

12. According to Dr. Blackwell, Abex never conducted any studies to determine whether or not end use of its products presented any health hazard. *See Exhibit S, p. 104. See also Exhibit II (Answer to Interrogatory No. 54).*

13. Abex participated in efforts by the FMSI to lobby against a proposed ban on friction materials in Illinois during January 1972. *See Exhibit JJ (SCF-ALLF-03870).*

14. Abex did not issue warnings until the mid-1970's (if even then). *See Exhibit KK (Answer to Interrogatory No. 63). See also Ex. AA* (February 1973 FMSI minutes, discussing labeling); *See Exhibit LL* (September 1976 letter from Drislane; idea of warning inserts has laid dormant too long) (SCF-ALLF-06190).

15. Abex joined the Asbestos Information Association in 1975, the purpose of which was to disseminate misinformation about asbestos hazards and thereby protect the business interests of asbestos companies such as Abex.

16. In May 1980, Abex admitted that "the technology to produce friction materials with non-asbestos formulations has existed for many years. The problem has been to do so without a major price and weight penalty." *See Exhibit MM (SCF-ABEX-2360).*

17. An Abex document entitled, "NEWSBRAKE," explains that during World War II Germany was cut off from major sources of asbestos and developed formulations with steel wool used in place of asbestos and it was not a big step to completely remove the remaining asbestos from these types of formulations. *See Exhibit NN (SCF-ALLF-09673).* Therefore, potential substitutes for asbestos in brake lining formulations were available as early as the 1940's.

18. Defendant Abex has previously relied upon Dr. Victor Roggli's book entitled, "Pathology of Asbestos Associated Diseases, Second Edition," for the proposition that the scientific literature as of 2004, including fiber burden studies and epidemiological studies, failed