

ROGER HOBBIE

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1 A No. 2 MR. HAFNER: I believe that is all of the 3 questions I have. 4 BY MR. BARTELS: 5 Q I have some follow-up. Mr. Hobbie, I wanted to 6 clarify some testimony you just discussed. It is not your 7 testimony that by 1986, the majority of all trucks on the road 8 had nonasbestos brakes? 9 A No. 10 Q In fact, if you go back over some of the documents, 11 and I will try to do this as quickly as I can, Hobbie 6 which 12 was the document dated April 16, 1985 from T.W. O'Boyle where 13 he in the memo indicates that the standard friction material 14 found in heavy truck brakes today is asbestos? 15 A Yes. 16 Q You agreed with that at least as of the date of this 17 memo? 18 A Yes. 19 Q You still agree with it? 20 A Correct. 21 Q In fact, in Hobbie Exhibit 10, which was a memo 22 dated September 25, 1986 from Jim Clark, now he is referring 23 to Navistar, he is actually mentioning that Navistar has 24 requested all current brake assemblies using asbestos linings 25 to be provided via stockpiling if necessary through 1987.	1 low friction asbestos product because they are not convinced 2 that the current nonasbestos product is equal in all 3 performance aspects. Did I read that correctly? 4 A Yes. 5 Q So obviously at least through 1986, there are still 6 major OEMs based on this information that are still insisting 7 on using asbestos products until the nonasbestos products can 8 be worked out, correct? 9 ALL COUNSEL: Objection to the form. 10 Q Let me rephrase it. It appears from this letter 11 that there are still as of October 1986, certain major OEMs 12 continuing to use low friction asbestos products because they 13 are not convinced that the current nonasbestos product is 14 equal in all performance aspects, correct? 15 ALL COUNSEL: Objection to the form. 16 A Right. 17 Q The reason I'm bringing this back up is at one point 18 it sounded like you were suggesting that by 1986, the trucking 19 industry in general had from 1985 to 1986 miraculously evolved 20 into straight nonasbestos products? 21 A No. 22 Q You agree with me on that? 23 A I agree with you on that. I think what actually 24 transpired, it had started to reach that point, even though 25 that sort of raises a flag that there were still issues going
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1 So it would appear that at least Navistar 2 through 1987 wasn't just limiting it to high friction brakes 3 but all brakes they used with asbestos? 4 ALL COUNSEL: Object to the form of the 5 question. You are reading a whole lot more into that. 6 Q Let me ask you again. Here is what it says, based 7 on the attached list, Navistar has requested all current brake 8 assemblies using asbestos linings to be provided via 9 stockpiling, if necessary, through 1987. I have read that 10 correctly; is that right? 11 A Yes. 12 Q You would agree that Navistar at least is not just 13 limiting these to these off-road heavy-duty frictions? 14 A Basically, that's what that says. 15 Q They are saying we want all brake assemblies that we 16 use with asbestos to keep going through at least 1987? 17 ALL COUNSEL: Objection to the form. 18 A Yes. 19 MR. HAFNER: What was the exhibit number of 20 the last exhibit number you referred to? 21 MR. BARTELS: I think it was 10. 22 Q Exhibit 14, dated October 14, 1986, this is a letter 23 from Mr. Bruggeman to Abex, a guy named Mr. Pruneski wherein 24 he says, even as of that date, October 14, 1986, I will read 25 the one paragraph, certain major OEMs still continue to use	1 on, the industry was starting to accept the fact that 2 nonasbestos was going to happen and it would come and they 3 weren't going to flip a switch necessarily because of all of 4 the testing that had to be connected. It was a whole new 5 technology. 6 Q In other words, there was still testing not only 7 Eaton was performing but Rockwell and other competitors to 8 ensure that the new nonasbestos products coming on the market 9 were at least equal to the asbestos products that they were 10 replacing? 11 A Exactly, had to be. 12 ALL COUNSEL: I will object to the form of the 13 question. The witness has already explained. 14 MR. BARTELS: You can object to the form. You 15 can't discuss why. I have your objection on the record. 16 MR. HAFNER: I think you are putting words in 17 the witness's mouth. 18 MR. BARTELS: He seems to understand my 19 questions and he is answering them. So I appreciate what you 20 are saying. Thank you. 21 Q Again, just to clarify because of something I 22 thought you said earlier on, it is not your position that by 23 1986, the majority of the trucks on the road were using 24 nonasbestos products? 25 A That's correct.

25 (Pages 94 to 97)