

IN THE CIRCUIT COURT FOR BALTIMORE CITY

IN RE: BALTIMORE CITY

ASBESTOS LITIGATION

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Consolidation No. 24X13000655

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SAMUEL BARBEE, et al.,

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Plaintiffs,

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v.

February 17, 2015

Lung Cancer Trial Group

ACandS, INC., et al.

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Defendants.

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Cases Affected:

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James Beers, Sr.

Case No.: 24X13000770

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AFFIDAVIT OF ANTON AARDRUP

1. My name is Anton Aardrup. I am over the age of eighteen and am competent to testify to the matters set forth in this affidavit.
2. My date of birth is November 7, 1955.
3. My business address is Bob Bell Ford, 7125 Ritchie Highway, Glen Burnie, Maryland 21061.
4. I graduated from Howard High School in 1973.
5. Upon graduation from Howard High School in 1973, I worked at Glen Burnie Auto Service in Glen Burnie, Maryland.
6. I started working at Glen Burnie Auto Service in August 1973.
7. Glen Burnie Auto Service was located on Crain Highway.
8. Glen Burnie Auto Service is no longer in business.
9. I was a mechanic at Glen Burnie Auto Service.
10. In approximately 1978, I left Glen Burnie Auto Service and went to work at Bob Bell Ford in Glen Burnie, Maryland as a mechanic.
11. I am currently employed as a mechanic at Bob Bell Ford in Glen Burnie, Maryland.
12. I have been continuously employed as a mechanic at Bob Bell Ford since 1978.
13. In approximately 1984, I met James Edwin Beers, Sr. I knew Mr. Beers as "Whitey." He was called Whitey because of his light colored hair.

14. I met Mr. Beers when he came to work at Bob Bell Ford as a mechanic. His service bay was located ~~next~~ ^{close (near)} to mine in the service department of Bob Bell Ford.
15. I learned through Mr. Beers and others that he worked at Bob Bell Ford prior to 1984, when I first met him.
16. Mr. Beers worked with me at Bob Bell Ford from approximately 1984 through approximately 1986 and then again from approximately 1992 through approximately 1999, when Mr. Beers retired.
17. Mr. Beers and I were friends.
18. Mr. Beers was an excellent mechanic and I respected him.
19. All of the mechanics performed basically the same type of work in Bob Bell Ford's service department.
20. That work included i) brake repair, service, maintenance and repair; ii) vehicle clutch replacement and service; iii) tune-ups; iv) oil changes; v) engine repair; and, vi) any other type of vehicle repair that was required.
21. Mr. Beers performed all of the same type of work that every other mechanic performed at Bob Bell Ford's service department. In addition to the general type of work described above, Mr. Beers had special skills, expertise and knowledge with regard to maintaining, servicing, rebuilding and replacing Ford automatic transmissions.
22. In addition to Mr. Beers' general mechanic work and specialized skills with respect to Ford automatic transmissions, Mr. Beers was also a Maryland State safety inspector at the dealership.

23. With respect to brake repairs, maintenance, and service, every mechanic performed, on average, at least 2 – 4 brake repairs, maintenance and service jobs per week on Ford Motor Company branded vehicles at Bob Bell Ford.
24. With respect to brake replacements, every mechanic performed, on average, at least 2 – 4 brake replacements on Ford Motor Company branded vehicles at Bob Bell Ford.
25. When brakes were repaired, maintained, serviced or replaced, the same general initial procedures were employed. The initial procedures consisted of the following:
 - a. Bringing the vehicle into the service department;
 - b. Raising the vehicle off the ground with a lift;
 - c. Removing the vehicle's tires and wheels;
 - d. Removing the brake drum (for vehicles with drum brakes (most of the vehicles worked on during the time Mr. Beers worked at Bob Bell Ford had front-disc/rear-drum brake systems)).
 - i. If the brake drum on a particular vehicle was "frozen" to the vehicle, the drum would need to be struck with a hammer or a mallet to loosen the drum in order to be able to remove it.
 1. Striking the brake drum with a hammer or a mallet caused visible dark brake dust to come from the drum;
 2. Removing the brake drum caused large amounts of brake dust to become both airborne and fall to the floor.

- e. When the brake drum was removed, the brake assembly would be sprayed with compressed air to clean the assembly. The brake drum would also be sprayed with compressed air to clean any dust from it.
 - f. Once the brake assembly was clean, the brake assembly, including the brake shoes were inspected for i) sufficient lining material; ii) improper wear of the brake lining; and, iii) for any other damage.
26. Spraying the brake drum and the brake assembly of a drum brake system caused visible clouds of dark, respirable dust to be created. The technician who performed the work was in the center of the dust created by his spraying of compressed air into the brake drum and onto the brake assembly of the drum brake system.
27. I was in the middle of those dust clouds whenever I performed that type of work.
28. I saw each of my fellow mechanics in the middle of the same dust clouds, including Mr. Beers, whenever they performed that type of work, which was a regular and frequent event.
29. I observed, on many occasions, Mr. Beers spraying compressed air into the brake drums and brake assemblies of vehicles with drum brake systems during my tenure with Bob Bell Ford.
30. I cannot recall a day, since 1978 when I started at Bob Bell Ford, when a brake service, maintenance or replacement has not taken place in the Bob Bell Ford service department.

31. Regularly and frequently, 2 or more technicians in the service department of Bob Bell Ford were working on brakes at the same time.
32. It was obvious when brakes were being worked on in the Bob Bell Ford service department because the shop was full of dark dust.
33. When brakes did not need to be replaced because there was sufficient friction material on the brake shoe, but the brakes were making noise when applied, frequently all that was needed was a sanding of the friction material on the shoes to remove glaze that developed on the shoes. An emery cloth or a fine grit sandpaper was used to perform that sanding.
34. This sanding caused visible dust to be created.
35. Every mechanic I worked with at Bob Bell Ford sanded brake friction material on brake shoes.
36. When brake shoes needed to be replaced because the linings were either damaged or of insufficient thickness, the mechanics in the service department of Bob Bell Ford replaced those brake shoes.
37. Replacement brake shoes for Ford Motor Company vehicles came from the Bob Bell Ford parts department.
38. The replacement brake shoes for Ford Motor Company vehicles came packaged in boxes identifying them as coming from Ford Motor Company.
39. For Ford Motor Company vehicles serviced at Bob Bell Ford, I do not recall a single instance in which any replacement brake other than a Ford Motor Company brake was used.

40. During the early part of my tenure, from 1978 to approximately 1988, at Bob Bell Ford, I never saw a warning regarding any danger or work practice standards in connection with Ford Motor Company brakes.
41. After approximately 1988, the dealership instituted a policy whereby compressed air was not to be used to blow out brakes and a vacuum cleaner or wet cleaning method was required to be used.
42. After that policy was instituted, brakes drums and brake assemblies were no longer blown out with compressed air.
43. After approximately 1988, if a mechanic did use compressed air to blow out a brake drum or brake assembly, that mechanic would be reprimanded. To the best of my knowledge, no mechanic was ever fired as a result of blowing out a brake drum or brake assembly with compressed air.
44. In just about every brake replacement job, the brake friction material was lightly sanded to ensure that it was free of fingerprints and that it had a fresh friction surface to make contact with the brake drum.
45. That sanding created a fine visible dust that got into the air and was breathed by the mechanic doing the sanding.
46. During my tenure at Bob Bell Ford, every mechanic in that service department sanded brakes before installing the new brakes onto the vehicles on which they were working.
47. Frequently, the friction material on the new brake shoe needed to be chamfered. Chamfering reduced the leading and trailing edge angles of the

- friction material on a brake shoe in order to prevent the leading and trailing brake friction material on brake shoes from catching on the brake drum.
48. Bob Bell Ford's service department had bench grinders and a commercial brake grinder on which I, and every mechanic I worked with at the dealership during my tenure at the dealership, chamfered brakes.
 49. Chamfering brakes with a bench grinder and with a commercial brake grinder created significant amounts of visible dust that permeated the work area and the service department.
 50. In addition to the brake work being performed in Bob Bell Ford's service department, the dealership performed clutch replacements for vehicles with manual transmissions.
 51. During my tenure at Bob Bell Ford every mechanic performed between ¹⁻³ ~~2-4~~ clutch replacements per week, on average. This included Mr. Beers. (62)
 52. Replacing clutches was a dirty, dusty job.
 53. The process to replace a clutch on a manual transmission vehicle involved lifting the vehicle off the ground with a lift and getting under the vehicle.
 54. Once the clutch and bell housing assembly were removed from the car the bell housing area was sprayed with compressed air.
 55. Spraying compressed air into the bell housing assembly area cause a tremendous amount of dark, respirable clutch dust to come from that area and onto the mechanic and throughout the entire shop.
 56. Similar to the dealership directive not to blow out brake shoes and brake assemblies with compressed air after approximately 1988, Bob Bell Ford had

no policy regarding the blowout of clutch bell housings prior to approximately 1988.

57. Clutches, like brakes for Ford Motor Company vehicles serviced at Bob Bell Ford came from the dealership's parts department.
58. Replacement clutches for Ford Motor Company vehicles serviced at Bob Bell Ford came in boxes that indicated the replacement clutch came from Ford Motor Company.
59. During my tenure at Bob Bell Ford, I never saw a warning regarding any danger or work practice standards in connection with Ford Motor Company clutches.
60. The dust created by i) the removal of the brake drum; ii) the blowing out of the brake drum and the brake assembly with compressed air; iii) the sanding of new and existing brake shoes; iv) the chamfering of brake shoes on bench grinders got all over the dealership service area; and, v) the blowing out of the bell housing assembly area with compressed air was a) visible; b) copious; c) respirable; and d) unavoidable by any person in the service department, even those who were not performing the work.
61. Bob Bell Ford never issued respirators or even dust masks to its mechanics during the time I worked at the dealership, including the time I worked with Mr. Beers, or even to this day.
62. During my tenure with Bob Bell Ford, I attended a number of Ford Motor Company training sessions at Ford Motor Company's training offices in Northern Virginia. These trainings were conducted by Ford Motor Company

trainers and included Ford Motor Company publications as instructional material.

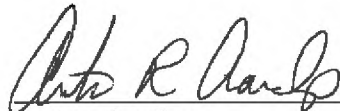
63. I do not recall at any of the Ford Motor Company trainings I attended during my tenure with Bob Bell Ford every being instructed or told not to use compressed air to blow out brakes or clutches, or told not to grind or sand brakes in connection with that training.
64. I do recall that during my tenure with Bob Bell Ford, on many occasions Ford Motor Company representatives would be at the dealership in connection with service issues with customers' vehicles.
65. During those Ford Motor Company representatives' visits to Bob Bell Ford, those representatives would come into the service department when work was taking place, including brake and clutch work.
66. I do not recall a single instance in which a Ford Motor Company representative came to me and told me that it was unsafe to use compressed air to blow out brakes or clutches, prior to the dealership instructing the mechanics not to blow out brake drums or assemblies or clutch bell housings.
67. I do not recall a single instance in which my supervisor at the dealership came to me to tell me he had been told by Ford Motor Company's representatives to warn or tell me it was unsafe to use compressed air to blow out brakes or clutches, prior to the dealership instructing the mechanics not to blow out brake drums or clutches in approximately 1988.
68. In addition to the work on Ford Motor Company vehicles at Bob Bell Ford, the dealership had a used car department.

69. Mr. Beers was a Maryland State safety inspector for Bob Bell Ford.
70. When Bob Bell Ford traded-in a low mileage vehicle that it wanted to sell on its used car lot, Mr. Beers would inspect those vehicles.
71. I personally observed Mr. Beers inspect many cars. While I cannot give a precise number of vehicles Mr. Beers inspected, it was in the hundreds.
72. Mr. Beers was not the only inspector of used vehicles at the dealership.
73. In addition to vehicles manufactured by Ford Motor Company, Bob Bell Ford traded many non-Ford Motor Company manufactured vehicles, including vehicles manufactured by Honda, Nissan (Datsun), Toyota, General Motors and Chrysler.
74. In the course of inspecting those vehicles, Mr. Beers would pull the wheels off and inspect the brakes. As with most of the vehicles in production during that time period, brakes on those cars were of the front-disc, rear-drum variety.
75. Inspecting those vehicles' brake systems involved spraying compressed air into the brake drums and onto the brake assemblies to be able to visualize the brake shoes and components free from brake dust.
76. Blowing off the dust from the rear brake drums on those vehicles with compressed air created the same type of dark, visible brake dust that was created when blowing off brake drums on Ford Motor Company vehicles.
77. If work was required to those used vehicles pass the Maryland Safety inspection, that work would be performed by the dealership's mechanics, including by me.

78. Based on my training, experience and recollection, most of the vehicles that were traded in by Bob Bell Ford still had their original brakes.
79. On those occasions when brakes needed to be replaced in order that a traded-in vehicle would pass inspection, the replacement brakes would come from an auto supply store and would be brakes manufactured by Wagner and Raybestos, among others. I do not recall many Original Equipment Manufacturer ("OEM") brakes used to replace brakes on the non-Ford Motor Company trade-ins.
80. My best estimate is that approximately 90% of the vehicles worked on in the Bob Bell Ford dealership during my tenure were Ford Motor Company vehicles. The remaining approximately 10% of the vehicles were Toyota, Nissan, Honda, General Motors and Chrysler manufactured vehicles.
81. I cannot provide any further good-faith estimate of the breakdown of the approximately 10% non-Ford Motor Company manufactured vehicles, except to say that Bob Bell Ford regularly and frequently inspected and worked on Nissan, Honda and Toyota vehicles, including servicing and replacing brakes on these vehicles.
82. At Bob Bell Ford mechanics were and still are responsible for sweeping up and keeping their work area clean. This was true during the time I worked with Mr. Beers at the dealership.
83. Every mechanic regularly swept up his work area, particularly after performing brake or clutch work.

84. The act of sweeping brake and clutch dust from the service bay caused the dust to become airborne and respirable.
85. I saw Mr. Beers sweep on regularly, frequently and on many occasions. The dust created by Mr. Beers' sweeping action caused dust to come into my work area. My sweeping after brake and clutch work caused the dust created to go into Mr. Beers' and my neighboring mechanics' work areas.
86. We all breathed the dust created by each others work on a regular and frequent basis.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE
CONTENTS OF THE FOREGOING PAPER ARE TRUE.

 6-25-2014
Anton Aardrup Date