FILE NAME: Mahoning Valley Supply (MVS)

DATE: 1996 Dec 12

DOC#: MVS001

DOCUMENT DESCRIPTION: Legal – Deposition of David Williams

STATE OF OHIO)
) SS: IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY)

DEPOSITION OF DAVID WILLIAMS

ROBERT ALEXANDER, JR., ET AL.	)	95-287481
WILLIE MACK ALLEN, ET AL.	)	95-286145
EMMETT BAKER, ET AL.	)	95-288991
ADELINE HESSKE, ET AL.	)	94-280550

DEPOSITION taken before me, Teresa L. Noce-Reedy, a Notary Public within and for the State of Ohio, on the 12th Day of December, A.D., 1996, pursuant to agreement and at the time and place therein specified, to be used pursuant to the Rules of Civil Procedure or by agreement of counsel in the above cause of action, pending in the Court of Common Pleas, within and for the County of Cuyahoga, State of Ohio.



WHEREUPON,

DAVID WILLIAMS,

of lawful age, being by me first duly sworn to testify the truth, the whole truth, and nothing but the truth, as hereinafter certified, deposes and says as follows:

CROSS EXAMINATION:

By Mr. White

Q Will you state your full name?

A David E. Williams. Do you want the middle name?

Q No, that's all right.

What is your business address?

A 691 McClurg Road, Youngstown, Ohio. Mailing address is P.O. Box 1050.

Q That's fine. For whom are you employed?

A Mahoning Valley Supply Company.

Q How long have you worked for Mahoning Valley Supply?

A May 1, 1976, which would be just a little over 20 years.

Q What's your position with Mahoning Valley right now?

A President, Chief Executive Officer.

Q How long have you been president?
A Since 1984. January 1, I believe it was.
Q Prior to being employed with Mahoning Valley Supply, for whom did you work?
A White Motor Coverings in Cleveland.
Q How long did you work for White Motors?
A Nine years.
Q Prior to that firm for whom?
A International Harvester Company.
Q How many years with International?
A Six years.
Q Prior to that?
A United States Air Force.
Q What years are we talking about in the Air Force?
A I was in the Reserves for the Air Force. I was on six months' active duty beginning in February of '61, February or March of '61; and I was off of active duty late August of '61.
Q How old are you, Mr. Williams?
A Fifty-nine.
Q Before 1961, were you employed?
A Part-time employee when I was finishing up college.
Q Where did you go to college?

A Youngstown State University.
Q What did you do for International Harvester generally?
A I was salesman and -- a territory manager is what it was called, and worked with truck dealers for International Harvester.
Q With White Motors what did you do?
A Similarly, I directed sales from our branches and was then territory manager, which was again working with dealers; and following that I became regional sales manager.
Q How long has Mahoning Valley Supply been in existence?
A It was founded April 1, 1937. Just short of 60 years.
Q Who found the company?
A Clifford D. Williams.
Q Is he your father?
A Yes.
Q Is your father still living?
A No.
Q Has the business of Mahoning Valley supply since 1937 to the present time been pretty much the same?
A Well, it's grown in scope, in the scope

of the product lines --

Q What is the business --

A -- from its inception.

Q What is the business, and what has become of the business of Mahoning Valley Supply?

A Well, to categorize it, we are considered a wholesale industrial distributor selling products used by industry. We don't sell retail to individual consumers.

Q Does Mahoning Valley Supply manufacture any products?

A Nothing.

Q So it's strictly sales?

A Strictly sales. Strictly we buy it, put it on the shelf; we take it off the shelf; we deliver it to the customer.

Q When you buy from the manufacturer --

A Yes, we do.

Q -- do you relabel it?

A No, we don't.

Q Do you ever relabel it?

A No, we don't.

Q Do you repackage it?

A Some items we would sell, to give you an example, would be connecting links for chain. They will come in a box.

Q Republic in Massilon?
A Yes.
Q Timken, did you sell to Timken?
A Yes.
Q Any other mills in Canton that you sold to?
A I think you just about named them all.
Q What Youngstown Sheet & Tube facilities did you sell to? Do you recall?
A Youngstown.
Q Can you be more specific?
A Yes, the mills they had in Youngstown.
Q Do you remember any of the names or the locations?
A It was Campbell Works in Campbell, Ohio; and the Brier Hill Works, which is near the west side of Youngstown.
Q Brier Hill?
A Uh-huh.
Q Any US Steel facilities, ones -- did you sell in Youngstown?
A The Ohio Works and McDonald Works.
Q Did you sell to LTV or J&L in Youngstown?
A We sold to a J&L plant, which was not a metal producer.

MR. MERRIAM: And the answer he is referring to is No. 9.

MR. WHITE: Yes.

MR. MERRIAM: Why don't you take a look at No. 9 in the text behind the answers?

THE WITNESS: Nine?

MR. MERRIAM: Yeah.

THE WITNESS: That's what I remember saying. We distributed insulation and asbestos paper manufactured by Johns-Manville.

Q (BY MR. WHITE) Did Mahoning Valley Supply distribute asbestos-containing insulation products?

A I have no direct knowledge of that.

Q What asbestos-containing products did Mahoning Valley Supply distribute from the date of its inception until the present time, to your knowledge?

A We began representing Manville in 1960. They made a lot of products; not all were asbestos. We represented them until they kind of went away by attrition after they got into their legal problems. We never heard from them. You couldn't get any information from them, and we just didn't do -- business with them ended.

Q What year was that?

A Manville filed bankruptcy -- well, this relates to '72 (Indicating). We sold fiberglass insulation

A The fact that I know we represented Manville.
Q Did you know Johns-Manville Company made and sold asbestos-containing insulation products?
A I have learned since this litigation and their filing for Chapter 11.
Q When you started working for Mahoning Valley in 1976, at that time Mahoning Valley was representing Johns-Manville?
A That's correct.
Q What do you mean Mahoning Valley was representing Johns-Manville?
A We were a distributor for them.
Q Was there some type of agreement in effect?
A Yes, there was.
Q Was that written, reduced to writing?
A Yes.
Q Do you have that agreement?
THE WITNESS: I sent it to you.
MR. MERRIAM: Do we have it?
THE WITNESS: I don't know. That was 19 -- late eighties.
Q (BY MR. WHITE) You sent it to whom? Your attorney?

Q After 1960, did your company enter into any additional distribution agreements with Johns-Manville?
A No.
Q Did there come a point into time when your company or Johns-Manville terminated the distribution agreement?
A No.
Q Is that distribution agreement that was made in 1960 still in effect?
MR. MERRIAM: Objection. If you know. If you're able to make a legal conclusion like that.?
A We are not buying anything from them and have not for a long time.
Q From Johns-Manville?
A Yeah.
Q When did you last buy from Johns-Manville?
A Mid- to late eighties.
Q What were you buying from Johns-Manville in the middle to late eighties?
A Fiberglass insulation.
Q Anything else?
A No.
Q Beginning in 1963 through the middle to late eighties, can you tell me all the products that