is?

22 A. That's a brake shoe. This is the
23 lining on it. And this is the hardware

0071

1 that the lining is either bonded or
2 riveted to.

3 Q. And that looks like a brand new
4 version of what you were just holding in
5 your hand; is that correct?

6 A. That's correct.

7

8 (Whereupon, Plaintiff's Exhibit Six
9 was marked for identification and
10 copy of same is attached hereto.)

11

12 Q. And let me show what has been
13 marked Exhibit Number Six. What is that?

14 A. I can't see it that well. Let me

15 see it up here for a minute. That's a
16 drum.

17 Q. That's a brake drum?

18 A. Yes, sir.

19 Q. And I know they call them drum
20 brakes, but why do they call them that?
21 How does that drum help stop the car?

22 A. Well, the shoe comes out and rubs
23 again the outside, pushing that wheel
0072

1 cylinder. When you apply your foot brake,
2 it makes the shoe go out and rub agin the
3 drum to stop it.

4 Q. Fair enough. Now, that's all the
5 slides that I've got on a drum brake. So
6 I want to talk about that now. If you
7 feel like any of these will be extremely
8 helpful, let me know. For right now, I'm
9 going to put back up on the screen Exhibit
10 Number Four. Could you just -- I know
11 there is probably a lot to it, but could
12 you just basically give me a little lesson
13 on how is it that you change a brake
14 drum? What do you do?

15 A. You mean from taking it off -- from
16 the time you start?

17 Q. Right. They bring it into your
18 shop and they need new drum brakes. What
19 do you do?

20 A. Well, the first thing you do is you
21 take the wheel off the car, and then you
22 take the drum off to where you can see all
23 these inner parts in there.

0073

1 Q. How do you take the drum off?

2 A. Well, you use that hammer that I
3 showed you before or this slap hammer, one
4 of the two.

5 Q. Now, when you do that on those
6 brake drums, does that affect the air
7 around you in any way?

8 A. Yeah, it'd be -- when you hit it,
9 rust and dust and everything flies out of

10 there when you're hitting it.

11 Q. Okay. What is that dust from
12 that's inside the drum?

13 A. That's inside the drum, that's from
14 where the shoe wore out, the pad.

15 Q. Do you think there would be any
16 like just road mud and that sort of thing
17 inside there?

18 A. No, there shouldn't be, because it
19 wouldn't work on stopping if it got full
20 of mud. You only have one little hole
21 right here in the back of this adjuster.
22 And it's got a rubber plug in the back of
23 it normally that -- unless somebody left
0074

1 it out -- would keep the water and the mud
2 from getting in there.

3 Q. All right. So you've pulled the
4 drum off. What's the next stage?

5 A. Well, you either show the customer
6 or they've told you already they want the
7 job done. Then you just break this --
8 well, the first thing you do is blow it
9 off good.

10 Q. Well, do you just blow it off with
11 your mouth?

12 A. No. You use the air hose on it.

13 Q. You're talking about a compressed
14 air hose?

15 A. Compressed air hose. Blow it all
16 off and clean it off, and then you can see
17 where your holes are at. And then you pop
18 them two springs on top first. Then you
19 take this one out here and this one out
20 here. And the others will fold together,
21 and then you can do them on the ground.
22 It's hard to get them apart and them on
23 there. You have to put the bottom part
0075

1 together to put it back on. And you take
2 these off first, and you bend it together
3 to get them off.

4 Q. Now, when you said you had to clean

5 them off first with this compressed air

6 hose, what were you talking about "it"?

7 What are you cleaning out of there?

8 A. The dust from where the brake shoe

9 wore out.

10 Q. Now, when you would hit that with

11 that compressed air, would that affect the

12 air around you in any way?

13 A. Oh, yeah, it goes everywhere.

14 Q. Are you talking about a little bit

15 of dust, a lot of dust? Could you just

16 describe for the jury what that would look

17 like when you did something like that.

18 A. Well, you blow the wheel off, the

19 brake shoe off. And you get you a red rag

20 or a handkerchief to put over your mouth

21 while you're blowing it, and run outside

22 as soon as you're done to get air.

23 Q. You could see this dust?

0076

1 A. Oh, yeah.

2 Q. Now you've cleaned off the --

3 you've pulled off the drum, you've cleaned

4 out the insides of that. And I know

5 you've explained it, and I'm sure a

6 mechanic would understand it, but I didn't

7 quite understand exactly what happened.

8 So we've taken the drum off. You've

9 cleaned it out with a compressed air

10 hose. What's the next step? Would you

11 remove those old ones?

12 A. You would take these off

13 (indicating), these shoes off. Then

14 you've got to clean all these parts that's

15 in there to make them work good when you

16 put them back together. This here gets

17 grease put in this. This comes apart

18 right here, this adjuster. And then these

19 here, you would normally take them to a

20 grinding wheel that's got a wire brush on

21 it. You know, a table with a wire brush

22 on it. And you clean these up so they

23 slide good right here at this part. If

0077

1 that don't slide, the brakes will stick
2 and wear them out. Then this right here,
3 you have to clean it with a wire brush
4 also so it can slide. That's a moving
5 part. That's a moving part, that's a
6 moving part and that's a moving part and
7 that's a moving part, and this down here's
8 moving part. So a lot of them, you should
9 clean them. And we usually do it with a
10 wire brush and a bench grinder. Just take
11 and hit them on that and that will clean
12 your tool. Clean that up. And you can
13 put just a drop of grease on each one of
14 them when we put it back together so that
15 it works good.

16 Q. You mentioned something about a
17 table grinder and a wire brush. First of
18 all, so I can be clear, are we talking
19 about some kind of hand-held wire brush
20 that you would clean the stuff with?

21 A. No, not normally. On that, you've
22 got a bench grinder. You've got a
23 grinding wheel on one end. You always

0078

1 have a wire brush on the other end of that
2 grinder. And it's got, you know, probably
3 a five-inch wire brush, and that's what
4 you clean them parts with.

5 Q. Now, when you would do that, clean
6 those things with that power wire brush,
7 would that affect the air around you in
8 any way?

9 A. It'd get some dust, but most of the
10 time you'll have about all of that blowed
11 off with the air hose that you were
12 blowing with and have it pretty well
13 cleaned up at that point.

14 Q. Now, were you doing all this
15 work -- by the way, was this inside or
16 outside the station when you were doing
17 most of this work?

18 A. No, it's inside.

19 Q. All right. Fair enough. So we're
20 to the point where you've taken those pads
21 off and you've cleaned those parts. So
22 far we've taken off the brake drum, we've
23 cleaned it out. You've cleaned the parts,
0079

1 and you've taken out the old brake shoes.

2 What do you do next?

3 A. Well, they pound your drum on the
4 floor and blow it out, clean it. Then if
5 you turn it, then you've got to take it
6 and put it on the lathe and true it up to
7 where -- you know, if this part -- this
8 has got rivets. If them wears all the way
9 down, them rivets will make lines in this
10 drum. Then you put that drum on a lathe,
11 a drum lathe. And then you take the
12 pieces out, you know, by cutting it. You
13 put it on there and just let it cut out
14 like ten thousand at a time. This is
15 turning. The tool is not turning. This
16 is solid here. And as that drum turns --
17 you fold it up through the center. And as
18 that drum turns, you can go in there and
19 you cut out ever how much you need to
20 clean it up. And then you do what's
21 called a finish cut on it. But there is
22 specs on that drum too. If it goes beyond
23 certain specs, you've got to throw it away
0080

1 and get a new one. It's got it wrote
2 right on the drum. All drums have it
3 wrote on there about what the specs are
4 and how big you're allowed to turn it out
5 to.

6 Q. Let's kind of break this down
7 because I've never really done this work.
8 I'll be honest with you. The first thing
9 you do with the drum is you say you put
10 the drum on the floor; is that right?

11 A. Yeah.

12 Q. And then you said you cleaned it
13 out. How did you clean that drum out?

14 A. Well, you just take your air hose
15 and blow it out.

16 Q. Would that affect the air around
17 you in any way?

18 A. Yeah. You've got -- that dust goes
19 everywhere when you do that.

20 Q. Do you think you were breathing
21 that dust?

22 A. I know that I was.

23 Q. Why do you know that?

0081

1 A. Well, because you can blow your
2 nose on a white handkerchief, and you've
3 got a handkerchief full of black stuff on
4 your handkerchief when you do.

5 Q. Fair enough. Now, sometimes is
6 just blowing out good enough or -- you
7 mentioned sometimes you have to use some
8 other kind of tool; right?

9 A. Well, if you turn it -- you have to
10 blow it out before you can turn it.
11 You've got to see what you're doing. You
12 have to do that. And then -- now we wash
13 that. We wash all that. You know, today
14 we've got a solvent that goes under that
15 that we do that with. Since we found out
16 about asbestos, we've got a tank that we
17 wash them in today, but we didn't always
18 have that.

19 Q. You mentioned doing some sort of a
20 tool and turning it. What tool do you
21 use, and exactly how do you do that
22 turning?

23 A. Okay. This drum, this part here,

0082

1 all this is gone. It's just a drum. You
2 take the drum and put it on your lathe.
3 And it bolts up through the center.
4 You've got flanges, aluminum, that goes
5 against each side of that and rubber -- a
6 nut that's about this long that's got
7 rubber in the center of it to keep the
8 chatter out of it. You tighten that up

9 against that. And then you got a band
10 that goes around there, a rubber band
11 about a half inch wide that's got lead
12 every inch on that band. And it seals it,
13 and that keeps the chatter out of it.
14 Otherwise, it'll bounce when you turn it.
15 And the tool is on the lathe. It's
16 actually sitting on its side like this.
17 And then when it comes in to get the
18 tool -- you start at the inside. And when
19 it touches, you know that's that. And
20 then you've got a dial on your lathe.
21 Each little notch is graduated to two:
22 two thousand, four thousand, six
23 thousand. And you take out like six or
0083

1 eight thousand, and you turn the machine
2 on and it automatically feeds that out to
3 turn it. And then when you get done, then
4 you take like a two-thousand cut,
5 different speed -- you've got different
6 speeds on the machine that's called a
7 finish cut. That's what you do on the
8 last cut is you take your finish cut, and
9 then you take it back and you put it on
10 the car.

11 Q. Now, when you do this, is the
12 purpose to clean it and make it the right
13 smoothness and consistency of the drum?
14 Is that what --

15 A. Yes. That could be -- the drum can
16 be from heat, it could be warped. Or most
17 of the time what happens is these shoes
18 where they're riveted on, the shoe wears
19 out, and then the rivet hits that drum and
20 makes grooves in it. And so that's what
21 you have to turn out is where the rivet
22 hits the drum and makes the grooves.
23 Otherwise, you put your new shoe on, it
0084

1 won't adjust right. It won't brake right,
2 because it's got to seat itself down in
3 them holes where it was wore.

4 Q. What's the name of the product of
5 the lathe that you have? Do you know what
6 the brand name is?

7 A. Yeah, I've got an Ammco.

8 Q. You've got an Ammco. When did you
9 buy that?

10 A. I think around '70.

11 Q. And did you just go into a store
12 and buy this and take it back to the shop
13 and start working with it?

14 A. No. This is a heavy piece of
15 equipment. And you go and buy it, and
16 then the people that -- the rep from
17 Ammco, they bring it out in a van,
18 normally, and set it up for you and teach
19 you how to use it, if you don't know.

20 They show you the right way to use it so
21 you don't get hurt with it, because you
22 could get hurt with that.

23 Q. Anywhere on that machine, did you
0085

1 ever notice if there were any kind of
2 warnings about asbestos exposure from
3 using that product?

4 A. No, sir.

5 Q. Anybody from Ammco -- when they
6 gave you the training, did they ever talk
7 to you about asbestos hazards when you
8 were doing auto mechanic work?

9 A. No.

10 Q. So we've pulled the drum off, we've
11 blown it out, we've cleaned off the parts,
12 we've removed the old brake pads that need
13 to be replaced, and if we needed to, we've
14 put the brake drum on the lathe and got
15 that in good shape. Now what do we do?

16 A. Well, you always try to sell
17 turning the drum, regardless, because it
18 can -- makes your brake job so much
19 better, unless somebody has got an old car
20 or something and they don't want to put a
21 lot of money into, and then you explain
22 that to them. And then you just put it

23 all back together and adjust it up. And
0086

1 we have a mike that we'd adjust from here
2 to here that goes in and out. And the
3 outside, you put in the drum and it comes
4 out. And then you take that and put it on
5 the shoe and adjust the shoe then. The
6 inside OD versus the outside OD, where the
7 mike is made, it's like a gauge. And then
8 you adjust that up and then put your drum
9 on it put your wheel back on it, and
10 that's about all there are to that part of
11 it.

12 Q. Now, did you just take these brake
13 shoes out of a box and just plop them on
14 the brake assembly, or did you have to
15 prepare them in any way?

16 A. Well, it depends on if -- when you
17 mike it up here -- see, if your shoe is
18 not on perfect, this part up here at the
19 top and down here at the top, we would
20 take sandpaper and sand that so that the
21 drum would slide over it. If the drum
22 won't slide over it and you loosen the
23 shoe back down, in just a little while, as
0087

1 soon as that seeps off, that'll wear off
2 if you don't sand it down a little bit on
3 the top of them corners, then you lose
4 your pedal. You know, your brake pedal
5 will go down, and the people will bring it
6 back and tell you that it's not right,
7 which it's not. And then you've got to
8 take it and then redo the job by adjusting
9 it. Don't have to disassemble it and
10 everything, but then you've got to get
11 back in there and adjust the brakes to
12 where they've got good pedal. Then you've
13 got to get them all even again.

14 Q. And what were you using to prepare
15 the surface so that it would fit correctly
16 in there?

17 A. Well, on this here, after you got

18 everything ready, you just use rough
19 sandpaper. Take and fold it like a sheet
20 of sandpaper. And what you would do with
21 it is you fold it so that the rough is on
22 the outside. Then you take that shoe and
23 you just rub that shoe, you know, knock
0088

1 the rough off the four corners. And
2 that's all you have to do to get the drum
3 back on.

4 Q. Did that produce dust when you did
5 that?

6 A. Yes, some, just from sanding it.

7 Q. Did you do anything else to prepare
8 the surface of the brake shoes so that it
9 would do a good job for the customer?

10 A. The only thing we ever did was cut
11 grooves in them if they squeaked. And you
12 usually knew what car squeaked and what
13 car didn't. So they were known for what
14 they do. But a lot of times you would
15 just groove your brake shoes back then to
16 let the dust get out and go to the
17 bottom. See, there is a lot of room down
18 here. And that dust, if it can get to the
19 bottom, it normally runs off and it don't
20 get in there and start to squeaking.

21 Q. Let me hand you your -- that brake
22 shoe. And that is a brake shoe; right?

23 A. Yes, sir.

0089

1 Q. And could you just turn that so
2 that it's facing the camera there so the
3 jury can see it? Can you show the jury
4 about where you would cut these grooves in
5 the brake shoe?

6 A. Well, in this shoe here you would
7 cut -- it would go on the car this way.
8 Okay? But you would cut the groove
9 downward. See, this is the top part of
10 the shoe. You would cut the groove down
11 this way, and then you would come down
12 here and cut another groove. You'd

13 normally only put two in it, because
14 you've got to be careful. You can damage
15 the lining, you know, where the brake --
16 there's two linings in it. And as that
17 dust goes down, goes down the road, you
18 know, hitting bumps, it can get in that
19 lining and go off down here to the bottom
20 and catches down here on this, on that,
21 and keeps it from squeaking, because the
22 dust is what's making it squeak most of
23 the time.

0090

1 Q. And what tool did you use -- or
2 tools did you use to grind those grooves
3 into the brake pads?

4 A. You've got an air grinder that
5 hooks onto your air hose, and we've got a
6 wheel that goes on that. And you just put
7 this in a vise. This ain't on the car
8 when you're doing it. You put this in the
9 vise and you just grind it down through
10 there free hand.

11 Q. And is there air coming out of
12 that -- the bit that you're using to grind
13 on the surface?

14 A. Coming out of the tool. It's an
15 air tool, yeah. The air comes out all the
16 way around it. It's -- push a button and
17 the air is what turns the wheel. And as
18 you grind this out, the air comes out of
19 that tool. It's only about -- well, you
20 get all different sizes. The one we use
21 is about five inches long or six. And you
22 can use different -- it's about like a
23 drill. You can use different kinds of

0091

1 tools in it. But we usually just use the
2 one cutter that we use to go down, which
3 is sandpaper, to cut that groove in there
4 with to get your squeak out.

5 Q. And about how deep would you go
6 when you cut those grooves?

7 A. Well, you never go beyond the depth

8 of the -- where the lining is on. You
9 check that and see how deep the lining is
10 to that rivet. And then when you cut this
11 groove in, you don't want to go no deeper
12 than that because if you do, you'll weaken
13 the lining and it could get hot and pop
14 apart.

15 Q. Now, you've got a brake shoe in
16 your hand. And I believe you testified
17 earlier there would be two per brake drum;
18 is that correct?

19 A. Usually you only want two in it.
20 That's enough.

21 Q. And in the early days, most of the
22 cars -- all four of the wheels had brake
23 drums; is that correct?

0092

1 A. When?

2 Q. In the early days, the '60s and the
3 '70s.

4 A. Yeah. They all had drum brakes on
5 all four wheels.

6 Q. Okay. Good. How often would you
7 have to change -- how often on a car would
8 you have to change the brakes back in the
9 '60s and '70s?

10 A. It was good for -- if you had good
11 luck out of them, the lining -- it would
12 last about twelve thousand miles with
13 normal driving, you know, like city and
14 road both. You could drive all city, you
15 might not get twelve thousand. If you
16 drive all road, you'd get more. But an
17 average was twelve to fifteen thousand
18 miles on a set of brakes.

19 Q. And would you have repeat
20 customers, by the way?

21 A. Yeah.

22 Q. And what percentage of your
23 business do you think was repeat

0093

1 customers?

2 A. Probably ninety percent of it.

3 Q. Would you typically do all the work
4 on an individual's car whenever they
5 needed help?

6 A. You mean the brake job or --

7 Q. All the work on a car.

8 A. Whatever they needed?

9 Q. Right.

10 A. Once it gets out of warranty, yes.

11 Q. I got you. Good. Fair enough.
12 Was changing brake drums like that -- was
13 that something that happened like once a
14 year or once a month, or was that a
15 frequent occurrence at the shop?

16 A. Oh, we did it like on a daily
17 basis, but not to the same car. You know,
18 different cars.

19 Q. Okay. I want to talk a little bit
20 about a different kind of brake. You
21 mentioned disc brakes before; right?

22 A. Yes, later. Just about all the
23 cars now have disc brakes in the front.

0094

1 Q. In fact, that's a good question.
2 When did disc brakes first start
3 occurring?

4 A. They probably come out in the mid
5 '80s, maybe '90, where about all the cars
6 had them on the front.

7 Q. And I take it from your answer that
8 in at least the early days, you'd have
9 like disc brakes in the front and drum
10 brakes on the rear; correct?

11 A. In the early days --

12 Q. Disc brakes --

13 A. -- of them coming out?

14 Q. Yeah.

15 A. Yeah, you'd have drum rear and disc
16 front, yes, sir.

17 Q. And nowadays, are some of the cars
18 all disc brakes?

19 A. Yeah, some of them are all four
20 wheel disc now.

21

22 (Whereupon, Plaintiff's Exhibit
23 Seven was marked for identification
0095

1 and copy of same is attached
2 hereto.)
3

4 Q. Let me show you what has been
5 marked Exhibit Number Seven. And what do
6 we have up there, sir?

7 A. That's a vacuum plate, that's the
8 rotor, and that's your caliper that your
9 disc pads go in. That's what stops the
10 car when you put the pads in there.

11 Q. And I'm going to hand you the brake
12 pad that you were doing before. Where
13 would that piece of equipment -- where
14 would that be in that diagram?

15 A. This would be the inner shoe here.
16 See the way it's cut there? That would be
17 the inner shoe, only it would be sitting
18 this way turned up. It would be one
19 inside and one outside.

20 Q. Can you just do that a little bit
21 further to the center here so we could get
22 that on the screen okay? So that's the
23 part we're talking about; right?

0096

1 A. Yes.

2 Q. And how would it actually be
3 sitting in there?

4 A. Well, your wheel is set up and
5 down.

6 Q. Fair enough. And this is -- just
7 to be clear, we're not talking drum brakes
8 now. What kind of brake assembly is this?

9 A. That's a disc brake.

10 Q. Disc brake assembly?

11 A. And you've got one in the back and
12 you've got one in the front.

13 Q. In fact, we have a little diagram
14 here that may be a little easier to see, I
15 hope. First of all, is this a disc brake?

16 A. Yes, it is.

17 Q. Can you just sort of explain to the
18 jury, you know, how this disc brake works
19 and how it stops the car?

20 A. Well, this is your rotor, and this
21 is your caliper, the green part here, the
22 caliper. And then when you put your foot
23 on the pedal, brake fluid comes in here
0097

1 and it squeezes again this rotor, and
2 that's the way it stops it. And there's
3 your pads. The blue that you've got here
4 is your pad.

5 Q. And what part in that diagram, to
6 your understanding, contains asbestos?

7 A. From what I understand now, it
8 would be the pad itself, the lining on it.

9 Q. And just so I'm clear, this what
10 you're pointing to here as these blue
11 parts, is that the part that you brought
12 with you today? Is that what that is?

13 A. Yes, that would be that. It's not
14 the exact kind of that. This is different
15 than that one, but it's the same thing.
16 That's a round one, and this here's a
17 longer one.

18
19 (Whereupon, Plaintiff's Exhibit
20 Nine was marked for identification
21 and copy of same is attached
22 hereto.)
23

0098

1 Q. Okay. And we may need to come back
2 to some of these diagrams a little bit
3 later, but I want to just pop a few more
4 of these up. This has been marked as
5 Exhibit Number Nine. And can you explain
6 to the jury what that is, what we have a
7 picture of right there?

8 A. That's your caliper. That's where
9 the pads go, and that's where this goes.
10 See, this would go in there like this
11 (indicating). This cut-out part always

12 goes towards the center. That would go
13 inside. And that's it right there.
14 That's your pad -- shoe. Well, it's not a
15 shoe. It's a pad. And then this is your
16 rotor. And then holes that are in here is
17 to cool that so that it don't get too
18 hot. And then each one of them holes in
19 there are for cooling. And this is your
20 wheel bearing here inside that. It's
21 showing the wheel bearing is still in the
22 car. That's the nuts. And this comes
23 off, that part there.

0099

1
2 (Whereupon, Plaintiff's Exhibit
3 Eleven was marked for
4 identification and copy of same is
5 attached hereto.)
6

7 Q. Okay. Good. I think this is very
8 similar to what you actually brought
9 today. This has been marked Plaintiff's
10 Exhibit Number Eleven. And just to make
11 sure we're clear here, what is that a
12 picture of, Mr. Reese?

13 A. That is the pad. That's the same
14 as this here. The holes that you see in
15 here are where the pad is riveted onto the
16 metal. And this up here is -- when the
17 pad wears out down to where these
18 rivets -- they'll hit your rotor. That's
19 supposed to hit where it wears out this
20 wheel so that you'll know that they're
21 wore out.

22 Q. And just to be clear, this sort of
23 gray color, that's what actually presses

0100

1 up against the rotor; is that correct?

2 A. Yeah, this part here is what rubs
3 agin the rotor.

4 Q. And that's what stops the car?

5 A. Yes, sir. This is just hardware
6 here.

7 Q. What would you -- would you have
8 cut these like you did the brake shoes
9 that we were discussing earlier and brake
10 drums?

11 A. Well, you can, but you don't do it
12 as much as you did the drum brakes. I
13 have done it. And you just put normally
14 one V in that, because this is sitting out
15 to where it can get air on it and it
16 cleans itself a lot. But if you run into
17 a squealing problem with the dust, you
18 would only put one line in this brake on
19 that shoe -- pad.

20 Q. Now, are you doing all right?

21 A. Yeah, I'm fine.

22 Q. I want to have you do sort of
23 exactly what we did with drum brakes. I
0101

1 want you to explain to me how you would
2 change a disc brake if a customer came in
3 and was having a problem.

4 A. Well, with a disc brake, as soon as
5 you take the wheel off you can see whether
6 it's wore out or not because you can look
7 at the top of it. It's got a hole that
8 you can look in and see this where it's
9 wore out. And then that determines that
10 he needs new pads. Okay. It's got a bolt
11 that goes in here, one on this end and one
12 on this end. You take them out. And then
13 you take that hammer like I had there and
14 you just pound that and it'll loosen up,
15 and you pop the caliper off.

16 Q. Now, what are you actually hitting
17 with the hammer?

18 A. The caliper. The shoes are on the
19 inside. You can't hit them. You hit the
20 caliper.

21 Q. And the calipers are attached to
22 those brake pads?

23 A. Yeah, that's what holds them in
0102

1 there. And then you just pound it, and

2 it'll come off and you've got in your
3 hand. It's still got your line hooked to
4 it. And then you take the pads out, and
5 you blow the caliper off. And then you've
6 got a C-clamp made especially that you
7 push on that to put -- make the caliper go
8 back in, because with new pads that stays
9 out, and it will not let you put -- when
10 you get your new parts on there, it won't
11 go back over the rotor. So you've got to
12 use a C-clamp to push it back to let the
13 fluid go back so you can run it back in
14 the caliper.

15 Q. First of all, what are you cleaning
16 that brake assembly area with? Was it the
17 compressed air that you were talking
18 about?

19 A. That's when you start, yes.

20 Q. And when you hit the caliper with a
21 hammer, did that affect the air around you
22 in any way?

23 A. Well, yeah, you've got dust, but
0103

1 not as much as the drum. But you've got
2 dust going the same way where this is
3 laying down in there.

4 Q. Could you actually see the dust
5 when you pound it --

6 A. Oh, yeah, it's enough to where you
7 can see it.

8 Q. Okay. I think we've gotten to the
9 point where we've taken the wheel off, and
10 you've decided you need to replace the
11 brake pad and you've taken it off. What's
12 the next step?

13 A. Well, you just blow it off good
14 after you get done. The way we do it now
15 is wash it with a solvent that's made for
16 brakes and just put it back together.
17 You've got to put grease on all these
18 moving parts so that they -- you know,
19 lithium grease. It's a white grease. You
20 put it on here so that they slide good on

21 where they go on there and don't get
22 stuck.

23 Q. When did you first start using this
0104

1 solvent that you were talking about?

2 A. Probably -- well, I know in the
3 90's.

4 Q. And what company did you buy that
5 equipment and solvent products from?

6 A. It's called Safety-Kleen.

7 Q. And would they provide you with
8 advice on how to comply with, you know,
9 what the regulations were in terms of
10 doing this kind of work?

11 A. Yes.

12 Q. And you bought this in order to
13 comply with what you understood the
14 regulations were for doing that sort of
15 work?

16 A. That's correct.

17 Q. What did you do before you started
18 using that solvent in the '90s? How did
19 you clean them?

20 A. We'd just blow it off with the air
21 hose and then take a -- like a wire brush
22 and hand wire brush it or take it and put
23 it back in that grinder. It depends on
0105

1 what -- if you can get to it. Take the
2 wire brush and just grind all the parts
3 off, because where that slide has to be --
4 take the old shoe off where it sticks to
5 that. And rust and everything is in
6 there, you know. Then you can grind that
7 off so that your new shoe fits good.

8 Q. Now, how would you actually grind
9 the shoe so that it would fit well? What
10 tools were you using?

11 A. On disc brakes?

12 Q. Right, on disc brakes.

13 A. You normally don't have -- you mean
14 to sand them to get them on?

15 Q. Correct.

16 A. You've just got to push it back.
17 You very seldom ever have to sand these
18 shoes.

19 Q. What about cutting the grooves in
20 them that you described before? What
21 tools would you use to cut the tools in
22 those?

23 A. Just the same air grinder with the
0106

1 wheel on it. We call it a buzz wheel. I
2 don't know if that's the right name or
3 not.

4 Q. Use the same basic process that you
5 do on brake shoes; is that right?

6 A. Oh, yes, same thing.

7 Q. When you did that, would that
8 produce dust?

9 A. Sure.

10 Q. Could you see that dust in the air
11 when you did that?

12 A. This has got as much dust on it as
13 the shoe does as far as when you grind the
14 groove in it. But you don't have to do
15 that as much as you did when they had all
16 the old shoes on there.

17 Q. Are some of the newer brakes that
18 are coming out in recent years -- do they
19 actually have these grooves precut in
20 them?

21 A. They do.

22 Q. And why do they do that, to your
23 knowledge?

0107

1 A. To get rid of the dust and the
2 squeak.

3 Q. And I think you got into this
4 before, but who actually taught you how to
5 do this sort of cutting the groove into
6 the brake pads? Who taught you how to do
7 that?

8 A. The first guy -- you know, the guy
9 that showed me was Ed Tyson because he
10 done it on big trucks back when he was a

11 truck mechanic. So people would come back
12 in with their brakes squeaking, and then
13 he knew how to do that to take the squeak
14 out. So we just started doing it to all
15 of them to take the squeak out before they
16 left and wouldn't even have to do it
17 twice.

18 Q. Just a way to keep the customer
19 happy?

20 A. Yes. Now, this shoe you see here
21 is the new one. That's got holes in it.
22 You can see all the way through that.
23 That lets the dust out. See, that's got
0108

1 holes in it. This shoe here, that don't
2 have no holes in it. The rivet that's in
3 that is out here turned, and it's back
4 from this side over here. This rivet here
5 is made to show the dust. So you can see
6 plumb through that brake shoe. And
7 they've started doing that now, and we
8 don't have the problem we did back years
9 ago.

10 Q. And again, when did you start
11 seeing these disc-type brakes showing up
12 in the more popular cars in the United
13 States? When did you start seeing them in
14 the front?

15 A. Well, they've been around for a
16 while, but the most popular one probably
17 was around the '90's. '80's to '90's,
18 they started coming out with a lot of
19 them.

20 Q. And when did you start seeing a
21 trend toward phasing out the using all
22 disc brakes and no drum brakes?

23 A. Oh, they still use drum brakes on
0109

1 probably -- I'm going to say eighty
2 percent of the cars still have got drum
3 brakes on the rear. You've got to get
4 into a sports car or expensive car,
5 normally, to get four-wheel discs.

6 Q. Now, I don't have any diagrams of a
7 clutch or any pictures of them, but can
8 you just describe for me what does a
9 clutch do on a car?

10 A. The clutch is what -- it's a
11 round -- and it can come nine-inch,
12 ten-inch, eleven-inch, twelve-inch,
13 depending on -- normally, if it's got a
14 V-8 in it, four-cylinder in it or whatever
15 determines the size of the clutch. The
16 clutch is bolted onto the fly wheel with a
17 pressure plate. And the pressure plate
18 goes with the clutch, and it goes on the
19 front of the transmission. The
20 transmission has a spline that has teeth
21 on it that that clutch goes in. Okay.
22 You've got what's called a throw-out
23 bearing. The throw-out bearing, when you
0110

1 push your clutch in, takes the clutch from
2 the pressure plate and gives you air space
3 in between the two and stops the car from
4 rolling. And when you take off, you let
5 out on your clutch. You let out on that,
6 and it goes into it slow. And then it
7 starts rubbing on that fly wheel and on
8 that pressure plate, and that's when you
9 get your friction to get your car to move.

10 Q. Is there something on a clutch
11 that's similar to the brake pad that you
12 had?

13 A. I think they're the same thing.
14 Most of them.

15 Q. And just kind of quickly, if you
16 could just sort of give me sort of a
17 sixty-second overview of how -- what did
18 you actually do to change the clutch in a
19 car?

20 A. Well, today you've got to take
21 the -- well, you've got to take the
22 transmission out, first thing. And then
23 you take the bell housing off. The clutch
0111

1 is in this bell housing. And then when
2 you take the bell housing off, you've got
3 one, two, three, four -- you've got six
4 bolts that holds the pressure plate to the
5 fly wheel.

6 Q. Okay. Did you have to clean the
7 bell housing out at all?

8 A. Yeah. It's full of the stuff just
9 like a brake drum, the bell housing is.

10 Q. And what did you clean that out
11 with?

12 A. I usually just take the air hose
13 and blow it out.

14 Q. All right. So after you've taken
15 the bell housing out and you've cleaned it
16 out, what would be the next step?

17 A. Reassemble it. Put your clutch and
18 pressure plate on. We use what's called a
19 spline. That spline goes in the back of
20 the crankshaft. And we'd have them for
21 all different cars. And we line it up and
22 then tighten it up in there. And then
23 when you put your transmission up there,
0112

1 that spline in the transmission will go in
2 that clutch. If you don't have it lined
3 up, you can't get the transmission back in
4 the car.

5 Q. Did you typically have to alter or
6 prepare the surface of the clutch before
7 you installed it?

8 A. Not really.

9 Q. Not typically?

10 A. No.

11 Q. And where would you be in relation
12 to the car when you were actually doing
13 this work? Were you on the top of the
14 car, on the side, underneath it or some
15 combination?

16 A. No. You always put the clutch in
17 from the bottom, unless you're working on
18 a VW. And you can take the motor out and
19 do it. But all cars, you have to take the

20 transmission out. It's on the bottom.

21 Q. So would the car would be lifted up
22 in the air and you'd be underneath it
23 doing this work?

0113

1 A. Yes, sir.

2 Q. Would you be wearing any type of
3 protective equipment at all?

4 A. Nothing but safety glasses, you
5 know, to keep the dust from falling out
6 and getting in your eyes. I mean, no
7 uniform or nothing like that. Just use
8 your regular clothes. The only safety you
9 use is to keep the dust from getting in
10 your eyes is all.

11 Q. Now, when you would use this
12 compressed air and clear out the bell
13 housing in that area, would that affect
14 the air around you in any way?

15 A. Yes, sir.

16 Q. How would it do that?

17 A. It just blows it everywhere.

18 Q. Was that something you could see?

19 A. Yeah, you could see it.

20 Q. Do you think you breathed that
21 dust?

22 A. I know I did.

23 Q. Fair enough. Let's talk about some

0114

1 different kinds of parts here for a
2 minute. Can you just -- thirty-second
3 overview, what's a muffler on a car?

4 A. A muffler is on a car to keep the
5 noise down from the engine, combustion
6 engine.

7 Q. And is -- I see tailpipes in the
8 back of cars. Is a muffler attached to
9 that tailpipe?

10 A. Yes.

11 Q. And did you guys ever do any work
12 on those mufflers?

13 A. We did a lot of muffler work.

14 Q. Why would you have to replace a

15 muffler?

16 A. Well, you burn a hole in it and get
17 loud and people didn't want to get a
18 ticket, so they'd come in and get a new
19 muffler.

20 Q. And why would they -- why would a
21 hole develop in a muffler? Was it just
22 they hit something on the road?

23 A. No. It burns out from the heat
0115

1 from the engine over a period of time.
2 Gets moisture in it and rusts up inside.
3 And then you start it back up and it's got
4 like condensation in the muffler, and then
5 it gets hot. It just burns holes in them.

6 Q. Again, I know there is probably a
7 lot to it and it probably takes a lot
8 time, but I don't want you to take a long
9 time here. Just give me kind of a brief
10 overview of how you would change a muffler
11 if their muffler had a hole in it or if it
12 was breaking.

13 A. Well, if you sell them the whole
14 exhaust system, then you take it, cut it
15 off. But if they just want a muffler and
16 you've got to save the parts, you've got
17 to cut the muffler off the front pipe and
18 off the tailpipe to save that. Normally,
19 that front pipe will last for two
20 mufflers. And then the back one,
21 sometimes it will, sometimes it won't.
22 But if it don't, you've got to take it
23 apart. You've got the front of the
0116

1 muffler and the back of the muffler.
2 You've got a front pipe and a tailpipe.
3 And you usually take the air chisel and go
4 down -- the muffler is on the outside of
5 the pipe. You go down the pipe -- muffler
6 and cut it, then you can peel it off.
7 Peel off the pipe.

8 Q. So you're actually cutting through
9 the bigger muffler down to the exhaust

10 pipe inside --

11 A. Not cutting through the muffler.

12 You're cutting the front pipe where it
13 bolts on, where it goes on. Then there is
14 a U-clamp that goes on that with two bolts
15 on it that tightens the muffler and the
16 pipe together. When you get it all put
17 together, it's got two clamps on it, one
18 in the front and one in the rear that
19 holds it. Holds your front pipe in and
20 holds your tailpipe in.

21 Q. Was it pretty easy to get these
22 mufflers off once they've been on a car,
23 say, for twelve thousand miles or so?

0117

1 A. Well, we can get them off pretty
2 easy if you want to lay the chisel to it
3 and get it off. You know, take -- or fast
4 to get it off, if you don't care to get
5 dirty.

6 Q. In your prior deposition, you
7 mentioned something about just actually
8 breaking mufflers periodically to get them
9 off. Do you recall that testimony?

10 A. We've got a stand that we put under
11 them when we try to save the pipes. You
12 know, you don't want to take them all the
13 way off the car, you want to slip the
14 muffler out without taking the pipes off
15 the car, you take the back part off first
16 and then you take the front part off, then
17 you can get them out. Or you can just
18 pull the muffler down and it'll bend,
19 because it's usually got a hole in it, and
20 it bends down to where you can save the
21 pipe.

22 Q. Now, when you did that work, when
23 you were removing these mufflers from the

0118

1 cars, generally, was that a dusty process?

2 A. Yes.

3 Q. Do you think you breathed that
4 dust?

5 A. I know I did.

6 Q. Could you see the dust?

7 A. Sure.

8 Q. What about when you actually broke
9 these mufflers in half? Was that a dusty
10 process?

11 A. Well, I think it was everywhere
12 then.

13 Q. You saw that dust?

14 A. Yes.

15 Q. Do you think you breathed that
16 dust?

17 A. Yes.

18 Q. Fair enough. Now, you had quite a
19 bit of testimony about drum brakes and
20 disc brakes and the lathe that you and
21 clutches and mufflers and even gaskets,
22 for that matter, in your prior four days
23 of deposition testimony. Do you recall
0119

1 all that?

2 A. Yes, sir.

3 Q. Now that you've had a chance to
4 think about it, do you stand by your
5 testimony? Was that the best -- most
6 truthful answers you could give regarding
7 your work on all that equipment?

8 A. Yes, sir.

9 Q. Got a couple more things I want to
10 talk to you about here. Gaskets. Are
11 there any kind of gaskets in cars?

12 A. You've got gaskets all throughout
13 the car.

14 Q. What kind of gaskets would you
15 actually have to go in as a mechanic and
16 repair or replace or do maintenance on?

17 A. Well, sticking with the muffler, if
18 you put the front pipe on, you've got a
19 manifold -- or a gasket that goes on.
20 It's called the donut gasket. And you
21 have to put that on. If it's a V-8,
22 you've got them, one on each side of the
23 engine. And you have to chisel that off,

0120

1 again, with the chisel to get it off to
2 put your new gasket on. And then the new
3 one will go right on there, but the old
4 one is been there so long that's it's
5 burnt, and you can't get it off except --
6 if you want to cut a hole all the way
7 through it, then you can flip it, and
8 it'll come right off, after you take your
9 air chisel and cut a hole in it or hammer,
10 chisel, whatever you can get to it with.

11 Q. You mentioned a hammer or an air
12 chisel. Are there any other tools that
13 you would remove this or other gaskets on
14 the car with?

15 A. Well, it depends on what gasket it
16 is. If you're working on a head gasket,
17 then you'd take like a putty knife, a
18 scraper, and scrape the old gasket off all
19 you can and then you use the wire brush
20 and the air wheel to clean it off down to
21 bear metal so it's really shiny again.

22 Q. I see. And when you would do this
23 sort of work removing these gaskets, would

0121

1 that ever affect the air around you?

2 A. Yes.

3 Q. And how would it affect the air?

4 A. Well, you've got dust coming off
5 that. That's what you're grinding off is
6 the gasket, and the gasket has got dust on
7 it when you're grinding it off.

8 Q. And could you actually see this
9 dust in the shop when you were doing the
10 work?

11 A. Yeah, but nothing like a brake or
12 nothing like that, but you could see the
13 dust.

14 Q. And do you think you were breathing
15 that dust?

16 A. Yeah, because you're always over
17 top of it just about every time you're
18 doing it.

19 Q. You mentioned something to me one
20 time, and I'm not sure if I understand
21 what this is. Something about a
22 thermostat gasket. What is that?

23 A. A thermostat gasket goes in your
0122

1 intake manifold. It's where the top
2 radiator hose out of the car comes and
3 goes into the intake manifold. That's
4 where -- the water goes through to cool
5 the engine. And the thermostat goes in a
6 little housing up there, and it's got two
7 bolts in it. And you take your radiator
8 hose off and drain your water or
9 antifreeze -- most of them -- all of them
10 now has got antifreeze in them. But you
11 drain that out. And your thermostat sits
12 down in that little housing. And you
13 always put a new gasket, you have to,
14 because it tears when you take that
15 housing off of it. And then you've got to
16 scrape it off, and you take your wire
17 brush and grind it down good and smooth
18 again.

19 Q. Now, I know you're not -- you
20 don't -- you're not a real expert in what
21 does and doesn't have asbestos in it and
22 that sort of thing. But to your
23 understanding, what are some of the
0123

1 gaskets in a car that, to your
2 understanding, have asbestos in them?

3 A. I really don't know.

4 Q. You're not sure?

5 A. I would assume the head gasket
6 would be the biggest one because -- and
7 that's assuming -- the way that it goes on
8 would be the head gasket. But I don't
9 know about asbestos, whether -- I still
10 don't know if it's got asbestos in it or
11 not.

12 Q. Fair enough. Which of these
13 gaskets, to your knowledge, would have a

14 lot of heat being applied to them?

15 A. The head gaskets would have the
16 most, and your manifold gaskets, because
17 they're running in the heat.

18 Q. What about water pump gaskets?

19 A. Water pump gaskets -- your car
20 usually runs at 210 degrees, and the water
21 pump gasket is not in the heat like the
22 exhaust manifold gasket. I know it goes
23 red hot, and the head gasket gets real

0124

1 hot. But the water pump itself, the
2 water, if it's working right, should run
3 around 210 degrees in that.

4 Q. Fair enough. Now, you mentioned to
5 me sometime ago about cars having some
6 sort of insulation or firewall materials.
7 First of all, just so we're clear, to your
8 knowledge, do cars have insulation or
9 firewalls in them?

10 A. Oh, yes. All of them -- all cars
11 do, as far as I know, in case you get on
12 fire, to keep that heat -- it's basically
13 to keep the heat from the engine coming
14 back on the driver through the firewall so
15 it don't burn you up in there. The
16 heat -- used to they didn't have an air
17 conditioner in every car like they do
18 today, and you had like Sheetrock that
19 would go in there with like real shiny
20 aluminum foil on the outside of it, and it
21 would be about an inch thick, that would
22 protect the heat from coming back on the
23 firewall to get into the car where it'd

0125

1 make you hot in there.

2 Q. Now, was this material that you're
3 talking about -- was it your understanding
4 that this was part of the original
5 equipment on the car?

6 A. Oh, yes, all original equipment.

7 Q. Did you ever have to, due to some
8 of the repair work that you were doing,

9 ever have to get in there and mess with
10 any of these firewalls?

11 A. Yeah, if you have to put a heater
12 core in, you've got to remove part of that
13 to get the heater core in.

14 Q. Now, when you would remove that
15 material, would that affect the air around
16 you in any way?

17 A. Not as much as the other stuff. I
18 mean, you'd get dust out of it, but not
19 like brakes or clutch or nothing like
20 that.

21 Q. Fair enough. Was there enough dust
22 that you could actually see it in the air?

23 A. Probably not.

0126

1 Q. Fair enough. All right. Just a
2 couple more things here, and I think we'll
3 take a break here fairly shortly. It's my
4 understanding you have a welding machine
5 on the premises; is that correct?

6 A. Yes, sir.

7 Q. And what brand is that?

8 A. Lincoln.

9 Q. And when did you buy that?

10 A. Probably early '70s.

11 Q. And let me ask you something. When
12 you first bought that, did you ever have
13 opportunity to actually do a little
14 welding on your own with it?

15 A. Oh, yeah, sure.

16 Q. And how much did you do? Was it a
17 lot or just a little bit, or could you
18 describe that?

19 A. Well, when I first got it, I wanted
20 to learn how to use it and play with it so
21 I welded quite a bit with it. Not -- you
22 know, nothing like a welder, but I would
23 use it may be a couple times a week just

0127

1 to do something with or weld something up
2 on a part. But you use it when you have a
3 shock -- they would -- used to break off

4 the bracket that holds the shock on, and
5 the only thing you could do -- that's one
6 of the main reasons I bought that. You
7 have got to take the shock off because
8 it's full of fluid and it'll blow up if
9 you don't. Then you get that stud and put
10 it back up there and weld it back in. And
11 we would do that, or get a bad part on a
12 frame or something, somebody would come in
13 with rust and you'd grind it off and put a
14 little plate on it for them to save the
15 frame.

16 Q. Now, I understand when you weld,
17 you have to use something called a welding
18 rod; is that right?

19 A. That's correct.

20 Q. And do you know what kind of models
21 and brands of welding rods you were
22 typically using?

23 A. Well, basically I think they were a
0128

1 Lincoln.

2 Q. Do you remember any model numbers
3 or anything like that, or were there a
4 variety of them?

5 A. Well, there was a variety of them,
6 but the 6013 is normally an all-purpose
7 rod unless you're welding aluminum or
8 stainless steel, and that won't weld
9 aluminum.

10 Q. Did you do most of the welding at
11 the shop, or did you have other people
12 around that were better welders?

13 A. I had other people that were really
14 better welders.

15 Q. So any of the serious welding would
16 be done by other people?

17 A. Yes.

18 Q. Now, would you ever assist when
19 this was being done?

20 A. I usually got to hold it till they
21 got it welded together to get it started.

22 Q. So how far away were you from these

23 fellows who were actually doing the
0129

1 welding as you were holding things?

2 A. Sometimes I was right over the part
3 they was welding. You take two pieces and
4 hold it together like that, you know, with
5 pliers and hold it there until he gets his
6 arc struck. And then once he gets it
7 going, you can back off on it then. But
8 you hold it right there when they first
9 start. You've got to hold it together.
10 You're closer to it than he is sometimes.

11 Q. Now, were you doing this welding
12 inside or outside, typically?

13 A. All inside.

14 MR. DIMUZIO: All inside. I think
15 we'll go ahead and take about a ten-minute
16 break now.

17 THE VIDEOGRAPHER: Off the record.
18 The time is 11:16 a.m.

19

20 (Break.)

21

22 MR. VALENTI: Gary, I want to
23 object -- this is John Valenti. I want to

0130

1 object to the introduction to the brochure
2 as an exhibit to the deposition.

3 MR. DIMUZIO: And it'll be Exhibit
4 Twelve.

5 THE VIDEOGRAPHER: Back on the
6 record. The time is 11:34 a.m.

7

8 (Whereupon, Plaintiff's Exhibit

9 Twelve was marked for
10 identification and copy of same is
11 attached hereto.)

12

13 Q. (BY MR. DIMUZIO:) Mr. Reese, we're
14 back after a brief break. I did want to
15 just revisit one issue here. In the prior
16 four days of discovery deposition, you
17 were asked some questions about Lincoln

18 Electric welding equipment; is that right?

19 A. Yes, sir.

20 Q. Was all that testimony, as far as
21 you can recall and remember, accurate
22 information that you gave?

23 A. Yes.

0131

1 Q. Now, before, we were talking about
2 how often you used it, and I think we
3 established that when you first bought the
4 welder, you actually did do some welding
5 on your own just to learn how it worked
6 and to fix a few things; right?

7 A. Yes, sir.

8 Q. Was that a process -- did you
9 continue using that welder on a regular
10 basis for years and years, or did you turn
11 that over to other people in the shop?

12 A. Well, I basically turned it over to
13 other people, but occasionally I would use
14 it but not on a -- we didn't have that
15 much welding to do, and I had a better
16 welder than me.

17 Q. Fair enough. Mr. Reese, I want you
18 to take a look at what's been marked as
19 Exhibit Number Twelve. And that, I'll
20 represent to you, is one of the things we
21 submitted on your behalf when we were
22 doing the interrogatory responses to your
23 case. Do you remember helping put that

0132

1 table together, sir?

2 A. Yes.

3 Q. Now, when you were helping put this
4 information together, was that the same
5 time frame you were undergoing
6 chemotherapy?

7 A. Yes.

8 Q. Was that really affecting your
9 energy and your ability to concentrate for
10 long periods of time?

11 A. Yes.

12 Q. Fair enough. And you and I have

13 had a discussion, and you pointed out to
14 me that you believe that the information
15 about Suzuki on that particular exhibit
16 needs really to be changed; right?

17 A. Yes.

18 Q. At this point, do you ever recall
19 working on any brake pads or clutches or
20 other asbestos-containing materials on
21 Suzuki cars?

22 A. Not really. That's why I didn't
23 remember, and I didn't say I did.

0133

1 Q. Fair enough, sir. And in your last
2 deposition -- in the discovery deposition,
3 you did testify that you have no
4 recollection of working on asbestos-
5 containing materials on Suzuki; correct?

6 A. That's correct.

7 Q. But you do own a Suzuki vehicle;
8 right?

9 A. Not now. I have. I did own one.

10 Q. Fair enough, fair enough. Sir, I
11 have some questions -- in fact, if you
12 want to refer to that, you certainly can,
13 but I just want to ask you about some of
14 the companies on that list here. Before I
15 do that, both today and in the prior
16 depositions, you talked about how to
17 change brakes and clutches and gaskets and
18 mufflers and that sort of equipment;
19 correct?

20 A. Yes, sir.

21 Q. And you've testified that generally
22 that work would be the same regardless of
23 the brand of the vehicle; correct?

0134

1 A. That's correct.

2 Q. Now, I'm going to talk to you about
3 this, and I think -- I'm going to assume,
4 unless you tell me differently, that the
5 brake jobs and the clutch work and the
6 gasket work and the muffler work was the
7 same. If it's not the same, will you let

8 me know that it's different than the other
9 brands?

10 A. Okay.

11 Q. For example, I think you mentioned
12 that Chrysler was different about one
13 aspect on clutches; correct? Or maybe
14 not.

15 A. No. The Volkswagen was the one
16 that was most different because you had to
17 pull the engine out to put a clutch in a
18 Volkswagen.

19 Q. Exactly. So if there is something
20 different, a particular brand in your
21 general testimony, you're going to let the
22 jury and me know?

23 A. Right.

0135

1 Q. First of all, let's talk about
2 General Motors cars and parts. Did you
3 ever -- when you were working from 1961
4 until you stopped working as a mechanic,
5 did you ever have occasion to work on
6 General Motors automobiles?

7 A. Yes, sir.

8 Q. As we sit here today, do you
9 remember any of the general brands of
10 General Motors cars that you worked on?

11 A. Well, I worked on all of them for
12 General Motors.

13 Q. Was that one of the major brands
14 that you worked on over the years?

15 A. Yeah, the Chevrolet, you know, the
16 Buick, Oldsmobile. And all of them back
17 in them days. You know, the Impalas. Is
18 that what you want, the brand?

19 Q. Right. In fact, last night I asked
20 you if you could just sit down and write
21 sort of off the top of your head some of
22 the main models of cars that you remember
23 working on; is that correct?

0136

1 A. Yes, sir.

2 Q. And could you just read for me the

3 main General Motors cars that you could
4 just recall off the top of your head last
5 night that you've actually done a lot of
6 work on?

7 A. Well, the Buick -- the name -- they
8 have Impala, Century, Electra, Grand
9 Sports, the LeSabre, Regal, Riviera,
10 Skylark and what's called a special wagon
11 that had that wood on it and Wildcat and
12 Skyhawk.

13 Q. What about other General Motors
14 brands?

15 A. General Motors -- well, you've got
16 Cadillac. Cadillac -- back -- Cadillac
17 was Cadillac. They had different names
18 only they was all about the same. And
19 then you had -- the Chevrolet, you had the
20 Bel Air, Biscayne, Camaro, Caprice,
21 Chevelle, Impala, Monte Carlo, Nova, Monza
22 and a Vega. I worked on all those.

23 Q. Any other General Motors cars that
0137

1 you just recalled off the top of your head
2 last night?

3 A. Well, Corvette, but not -- you
4 know, that was a very rare, Corvette.

5 Q. And that's all you can recall right
6 now as we're sitting here and what you
7 could put together just quickly last night
8 for General Motors cars?

9 A. Yes.

10 Q. What about General Motors parts?
11 Would you ever use General Motors parts to
12 work on those cars?

13 A. Sure, yes.

14 Q. And where would you get those
15 General Motors parts?

16 A. Either at the dealer or parts
17 house.

18 Q. And how often -- what percentage of
19 time would you actually go to the dealer?

20 A. Probably less than fifty percent of
21 the time.

22 Q. And when you would have to go for
23 parts for GM cars, what dealers would you
0138

1 typically go to?

2 A. Well, if it was a Chevrolet, I
3 would go to the Chevrolet dealer. And if
4 it was a Cadillac, you go to the Cadillac
5 dealer. If it's a Buick, you go to the
6 Buick dealer. Oldsmobile, Oldsmobile.

7 Q. Now, let me ask you, on the models
8 of cars that you were discussing there, do
9 you recall doing brake work on all those
10 basic models of General Motors cars?

11 A. I would say yes on that, over the
12 years.

13 Q. And what about clutch work? Do you
14 remember doing clutch work on all those
15 general models of cars?

16 A. Well, it depends. Earlier days you
17 would do clutch work, but a lot of these
18 cars that I've got listed here now come
19 out with automatics in them.

20 Q. Certainly.

21 A. But everyone of the ones that would
22 have a clutch in them, we'd probably, over
23 the years, would have done them.

0139

1 Q. And how often would you have to
2 replace a clutch on a car, by the way?

3 A. That depends on the driver. I
4 mean, a clutch could go, you know, for --
5 back in the olden days up to fifty
6 thousand miles, if you had a good driver
7 on the clutch.

8 Q. Now, the brake work on all those
9 cars, was that similar to the brake work
10 on drum and disc brakes as you described
11 earlier in the deposition?

12 A. Yes.

13 Q. What about the clutch work? The
14 clutch work on those cars similar to the
15 description you gave earlier in today's
16 deposition and the other depositions

17 you've given?

18 A. Well, likewise. It would be the
19 same, the work that would be done on
20 them. Regardless of which one it would
21 be, they were basically the same thing.

22 Q. What about gasket work? First of
23 all, did you do gasket work on those
0140

1 models of cars?

2 A. Yes, sir.

3 Q. And would that gasket work be
4 similar to the description of the gasket
5 work you've given in your prior testimony?

6 A. It would be the same.

7 Q. What about mufflers? Did you do
8 muffler work on these brands?

9 A. Yes, sir.

10 Q. And again, would that muffler be
11 similar to what you described earlier in
12 your testimony?

13 A. It would be the same.

14 Q. Did these GM cars -- did they also
15 have this firewall heat insulation
16 material you discussed earlier?

17 A. They did.

18 Q. Did you have to manipulate that on
19 any of these cars?

20 A. If you put a heater core in it, you
21 did.

22 Q. Do you believe that you actually
23 put heater coils on some of those General
0141

1 Motors cars?

2 A. Yes. You know, it's a little
3 radiator that goes in the heater. It's in
4 the firewall.

5 Q. And again, I believe in your prior
6 testimony, you've given descriptions of
7 how often you did this sort of brake work
8 and what percentage of the time it would
9 have been General Motors products. Do you
10 recall that testimony?

11 A. Yes.

12 Q. To the best of your knowledge,
13 that's about as accurate information as
14 you can give at this point; is that
15 correct?

16 A. Yes, sir.

17 Q. And just to kind of generally cover
18 it, when it comes to working on General
19 Motors brakes, did you do that a lot or
20 just a few times over the course of your
21 career?

22 A. We done General Motors a lot.

23 Q. What about clutches? Did you do a
0142

1 lot of General Motors clutches over the
2 course of your career?

3 A. Yes, over the course of it, yes.

4 Q. And what about mufflers? Did you
5 do a lot of muffler work on General Motors
6 cars over the course of your career?

7 A. Yes, sir.

8 Q. And I have another question here.
9 When you would do the work on any of these
10 cars, could you tell whether or not it was
11 the original part or a replacement part
12 that you were working on?

13 A. Most generally we could, yes. We
14 could tell whether it was original or
15 after market.

16 Q. Now, with regard to GM cars, how
17 could you tell whether it was an original
18 part or an after market?

19 A. Well, you just learn over the years
20 the way that it's put on there. And it's
21 normally a much better muffler than an
22 after market. If somebody went to the
23 dealer and bought a new muffler in a
0143

1 General Motors box, it would be hard to
2 tell. It would still be a General Motors,
3 but you couldn't tell whether it had been
4 replaced or not before, if they bought it
5 from General Motors, from the parts --

6 Q. What about brakes? Could you ever

7 tell anything about the brake whether it
8 was the original brake or not?

9 A. Yeah, you could always tell on the
10 drum brakes if they were original by the
11 stars that was on the nuts where the wheel
12 goes on. They would put like a little
13 clip on that to hold the drum on while it
14 was going down the assembly line to keep
15 the drum from falling off.

16 Q. And do you know whether or not you
17 ever worked on the original brake
18 equipment on some of these GM cars?

19 A. Oh, sure.

20 Q. What exactly is A.C. Delco?

21 A. A.C. Delco is normally the parts.

22 Q. Is that a part division for General
23 Motors, is your understanding?

0144

1 A. Yes.

2 Q. Fair enough. Let's move on to
3 Chrysler. I guess first of all -- the
4 first question would be: What brands of
5 Chrysler cars can you recall having worked
6 on over the years?

7 A. The Newport, the 300, Town and
8 Country, Cordova, Dart, Imperial, Charger,
9 Challenger, Super Bee. It had a Dodge
10 Coronet and a Polara and a Monaco.

11 Q. And did you have repeat customers
12 who owned some of these vehicles that you
13 were doing virtually all the maintenance
14 on them?

15 A. I did after they were out of
16 warranty.

17 Q. Same question with General Motors,
18 by the way. Did you have repeat customers
19 that you would have been doing virtually
20 all the work on those cars?

21 A. Yes, sir.

22 Q. And same series of questions. I
23 don't really want to belabor this. But

0145

1 first of all, was the brake work on these

2 vehicles similar to the brake work you
3 described in your prior testimony?

4 A. Yes.

5 Q. Do you remember doing brake work on
6 those models of cars?

7 A. I do.

8 Q. What about clutch work? Was the
9 clutch work on those vehicles similar to
10 the clutch work you described in your
11 prior testimony?

12 A. No.

13 Q. What was different about them?

14 A. Chrysler was different. They had
15 what was called a fluid drive, and a fluid
16 drive was before the automatic. And you
17 didn't have as much clutch trouble with
18 them as you did with the clutches in the
19 Chevrolets and Fords and Dodges. But the
20 Chrysler itself -- the Chrysler, now, not
21 Dodge or Plymouth -- had the fluid drive
22 in it, which was almost an automatic. You
23 didn't have much trouble out of the
0146

1 Chrysler.

2 Q. When you actually did the work, did
3 you have to replace it in a fairly similar
4 manner to the clutch work that you did on
5 the other vehicles?

6 A. No, it come out different. You
7 took the transmission out, and then the
8 fluid drive was different.

9 Q. Fair enough. Thank you for
10 pointing that out. What about gasket
11 work? Do you recall doing gasket work on
12 those types of vehicles?

13 A. Yes, sir.

14 Q. And was that gasket work any
15 different than what you've described in
16 your prior testimony?

17 A. The gasket work was the same on all
18 of them.

19 Q. Fair enough. What about muffler
20 work? Did you ever do muffler work on the

21 series of Chrysler cars you were talking
22 about?

23 A. Yes, sir.

0147

1 Q. And was that similar to the muffler
2 work that you described in your prior
3 testimony?

4 A. Yes.

5 Q. Fair enough. What about Ford?
6 What models of Ford cars do you recall
7 working on regularly over the years at
8 your shop?

9 A. Well, the early shop, it was the
10 Customs then the Galaxy, LTD, Elite,
11 Fairlane, Falcon, Granada, Maverick,
12 Mustang, Torino and a Pinto.

13 Q. What about any of the related
14 companies like Mercurys or Lincolns and
15 that sort of thing? Did you also work on
16 those vehicles?

17 A. Yes, sir.

18 Q. Do you remember just off -- I don't
19 think you wrote those down, but do you
20 remember offhand any of the particular
21 brands or models that you worked on on
22 those particular cars?

23 A. On the Lincoln -- or the Mercury --
0148

1 did you ask me Mercury?

2 Q. Yes.

3 A. A Monarch and a Montego were the
4 big Mercurys. And the Lincoln -- you only
5 had like the two in the Lincoln, and it
6 was a Mark III and a Mark V. Then you go
7 into different kinds of body styles and
8 that, but that was the name of them.

9 Q. Now, did you have regular customers
10 who would come in for virtually all their
11 maintenance with those vehicles we've been
12 discussing?

13 A. Yes, sir.

14 Q. Again, let's just kind of quickly
15 go through this. Do you recall doing

16 brake work on these various Ford or Ford-
17 related cars?

18 A. Yes, sir.

19 Q. Do you recall -- was that brake
20 work similar to the brake work you
21 described in your prior testimony?

22 A. Yes.

23 Q. Do you recall -- did you do clutch
0149

1 work on these various Ford or Ford-related
2 cars that you've been discussing?

3 A. On the Ford, yes, but the Lincoln,
4 no.

5 Q. And why would that be?

6 A. Well, I think -- about all the
7 Lincolns were automatic then.

8 Q. Right. Fair enough. And was the
9 clutch work that you did do on these Ford
10 family cars -- was that performed in a
11 similar manner that you've described in
12 your earlier testimony?

13 A. Yes.

14 Q. What about gasket work? Do you
15 recall doing gasket work on this Ford
16 group of automobiles that we're discussing
17 now?

18 A. Yes.

19 Q. Was that similar to the gasket work
20 that you've described in your prior
21 testimony?

22 A. Yes.

23 Q. What about mufflers? Did you do
0150

1 muffler work on this Ford-related group of
2 cars?

3 A. Yes.

4 Q. And was that similar to the muffler
5 work that you described earlier in your
6 testimony?

7 A. Yes.

8 Q. What is Motor Craft?

9 A. Motor Craft is a division of Ford
10 Motor Company just like A.C. is a division

11 of Delco. Motor Craft -- if you get spark
12 plugs or parts, it says Motor Craft on
13 it. But as far as I know, Ford Motor
14 Company owns it.

15 Q. And if you would go to a Ford
16 dealer to buy an original part, would it
17 say Ford or Motor Craft or both of them?
18 How did that work?

19 A. It depends on the part. Spark
20 plugs would be Motor Craft. And a lot
21 of -- the part says Motor Craft on it just
22 like General Motors says A.C. on it.

23 Q. Fair enough, fair enough. I want
0151

1 to talk about some other car here.
2 Manufacturers we've already talked about
3 Suzuki at the beginning; correct?

4 A. Yes.

5 Q. What about Mazda? Do you remember
6 ever working on any Mazda cars?

7 A. Not much on a Mazda.

8 Q. Do you remember any particular
9 models of Mazda that you worked on?

10 A. Not right off.

11 Q. Not offhand. Did you have any
12 customers that owned any Mazda cars?

13 A. Not many.

14 Q. And do you recall at this point
15 whether you did any brake work on any of
16 those cars?

17 A. On the Mazda?

18 Q. Correct.

19 A. I don't think so.

20 Q. Do you recall whether or not you
21 did any clutch work on any of those cars?

22 A. No.

23 Q. Do you recall whether or not you
0152

1 used any gaskets on any of those cars?

2 A. That could be very questionable on
3 that. I'm not sure.

4 Q. Just give me your best and most
5 honest answer. That's fine. What about

6 mufflers? Do you ever recall doing any
7 muffler work on Mazdas?

8 A. Not right off.

9 Q. Fair enough. Do you ever remember
10 working on any Mitsubishi cars?

11 A. Mitsubishi, yeah, we worked some on
12 it, but that was not one of our main cars
13 that we did.

14 Q. Okay. Fair enough. As we sit here
15 today, do you have any recollection of
16 doing any kind of brake work on any
17 Mitsubishi vehicles?

18 A. That would be hard to say over
19 forty years.

20 Q. Right now, as you sit here today,
21 you don't recall?

22 A. Right now I'm not recalling it.

23 Q. Fair enough. What about clutches?
0153

1 Do you recall doing any clutch work on any
2 Mitsubishi vehicles?

3 A. No.

4 Q. Do you recall doing any gasket work
5 on any Mitsubishi vehicles?

6 A. No.

7 Q. As we sit here today, you don't?

8 That's fine. What about the Nissan
9 company? Have you ever worked on any
10 Nissan vehicles?

11 A. Yeah. Nissan -- we had some
12 customers we done Nissan.

13 Q. Were these repeat customers of
14 yours?

15 A. Yes.

16 Q. You would have been doing virtually
17 all the maintenance work on their cars?

18 A. Yes.

19 Q. Given that -- well, first of all,
20 do you remember the specific models of
21 Nissan cars that your customers would
22 bring to you?

23 A. I'm thinking that Nissan changed
0154

1 names somewhere in the midstream there.
2 Nissan -- I'm trying to think, and it's
3 not coming to me -- was another name
4 before they changed it to Nissan. I'm
5 going to say no on that because I'm not
6 sure.

7 Q. All right. You're not sure what
8 the model numbers were?

9 A. No, sir.

10 Q. On the cars that you did work on
11 that were Nissan-related cars, again,
12 first of all, these were repeat customers
13 of yours?

14 A. Yes.

15 Q. And you would have been doing
16 virtually all the maintenance on the cars?

17 A. Yes.

18 Q. Okay. Would you have done the
19 brake work on those cars?

20 A. Once it was out of warranty, yes.

21 Q. And was that brake work similar to
22 the brake work that you described earlier
23 in your testimony?

0155

1 A. It would be the same.

2 Q. What about clutch work? Would you
3 have done the clutch work for your
4 customers?

5 A. Yeah. The clutches -- they had a
6 lot of clutches in the Nissans.

7 Q. And was that clutch work similar to
8 the clutch work that you've described
9 earlier in your deposition?

10 A. Same, yes.

11 Q. What about gaskets? Would you have
12 done the gasket work for your customers on
13 those Nissan vehicles?

14 A. Yes.

15 Q. And would that gasket work be
16 similar to what you designed earlier in
17 your deposition?

18 A. Yes.

19 Q. And did the Nissans also have any

20 kind of firewall or heat insulation?

21 A. I'm not sure.

22 Q. You're not sure. Fair enough.

23 Toyotas. Did any of your customers that
0156

1 were regular customers of yours ever drive

2 Toyota vehicles?

3 A. Yes.

4 Q. And do you recall any specific
5 models of Toyotas that they were driving?

6 A. Yes. Toyotas -- we had a lot of
7 Toyota customers. They were Camry,
8 Corolla and the pick-up trucks. The pick-
9 up trucks was the -- what we done a lot of
10 work on.

11 Q. Fair enough. And again I just want
12 to sort of quickly go through these
13 things. Would you have done the brake
14 work for your customers on those cars?

15 A. Yes.

16 Q. Was the brake work similar to the
17 brake work you've described earlier in
18 your testimony?

19 A. Yes, sir.

20 Q. Would you have done the clutch work
21 on those cars?

22 A. Yes.

23 Q. And was that clutch work similar to
0157

1 the testimony you've given about clutch
2 work earlier in your deposition?

3 A. Yes. The same on all of them
4 except the little pickups, the four-wheel
5 drives. Most of them, it was a different
6 procedure. But once you got into the
7 clutch, it was the same.

8 Q. I see. So it was different getting
9 to the clutch?

10 A. Yes.

11 Q. But once you got to the clutch --

12 A. Once you got to it, it was the
13 same.

14 Q. Were you still under the car when

15 you were doing this clutch work?

16 A. Yes.

17 Q. What about gasket work? Would you
18 have done the gasket work for your
19 customers' Toyota cars?

20 A. Yes.

21 Q. And was that gasket work -- was
22 that similar to the gasket work you
23 described earlier in your testimony?

0158

1 A. The same, yes.

2 Q. What about mufflers? Would you
3 have done the muffler work on your
4 customers' Toyota cars?

5 A. Yes.

6 Q. And was that muffler work similar
7 to the muffler work you described earlier
8 in your deposition?

9 A. Yes.

10 Q. Do you know whether or not the
11 Toyota cars had heat insulation or
12 firewalls in them?

13 A. I don't recall it.

14 Q. Okay. Fair enough. Did any of
15 your customers ever bring in Volkswagens
16 for you to work on?

17 A. Yes.

18 Q. Was that a fairly common car for
19 you to work on at any point in time?

20 A. Yes.

21 Q. What models of Volkswagen did you
22 work on over the years?

23 A. The Beetle. Then they come up to

0159

1 the Rabbit. And we worked on the Beetles
2 and the Rabbits the most.

3 Q. And let me ask you some questions
4 about that. Now, I understand some of the
5 work on the Volkswagens was a bit
6 different than some of the American cars;
7 right?

8 A. Yes.

9 Q. So you keep me straight here. If I

10 ask you about something, you let me know
11 if it's different. Okay? First of all,
12 would you have done any of the work on the
13 Volkswagen cars that your customers would
14 bring to you?

15 A. Yes.

16 Q. Was that brake work similar to the
17 brake work you described earlier in your
18 testimony?

19 A. Basically, yes.

20 Q. What was different about it?

21 You're saying "basically".

22 A. Well, the Volkswagen don't have a
23 primary and secondary shoe on the Beetle.

0160

1 Both shoes are the same size. You've got
2 two adjustments on the Volkswagen. You've
3 got two holes in the vacuum plate where
4 you adjust them. And they've got
5 different hardware on them. They stop the
6 car by rubbing agin the drum, but they go
7 on different than the others.

8 Q. Would you treat the brake pad that
9 was in the drum brake in a same similar
10 manner to the brake drum work that you
11 described earlier in your deposition?

12 A. Yes.

13 Q. What about clutches on the
14 Volkswagen? Would you have done any of
15 the clutch work on your customers'
16 Volkswagens?

17 A. Yes.

18 Q. And was that similar to the clutch
19 work that you described earlier in the
20 deposition?

21 A. No.

22 Q. What was different about it?

23 A. On a Volkswagen, you have to take

0161

1 the total engine out because the clutch is
2 on the backside of the engine. And you
3 take it out of the car, and then you take
4 the clutch off of it.

5 Q. Did the clutch itself still have
6 that same sort of friction material that
7 we were discussing earlier on other
8 clutches?

9 A. Yes.

10 Q. And how would you clean that area
11 out?

12 A. You just take the air hose and blow
13 that out.

14 Q. Fair enough. Would you have done
15 gasket work on the Volkswagen cars that
16 your customers brought to you?

17 A. Yes.

18 Q. And was that gasket work similar to
19 the gasket work you described earlier in
20 your deposition?

21 A. Yes.

22 Q. What about mufflers? Would you
23 have done any muffler work on the
0162

1 Volkswagen cars that your customers would
2 bring in to you?

3 A. Volkswagen don't have mufflers.
4 They have heat exchangers.

5 Q. Good point. So the answer would be
6 no?

7 A. No.

8 Q. Fair enough.

9 A. We changed the heat exchanger when
10 it got a hole burned in it. But it's not
11 like a muffler. That's what you get --
12 your heat inside the car is off the
13 muffler on a Volkswagen.

14 Q. And how often would you have to do
15 this sort of work doing -- working on the
16 heat exchanger on a Volkswagen, typically?

17 A. They usually were good to about
18 sixty to eighty thousand miles with the
19 heat exchangers.

20 Q. I'm not sure if I asked you this.
21 Did you ever work on -- have I asked you
22 about Subaru?

23 A. I don't think so.

0163

1 Q. Do you ever work on any Subaru
2 cars?

3 A. Very little.

4 Q. Very, very little? Do you remember
5 any particular models that you worked on?

6 A. No, I don't.

7 Q. As we sit here today, can you
8 remember any particular work that was done
9 on any Subaru vehicles?

10 A. Not right off.

11 Q. That's fine.

12 A. Subaru.

13 Q. I do want to ask you about a few
14 parts, some of the after-market things
15 that you used. What were the main
16 replacement brakes other than the original
17 manufacturer when you would go to a
18 dealer? What were the main replacement
19 brakes that you would use for your
20 customers?

21 A. When I went to a dealer or --

22 Q. At the parts house.

23 A. Parts house. If they would let me,

0164

1 I always tried to use Bendix because it
2 was a premium brake.

3 Q. Well, let's talk about that. First
4 of all, did Bendix make drum-type brake
5 products?

6 A. Yes.

7 Q. Did they also make disc-type
8 brakes?

9 A. Yes.

10 Q. And did you use both of those?

11 A. Yes.

12 Q. And did you use those products in a
13 manner similar to what you described
14 earlier in your testimony?

15 A. Yes.

16 Q. Where were you buying most of the
17 Bendix brakes, by the way?

18 A. Staggy Auto Parts.

19 Q. I think you mentioned Borg Warner
20 at one time as a brake company?

21 A. Yes.

22 Q. How often did you use Borg Warner
23 brakes?

0165

1 A. Not as much as the others.

2 Percentage, I just can't --

3 Q. And were you using Borg Warner on
4 any particular kinds of vehicles:
5 domestic or foreign or brands?

6 A. Borg Warner was good for foreign
7 cars.

8 Q. So what brands were you typically
9 using the Borg Warners on?

10 A. We would use it on the Volkswagen
11 some, and you would use it on the Nissans.

12 Q. The use of these Borg Warner
13 brakes, was it similar to what you've
14 described generally and for the work that
15 you've done on Volkswagens and Nissans?

16 A. Yes.

17 Q. What about a company called
18 Grizzly? Did they make any sort of
19 products that you would have used in your
20 shop?

21 A. They made the brake shoes.

22 Q. Did you ever use those brake shoes
23 in your practice?

0166

1 A. Yes.

2 Q. I believe you got into a bit of
3 discussion in your prior testimony about
4 the Grizzly products; is that correct?

5 A. We used them a lot.

6 Q. Is all that testimony in your prior
7 deposition -- is that still consistent
8 with your best recollection of how those
9 products were used?

10 A. Yes.

11 Q. Were those brakes put on or taken
12 off in a way that was in any way different
13 than your general testimony about how

14 brakes were used?

15 A. No.

16 Q. Fair enough. And again, I think
17 you may have mentioned this. I apologize
18 if it's repetitive. But where did you buy
19 a lot of your Grizzly products from?

20 A. From Staggy Auto Parts.

21 Q. Any other distributors that you're
22 aware of that carried those as well?

23 A. Not that I can recall offhand.

0167

1 Q. Fair enough. There was another
2 company -- Maremont Corporation. I
3 believe you testified earlier that they
4 made mufflers; is that correct?

5 A. Yes.

6 Q. Did you use those mufflers?

7 A. Yes.

8 Q. Now, we've just gotten -- in your
9 past days' deposition, and even today, we
10 got into a bit of discussion about how
11 mufflers were used. Is there anything
12 different about the Maremont mufflers than
13 the general testimony that you've given me
14 before?

15 A. No.

16 Q. And did you ever meet with any
17 Maremont individuals?

18 A. Yes.

19 Q. Who did you meet with, if you
20 recall?

21 A. Well, when they would have deals --
22 they had like a route man that would come
23 around once a week and take your stock

0168

1 order. And when they had a big deal on
2 them, like Maremont mufflers, he would
3 have the factory man ride with the sales
4 rep.

5 Q. And what would they talk to you
6 about?

7 A. How many mufflers they could sell
8 you.

9 Q. Fair enough. At any time, did
10 anyone from Maremont or any of the other
11 sales reps ever mention to you anything
12 about the dangers of asbestos?

13 A. No.

14 Q. Fair enough. Do you remember
15 working with any products by a company
16 called Abex or PneumoAbex?

17 A. I don't recall. What is it?

18 Q. Just that question -- you don't
19 recall as we sit here today?

20 A. No, I do not.

21 Q. You never would go out and buy an
22 Abex part that you were aware Abex made
23 the product itself; is that correct?

0169

1 A. That's correct.

2 Q. Fair enough. I'm not sure if we
3 talked about this before. Honda. Did you
4 ever work on any Honda automobiles?

5 A. Yes.

6 Q. Did some of your repeat customers
7 own Hondas?

8 A. Yes.

9 Q. What were the main brands of Honda
10 or models of Honda that you remember
11 working on?

12 A. Honda Civics and -- we had several
13 of them.

14 Q. And let's just kind of break it
15 down. Did you ever do any brake work on
16 any of these Honda products?

17 A. Yes.

18 Q. Would that brake work be any
19 different than your prior testimony on
20 brakes?

21 A. No.

22 Q. What about clutch work? Would you
23 have done the clutch work for your

0170

1 customers?

2 A. Yes.

3 Q. And would that clutch work have

4 been done any differently than your
5 general testimony about clutches?

6 A. No.

7 Q. What about gaskets? Would you have
8 done the gasket work for your Honda
9 customers?

10 A. Yes.

11 Q. And would that gasket work have
12 been any different than the general
13 testimony you've given thus far?

14 A. No.

15 Q. What about mufflers? Would you
16 have done the muffler work on these
17 Hondas?

18 A. Yes.

19 Q. Would that have been different than
20 the muffler work that you were describing
21 earlier in your testimony?

22 A. No.

23 Q. And to your knowledge, were there
0171

1 any firewalls or heat insulation materials
2 in those cars, that you're aware of?

3 A. Not -- I'm not sure. I don't know.

4 Q. Okay. Fair enough. Any cars that
5 you could recall last night that we
6 haven't already discussed that you've
7 jotted down?

8 A. Did we talk about -- the Mazda a
9 little bit. We had done a little work on
10 the Mazda.

11 Q. Right. Okay. What kind of work do
12 you recall doing on a Mazda?

13 A. Probably the same as we do on the
14 others, you know. If they come in,
15 whatever it might need.

16 Q. Did you have any repeat customers
17 for Mazda?

18 A. Not very much.

19 Q. Fair enough. Any other brands
20 there?

21 A. Well, Oldsmobile. I guess we
22 covered that under General Motors, didn't

23 we?

0172

1 Q. What models of Oldsmobiles do you
2 remember working on?

3 A. Oldsmobile was the Cutlass, the
4 Delta 88, the 442, the 98 and Omega.

5 Q. Okay. Fair enough.

6 A. They have the Dodges. That's in
7 the Chrysler family. Demons and Swingers.

8 Q. Any other cars that was listed?

9 A. Did we go to Pontiac?

10 Q. I don't think we discussed that one
11 what yet. What models of Pontiac do you
12 remember working on?

13 A. The Firebird and the Grand Am and
14 the regular Pontiac. That's it.

15 Q. How many pages did you manage to
16 kind of jot down last night? How many
17 pages in your notebook there?

18 A. Well, one, two, three, four, five.

19 Q. Okay. And I tell you what I'd like
20 for you to do. If you could tear those
21 out, or we'll do it on a break, and I'm
22 going to mark that Exhibit Thirteen. And
23 when did you put that list together, sir?

0173

1
2 (Whereupon, Plaintiff's Exhibit
3 Thirteen was marked for
4 identification and copy of same is
5 attached hereto.)
6

7 A. Last night.

8 Q. Okay. And how much time were you
9 able to spend on that?

10 A. Probably a couple or three hours.

11 Q. And these were brands of cars that
12 you had repeat customers for that you
13 would have worked on regularly at your
14 service station over the years; is that
15 correct?

16 A. Yes.

17 MR. DIMUZIO: All right. I think

18 we're ready to take a break.

19 THE VIDEOGRAPHER: Off the record.

20 Time at 12:11 p.m.

21

22 (Break.)

23

0174

1 THE VIDEOGRAPHER: Back on the
2 record. The time is 12:30 p.m.

3 Q. (BY MR. DIMUZIO:) Good afternoon,
4 Mr. Reese. We're back after a short
5 break. I just want to talk a little
6 bit -- I believe in your earlier
7 testimony, the discovery deposition that
8 has been done over the past month, you
9 discussed something about getting some
10 information about asbestos off the
11 internet and trying to give that to some
12 of your employees. Am I remembering that
13 correctly?

14 A. Yes, sir.

15 Q. And why did you do that?

16 A. Well, first, I got it for myself.
17 Then after I got it off, I felt that they
18 should know about the danger same as me.
19 So I wanted to give them the information
20 that I have, you know, to protect them.

21 Q. I see. Okay. And you recently
22 asked me if I might have anything that was
23 better; is that correct?

0175

1 A. That is correct.

2

3 (Whereupon, Plaintiff's Exhibit
4 Fourteen was marked for
5 identification and copy of same is
6 attached hereto.)

7

8 Q. Mr. Reese, I want to show you what
9 has been marked Exhibit Number Fourteen.
10 Have you ever seen that document before,
11 sir?

12 A. Sunday, when you brought it up, I

13 seen it.

14 Q. And just for the record --

15 MR. O'CONNELL: Would you mind
16 showing that to us, please? Did you show
17 that to us before the depo?

18 MR. DIMUZIO: No.

19 MR. O'CONNELL: May I see it?

20 MR. DIMUZIO: Sure. It's the gold
21 book.

22 MR. O'CONNELL: I was asking for a
23 copy.

0176

1 MR. DIMUZIO: Hang on. I have an
2 extra copy here.

3 MR. O'CONNELL: We'll do it the
4 next break.

5 MR. DIMUZIO: Off the record for a
6 moment.

7

8 (Break.)

9

10 THE VIDEOGRAPHER: Back on the
11 record at 12:34 p.m.

12 Q. (BY MR. DIMUZIO:) Mr. Reese,
13 what's been marked as Exhibit Number
14 Fourteen, you saw on Sunday; is that
15 correct?

16 A. That is correct.

17 Q. And just to recap before we had to
18 take a short break there, you had
19 requested information to give your
20 employees in the garage; is that correct?

21 A. That's correct.

22 Q. First of all, are they doing as
23 much brake work now as they used to do at

0177

1 all?

2 A. No.

3 Q. And why is that?

4 A. Well, the brakes last so much
5 longer today, and you've got more people
6 doing them.

7 Q. You had a lot of competition in the

8 brake world?

9 A. Yes.

10 Q. Like who?

11 A. Car-X, the muffler people and
12 Midas. About all of them now are in the
13 brake business.

14 Q. I see. So basically your shop
15 doesn't find itself doing a whole lot of
16 brake or muffler or clutch-type work; is
17 that correct?

18 A. Not like we used to, no.

19 Q. Well, first of all, just so the
20 record is clear, what's been marked
21 Exhibit Number Fourteen is an EPA
22 document, and it's entitled Guidance for
23 Preventing Asbestos Disease Among Auto
0178

1 Mechanics, and it's dated 1986.

2 Mr. Reese, could I possibly have that
3 exhibit? And I want to put it up on
4 the -- that is Exhibit Number Fourteen as
5 the front cover page of that particular
6 document. And you and I went over this a
7 little bit on Sunday; is that right?

8 A. Yes, sir.

9 Q. I want to discuss, actually, a
10 little bit some of the comments in that.
11 On Page One let me read the -- under
12 Section I, mechanics' exposure to
13 asbestos, I want to read the first
14 sentence: Friction materials, such as
15 brake linings and clutch facings often
16 contain asbestos. Mr. Reese, you now know
17 that a lot of these friction materials
18 like the brake linings and clutches that
19 you worked on -- it's your understanding
20 that most of those materials contained
21 asbestos; is that right?

22 A. Yes, sir.

23 Q. So that wasn't a surprise to you
0179

1 now; right?

2 A. No.

3 Q. Let me read the next sentence to
4 you. Had anyone ever told you this?
5 Millions of asbestos fibers can be
6 released during brake and clutch
7 servicing. Anybody ever tell you that at
8 any time?

9 A. No, sir.

10 Q. Any of the training, any of the
11 sales presentations, any of the documents
12 that you can recall actually seeing and
13 being conscious of, did they ever warn you
14 that you could be exposed to millions of
15 asbestos fibers?

16 A. No, sir.

17 Q. The next sentence: Grinding and
18 beveling friction products can cause even
19 higher exposures. Did anyone at any time
20 ever warn you that grinding or beveling
21 any kind of a friction could cause higher
22 exposures to asbestos?

23 A. No, sir.

0180

1 Q. First of all, what do you think
2 they mean here -- you're sort of the auto
3 mechanic expert here. What do they mean
4 by grinding friction products?

5 DEFENSE ATTORNEYS: Objection to
6 form.

7 Q. You can answer.

8 A. The grinding -- well, I guess
9 they're meaning when -- back when we were
10 back doing so much brake work, we would
11 cut that V in it. That would be grinding
12 on it. And then using a sander, probably,
13 to make it fit the drum.

14 Q. And you did that work; right?

15 A. Yes, sir.

16 Q. Did you do that work on most of the
17 brake jobs that you did over your career?

18 A. On most of them, yes.

19 Q. And in all the brands that we were
20 talking about before, when you would
21 service those cars, would you typically do

22 grinding or beveling on those products?

23 A. Yes.

0181

1 Q. What do you think they mean here by

2 beveling, by the way?

3 MR. VALENTI: Can I have a

4 continuing objection to this line of

5 questioning?

6 MR. DIMUZIO: That's fine.

7 Q. Who do you think they mean by

8 beveling in this? What does beveling mean

9 to you as an auto mechanic?

10 A. Beveling would probably be where

11 you sand on the corners or grind it down,

12 to bevel something. That's where -- the

13 end of each shoe.

14 Q. And did you do that sort of work?

15 A. Yes, sir.

16 Q. Did you do that sort of work

17 frequently when you were doing brake jobs?

18 A. Yes, on just about every one.

19 Q. Going a little further down. When

20 you see a dust cloud doing -- during brake

21 work, you are seeing clumps containing

22 thousands of fibers. First of all, when

23 you were doing this work on brakes and

0182

1 clutches, did you actually see visible

2 dust in the air when you were doing that

3 work?

4 A. Yes.

5 Q. Did anybody ever warn you that

6 those clumps that you could see were

7 actually clumps of thousands of asbestos

8 fibers?

9 A. No.

10 Q. Going down to the second paragraph

11 here. Asbestos released into the air

12 lingers around a garage long after a brake

13 job is done and can be breathed in by

14 everyone inside that garage, including

15 customers. Did anybody ever tell you that

16 before you read this document?

17 A. No, sir.

18 Q. Going a little further down. There
19 is no known level of exposure to asbestos
20 below which health effects do not occur.
21 Did anyone ever inform you of that before
22 you read this document?

23 A. Say that again.

0183

1 Q. There is no known level of exposure
2 to asbestos below which health effects do
3 not occur. Did anybody ever inform you of
4 that previously?

5 A. No.

6 Q. And I believe we talked about this
7 before. One thing I pointed out to you is
8 this document came out in June 1986; is
9 that correct?

10 A. Yes.

11 Q. And you've never seen this document
12 before?

13 A. Not before Sunday.

14 MR. VALENTI: Objection.

15 Q. Never heard of this document
16 before?

17 A. Not before Sunday.

18 Q. Going down to the next paragraph,
19 sir. This is another thing we discussed.
20 Asbestos can be carried on work clothing,
21 contaminating the family, car and home.
22 Had anybody ever warned you that you could
23 bring home asbestos from your job and

0184

1 contaminate your car and your home?

2 A. No, sir.

3 Q. Is that the first time you've ever
4 heard of it?

5 A. It is.

6 Q. Going on to Page Two of this
7 document. There is a section called
8 Cancer. Do you see that there, sir?

9 A. Yes, sir.

10 Q. And did your doctor tell you that
11 you have a form of cancer?

12 A. He did.

13 Q. And I believe you said before, you
14 had written on your card the word
15 mesothelioma; is that right?

16 A. That is correct.

17 Q. I want to read the second sentence
18 from that, in this 1986 document: It
19 could be caused by very low exposures to
20 asbestos. Anybody ever warn you in all
21 your time as an auto mechanic that
22 exposure to very low doses of asbestos
23 could give you mesothelioma?

0185

1 A. No. I never even knowed that word
2 until I got cancer.

3 Q. The next sentence: This cancer has
4 occurred among brake mechanics, their
5 wives and their children. First of all,
6 has anyone ever told you that mesothelioma
7 has occurred around mechanics, their wives
8 or their children?

9 A. No, sir.

10 Q. What was your reaction when you
11 found out that this was out in the EPA for
12 people to read back in 1986? What was
13 your reaction to reading that sentence?

14 A. I was very upset for myself, number
15 one, and number two, that I could take
16 something home to my wife and my kids that
17 I didn't know that I was even taking home
18 with me. I didn't know about it. I mean,
19 I've already got it. Sure, it upset me,
20 but I didn't want to give them a chance in
21 any way to maybe come up with it. So I
22 was upset that nobody told me that, if
23 they knew that.

0186

1 Q. Well, first of all, let me ask you
2 a question: Did you leave your uniform --
3 work uniform at the shop and take a
4 shower, or did you bring that stuff home
5 with you?

6 A. I took it home with me.

7 Q. Were you -- did you pop it in a
8 sack and take a shower before you played
9 with your kids or anything like that?

10 A. No. The kids would always meet you
11 out in the driveway. You didn't even get
12 in the house.

13 Q. And would you come in contact with
14 the kids at that time?

15 A. Sure.

16 Q. How?

17 A. Well, they'd run up to the car or
18 truck or whatever you're driving to meet
19 you and want to play or something, you
20 know, with the kids.

21 Q. Fair enough. I'm turning to Page
22 Three here. There is a section called
23 Latency Period, Mr. Reese. I want to read
0187

1 something here to you about halfway down
2 that paragraph: With asbestos, the damage
3 isn't obvious until many years later.
4 This false sense of security can easily
5 lead a worker and/or supervisor to follow
6 work practices which can cause harmful
7 exposures since they are not aware that
8 the disease may develop later. Let me ask
9 you something about that, sir. First of
10 all, were you aware when you were being
11 exposed to these asbestos dusts -- were
12 you aware in any sense that these dusts
13 could hurt you in a serious way?

14 A. Not in a serious way, no, sir.

15 Q. Did you feel the need to take any
16 precautions to prevent cancer or any other
17 fatal disease when you were doing this
18 work?

19 A. No.

20 Q. Fair enough. I want to turn to the
21 next page, Page Four of this document.
22 There is a section -- a Roman numeral four
23 called Extent of Exposure During Brake and
0188

1 Clutch Maintenance. I want to read some

2 of these sentences here and ask you your
3 opinions about that if you did some of
4 this in the workplace. Using a compressed
5 air hose to clean brake drums can release
6 up to sixteen million asbestos fibers in a
7 cubic meter of air around a mechanic's
8 space. First of all, has anyone in your
9 entire career as a mechanic ever warned
10 you that using a compressed air hose could
11 put something like sixteen million
12 asbestos fibers right around your face?

13 A. No.

14 Q. Now, there is an asterisk there.
15 At the bottom it says, these are the
16 larger fibers measured by common methods
17 for counting asbestos fibers. The very
18 small ones are far more numerous, but can
19 only be seen with an electronic
20 microscope. Anybody ever tell you that a
21 lot of these fibers are so small you
22 couldn't see them with the naked eye or
23 even a high-school-style microscope?
0189

1 A. No, sir.

2 Q. Let me ask you a question: Did you
3 ever use the compressed air hose in your
4 work?

5 A. All the time.

6 Q. Did you use it on just a few of
7 your brake jobs or all of them or most of
8 them? How would you use describe your use
9 of the compressed air hose?

10 A. Just about a hundred percent of the
11 time.

12 Q. And eventually, you did start using
13 some sort of solvent when there was an
14 issue of keeping dust down, was your
15 understanding?

16 A. Yes, sir.

17 Q. Let me ask about the next sentence:
18 Even hitting a brake drum with a hammer
19 can release over a million asbestos
20 fibers. Had anyone ever told you in all

21 your years as an auto mechanic that
22 hitting a brake drum with a hammer can
23 release over a million asbestos fibers?

0190

1 A. No, sir.

2 Q. And I believe we talked about this
3 earlier, but you testified that's exactly
4 what you did; is that right?

5 A. That's correct.

6 Q. In fact, can you show me the hammer
7 that you used to hit the brake drum with?

8 A. This one right here.

9 Q. And that was the same hammer that
10 we were talking about before?

11 A. Same hammer. I've had it forever.

12 Q. Let me ask you about the next
13 sentence here: The asbestos fibers
14 released from brake and clutch work can be
15 scattered throughout a garage. Anybody
16 ever tell you that these particles could
17 spread throughout your whole garage area?

18 A. No, sir.

19 Q. Fair enough. Turning to Page Five
20 of this document. First of all, we talked
21 about the dimensions of your shop
22 earlier. All your bays and that sort of
23 thing. Do you recall that testimony, sir?

0191

1 A. Yes.

2 Q. Would you have ever been seventy-
3 five feet or more away from someone when
4 they were working on a car if you were
5 both working in your various bays?

6 A. No, because the shop wasn't that
7 big.

8 Q. Let me read something to you here
9 on Page Five, last sentence there -- part
10 of the sentence: Asbestos from brake work
11 can be spread seventy-five feet away from
12 the mechanic. Anybody ever tell you that
13 working with asbestos doing brake work
14 could spread the asbestos at least
15 seventy-five feet away?

16 A. No, sir.

17 Q. Going down to page -- a little
18 further down on Page Five there's a
19 sentence that says, beveling new linings
20 can release concentrations of up to
21 seventy-two million fibers and light
22 grinding of new linings up to 4.8 million
23 fibers. My only question about that --
0192

1 couple questions. First of all, were you
2 aware that you could release millions of
3 fibers by doing those activities?

4 A. No.

5 Q. Did you do those activities on
6 brakes?

7 A. I did.

8 Q. I want to turn now to a little
9 different subject from the brakes. We
10 talked about doing clutch work. You've
11 done clutch work throughout your career;
12 is that true, sir?

13 A. Yes, sir.

14 Q. And on Page Seven of this document
15 there is a section at the bottom that
16 says, clutch repair. And let me read that
17 to you: Significant exposure can also
18 occur during clutch repair. My first
19 question is: Did anyone ever warn you
20 that doing clutch work could expose you to
21 significant amounts of asbestos?

22 A. No, sir.

23 Q. Next sentence: Since a mechanic's
0193

1 head is typically under the clutch
2 assembly during clutch repair, asbestos
3 often falls on a mechanic's face and
4 clothing. In all your years as a
5 mechanic, with all the workshops and
6 training you've been to, did anybody ever
7 communicate to you that working on a
8 clutch could mean that asbestos was
9 falling into your face?

10 A. No, sir.

11 Q. Were you actually under the car
12 when you were doing a lot of your clutch
13 work?

14 A. All the time, except for a
15 Volkswagen.

16 Q. Did you ever notice that dust was
17 actually falling down when you did that
18 work?

19 A. Sure.

20 Q. Did you ever have to do anything to
21 protect yourself in any way from that
22 dust?

23 A. Like before. Just put on -- we had
0194

1 safety glasses in the shop. Put it on to
2 keep the dust out of your eyes.

3
4 (Whereupon, Plaintiff's Exhibit
5 Fifteen was marked for
6 identification and copy of same is
7 attached hereto.)

8
9 Q. Fair enough. Okay, sir. I want to
10 turn now to what has been marked Exhibit
11 Number Fifteen, I believe.

12 COURT REPORTER: That's right.

13 Q. There is the front page of that,
14 sir. And, sir, I'll represent to you that
15 I gave you that document for the first
16 time on Sunday. Is that consistent with
17 your recollection?

18 A. Yes, sir.

19 Q. And just for the record, what
20 Exhibit Number Fifteen is is the current
21 draft proposal for, quote, Current Best
22 Practices for Preventing Asbestos Exposure
23 Among Brake and Clutch Workers. Just want
0195

1 to ask you about a few things about this,
2 sir, if I could, kind of along a similar
3 line of questions -- the last one.
4 Actually, it would appear that this is
5 sort of a folded-up sort of document.

6 Does it look that way to you, sir? There
7 are three columns there; right?

8 A. Here, yes.

9 Q. And there is three columns on the
10 next page; right?

11 A. Yes.

12 Q. So we're just going to take these
13 as Page One and Page Two, although the
14 booklet may ultimately have them in a bit
15 of a separate order.

16 MR. VALENTI: I just want to renew
17 my objection. Same objection I had to
18 Exhibit Fourteen.

19 MR. DIMUZIO: Okay.

20 Q. First of all, I want to note that
21 the date on this document -- do you see
22 that down underneath that picture of that
23 brake assembly there, sir -- is August

0196

1 2006?

2 A. I do.

3 Q. So the first one I gave you was
4 '86. This is 2006. I want to go over to
5 some of these work practices over here on
6 the far left side of the document. Work
7 practice don't's. I just want to go
8 through these and see what you did and
9 didn't do. Now, in order to prevent
10 exposure to -- asbestos exposure to brake
11 and clutch repair workers, the whole
12 purpose of this document -- here is what
13 they're saying you should not do. Do not
14 use compressed air for cleaning.
15 Compressed air blows brake and clutch dust
16 into the air. We've already
17 established -- did you use compressed air
18 when you were doing this work?

19 A. Yes, sir.

20 Q. No one ever warned you not to do
21 that?

22 A. No, sir.

23 Q. The next point: Do not clean

0197

1 brakes or clutches with a dry rag, brush,
2 wet or dry, or a garden hose. First of
3 all, sir, did you ever do any of that?
4 Did you ever clean brakes or clutches with
5 a dry rag or brush?

6 A. Yes.

7 Q. Did anybody ever warn you not to do
8 that?

9 A. No.

10 Q. Next point: Do not use an ordinary
11 shop vac to pick these things up. Anybody
12 ever warn you not to use your ordinary
13 shop vac when you were doing this sort of
14 work?

15 A. No.

16 Q. And here's something that we talked
17 about a little bit earlier from the 1986
18 document. Avoid taking work clothing home
19 after performing brake and clutch work to
20 prevent exposing your family to dust
21 particles that may contain asbestos.
22 First of all, we've established you wore
23 your work clothes home; right?

0198

1 A. Yes, sir.

2 Q. Who cleaned those clothes?

3 A. Well, I took them -- after -- when
4 I changed clothes, I would take them back
5 to the shop, and we would send them to the
6 laundry, the route man -- Cintas uniform
7 people.

8 Q. And would you pick up more uniforms
9 at the shop at a later date?

10 A. Well, they'd bring you in clean
11 ones and take out the dirty ones.

12 Q. Now, here is some work practice
13 do's I want to go to. It's the very next
14 section on that same page: Use preground
15 ready-to-install parts. For most of your
16 career, were you using preground ready-to-
17 install brake and clutch parts?

18 A. Was I?

19 Q. Right.

20 A. I don't understand.

21 Q. Let me ask that again. For most of
22 your career, were the brakes and clutches
23 that you were using -- were they already
0199

1 preground and ready to install without you
2 doing any other surface preparation?

3 A. Well, some were, but sometimes you
4 still had to do a little work on them.

5 Q. And through the '60s and '70s and
6 '80s, would you generally, more often than
7 not, have to prepare the surface of the
8 brakes and the clutches?

9 A. Yes, during then.

10 Q. Let me ask you this next work
11 practice do: If a brake or clutch lining
12 must be drilled, grooved, cut, beveled or
13 lathe-turned, use low speeds to keep down
14 the amount of dust created. Did anybody
15 in your entire career ever warn you that
16 if you had to do this work, you should use
17 low speeds to keep down the dust being
18 created?

19 A. No, sir.

20 Q. In fact, what did you use to
21 actually do this type of work?

22 A. A lot of sanding, we sanded by
23 hand. But then when we cut the grooves in
0200

1 the shoes, we would use a high speed
2 cutter. Air, you know, chuck.

3 Q. And did anybody ever warn you to
4 use any sort of collection or exhaust
5 system when you were doing this work?

6 A. No, sir.

7 Q. I want to go to the second page of
8 what's been marked Exhibit Number
9 Fifteen. I'm going to ask you about a few
10 of those things. First of all, you notice
11 there's a picture there in the middle of
12 the document, sir?

13 A. Yes, sir.

14 Q. What is that a picture of?

15 A. It's the picture of a axle and a
16 vacuum plate and brake shoes.

17 Q. What's on the ground there?

18 A. That's the drum.

19 Q. And what's that fellow holding in
20 his hand there?

21 A. He's holding an air chuck that you
22 blow with. The end of an air hose.

23 Q. And there is a circle with a red
0201

1 line through it indicating you shouldn't
2 do that; right?

3 A. That's correct.

4 Q. Did you ever see any picture like
5 that with a circle over it saying, don't
6 do this, before, in your life?

7 A. Not before Sunday.

8 Q. Did you actually do exactly that?
9 Did you actually take a compressed air
10 hose and blow the brake dust out of the
11 drums?

12 A. I did.

13 Q. Fair enough. Going over to the far
14 left side of that document, sir. I just
15 have a question -- it talks about what is
16 asbestos and how it can cause health
17 problems? I just want to read one
18 sentence from the bottom of that
19 paragraph: Fibers imbedded in the lung
20 tissue over time may result in lung
21 diseases such as asbestosis, lung cancer
22 or mesothelioma. Anybody in your entire
23 career as a mechanic ever warn you that
0202

1 the asbestos fibers could imbed in your
2 lungs and cause asbestosis, lung cancer or
3 mesothelioma?

4 A. No, sir.

5 Q. And your doctor told you that you
6 have asbestos-related mesothelioma; is
7 that correct?

8 A. That is correct.

9 MR. DIMUZIO: Off the record.

10 THE VIDEOGRAPHER: Off the record
11 at 12:56.

12

13 (Break.)

14

15 THE VIDEOGRAPHER: Back on the
16 record. The time is 12:56 p.m.

17 Q. (BY MR. DIMUZIO:) Mr. Reese, I
18 believe that is all the questions that I
19 have at this time. Some of the other
20 attorneys may have some questions, and I
21 may have some followup. Otherwise, I'll
22 reserve my questions till time of trial.
23 Thank you for your time.

0203

1 THE VIDEOGRAPHER: Off the record
2 at 12:57 p.m.

3

4 (Break.)

5

6 THE VIDEOGRAPHER: Back on the
7 record at 12:58 p.m.

8 EXAMINATION

9 BY MS. MASCIO:

10 Q. Mr. Reese, my name is Karen Mascio.
11 Your counsel asked you today several
12 questions about different brands of after-
13 market brake products that you used. And
14 there are a few I believe you mentioned in
15 your prior deposition that were not
16 covered today. You used brake products
17 manufactured by Gray Rock; isn't that
18 correct?

19 A. Yes, ma'am.

20 Q. And you used brake products
21 manufactured by Raybestos; isn't that
22 correct?

23 A. Yes.

0204

1 Q. Did you use those brands of brakes
2 beginning in the '60s when you started
3 doing automotive work?

4 A. I'm not sure on that.

5 Q. You recall using those brands of
6 brakes throughout your career; is that
7 correct?

8 A. I remember using them. I don't
9 know exactly when I started using them.

10 MS. MASCIO: Thank you, sir.

11 That's all my questions.

12 THE VIDEOGRAPHER: Off the record
13 at 12:58.

14

15 (Brief break.)

16

17 THE VIDEOGRAPHER: Back on the
18 record at 12:59.

19 EXAMINATION

20 BY MR. MARTUCCI:

21 Q. Mr. Reese, my name is Carmen
22 Martucci. We met prior during your four
23 days of your discovery deposition.

0205

1 A. Yes, sir.

2 Q. I don't have too many questions to
3 ask you, mainly because your counsel,
4 Mr. DiMuzio, has asked you if you stand by
5 the testimony you gave during those
6 discovery depositions. And your answers
7 have been that you have stood by those
8 answers; is that correct?

9 A. That is correct, sir.

10 Q. Okay. Now, today, Mr. DiMuzio did
11 ask you some questions about parts houses
12 that you would have made purchases from or
13 that Tysons would have made purchases
14 from. Today you mentioned Staggy's,
15 Wilcox and NAPA; is that correct?

16 A. Yes, sir.

17 Q. Now, during your discovery
18 deposition, you mentioned a number of
19 other parts houses. And I don't want to
20 get into the particulars of each one again
21 because we already did that, but I do want
22 to have you confirm that you already
23 testified about these various other parts

0206

1 houses. So did you testify already about

2 Kentucky Motors?

3 A. Yes, sir.

4 Q. Did you testify already about KOI?

5 A. Yes, sir.

6 Q. Did you testify already about

7 AutoZone?

8 A. Later than -- now, yes. They exist

9 don't in the first.

10 Q. But you did cover that testimony --

11 A. Yes.

12 Q. -- during your discovery

13 deposition?

14 A. Yes, sir.

15 Q. Did you testify already about

16 Advantage?

17 A. Yes, sir.

18 Q. Did you testify already about

19 CARQUEST?

20 A. Yes, sir.

21 Q. Did you testify already about Pep

22 Boys?

23 A. Yes, sir.

0207

1 Q. And did you testify already about

2 Sebrings or Sebrings?

3 A. Sebrooks.

4 Q. Sebrooks. I apologize.

5 A. No problem. Yes.

6 MR. MARTUCCI: Okay. Thank you,

7 sir. That's all the questions I have.

8 MR. DIMUZIO: Mr. Reese, I believe

9 that is it. Thank you very much for your

10 time.

11 A. Okay.

12 THE VIDEOGRAPHER: Off the record.

13 Time is 1:01 p.m. This concludes the

14 deposition.

15

16 FURTHER DEPONENT SAITH NOT.

17

18

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20
21
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23
0208

1 C E R T I F I C A T E

2
3 I hereby certify that the above and
4 foregoing deposition was taken down by me
5 in stenotype and the questions and answers
6 thereto were transcribed by means of
7 computer-aided transcription, and that the
8 foregoing represents a true and correct
9 transcript of the testimony given by said
10 witness upon said hearing.

11 I further certify that I am neither
12 of counsel, nor of kin to the parties to
13 the action, nor am I in anywise interested
14 in the result of said cause.

15
16
17
18
19
20
21
22 Lori S. Sizemore, CSR, RPR

23