

Page 130

1 extra or surplus product and was selling it to Rayloc?
 2 A. That's what it implies.
 3 Q. All right. Now let me show you what's been
 4 marked as Exhibit No. 21 and ask you if you can identify
 5 that document for me?
 6 A. Bendix/Allied-Signal, Bendix Friction Material
 7 Division, January 31st, 1992, Mr. Cary Winsett, Rayloc
 8 Division, Stephenville, Texas.
 9 Q. Who's Mr. Winsett?
 10 A. He's a purchasing agent in Stephenville.
 11 Q. And is this notification to you about Bendix
 12 getting out of the sale of asbestos-containing brake
 13 products?
 14 A. Yes.
 15 Q. How long prior to 1992 were you aware that
 16 Bendix was going to be getting out of the sale of
 17 asbestos-containing products?
 18 A. I cannot recall that.
 19 Q. Did at some point in time Bendix stop selling
 20 you asbestos-containing brake products?
 21 A. They did stop; and then they started up again.
 22 Q. When did they stop, and when did they start up
 23 again?
 24 A. I don't recall those dates.
 25 Q. When they stopped, did Rayloc, Genuine Parts,

Page 132

1 A. No, I do not think so. I do not recall.
 2 Q. There's a statement in there -- I don't have
 3 the document in front of me -- about the availability
 4 of asbestos-free brake products for more than a decade.
 5 Do you see that?
 6 A. Let's see. Yes, I do.
 7 Q. Do you agree with that statement?
 8 A. No.
 9 Q. What part of it don't you agree with, that
 10 they were available or that they were effective?
 11 A. Well, it was available, but they were not
 12 effective in all applications.
 13 And also, I guess a play on words here, they
 14 have semi-metallic disc pucks which were non-asbestos,
 15 but you didn't fit them on all applications either.
 16 But what they were offering during that period
 17 of time was not acceptable from a safety point of view.
 18 It had to be -- so it wasn't a ten-year period that they
 19 all worked.
 20 (Interruption.)
 21 Q. (By Mr. Dumler) I'm going to give you what's
 22 been marked as Exhibit No. 23, which was produced to me
 23 yesterday, and ask you if you can tell me what that
 24 document is?
 25 A. Asbestos-Free Bonded Segments. It's

Page 131

1 find another supplier to take their place?
 2 A. No.
 3 Q. All right. Who did Rayloc begin to purchase
 4 from once Bendix stopped selling asbestos-containing
 5 products to you?
 6 A. Oh, on this particular line, they could have
 7 bought from several suppliers.
 8 Q. When Abex and Bendix stopped selling
 9 asbestos-containing products, was there any conscious
 10 decision made as to whether or not Genuine Parts should
 11 also stop or phase out asbestos products?
 12 A. No.
 13 Q. Do you understand my question? In other
 14 words, did anyone sit down and say, they're not selling
 15 it anymore, maybe we shouldn't be selling it either?
 16 A. No, that never...
 17 (Plaintiffs' Exhibits LeCour 22 and 23
 18 were marked.)
 19 Q. (By Mr. Dumler) I give you Exhibits No. 22
 20 and 23.
 21 Let me ask you: Is 22 an advertisement from
 22 Abex? Do you recognize that document?
 23 A. It says, Wall Street Journal, Wednesday,
 24 July 19th, 1989.
 25 Q. Does this come from your personal file?

Page 133

1 a statement that says, "During World War II Germany was
 2 cut off from the major sources of asbestos" --
 3 Q. Rather than reading it, are you familiar with
 4 this document?
 5 A. Yes.
 6 Q. What is it?
 7 A. It's a document created by Abex. And this was
 8 their first shot at us to offer us NA-27. They claimed
 9 they had this back, and it was the original equipment
 10 formula on Volkswagen.
 11 Q. What do you mean offer you NA-27? As an
 12 asbestos alternative?
 13 A. As an asbestos alternative, yes.
 14 Q. When did you receive this document, Exhibit
 15 No. 23?
 16 A. I don't know if I ever received this
 17 particular document here (indicating). There's no date
 18 on it. But I had conversations with them on the
 19 subject.
 20 Q. Starting when?
 21 A. Mid-'80s.
 22 Q. Okay.
 23 (Plaintiffs' Exhibit LeCour 24 was marked.)
 24 Q. (By Mr. Dumler) I give you Exhibit No. 24
 25 and ask you if you can tell me what that document is?