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7 Attorneys for Defendant, FLAMEMASTER CORPORATION

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

11 **ANDREW SCHNABEL and**
12 **AUDREY SCHNABEL,**

13 Plaintiffs,

14 vs.

15 **BORGWARNER MORSE TEC, INC., (sued**
16 **individually and as successor-in-interest to**
BORG-WARNER NORSE TEC, INC., AND
BORG-WARNER CORPORATION) et al.

17 Defendants.

) **Case No. BC 392554**

) (Assigned to Hon. Irving S. Feffer, Dept
"51")

) **DECLARATION OF JOSEPH MAZIN**
) **RE: THE USE OF ASBESTOS IN**
) **FLAMEMASTER PRODUCTS**

) Complaint Filed: June 11, 2008

19 I, Joseph Mazin, declare as follows:

20 1. I am the Chief Executive Officer of Flamemaster Corporation. I have been the
21 CEO of Flamemater Corporation since June 6, 1984. As the CEO, one of my duties is to
22 coordinate and supervise litigation on behalf of the Flamemaster Corporation. In connection with
23 those duties, I have reviewed and maintained the corporate records regarding the use of abestos in
24 Flamemaster products. I have personal knowledge set forth herein and if called upon to do so, I
25 could and would competently testify thereto under oath.

26 2. Flamemaster Corporation was founded in 1942. Originally known as Dynatherm
27 Corporation, the entity changed its name to Flamemaster Corporation. on August 23, 1973.

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DECLARATION OF JOSEPH MAZIN RE: THE USE OF ASBESTOS IN
FLAMEMASTER PRODUCTS

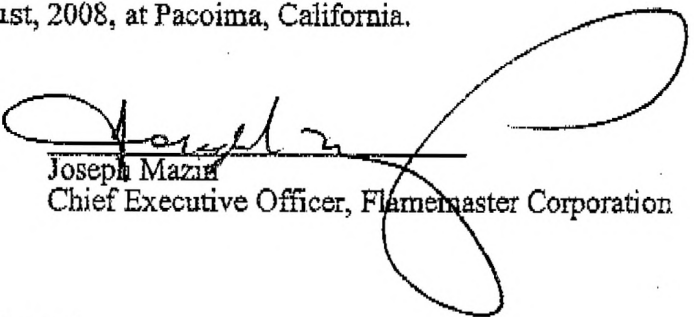
3. Flamemaster Corporation has manufactured and sold sealants, adhesive, ablative and heat resistant coatings and electrical cable fire retardant coatings. Flamemaster does not manufacture or sell any products that contain asbestos. The company ceased using any form of asbestos in 1974. None of the company's sealants and coatings sold to the military contain asbestos. These coatings and sealants have never contained asbestos. The sealants were made to military specifications and were qualified and inspected by the U.S. Government General Services Administration and Military prior to shipment. They were inspected again when they were received, and were inspected again prior to usage.

4. The only product sold by Flamemaster Corporation that contained asbestos was an electrical cable coating that was used primarily at nuclear facilities. The brand name of the asbestos containing product was Flamemastic 71A. The asbestos in the Flamemastic product was in an encapsulated form. The use of Flamemastic produced no airborne asbestos fibers. In 1973, independent laboratory testing of the Flamemastic product was conducted by Analytical Research Laboratories, Inc. The purpose of the testing was to determine whether use of the Flamemastic product resulted in any airborne asbestos fibers that could present a health hazard. Attached hereto is the laboratory test report and results of the independent testing by Analytical Research Laboratories conducted September 7, 1973. As is set forth in the laboratory report, no airborne asbestos fibers were produced during the spray application of thirty gallons of Flamemastic 71-A.

5. No other products containing asbestos have been manufactured, sold, or distributed by Flamemaster Corporation, formerly known as Dynatherm Corporation, since it was founded in 1942 to the present time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of August, 2008, at Pacoima, California.


Joseph Mazin
Chief Executive Officer, Flamemaster Corporation

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160 TAYLOR STREET, P.O. BOX 369, MONROVIA, CALIFORNIA 91016

(213) 357-3247

83026

Client Dynatherm Corporation	Work Order 6270-01	P. O. Number 4629
Material/Sample Identity Sampling Program for Asbestos in Air	Rec'd 9/6/73	Due 9/8/73
Requested By Name: Dr. Roger Peterson	Phone: 982-1650	Sample Disposition
Report/Ship To: Dynatherm Corporation 598 W. Avenue 26 Los Angeles, CA 90065		

Nature of Work and Information Desired

Air Sampling for Asbestos Fibers

Summary of Laboratory Report

Q. C. Level

In a room 12' x 16' with only a single closed door, there was sprayed approximately 30 gallons of Flamemastic 71-A onto a plastic sheet laid on the floor. Two filter samples were taken simultaneously during the spraying--one at the operator's left shoulder, the other about 8 ft. to his right. The test duration was 30 minutes at an air flow of 1 liter per minute through each filter. A blank was run for comparison. The test was witnessed by Mr. Stanley Zwicker of Region IX, Environmental Protection Agency.

Microscopic examination according to the publication, "Occupational Exposure to Asbestos," HSM 72-10267, 1972, showed no asbestos fibers in either the blank or the samples.

(See Attached Report)



As a mutual protection to clients, this report is submitted for the exclusive use of the client to whom it is addressed. This report applies only to the sample(s) tested and is not necessarily indicative of the qualities of apparently similar or identical products. Use of this report, whether in whole or in part, or of any seals or insignia connected therewith, for any advertising or publicity matter, without prior written authorization is prohibited.

Analyst RT	Book - Page	Approved By <i>[Signature]</i>	Date 9/7/73
Research and Development			



ANALYTICAL RESEARCH LABORATORIES, INC.

160 TAYLOR STREET, P.O. BOX 369, MONROVIA, CALIFORNIA 91016

(213) 357-3247

7 September 1973

LL 83026

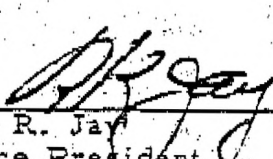
Dynatherm Corporation personnel carried out a spray test of Flamemastic 71A in an unventilated room 12' x 16' x 8'. The white cable protection material was sprayed in a manner which simulated an actual field application under the most difficult conditions which could be anticipated with respect to airborne asbestos fibers. An earlier test (ARLI 33038) conducted under less rigorous conditions had shown no airborne asbestos fibers were produced during the spray application of Flamemastic 71A.

Thirty-gallons of material was sprayed in a period of thirty minutes using Graco airless Hydra Spray equipment with a Graco Hydra Spray Gun and Tip # P/N 205-901 as described in the Dynatherm Application Bulletin #004.

Two filter samples were taken simultaneously during the spraying --- one at the operators left shoulder, and the other about eight feet to his right. The air flow was 1 liter per minute through each filter during the 30 minute test. Prior to the spray test a blank was run for 30 minutes to provide a comparison with the test filters.

It was observed that no visible emission of asbestos material was released to the atmosphere of the room during the spray test.

Microscopic examination of the filter discs performed according to "Occupational Exposure to Asbestos", HSM 72-10267, 1972, published by NIOSH, showed no asbestos fibers in either the blank or the sample.


R. R. Jay
Vice President