

Page 134

1 A. This is a NAPA Rayloc American Brakeblok ad.
 2 It's titled, "We want to stop you every time."
 3 Q. Are you familiar with that ad campaign?
 4 A. No, I am not familiar with the ad campaign.
 5 Q. Do you know when this particular document was
 6 produced?
 7 A. No, I do not.
 8 Q. Do you know who would know?
 9 A. Let me read it here first, and I'll see.
 10 Q. Sure. Take your time.
 11 A. Again, that would be marketing and sales and
 12 also, at that time, people that were in sales at Abex.
 13 That was a document that looked like it was put together
 14 by Abex.
 15 Q. There's a reference in there to -- I don't
 16 want to misquote it, so let me have the document back
 17 if I can. It says, "Asbestos free is a better brake."
 18 Are you familiar with that statement in that
 19 paragraph (indicating)?
 20 A. Uh-huh.
 21 Q. Can you tell me at what point in time did that
 22 statement become true?
 23 A. Today it's not true.
 24 Q. So from your perspective, as of now, the brake
 25 systems are not as effective or good as the asbestos

Page 136

1 1990s, did Rayloc ever advise any of its manufacturers
 2 of friction products that it would only accept
 3 non-asbestos products by a certain date?
 4 A. Repeat your question.
 5 Q. Sure. At any time, did Rayloc ever advise any
 6 of its suppliers of friction material that they would
 7 only purchase non-asbestos products by a certain date?
 8 A. Not to my knowledge, no.
 9 Q. Am I correct that the only reason that Rayloc
 10 stopped selling asbestos-containing products was the ban
 11 on asbestos?
 12 A. We were preparing for that, that's correct.
 13 Q. I understand that. But my question is: The
 14 only reason that you stopped selling asbestos-containing
 15 products was that there was a ban placed or you believed
 16 there would be a ban placed on the sale of those
 17 products?
 18 MR. RILEY: Now, he's not testified to
 19 that.
 20 Q. (By Mr. Dunler) That's my question.
 21 A. Repeat it again.
 22 Q. Sure. The only reason that Rayloc stopped
 23 manufacturing asbestos-containing products is the
 24 company believed that there would ultimately be a ban
 25 placed on the manufacturer of those products?

Page 135

1 brake systems that you produced back in the '70s?
 2 A. I'm saying that they're not better than. They
 3 can be equal to. But that's a bunch of hype and sales
 4 pitch.
 5 Q. At what point in time, from your opinion,
 6 did the asbestos-free brakes become equal to the
 7 asbestos-containing brakes?
 8 A. It would have been -- to our satisfaction to
 9 perform, it would have been in the '90s.
 10 Q. Can you tell me what efforts Rayloc made to
 11 investigate or engineer or assist in the development of
 12 an asbestos-free brake prior to the 1990s?
 13 A. We never did anything to develop, to compound,
 14 any type of formula.
 15 The only thing we did was say, give us a piece
 16 of friction material that works equally as well as what
 17 we currently have and is as safe as what we have and
 18 will stop that car under all conditions.
 19 Q. Am I correct the answer is nothing?
 20 A. Nothing, no.
 21 MR. RILEY: The answer is they don't make
 22 friction products.
 23 THE WITNESS: We don't make friction
 24 products.
 25 Q. (By Mr. Dunler) At any time prior to the

Page 137

1 A. Yes.
 2 Q. Now, what number are we on?
 3 (Plaintiff's Exhibits LeCour 25 and 26
 4 were marked.)
 5 Q. (By Mr. Dunler) I'm going to give you what's
 6 been marked as Exhibit 25 and 26, which appear to be the
 7 same document but addressed to different people.
 8 Do you see that document?
 9 A. Yes.
 10 Q. Are you familiar with those documents, 25
 11 and 26?
 12 A. Yes.
 13 Q. All right. And you are the author of that
 14 document?
 15 A. Yes.
 16 Q. Okay. One says, "From: Engineering" and the
 17 other says, "From: Paul LeCour." But both are from
 18 you, I take it?
 19 A. Yes.
 20 Q. And this document is your notification to
 21 everyone internally at Rayloc that you've got to start
 22 putting markings on your packages that your product
 23 contains asbestos?
 24 A. Yes.
 25 Q. All right. Now I'm going to take one of them

35 (Pages 134 to 137)