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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Jean Hoefer Toal, Circuit Court Judge

Case No. 2020-CP-40-02098

Appellate Case No. 2024-000674

Covil Corporation, by and through its duly appointed Receiver, Peter D. Protopapas, Respondent,

v.

Pennsylvania National Mutual Casualty Insurance Company; Sam J. Crain & Co., Inc.; and
South Carolina Property and Casualty Insurance Guaranty Association..... Defendants,

Of which Pennsylvania National Mutual Casualty Insurance Company is the Appellant.

**RECORD ON APPEAL
VOLUME 34**

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EXHIBIT A
TEDDY KNIGHT
WORK SITES*

Including but not limited to a project **at Union Camp, Savannah, GA** (Superintendent, retrofit of process and utility piping systems).

From approximately 1995 to 2004, Decedent worked for **Century Contractors** at many worksites including but not limited to a project **at BMW, Greer, SC** (E-70 Assembly Bldg.)

.
As discovery is ongoing, Plaintiffs reserve the right to supplement this response.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF ORANGEBURG	)	FOR THE FIFTH JUDICIAL CIRCUIT
	)	
RICHARD L. KNIGHT, II , as Personal	)	C/A NO. 2019-CP-38-1045
Representative of the Estate of TEDDY L.	)	
KNIGHT, SR. , and LINDA KNIGHT ,	)	<i>In Re:</i>
Individually,	)	Asbestos Personal Injury Litigation
	)	Coordinated Docket
Plaintiffs,	)	
	)	
v.	)	
	)	
EASTMAN CHEMICAL COMPANY, et al.	)	
	)	
Defendants.	)	
	)	

PLAINTIFFS' RESPONSES TO DEFENDANTS' STANDARD INTERROGATORIES

TO: ALL DEFENDANTS, BY AND THROUGH THEIR COUNSEL OF RECORD

COME NOW Plaintiffs, Richard L. Knight, II, as Personal Representative of the Estate of Teddy L. Knight, Sr. and Linda Knight, Individually, by and through their counsel of record, files their Response to Defendants' Standard Interrogatories pursuant to the South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.



ANSWERS TO STANDARD INTERROGATORIES

INTERROGATORY NO. 1:

State your full name, address and telephone number, date of birth, educational background and Social Security number.

ANSWER:

Teddy Leroy Knight, Sr.
1560 Norway Road
Orangeburg, SC 29115
803-536-0482

DOB: [REDACTED]

SSN: xxx-xx-2597

Decedent graduated from Orangeburg High School in Orangeburg, SC in 1961.

INTERROGATORY NO. 2

State the complete address of all places you have resided in the past twenty years giving the inclusive dates of residence for each place named.

ANSWER:

1560 Norway Road
Orangeburg, SC 29115

INTERROGATORY NO. 3

If you are now or have ever been a member of a trade labor union, provide the following information:

- (a) the name of the union or unions to which you belonged;
- (b) the inclusive dates of your membership in each;
- (c) the numbers and complete address of the local unions to which you have belonged; and
- (d) all officers or other positions which you have held in each union, identifying the office, position, and union in which held and inclusive dates the position or office was held.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, Plaintiffs respond as follows: Upon information and belief, Decedent Teddy Knight is believed to have possibly been in the United Steelworkers for one to two years. Plaintiffs reserve the right to supplement this response should further responsive information come to light.

INTERROGATORY NO. 4

Identify all jobs and projects on which you worked or around asbestos or materials containing asbestos and state separately as to each job or project the following:

- (a) the name and location of each job (stating the job site, city, county and state);
- (b) the name and address of each employer for whom you worked;
- (c) the beginning and ending dates of each job or project;

- (d) the name and manufacturer of each and every product containing asbestos with which you worked or to which you were exposed on each particular job or project and a general description of each such product;
- (e) the identity of your immediate superior or job superintendent on each such job or project;
- (f) the Identity of all persons with whom you worked on each such job or project;
- (g) the length of time that you worked on each such job or project;
- (h) whether or not you wore a respirator or mask on each such job or project; and
- (i) your specific duties on each job.

ANSWER:

Plaintiffs object to this interrogatory in that it is vague, ambiguous and overbroad. Additionally, portions of this interrogatory are not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiving these objections, please see Exhibit A attached hereto giving the worksites where Decedent worked with or around Defendants' asbestos-containing materials. Additionally, please see Plaintiffs' Original Complaint filed in this case. Plaintiffs will also provide information regarding potential co-workers, if any, that could provide may be responsive to this request.

Plaintiffs provide this information based on their and/or other witness's recollection of handling or being around products that may have caused Teddy Knight to be exposed to asbestos. This information may be supplemented by information from witnesses, documentation gathered and/or investigation conducted by Plaintiffs' counsel to date. This investigation continues and Plaintiffs will supplement this information as needed. At the present time Plaintiffs believe that Teddy Knight worked at the following sites:

From approximately 1961-1966, Decedent Teddy Knight served in the Navy submarine service.

In addition, from approximately 1966 to 1973, upon information and belief, Decedent Teddy Knight worked consistently as a pipefitter/welder various employers at sites throughout South Carolina, including the following:

- Mar. 1966 to May 1966 – Emp. Daniel Construction, **at Tennessee Eastman**, Kingsport, TN
- Jun. 1966 to June 1968 - Emp. Delta (aka Wallace-Huffman) **at Warner Robbins AF Base**.
- July 1968 to Aug. 1968 – **Ethyl Corp., a/k/a Albemarle**, Orangeburg, SC
- Aug. 1968 to Nov. 1968 – B.F. Shaw Construction, **at Dupont, Camden**, SC
- Nov. 1968 to Dec. 1969 – Grinnell Corp., **at Carolina Eastman**, Columbia, SC
- Jan. 1970 to Apr. 1971 – Grinnell Corp., **at Wateree Generating Station**, Wateree, SC
- May 1971 to Jan. 1972 – Reamer Industries, Columbia, SC, **at Allied Signal**, Irmo, SC
- Feb. 1972 to May 1972 – M.W. Kellogg, **at Edwin I. Hatch Nuclear Plant**, Baxley, GA
- May 1972 to Jun. 1972 – Scottsdale Contractors, Inc.
- June 1972 to Dec. 1972 – H & F Construction Co.
- Jan. 1973 to Apr. 1973 – Daniel Construction Co.
- May 1973 to Sep. 1973 – H & F Construction Co.
- Also in Jun. 1973 – Southern Electric & Pipefitting Co., Georgetown, SC
- Also in Jun. 1973 to July 1973 – Livsey & Company, Charlotte, NC

- Aug. 27, 1973 – Sep. 1973 – Masters Co., Orangeburg, SC (intermittently when not working at H&F)

In approximately August 1973; then again from December 1973 through approximately 1978, Decedent was self-employed by The Masters Company in Orangeburg, SC providing industrial HVAC services. Mr. Knight sold his share to his partner so he could spend less time on road and more time with his family. Upon information and belief, the worksites during this timeframe included but were not limited to the following jobsites:

- **Robert Bosch Corp**, Charleston, SC (Automotive facility)
- **Rubber Recycling Co.**, Moncks Corner, SC (Tire recycling facility)
- **Ethyl Corp. aka Albemarle Chemical Plant**, Orangeburg, SC (Process sewer upgrade)
- **Amoco Chemical**, Mt. Pleasant, SC (Project superintendent for Railcar Hopper Maintenance Facility, E&I maintenance Shop and pre-engineered office and shop bldgs)
- **VA Hospital, Fayetteville**, NC (Boiler and chiller upgrades)
- **Merck & Co.**, Albany, GA (Crude diuretics, chemical sewer, replaced powerhouse DI water)
- **Kal-Kan Dog Food Plant**, Columbia, SC (Mechanical superintendent responsible for purchasing and installation of equipment)
- **Allied Signal**, Irmo, SC (Services contract)
- **Allied Signal Oak-Mitsui**, Camden, SC (Field engineer, piping installation, including but not limited to copper fuel process lines.)
- **U.S. Army, Ft. Gordon**, GA (Installation of Cleaver Brooks package boilers)
- **Applied Engineering**, Various locations from NY to FL and KS (Subcontractor for installation of backup systems, rigging and equipment setting, fabrication and installation of new piping for propane tanks. Erected rail car unloading stations)
- **Holliman Construction Co., U.S. Army, Ft. Bragg**, NC (Installation of 150 new hot water boilers)
- **U.S. Army, Ft. Jackson**, SC (New valves and implemented new welding procedure)
- **Wateree Generating Station**, Wateree, SC (Superintendent for installation of piping, tubing, pumps, and other systems)
- **H.B. Robinson Generating Station**, Hartsville, SC

For the year 1979, Decedent worked for **Yeargin Construction Company**, at **Ethyl Corp (a/k/a Albemarle) in Orangeburg, SC** as a Foreman. Mr. Knight was the foreman in charge of ten men who installed the chemical and steam systems, process piping, and underground piping. Following the completion of the construction he worked as a pipefitter / welder at the site for several contractors.

From approximately 1980 to 1982, Decedent worked for **Daniel Construction Company** as a pipe foreman at **Greenwood Mills in Orangeburg, SC**. Mr. Knight worked as a pipefitter during the installation of a fossil fuel boiler. After one week he was promoted to foreman of the pipe fabrication shop. When the boiler construction was complete, Mr. Knight was transferred into the plant to help with the completion of the steam system.

From approximately 1982 to 1983, Decedent Teddy Knight worked for **Harrison Construction Company** as a pipefitter at **Carolina Eastman in Columbia, SC**. Mr. Knight worked as a pipefitter in the pipe fabrication shop.

From approximately 1983 to 1991, Decedent Teddy Knight worked for **Yeargin Construction Company** as a foreman (appx. 1983-85) and field coordinator and pipefitter (appx. 1985-95) in the pipe department, estimating department and cost department **at Carolina Eastman in Columbia, SC**. Mr. Knight's job as a field coordinator involved working with engineers on modifications, alterations and additions to various production lines.

From approximately 1991 to 1993, Decedent Teddy Knight worked for **Primesouth, Inc.** as a construction superintendent **at Carolina Eastman**.

From approximately 1993 to 1995, Decedent Teddy Knight worked for **McIntosh Mechanical, Inc.** out of Sumter, SC as a project superintendent and project manager over its Georgia Division. Including but not limited to a project **at Union Camp, Savannah, GA** (Superintendent, retrofit of process and utility piping systems).

From approximately 1995 to 2004, Decedent worked for **Century Contractors** at many worksites including but not limited to a project **at BMW, Greer, SC** (E-70 Assembly Bldg.)

As discovery is ongoing, Plaintiffs reserve the right to supplement this response.

INTERROGATORY NO. 5

Identify all jobs you have had during your lifetime that are not listed in No. 4 above. As to each, state:

- (a) the general nature of the work you performed (i.e., coal miner, textile worker, etc.)
- (b) the name and location of each job (stating the job site, city; county and state);
- (c) the name and address of each employer for whom you worked;
- (d) the beginning and ending dates of each job or project.

ANSWER:

Plaintiffs incorporate their objections and responses to Interrogatory No. 4 above as if fully restated here. Subject to and without waiving these objections, Plaintiff's state that the decedent worked at the following further jobs during his lifetime:

- In 2004, Decedent worked for Southern Activity Field Employees, LLC
- Additionally in 2004, Decedent worked for Sanders Bros., Inc.
- From 2004 to 2006, Decedent worked for Walbridge Southeast, LLC.
- From 2006 to 2009, Decedent worked for Diversified Piping Systems, LLC
- From 2009 to 2010, Decedent worked for PMR of South Carolina, LLC

As discovery is ongoing, Plaintiffs reserve the right to supplement this response.

INTERROGATORY NO. 6

As to each exposure to each product listed in the answer to interrogatory number 4, describe by name or other description the person documents which you claim will establish either as a witness and/or documentary evidence the fact of your exposure to the product. For each witness listed, state the witness's complete name, job title or capacity, employer, address and telephone number. For each document listed, state a description of the document, its content and the name, address and telephone number of the custodian of the document.

ANSWER:

Plaintiffs object to this interrogatory in that it is vague, ambiguous and overbroad. Additionally, portions of this interrogatory are not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs further object that this interrogatory requires Plaintiffs to marshal the entirety of their evidence and such is not required by the South Carolina Rules of Civil Procedure. Plaintiffs also state that they are not aware of every potential witness and as such cannot speculate. Further, information responsive to this request is equally, if not more so, available to the defendants in this action. Subject to and without waiving these objections please see Plaintiffs' responses to Defendants' (Exh. 2) Master Interrogatories and Requests for Production of Documents including Plaintiff's document production, served herewith. Additionally, Plaintiffs reserve the right to supplement this response should further responsive information come to light.

INTERROGATORY NO. 7

Identify the disease or injuries for which claim is made by you in the above-captioned Complaint, and as to such disease or injury provide the following information:

- (a) a description of the symptoms of the disease or injury;
- (b) the date you first experienced any of the symptoms of the disease or injury described above;
- (c) the names and address of each doctor or other practitioner of the healing arts who has either examined or treated you for the disease or injury described above and the dates of such treatment or examination; and
- (d) the treatment provided by each doctor or other practitioner of the healing arts for the disease or injury identified above.

ANSWER:

Decedent Teddy Knight was diagnosed with mesothelioma. Please see Exhibit 1 document production included with Plaintiffs' Responses to Defendants' Master Set of Interrogatories and Requests for Production of Documents, which includes the pathology report regarding Mr. Knight's mesothelioma, as well as fully executed authorizations to obtain all medical records of Decedent, unlimited by time or by place on the body. Plaintiffs also direct the Defendants to Plaintiff's List of Medical Providers, included in Exhibit 1. It is impossible to describe all of the symptoms related to mesothelioma. In short, it is a fatal incurable progressive disease that altered all aspects of Mr. Knight's life. See also Plaintiffs' responses to Interrogatory No. 8.

INTERROGATORY NO. 8

State the date of the diagnosis made by any physician or other practitioner of the healing arts of the disease or injury which you set forth in your answer to interrogatory number and identify the individual making such diagnosis.

ANSWER:

Decedent Teddy Knight was diagnosed on or around August 19, 2016 with malignant sarcomatoid mesothelioma by Drs. Mushtaq and Heaton at Palmetto Baptist Medical Center.

INTERROGATORY NO. 9

State the date you learned of the diagnosis of such disease or injury.

ANSWER:

Plaintiffs Richard Knight, II and Linda Knight learned of the diagnosis on or around the day of or following April 18, 2019, or at the next doctor visit within days.

INTERROGATORY NO. 10

If you have received any treatment with respect to the disease at issue set forth in your answer to interrogatory number 7, state:

- (a) the name and address of each hospital, clinic or other medical facility at which you were treated or admitted;
- (b) the dates on which said treatment or treatments were rendered including the dates of entry into and discharge from said hospitals, clinics or other medical facility;
- (c) an itemization of the charges rendered by each hospital, clinic or other medical facility;
- (d) the expenses of examination or treatment by any doctors who have examined or treated you.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 production included with Plaintiffs' Responses to the Exhibit 2 standing discovery requests, which includes the pathology report regarding Mr. Knight's mesothelioma as well as fully executed authorizations unlimited in time or place on the body, to obtain further medical records and to update as needed. Plaintiffs also direct the Defendants to Plaintiff's List of Medical Providers, included in Exhibit 1. Chemotherapy is the primary treatment attacking the cancer, but its side effects are extremely difficult.

INTERROGATORY NO. 11

Identify each physician or other practitioner of the healing arts not previously identified herein who has examined or treated you for any reason and for each such individual so identified provide the following information:

- (a) the reason for such examination or treatment;
- (b) the date of each examination or treatment; and
- (c) the diagnosis resulting from each such examination or treatment.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 document production included with Plaintiffs' Responses to Defendants' Master Set of Interrogatories and Requests for Production of Documents, which includes Plaintiff's **List of all Medical Providers**.

INTERROGATORY NO. 12

Identify each hospital, clinic or other medical facility not previously identified herein at which you had been examined or received medical treatment for each such facility identified provide the following information:

- (a) the reason for such examination or treatment;
- (b) the date of each such examination or treatment;
- (c) if you were an in-patient, the dates of admission to and discharge from such hospital, clinic or medical facility; and
- (d) the diagnosis resulting from each such examination or treatment.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 document production included with Plaintiffs' Responses to Defendants' Master Set of Interrogatories and Requests for Production of Documents, which includes Plaintiff's List of all Medical Providers.

INTERROGATORY NO. 13

If you are currently receiving medical services or treatment of any nature whatsoever, state:

- (a) the name or names of the person or persons attending you;
- (b) the approximate frequency of said treatment or services; and
- (c) the date you last received said treatment or services.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 production included with Plaintiffs' Responses to the Exhibit 2 standing discovery requests, which includes the pathology report regarding Mr. Knight's mesothelioma as well as fully executed authorizations unlimited in time or place on the body, to obtain further medical records and to update as needed. Plaintiffs also direct the Defendants to Plaintiff's List of Medical Providers, included in Exhibit 1.

INTERROGATORY NO. 14

If you have ever had x-rays taken of your chest, provide the following information for each set of x-rays taken:

- (a) the name and addresses of the office or hospital where the x-rays were taken;
- (b) the reason why such x-rays were taken;
- (c) the date of dates on which the x-rays were taken;
- (e) the information reported to you as being the x-ray diagnosis; and
- (f) the identity of the person or persons who took the x-ray and the person or persons who made the diagnosis.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 production included with Plaintiffs' Responses to the Exhibit 2 standing discovery requests, which includes the pathology report regarding Mr. Knight's mesothelioma as well as fully executed authorizations unlimited in time or place on the

body, to obtain further medical records and to update as needed. Plaintiffs also direct the Defendants to Plaintiff's List of Medical Providers, included in Exhibit 1.

INTERROGATORY NO. 15

If you have made any Workers' Compensation claim as a result of any injuries or diseases, provide the following information:

- (a) the date you first reported to your employer the incident of your injury or disease;
- (b) the date and name of the agency with which you filed a claim for workers' Compensation benefits;
- (c) the date upon which you first received any Workers' Compensation benefits, either for disability or medical treatment;
- (d) the name and address of the employer against whom you made said claim; and
- (e) the nature of the injury or disease for which a claim was made.

ANSWER:

Plaintiffs objects to this Interrogatory to the extent it requests confidential information that is not relevant to the pending litigation and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and without waiving the same, to the best of Plaintiffs' knowledge, Teddy Knight never made a claim for Workers' Compensation. Additionally, Plaintiffs state that discovery is ongoing and Plaintiffs reserves the right to supplement this answer should further responsive information comes to light.

INTERROGATORY NO. 16

If you have filed any claim with the Social Security administration as a result of any injuries or disease, provide the following information:

- (a) the date you filed said claim;
- (b) the nature of such claim;
- (c) the date upon which you first received any benefits, either for disability or for medical treatment;
- (d) the amount of benefits you are receiving and the frequency with which you receive these benefits.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 production included with Plaintiffs' Responses to the Exhibit 2 standing discovery requests, which includes fully executed authorizations for obtaining all social security disability records, if any. Plaintiffs state that discovery is ongoing and Plaintiffs reserves the right to supplement this answer should further responsive information comes to light.

INTERROGATORY NO. 17

If you have ever been involved in any other legal action, including criminal charges against you, provide the following information:

- (a) whether you were a plaintiff or defendant;
- (b) the nature of the claim made by or against you, including the nature of any criminal charge made against you;

- (c) the date and place each such action was filed, giving the name of the Court, the name of the other party or parties involved, the number of such action or actions and the names of the attorneys representing each party; and
- (d) the result of each such action, whether there was an appeal and the result of the appeal, and whether such case was reported, and the name, volume number and page citation of the report.

ANSWER:

Plaintiffs object that this request is overbroad, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and without waiving the same, to the best of Plaintiffs' knowledge, Teddy Knight was never involved in any other legal action. Additionally, Plaintiffs state that discovery is ongoing and Plaintiffs reserves the right to supplement this answer should further responsive information comes to light.

INTERROGATORY NO. 18

Do you or your counsel have written reports from any physician or practitioner of the healing arts respecting any injuries or diseases which; you have identified in your response to these interrogatories? If so, please attach; a copy of said report or reports to your answers to these interrogatories.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, please see Exhibit 1 production included with Plaintiffs' Responses to the Exhibit 2 standing discovery requests, which includes the pathology report regarding Mr. Knight's mesothelioma as well as fully executed authorizations unlimited in time or place on the body, to obtain further medical records and to update as needed. Plaintiffs also direct the Defendants to Plaintiff's List of Medical Providers, included in Exhibit 1. Plaintiffs state that discovery is ongoing and Plaintiffs reserves the right to supplement this answer should further responsive information comes to light.

INTERROGATORY NO. 19

As to any job or jobs on which you allege you were injuriously exposed to asbestos—containing materials, was there any company other than your employer installing or handling asbestos—containing materials at the same job site? If so, please identify each job, its location, and the approximate dates on which you worked on that job and the other company alleged to be installing or handling asbestos-containing materials at that site.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving the same, Plaintiffs respond as follows:

1. Covil Insulation
2. Daniel Construction
3. Harrison Construction
4. B.F. Shaw
5. Yeargin Construction

6. Ebasco
7. Rust Engineering
8. Westinghouse for turbines
9. Fisher
10. Fluor (for Fluor Cooling Towers)
11. Grinnell
12. Southern Insulation
13. Starr Davis
14. Starr Davis of South Carolina

INTERROGATORY NO. 20

Do you now, or have you ever, chewed, smoked, consumed, or otherwise used tobacco or tobacco products? If so, please state:

- (a) the type or types of products (i.e., cigarettes, cigars, etc.);
- (b) the brand name of each product listed above;
- (c) the inclusive dates of use of each product listed above: and
- (d) the frequency of use or amount of use (i.e., one pack a day, etc.).

ANSWER:

Plaintiff objects as this Request is not relevant nor reasonably calculated to lead to admissible evidence. Subject to this objection, Plaintiff smoked approximately one pack of cigarettes a day from 1958 to 1965, and quite all together over 50 years before diagnosis.

Respectfully submitted,

/s/ Jonathan H. Holder

Jessica M. Dean (To be admitted *Pro Hac Vice*)

Jonathan M. Holder (SC Bar No. 77935)

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Theile B. McVey (SC Bar No. 16682)

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ATTORNEYS FOR PLAINTIFF

November 30, 2019
Dallas, Texas.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was served on counsel for all parties via Certified U.S. Mail Return Receipt, U.S. Mail Standard First Class, and/or electronic mail this 30th day of November 2019.

s/ Jonathan M. Holder

Counsel for Plaintiff

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF ORANGEBURG	)	FOR THE FIFTH JUDICIAL CIRCUIT
RICHARD L. KNIGHT, II , as Personal	)	C/A NO. 2019-CP-38-1045
Representative of the Estate of TEDDY L.	)	
KNIGHT, SR. , and LINDA KNIGHT ,	)	<i>In Re:</i>
Individually,	)	Asbestos Personal Injury Litigation
	)	Coordinated Docket
Plaintiffs,	)	
	)	
v.	)	
	)	
EASTMAN CHEMICAL COMPANY, et	)	
al.	)	
	)	
Defendants.	)	

**PLAINTIFFS' RESPONSES TO DEFENDANTS' MASTER SET OF
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: ALL DEFENDANTS, BY AND THROUGH THEIR COUNSEL OF RECORD

COME NOW Plaintiffs, Richard L. Knight, II, as Personal Representative of the Estate of Teddy L. Knight, Sr. and Linda Knight, Individually, by and through their counsel of record, serve their Responses to Defendants' Master Set of Interrogatories and Requests for Production of Documents pursuant to the South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.



ANSWERS TO STANDARD INTERROGATORIES

INTERROGATORY NO. 1:

Identify all documents of which Plaintiff have knowledge which relate to the allegations that Plaintiff are entitled receive punitive or exemplary damages.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Moreover, evidence of punitive damages in form of documents if any would Defendants' documents and are equally, if not more so, available to the Defendants than the Plaintiffs. Subject thereto and without waiving these objections, Plaintiffs answer that evidence supporting punitive damages at this stage of the case is anticipated to be in the form of testimony. Plaintiffs will provide counsel with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Plaintiffs further reserve the right to supplement or amend this answer should responsive documents come to light.

INTERROGATORY NO. 2:

Identify all persons which Plaintiff believes have knowledge of facts or opinions which relate to the allegations that Plaintiff is entitled to receive punitive or exemplary damages.

ANSWER:

Plaintiffs object that this request is overly broad and unduly burdensome. Subject thereto and without waiving these objections, Plaintiffs will provide counsel with witness lists containing the requested information pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Plaintiffs further reserve the right to supplement or amend their response to this interrogatory as discovery is ongoing.

Subject to and without waiving the foregoing objections, Plaintiffs state that the following witnesses may have knowledge of facts or opinions responsive to this interrogatory:

Teddy Knight (Decedent)
c/o Jonathan Holder
Dean Omar Branham Shirley, LLP

Linda Knight (Plaintiff)
c/o Jonathan Holder
Dean Omar Branham Shirley, LLP

Richard Knight (Plaintiff/Decedent's Son)
c/o Jonathan Holder
Dean Omar Branham Shirley, LLP

Rhonda L.K. Murray (Decedent's Daughter)
c/o Jonathan Holder
Dean Omar Branham Shirley, LLP

Randy Knight (Mr. Knight's Brother)

Linda Forde (Mr. Knight's Sister)

Any coworkers that worked with Mr. Knight including but not limited to the following and any coworkers identified in any deposition to be taken in this case.

Robert Cassidy

Mike Craft

Melt Felkel

Randy Knight (Mr. Knight's Brother, also coworker)

EXPERT WITNESSES

Dr. Hector Battifora
1752 Wilson Avenue
Arcadia, CA 91006
626-836-9147

Dr. Eugene Mark
Massachusetts General Hospital
55 Fruit Street, Warren 244
Boston, MA 02114
617-726-8891

Dr. John C. Maddox
Riverside Regional Medical Center
500 J. Clyde Morris Boulevard
Newport News, VA 23601
757-594-2160

Dr. Jerrold L. Abraham
Upstate University Hospital
750 East Adams Street
Syracuse, NY 13210
315-464-5540

Dr. William Salyer
PSI
3017 Telegraph Avenue, Suite 100
Berkley, CA 94705
510-644-0951

Dr. James R. Bruce
700 Gaslight Boulevard
Lufkin, TX 75904
936-632-5992

Dr. Brent C. Staggs
Diplomat, American Board of Pathology
1 Lile Court, Suite 101
Little Rock, AR 72205

These doctors may testify, live or by deposition, concerning their review of the medical records, pathology and work history of Plaintiff/Decedent and their diagnosis of asbestos-related disease in this case. These doctors may testify that Plaintiff/Decedent contracted Mesothelioma as a result of exposure to asbestos. Additionally, these doctors may testify that Plaintiff/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. These experts may also testify that Plaintiff/Decedent's diagnosis and symptoms were related to, and caused by, his exposure to asbestos and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. They may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. These experts may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. Further, these doctors may testify concerning the increased risk of cancer faced by asbestos-exposed workers and the epidemiological link between asbestos and cancer. More specifically, these doctors may testify as to Plaintiff/Decedent's increased risk of developing an asbestos-related cancer during his lifetime as a result of his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. These doctors may testify as to the hazardous nature of asbestos and/or asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. These doctors may testify concerning the reasonable and necessary medical expenses that Plaintiff/Decedent incurred and/or will incur in the future as a result of his asbestos-related disease. Defense counsel are in possession of numerous transcripts within which these doctors' opinions have been fully explored.

These experts will testify as to the procedures and treatments experienced by Plaintiff/Decedent and Plaintiff/Decedent's pain and suffering attributable to the disease mesothelioma. They may further testify as to facts and circumstances regarding the nature of the injuries and damages experienced by mesothelioma victims. They may testify regarding Plaintiff/Decedent's prognosis and life expectancy had they not been diagnosed with mesothelioma.

Additionally, these experts will testify about asbestos and the diseases caused by asbestos generally. These experts will testify that smoking is addictive. These experts may testify that based on epidemiological studies, Plaintiff/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. Additionally, these experts may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that asbestos-containing products could cause disease. These experts may testify as to their review of the medical and scientific literature regarding asbestos and asbestos-related diseases. These experts may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. These experts may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. These experts may also testify as to their review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to their conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiff/Decedent. These experts may also testify as to the hazardous nature of asbestos and that asbestos-containing products are unreasonably dangerous. They may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos-containing products. Further, these experts may testify concerning the increased risk of cancer faced by asbestos-exposed workers and the epidemiological link between asbestos and cancer. More specifically, these experts may testify as to Plaintiff/Decedent's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants and that Plaintiff/Decedent's fear of cancer is a reasonable fear. These experts may testify as to what caused and/or contributed to Plaintiff/Decedent's exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. These experts may testify concerning fiber types of asbestos generally and that all types of asbestos fibers and all lengths of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. These experts may testify regarding the asbestos content of different products and/or pieces of equipment during different periods of time. These experts may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos. They may also testify regarding "bystander" and "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. These experts may testify regarding when it was known that bystander and household exposures were known to cause disease.

These doctors may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance

in those time frames. They may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

These doctors may testify that warnings placed on containers of asbestos-containing products, and/or asbestos equipment, and/or in technical manuals, if any, may have been inadequate to properly inform users and persons exposed of the significant hazards of asbestos inhalation.

These doctors' opinions will be based upon their review of any and all medical records and available chest x-rays and/or pathology materials, as well as their expertise in the field, including experience and training, and their review of historical and more recent medical articles and journals.

These doctors may testify that pure chrysotile asbestos, in the absence of tremolite, causes mesothelioma. These doctors may further testify that, in their opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

These doctors may testify that chrysotile in asbestos-containing products is contaminated with tremolite, actinolite, anthophyllite, amosite and/or crocidolite asbestos.

Dr. Steven Haber
Respiratory Medicine Consultants
9337B Katy Freeway, Suite 267
Houston, Texas 77024

Dr. Haber may testify, live or by deposition, concerning his examination and treatment of Plaintiff and his diagnosis of asbestos-related disease in this case. He may testify concerning asbestos, the effects of asbestos on the body and any other topics related thereto. He may also testify as to their review of recent medical information pertaining to Plaintiff and the progression of Plaintiff's disease that occurred since his last examination. Additionally, he may testify that Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. He may testify as to the hazardous nature of asbestos and/or asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify concerning the role of Plaintiff's asbestos-related disease in causing and/or precipitating Plaintiff's illnesses and/or resulting death. He may testify that Plaintiff required and/or requires medical monitoring and treatment and/or hospitalizations as a result of his exposure to asbestos. He may also testify regarding the effects of asbestos-related disease on the body and more specifically, the pain and suffering of the Plaintiff, including his mental state. He may testify concerning the reasonable and necessary medical expenses the Plaintiff has incurred as a result of his asbestos-related disease.

Dr. James Robb
11613 Kensington Court

**Boca Raton FL 33428-2415
561-901-8243**

Dr. Robb is a practicing pathologist with board certifications in anatomic pathology, clinical pathology, dermatopathology and cytopathology. Dr. Robb may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about asbestos, the diseases it causes, the progressive, irreversible effects of asbestos disease and the prognosis for an asbestos-exposed individual. He may also testify concerning the scientific literature on the biological and toxicological effects of asbestos written by himself and others. He may also testify about the body's biological responses to brief exposure to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and the mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He may discuss all types of cancer risks from asbestos exposure. Dr. Robb may testify that all exposures are substantial contributing factors to an individual's disease and that there is no known safe level of exposure to asbestos. Dr. Robb's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others.

Dr. Robb may testify that, based on his review of the medical records, diagnosis, pathology and work/exposure history of the Plaintiff/Plaintiff's Decedent, that Plaintiff's/Plaintiff's Decedent's asbestos-related disease was caused by exposure to asbestos. Dr. Robb may testify concerning the clinical course and progression of Plaintiff's/Plaintiff's Decedent's asbestos-related disease. Dr. Robb may also testify regarding Plaintiff/Decedent's past and future reasonable and necessary medical treatments and costs. Dr. Robb may also discuss and explain the various treatments and procedures undergone or to be undergone by Plaintiff/Plaintiff's Decedent. Dr. Robb may discuss Plaintiff's/Plaintiff's Decedent's prognosis, life expectancy and expected cause of death.

**Dr. Edwin Holstein
Environmental Health Associates PA
10 Langley Road, Suite 306
Newton Centre, MA 02459
617-795-2238**

**Dr. Mark Colella
219 Royal Doulton Court
Gibsonia, PA 15044
724-226-7863**

**Barry Horn, M.D.
Berkley Pulmonary Medical Group
2450 Ashby Avenue
Berkeley, CA 94705
510-204-1894**

The above listed experts may testify, live or by deposition, concerning their examination of the Plaintiff/Decedent and/or their review of the Plaintiff/Decedent's work history, medical records, x-rays, and bills for medical services as well as their diagnosis of asbestos-related disease in this case. These doctors may testify that Plaintiff/Decedent contracted Mesothelioma as a result of exposure to asbestos, and that all exposures to asbestos of an occupational level substantially contribute to the development of Mesothelioma. They may testify concerning asbestos, and that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. These experts may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. They may testify from hypothetical sets of facts and may give opinions regarding whether certain types of exposures would have substantially contributed to cause asbestos related disease, including mesothelioma. They may also testify that Plaintiff/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. They may also testify that Plaintiff/Decedent incurred medical expenses as a result of his exposure to asbestos and his development of an asbestos-related disease. The doctors may testify concerning the reasonable and necessary medical expenses that Plaintiff/Decedent incurred, and may incur in the future, as a result of his asbestos-related disease. They may also testify that asbestos-containing products are unreasonably dangerous due to their propensity to cause development of asbestos-related diseases. Defense counsel are in possession of numerous transcripts of the testimony within which the opinions concerning this subject have been fully explored.

These experts may testify based upon their review of Plaintiff/Decedent's medical records, x-rays, and bills for medical services and that such medical bills for medical services are reasonable and necessary. These experts may testify with regard to Plaintiff/Decedent's diagnosis of an asbestos-related disease, including Mesothelioma. These experts may testify that Plaintiff/Decedent required medical monitoring, treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his exposure to asbestos, asbestos-related disease, asbestos-related cancer, the progression and/or recurrence of this cancer and general fear of cancer because of asbestos exposure.

Additionally, these experts will testify about asbestos and the diseases caused by asbestos generally. These experts will testify that smoking is addictive. These experts may testify that based on epidemiological studies, Plaintiff/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. Additionally, these experts may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that asbestos-containing products could cause disease. These experts may testify as to their review of the medical and scientific literature regarding

asbestos and asbestos-related diseases. These experts may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. These experts may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. They may also testify regarding “bystander” and “household exposures” to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. These experts may testify regarding when it was known that bystander and household exposures were known to cause disease. These experts may also testify as to their review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to their conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiff/Decedent. These experts may also testify as to the hazardous nature of asbestos and that asbestos-containing products are unreasonably dangerous. They may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos-containing products. Further, these experts may testify concerning the increased risk of cancer faced by asbestos-exposed workers and the epidemiological link between asbestos and cancer. More specifically, these experts may testify as to Plaintiff/Decedent’s increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants’ asbestos-containing products, the use of asbestos-containing products on Defendants’ equipment or machinery, and/or the use of asbestos-containing products while working on Defendants’ premises and/or while employed by Defendants and that Plaintiff/Decedent’s fear of cancer is a reasonable fear. These experts may testify as to what caused and/or contributed to Plaintiff/Decedent’s exposure to Defendants’ asbestos-containing products, the use of asbestos-containing products on Defendants’ equipment or machinery, and/or the use of asbestos-containing products while working on Defendants’ premises and/or while employed by Defendants. These experts may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. These experts may testify regarding the asbestos content of different products and/or pieces of equipment during different periods of time. These experts may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos.

These doctors may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. They may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

These doctors may testify that warnings placed on containers of asbestos-containing products, and/or asbestos equipment, and/or in technical manuals, if any, may have been inadequate to properly inform users and persons exposed of the significant hazards of asbestos inhalation.

These doctors’ opinions will be based upon their review of any and all medical records and available chest x-rays and/or pathology materials, as well as their expertise in the field, including experience and training, and their review of historical and more recent medical articles and journals.

These doctors may testify that pure chrysotile asbestos, in the absence of tremolite, causes mesothelioma. These doctors will further testify that, in their opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos diseases caused by Canadian chrysotile.

These doctors may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

Victoria Wells Wulsin, M.D., Dr.P.H.
3581 Interwood Ave
Cincinnati, OH 45220
513-237-5043

Victoria Wulsin, M.D., Dr.P.H., specializes in occupational and preventive medicine. She is an expert in subjects including the medical, epidemiological, occupational, environmental, and regulatory aspects of asbestos and disease. Dr. Wulsin's fee for deposition testimony is \$400 per hour. Dr. Wulsin has agreed to testify at the trial of this matter, and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that she is expected to testify to at the trial of this matter.

Dr. Wulsin is a medical doctor and epidemiologist who will testify to matters related to the circumstances of Plaintiff/Decedent's exposure to defendants' asbestos and asbestos-containing products, and the use of defendants' asbestos and asbestos-containing products.

This expert may testify regarding Plaintiff/Decedent's exposures to asbestos at different times and may testify concerning her assessment of the various risks which were associated with such exposures. She may also testify regarding the material and characteristics of defendants' asbestos and asbestos-containing products, release of asbestos fibers from defendants' asbestos and asbestos-containing products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification. She may further testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. This expert may also testify regarding the asbestos content of different products during different periods of time.

This expert may further testify concerning the conditions at the sites of Plaintiff/Decedent's exposure to asbestos based on testimony of the Plaintiff/Decedent, relevant documents, discovery responses and/or conversations with other workers who engaged in similar work. She may testify concerning asbestos hazards resulting from maintenance, repair and construction operations taking place at those sites and defendants' failure to respond adequately or appropriately to those hazards. She may further testify that defendants' actions constituted negligence, gross negligence, conscious indifference to others and/or indicate that defendants were aware of the substantial certainty that their actions could or would result in significant illnesses and/or deaths. She may further testify that defendants were in violation of asbestos regulations promulgated by state

governments and the United States Government, and that defendants violated their duties under the Occupational Safety and Health Act and its implementing regulations. She may testify that defendants' failure to comply with these laws, regulations and standards constitutes negligence and gross negligence, and was a cause of Plaintiff/Decedent's injuries. She may further testify that defendants were aware, or should have been aware, of the hazards of asbestos by the time of Plaintiff/Decedent's use of, and exposure to, their products, as a result of medical, scientific and industrial hygiene literature available to all Defendants.

This expert may also testify, based on her experience, training and education, as to the health risks associated with exposure to asbestos. She may testify regarding direct exposure, bystander exposure to asbestos and "fiber drift," and specifically that these are occupational hazards associated with asbestos and that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. She may also testify regarding "household exposures" to asbestos and that these types of exposures are known to contribute to cause lung cancer and other asbestos related diseases. This expert may testify regarding when it was known that direct, bystander and household exposures were known to cause disease. She may testify that the cumulative dose of asbestos that a person receives is what increases the risk of asbestos related diseases, including mesothelioma, lung cancer, and asbestos-related scarring. She may testify that all exposures to asbestos of an occupational level are substantial contributing factors to the development of an individual's disease, and that all of such of Plaintiff/Decedent's exposures contributed to the development of Plaintiff/Decedent's asbestos disease, including mesothelioma. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. Dr. Wulsin may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. She may also testify that asbestos and asbestos products are toxic and unreasonably dangerous, and that they are more dangerous than would be contemplated by the ordinary user with ordinary skills and characteristics common to the community. She may also testify that there are no known safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause malignant mesothelioma. She may testify further that all types of asbestos represent occupational hazards and that in the sciences of occupational, environmental, and preventive medicine, all types of commercial asbestos and tremolite asbestos are understood to cause all asbestos diseases, including but not limited to, mesothelioma. She may testify that "dose reconstruction" or similar efforts to specifically quantify and model in numeric terms the Plaintiff/Decedent's total and/or relative asbestos exposure, in the absence of measurements taken at the Plaintiff/Decedent's exposure sites during the relevant periods of time, have significant scientific limitations.

This expert may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, and fiber release and contamination on clothing and other personal contamination. She may also testify regarding results of dust studies by analysis of using both particles per cubic foot and fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. She may testify that the levels of asbestos dust to which the Plaintiff/Decedent was exposed during his working career would have likely exceeded established TLVs and PELs in many instances. This expert may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos.

This expert has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. She may testify that during foreseeable uses of defendants' asbestos and asbestos-containing products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These asbestos products may include dry powders that are mixed with water and sanded, pre-mixed pastes that are sanded, thermal insulation products that are cut, sawed and/or torn out, adhered gaskets or packing that are removed in whole or in part by brushing or sanding, boards or flat sheets or tiles or siding that are cut or scored or abraded, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and products scrap that is swept or blown or vacuumed or ripped out. She may testify that impregnated and/or encapsulated products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. She may compare and contrast the findings with other scientific findings. She may offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing on defendants' asbestos and asbestos-containing products.

This expert may testify that dust levels measured in testing one defendant's asbestos product would be similar to the results from another defendant's similar product with similar ingredients.

It is anticipated, that this expert will testify that asbestos exposure of the Plaintiff/Decedent arising from defendants' asbestos products or activities involving the use of asbestos or asbestos products were substantial contributing factors in Plaintiff/Decedent's overall asbestos exposure and were the result of defendant's failure to exercise appropriate industrial hygiene controls for suppressing or reducing exposures to asbestos, including but not limited to adequately warning Plaintiff/Decedent of the dangers associated with asbestos and means to protect himself. She may testify that these failures by defendants were knowing and/or unreasonable in the time and place in which they occurred given the information that was available to defendants, medical and scientific literature, statutes, regulations and/or based on the defendant's actual knowledge. This expert's opinion may be based upon her review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as her expertise in the field, including experience and training, and her review of historical and more recent scientific articles and journals as well as government regulations.

This doctor may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. She may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

This expert may testify that pure chrysotile asbestos, in the absence of tremolite, represents a health hazard for all asbestos-related diseases that need to be controlled. This doctor may further testify that, in her opinion, chrysotile asbestos causes all types of asbestos disease, including but not limited to, malignant mesothelioma.

This expert may also testify concerning the presence of talc in the products Plaintiff/Decedent was exposed to. This expert may further testify that the talc was asbestos-containing and that said asbestos was in a form capable of causing asbestos-related diseases including mesothelioma, lung cancer, and asbestosis.

She may testify that in both historical and present day contexts what some people have termed controversies regarding the toxicity of chrysotile asbestos are rooted in conflicts of interest of asbestos product manufacturers and sellers. She may testify that some sectors of the industry had earlier and more detailed historical access to the relevant scientific information on asbestos health hazards than medical professionals and the consuming public. She may testify that industry efforts to suppress, and in some cases distort, scientific information on the adverse health effects of asbestos have shaped the medical and scientific literature, public policy, and regulatory requirements.

Dr. Michael Freeman
425 NW 10th Avenue, Suite 306
Portland, OR 97209
971-255-1008

Dr. Michael Freeman is a doctor of medicine and an epidemiologist specializing forensic medicine and forensic epidemiology. Dr. Freeman may testify at the trial of this matter, and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that he is expected to testify to at the trial of this matter.

Dr. Freeman is a medical doctor and epidemiologist who will testify to matters related to the circumstances of Plaintiff/Decedent's exposure to defendants' asbestos and asbestos-containing products, and the use of defendants' asbestos and asbestos-containing products.

This expert may testify regarding Plaintiff/Decedent's exposures to asbestos at different times and may testify concerning his assessment of the various risks which were associated with such exposures. He may also testify regarding the material and characteristics of defendants' asbestos and asbestos-containing products, release of asbestos fibers from defendants' asbestos and asbestos-containing products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification. He may further testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. This expert may also testify regarding the asbestos content of different products during different periods of time.

This expert may further testify concerning the conditions at the sites of Plaintiff/Decedent's exposure to asbestos based on testimony of the Plaintiff/Decedent, relevant documents, discovery responses and/or conversations with other workers who engaged in similar work. He may testify concerning asbestos hazards resulting from maintenance, repair and construction operations taking place at those sites and defendants' failure to respond adequately or appropriately to those hazards. He may further testify that defendants' actions constituted negligence, gross negligence,

conscious indifference to others and/or indicate that defendants were aware of the substantial certainty that their actions could or would result in significant illnesses and/or deaths. He may further testify that defendants were in violation of asbestos regulations promulgated by state governments and the United States Government, and that defendants violated their duties under the Occupational Safety and Health Act and its implementing regulations. He may testify that defendants' failure to comply with these laws, regulations and standards constitutes negligence and gross negligence, and was a cause of Plaintiff/Decedent's injuries. He may further testify that defendants were aware, or should have been aware, of the hazards of asbestos by the time of Plaintiff/Decedent's use of, and exposure to, their products, as a result of medical, scientific and industrial hygiene literature available to all Defendants.

This expert may also testify, based on her experience, training and education, as to the health risks associated with exposure to asbestos. He may testify regarding direct exposure, bystander exposure to asbestos and "fiber drift," and specifically that these are occupational hazards associated with asbestos and that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. He may also testify regarding "household exposures" to asbestos and that these types of exposures are known to contribute to cause lung cancer and other asbestos related diseases. This expert may testify regarding when it was known that direct, bystander and household exposures were known to cause disease. He may testify that the cumulative dose of asbestos that a person receives is what increases the risk of asbestos related diseases, including mesothelioma, lung cancer, and asbestos-related scarring. He may testify that all exposures to asbestos of an occupational level are substantial contributing factors to the development of an individual's disease, and that all of such of Plaintiff/Decedent's exposures contributed to the development of Plaintiff/Decedent's asbestos disease, including mesothelioma. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. Dr. Freeman may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. He may also testify that asbestos and asbestos products are toxic and unreasonably dangerous, and that they are more dangerous than would be contemplated by the ordinary user with ordinary skills and characteristics common to the community. He may also testify that there are no known safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause malignant mesothelioma. He may testify further that all types of asbestos represent occupational hazards and that in the sciences of occupational, environmental, and preventive medicine, all types of commercial asbestos and tremolite asbestos are understood to cause all asbestos diseases, including but not limited to, mesothelioma. He may testify that "dose reconstruction" or similar efforts to specifically quantify and model in numeric terms the Plaintiff/Decedent's total and/or relative asbestos exposure, in the absence of measurements taken at the Plaintiff/Decedent's exposure sites during the relevant periods of time, have significant scientific limitations.

This expert may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, and fiber release and contamination on clothing and other personal contamination. He may also testify regarding results of dust studies by analysis of using both particles per cubic foot and fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. He may testify that the levels of asbestos dust to which

the Plaintiff/Decedent was exposed during his working career would have likely exceeded established TLVs and PELs in many instances. This expert may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos.

This expert has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. He may testify that during foreseeable uses of defendants' asbestos and asbestos-containing products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These asbestos products may include dry powders that are mixed with water and sanded, pre-mixed pastes that are sanded, thermal insulation products that are cut, sawed and/or torn out, adhered gaskets or packing that are removed in whole or in part by brushing or sanding, boards or flat sheets or tiles or siding that are cut or scored or abraded, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and products scrap that is swept or blown or vacuumed or ripped out. He may testify that impregnated and/or encapsulated products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. He may compare and contrast the findings with other scientific findings. He may offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing on defendants' asbestos and asbestos-containing products.

This expert may testify that dust levels measured in testing one defendant's asbestos product would be similar to the results from another defendant's similar product with similar ingredients.

It is anticipated, that this expert will testify that asbestos exposure of the Plaintiff/Decedent arising from defendants' asbestos products or activities involving the use of asbestos or asbestos products were substantial contributing factors in Plaintiff/Decedent's overall asbestos exposure and were the result of defendant's failure to exercise appropriate industrial hygiene controls for suppressing or reducing exposures to asbestos, including but not limited to adequately warning Plaintiff/Decedent of the dangers associated with asbestos and means to protect himself. He may testify that these failures by defendants were knowing and/or unreasonable in the time and place in which they occurred given the information that was available to defendants, medical and scientific literature, statutes, regulations and/or based on the defendant's actual knowledge. This expert's opinion may be based upon her review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals as well as government regulations.

This doctor may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. He may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

This expert may testify that pure chrysotile asbestos, in the absence of tremolite, represents a health hazard for all asbestos-related diseases that need to be controlled. This doctor may further testify

that, in her opinion, chrysotile asbestos causes all types of asbestos disease, including but not limited to, malignant mesothelioma.

This expert may also testify concerning the presence of talc in the products Plaintiff/Decedent was exposed to. This expert may further testify that the talc was asbestos-containing and that said asbestos was in a form capable of causing asbestos-related diseases including mesothelioma, lung cancer, and asbestosis.

He may testify that in both historical and present day contexts what some people have termed controversies regarding the toxicity of chrysotile asbestos are rooted in conflicts of interest of asbestos product manufacturers and sellers. He may testify that some sectors of the industry had earlier and more detailed historical access to the relevant scientific information on asbestos health hazards than medical professionals and the consuming public. He may testify that industry efforts to suppress, and in some cases distort, scientific information on the adverse health effects of asbestos have shaped the medical and scientific literature, public policy, and regulatory requirements.

Thomas O. McGarity
University of Texas
4503 Crestway Drive
Austin, TX 78731
512-232-1384

Professor McGarity is an expert in the historical development of knowledge about asbestos disease, including but not limited to, the role of industry in shaping what was known in the medical community and the mainstream public about hazards of asbestos. He is expected to testify that in both historical and present day contexts what some people have termed controversies regarding the toxicity of chrysotile asbestos are rooted in conflicts of interest of asbestos product manufacturers and sellers. He is expected to testify that some sectors of the industry had earlier and more detailed historical access to the relevant scientific information on asbestos health hazards than medical professionals and the consuming public. He is expected to testify that industry efforts to suppress, and in some cases distort, scientific information on the adverse health effects of asbestos have shaped the medical and scientific literature, public policy, and regulatory requirements. He is expected to testify about the ways in which historical changes in laws governing products liability and agency regulation affected industry responses to the health hazards posed by asbestos exposure.

Jock McCulloch
RMIT University
GPO Box 2476
Melbourne VIC 3001
Australia
0 11 61 394894361

Professor McCulloch is an expert in the historical development of knowledge about asbestos disease, including when it was known in the medical and scientific community and by industry

that asbestos could cause asbestosis, lung cancer, mesothelioma and other asbestos related diseases. His testimony will include the role of industry in shaping what was known in the medical community and the mainstream public about hazards of asbestos. He is expected to testify that in both historical and present day contexts what some people have termed controversies regarding the toxicity of chrysotile asbestos are rooted in conflicts of interest of asbestos product manufacturers and sellers. He is expected to testify that some sectors of the industry had earlier and more detailed historical access to the relevant scientific information on asbestos health hazards than medical professionals and the consuming public. He is expected to testify that industry efforts to suppress, and in some cases distort, scientific information on the adverse health effects of asbestos have shaped medical and scientific literature, public policy, and regulatory requirements.

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**Jerry F. Lauderdale, C.I.H.
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Material Analytical Services, Inc.
6568 Federal Way
Boise, ID 83716
562-799-5530**

**William Ewing, C.I.H.
Compass Environmental, Inc.
1751 McCullom Parkway
Kennesaw, GA 30144**

The above experts are Certified Industrial Hygienists, Professional Engineers and/or Occupational Medicine Doctors who may testify about industrial hygiene and/or occupational medicine principles related to the circumstances of Plaintiff/Decedent's exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants.

These experts may testify regarding Plaintiff/Decedent's exposures to asbestos at different times and may testify concerning their assessment of the various risks which were associated with such exposures. They may also testify regarding the material and characteristics of Defendants' asbestos products, release of asbestos fibers from Defendants' products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification. They may further testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. These experts may also testify regarding the asbestos content of different products and/or pieces of equipment during different periods of time.

These experts may further testify concerning the conditions at Plaintiff/Decedent's asbestos exposure sites based on testimony of the Plaintiff/Decedent, co-workers, documents, discovery responses and/or conversations with workers. They may testify concerning asbestos hazards resulting from maintenance, repair and construction operations taking place at those sites and Defendants' failure to respond adequately or appropriately to those hazards. They may further testify that Defendants' actions constituted negligence, gross negligence, conscious indifference to others and/or indicate that defendants were aware of the substantial certainty that their actions could or would result in significant illnesses and/or deaths. They may further testify that Defendants were in violation of asbestos regulations promulgated by state governments and the

United States Government, and that Defendants violated their duties under the Occupational Safety and Health Act and its implementing regulations. They may testify that Defendants' failure to comply with these laws, regulations and standards constitutes negligence and gross negligence, and was a cause of Plaintiff/Decedent's injuries. They may further testify that Defendants were aware, or should have been aware, of the hazards of asbestos by the time of Plaintiff/Decedent's exposure to their products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants as a result of medical, scientific and industrial hygiene literature available to all Defendants.

These experts may also testify, based on their experience, training and education, as to the health risks associated with exposure to asbestos. They may testify regarding bystander exposure to asbestos, to asbestos and "fiber drift," and specifically that these are occupational hazards associated with asbestos and that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. They may also testify regarding "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. These experts may testify regarding when it was known that bystander and household exposures were known to cause disease. These experts may also testify that Plaintiff/Decedent's diagnosis and symptoms were related to, and caused by, his/her exposure to asbestos and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. They may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. These experts may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. They may also testify that asbestos products are toxic and unreasonably dangerous, and that they are more dangerous than would be contemplated by the ordinary user with ordinary skills and characteristics common to the community. They may also testify that there are no safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause the disease mesothelioma. They may testify further that all types of asbestos represent occupational hazards and that in the science of industrial hygiene, all types of commercial asbestos and tremolite asbestos are understood to cause all asbestos diseases, including but not limited to, malignant mesothelioma. These experts may testify regarding their estimation of the Plaintiff/Decedent's dose of exposure to Defendants' products.

These experts may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, and fiber release and contamination on clothing and other personal contamination. They may also testify regarding results of dust studies by analysis of using both particles per cubic foot and fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. They may testify that the levels of asbestos dust to which the Plaintiff/Decedent was exposed during his working career would have likely exceeded established TLVs and PELs in many instances. These experts may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos.

These experts have examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. They may testify that during foreseeable uses of Defendants' asbestos products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These asbestos products include, but are not limited to, dry powders that are mixed with water and sanded, pre-mixed pastes that are sanded, thermal insulation products that are cut, sawed and/or torn out, adhered gaskets that are removed in whole or in part by brushing or sanding, removal of dry packing, boards or flat sheets or tiles or siding that are cut or scored or abraded, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and products scrap that is swept or blown or vacuumed or ripped out. They may testify that impregnated and/or encapsulated products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. They may compare and contrast the findings with other scientific findings. They may offer opinions concerning testing which has been performed on behalf of Defendants or the lack of testing on Defendants' products. They may testify from hypothetical sets of facts and may give opinions regarding whether certain types of exposures would have substantially contributed to cause asbestos related disease, including mesothelioma.

These experts may testify that dust levels measured in testing one Defendants' asbestos product would be similar to the results from another Defendant's similar product with similar ingredients.

It is anticipated, that these experts will testify that asbestos exposure of the Plaintiff/Decedent arising from Defendants' asbestos products or activities involving the use of asbestos or asbestos products were substantial contributing factors in Plaintiff/Decedent's overall asbestos exposure and were the result of Defendant's failure to exercise appropriate industrial hygiene controls for suppressing or reducing exposures to asbestos, including but not limited to adequately warning Plaintiff/Decedent of the dangers associated with asbestos and means to protect himself. They will testify that these failures by Defendants were knowing and/or unreasonable in the time and place in which they occurred given the information that was available to Defendants, medical and scientific literature, statutes, regulations and/or based on the Defendant's actual knowledge. These experts' opinions may be based upon their review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as their expertise in the field, including experience and training, and their review of historical and more recent scientific articles and journals as well as government regulations.

These doctors may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. They may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

These experts may testify that pure chrysotile asbestos, in the absence of tremolite, represents an industrial hygiene hazard for all asbestos-related diseases that need to be controlled. These doctors may further testify that, in their opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

These experts may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

**Joe Burkhart, MS, CIH
Burkhart & Associates, LLC
96 Clear Spring Drive
Morgantown, WV 26508
304-692-6096**

Mr. Burkhart is a Certified Industrial Hygienist who may testify about industrial hygiene and/or occupational medicine principles related to the circumstances of Plaintiff/Decedent's exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants.

Mr. Burkhart may testify regarding Plaintiff/Decedent's exposures to asbestos at different times and may testify concerning his assessment of the various risks which were associated with such exposures. He may also testify regarding the material and characteristics of Defendants' asbestos products, release of asbestos fibers from Defendants' products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification. He may further testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. He may also testify regarding the asbestos content of different products and/or pieces of equipment during different periods of time.

Mr. Burkhart may further testify concerning the conditions at Plaintiff/Decedent's asbestos exposure sites based on testimony of the Plaintiff/Decedent, co-workers, documents, discovery responses and/or conversations with workers. He may testify concerning asbestos hazards resulting from maintenance, repair and construction operations taking place at those sites and Defendants' failure to respond adequately or appropriately to those hazards. He may further testify that Defendants' actions constituted negligence, gross negligence, conscious indifference to others and/or indicate that defendants were aware of the substantial certainty that their actions could or would result in significant illnesses and/or deaths. He may further testify that Defendants were in violation of asbestos regulations promulgated by state governments and the United States Government, and that Defendants violated their duties under the Occupational Safety and Health Act and its implementing regulations. He may testify that Defendants' failure to comply with these laws, regulations and standards constitutes negligence and gross negligence, and was a cause of Plaintiff/Decedent's injuries. He may further testify that Defendants were aware, or should have been aware, of the hazards of asbestos by the time of Plaintiff/Decedent's exposure to their products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while

employed by Defendants as a result of medical, scientific and industrial hygiene literature available to all Defendants.

Mr. Burkhardt may also testify, based on his experience, training and education, as to the health risks associated with exposure to asbestos. He may testify regarding bystander exposure to asbestos, to asbestos and "fiber drift," and specifically that these are occupational hazards associated with asbestos and that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. He may also testify regarding "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. Mr. Burkhardt may testify regarding when it was known that bystander and household exposures were known to cause disease. He may also testify that Plaintiff/Decedent's diagnosis and symptoms were related to, and caused by, his/her exposure to asbestos and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. He may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. Mr. Burkhardt may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. He may also testify that asbestos products are toxic and unreasonably dangerous, and that they are more dangerous than would be contemplated by the ordinary user with ordinary skills and characteristics common to the community. He may also testify that there are no safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause the disease mesothelioma. He may testify further that all types of asbestos represent occupational hazards and that in the science of industrial hygiene, all types of commercial asbestos and tremolite asbestos are understood to cause all asbestos diseases, including but not limited to, malignant mesothelioma. This expert may testify regarding his estimation of the Plaintiff/Decedent's dose of exposure to Defendants' products.

Mr. Burkhardt may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, and fiber release and contamination on clothing and other personal contamination. He may also testify regarding results of dust studies by analysis of using both particles per cubic foot and fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. He may testify that the levels of asbestos dust to which the Plaintiff/Decedent was exposed during his working career would have likely exceeded established TLVs and PELs in many instances. Mr. Burkhardt may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos.

Mr. Burkhardt has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. He may testify that during foreseeable uses of Defendants' asbestos products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These asbestos products include, but are not limited to, dry powders that are mixed with water and sanded, pre-mixed pastes that are sanded, thermal insulation products that are cut, sawed and/or torn out, adhered gaskets that are removed in whole or in part by brushing

or sanding, removal of dry packing, boards or flat sheets or tiles or siding that are cut or scored or abraded, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and products scrap that is swept or blown or vacuumed or ripped out. He may testify that impregnated and/or encapsulated products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. He may compare and contrast the findings with other scientific findings. He may offer opinions concerning testing which has been performed on behalf of Defendants or the lack of testing on Defendants' products. He may testify from hypothetical sets of facts and may give opinions regarding whether certain types of exposures would have substantially contributed to cause asbestos related disease, including mesothelioma.

Mr. Burkhardt may testify that dust levels measured in testing one Defendants' asbestos product would be similar to the results from another Defendant's similar product with similar ingredients.

It is anticipated, that Mr. Burkhardt will testify that asbestos exposure of the Plaintiff/Decedent arising from Defendants' asbestos products or activities involving the use of asbestos or asbestos products were substantial contributing factors in Plaintiff/Decedent's overall asbestos exposure and were the result of Defendant's failure to exercise appropriate industrial hygiene controls for suppressing or reducing exposures to asbestos, including but not limited to adequately warning Plaintiff/Decedent of the dangers associated with asbestos and means to protect himself. He will testify that these failures by Defendants were knowing and/or unreasonable in the time and place in which they occurred given the information that was available to Defendants, medical and scientific literature, statutes, regulations and/or based on the Defendant's actual knowledge. Mr. Burkhardt's opinions may be based upon his review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals as well as government regulations.

Mr. Burkhardt may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. He may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

Mr. Burkhardt may testify that pure chrysotile asbestos, in the absence of tremolite, represents an industrial hygiene hazard for all asbestos-related diseases that need to be controlled. Mr. Burkhardt may further testify that, in his opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

Mr. Burkhardt may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

Carl Andrew Brodtkin, M.D.
Clinical Associate Professor
Occupational & Environmental Medicine

**3607 47th Avenue NE
Seattle, WA 98105
206-523-4180**

Dr. Brodtkin, as a Board Certified occupational medicine physician and a Fellow of the American College of Occupational and Environmental Medicine (FACOEM), has experience and training in biostatistics, epidemiology, toxicology and industrial hygiene, as well as occupational and environmental medicine.

Dr. Brodtkin may testify, live or by deposition, concerning his examination of the Plaintiff/Decedent and/or his review of the Plaintiff/Decedent's work history, medical records, x-rays, and bills for medical services as well as his evaluation of asbestos-related disease in this case. He may also testify about asbestos, the effects of asbestos on the body and the diseases caused by asbestos generally. Additionally, he may testify concerning Plaintiff/Decedent's increased risk of mesothelioma and other asbestos-related diseases as a consequence of his exposure to asbestos. Dr. Brodtkin may testify that based on epidemiological, industrial hygiene, medical, scientific and/or other studies, Plaintiff/Decedent's asbestos-related disease and his increased risk of cancer were caused by his exposure to Defendants' asbestos-containing products or use of asbestos-containing products on Defendants' machinery or equipment, and/or the use of asbestos containing products while working on Defendants premises or while employed by Defendants. He may also testify that Plaintiff/Decedent incurred medical expenses as a result of his exposure to asbestos and his development of an asbestos-related disease. Dr. Brodtkin may testify concerning the reasonable and necessary medical expenses that Plaintiff/Decedent incurred, and may incur in the future, as a result of his asbestos-related disease.

Dr. Brodtkin may testify about what asbestos is and how asbestos causes disease and which diseases are caused from exposure to asbestos.

Dr. Brodtkin may testify that asbestos was known to cause various diseases, including cancer, by the 1920s and 1930s, respectively. Dr. Brodtkin may testify as to his review of the literature and the opinions and conclusions contained in that literature regarding state of the art issues and specifically regarding medical knowledge of asbestos-related effects and recommended protections to exposed workers. Dr. Brodtkin may testify whether or not a specific identified exposure to asbestos is a contributing cause to asbestos-related disease, as well as the cumulative effect of Plaintiff/Decedents asbestos exposures. He may testify whether Plaintiff/Decedents cumulative exposure to asbestos is causally associated with his/her asbestos-related disease. Dr. Brodtkin may testify as to when end product users, household-exposed individuals and bystanders developed asbestos-related diseases, including resulting mortality.

Dr. Brodtkin may testify about the levels of asbestos exposure released from asbestos materials/products. Dr. Brodtkin may testify to the nature and extent of Plaintiff/Decedent's exposure, including intensity of fiber release from specific activities. Dr. Brodtkin may testify, to the extent possible, to the levels of asbestos exposure that Plaintiff/Decedent received from Defendants' asbestos products and the increased risk of mesothelioma, if any, from these exposures. Dr. Brodtkin may also testify whether specific identified exposures substantially contributed to Plaintiff/Decedent's mesothelioma and/or other asbestos-related disease. Dr.

Brodkin will discuss general principles of occupational medicine. Further, Dr. Brodkin may testify concerning the increased risk of cancer faced by asbestos-exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Brodkin may testify as to this Plaintiff/Decedent's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and/or exposure at Defendants premises or place of employment. Dr. Brodkin may also testify that Plaintiff/Decedent's increased risk of cancer was causally associated with Plaintiff/Decedent's exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' machinery or equipment, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. Dr. Brodkin will discuss the well characterized dose response of asbestos and may testify that risk for asbestos-related disease is substantially greater than ambient exposures. Dr. Brodkin may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers, including mesothelioma. Dr. Brodkin may testify with regard to Plaintiff/Decedent's diagnosis of an asbestos-related disease. He may also testify with regard to Plaintiff/Decedent's increased risk of contracting lung cancer or mesothelioma or other cancers as a result of his asbestos exposure. Dr. Brodkin may also testify that Plaintiff/Decedent's diagnosis and symptoms were related to, and caused by, his exposure to asbestos and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. Dr. Brodkin may testify concerning asbestos, and that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. He may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. Additionally, he may testify that Plaintiff/Decedent's exposure to asbestos contributed to his asbestos-related disease and/or asbestos-related cancer. Dr. Brodkin may testify that Plaintiff/Decedent requires and/or required medical monitoring, treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his exposure to asbestos, asbestos-related disease, asbestos-related cancer, the progression and/or recurrence of this cancer, and associated health concerns.

Dr. Brodkin may testify that medical knowledge indicated during the late 1920s and 1930s that asbestos could be hazardous and deadly, that it could cause cancer during the 1930's and 1940's, and that additional information continued to be provided about asbestos hazards in the 1950s, 1960s and 1970s. He may testify that it was known or knowable that asbestos and products containing asbestos, were hazardous and dangerous in those time frames.

Within his review of occupational histories and/or exposure, Dr. Brodkin will address whether asbestos warnings or related hazard training occurred or whether it impacted use of engineering controls or personal protective equipment that would impact exposure.

Dr. Brodkin may testify regarding bystander indirect exposure to asbestos, as well as the development of TLV's and PEL's, and whether specific exposures were a proximate and substantial factor in causing Plaintiff/Decedent's asbestos-related disease. Dr. Brodkin will address the nature and extent of Plaintiff/Decedent's exposure.

Dr. Brodtkin may testify as to the health aspects of asbestos exposure and to his own personal and professional writings, publications and editorials; the amount of asbestos exposure it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding asbestos and asbestos exposure.

This doctor's opinions will be based upon his review of any and all medical records and health-related documents, any exposure related documents, including discovery materials, depositions and available chest x-rays and/or pathology reports, as well as his expertise in the field, including experience and training, and his review of historical and more recent medical articles and journals. This doctor may testify that, based on a review of published information and unpublished data concerning the defendants' products, these products produce dangerous levels of asbestos dust that contributed to cause the Plaintiff/Decedent's disease.

Dr. Brodtkin may testify about issues relating to the toxicity of specific asbestos fiber types, and that pure chrysotile asbestos causes mesothelioma. Dr. Brodtkin may testify that Chrysotile asbestos is potent in causing mesothelioma. Dr. Brodtkin may also testify that there is no known safe level of exposure to asbestos in terms of causation of mesothelioma and other asbestos-related cancers.

Arnold R. Brody, Ph.D.
Department of Molecular Biomedical Sciences
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Dr. Brody may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about the irreversible effects of asbestos-related diseases and the prognosis for an asbestos-exposed individual. He may also testify concerning the scientific and medical literature on the biological and toxicological effects of asbestos written by him and others. He may testify regarding historical literature relating to asbestos related diseases, and when it was known and accepted in the medical and scientific community that asbestos could cause various diseases. He may also testify about the body's biologic responses to brief exposures to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He will discuss all types of cancer risks from asbestos exposure, including mesothelioma. He will define what "injury" means and that asbestos-related diseases are injuries. Dr. Brody may further testify as to facts and circumstances regarding the nature of the injuries and damages that are the subject of this action. Dr. Brody may testify that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. He may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above

background levels experienced by those with no exposure to asbestos at occupational levels. Dr. Brody may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. Dr. Brody will testify that products which release asbestos fibers are unreasonably dangerous and that fibers will remain in the lungs until death. Dr. Brody may testify from hypothetical sets of facts and may give opinions regarding whether certain types of exposures would have substantially contributed to cause asbestos related disease, including mesothelioma. Dr. Brody may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos. He may also testify regarding "bystander" and "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. He may testify regarding when it was known that bystander and household exposures were known to cause disease. He will testify that smoking is addictive. Dr. Brody's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others.

Dr. Brody may also testify that it has been known for decades that asbestos can cause asbestos related diseases, including mesothelioma.

Dr. Brody's opinions will be based upon his expertise in the field, including experience and training, and his review of historical and more recent medical and scientific articles and journals.

Dr. Brody may testify that pure chrysotile asbestos, in the absence of tremolite, causes mesothelioma. Dr. Brody may further testify that, in his opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

Dr. Brody may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

Dr. Brody will utilize teaching slides during his testimony. These slides have been produced to defendants in asbestos cases on numerous occasions. Additional copies can be made available upon reasonable request.

Dr. Richard A. Lemen
241 Rose Ridge Court
Canton, GA 30115
678-493-1736

Dr. Lemen will testify as an expert and fact witness about asbestos and the diseases caused by asbestos generally. Dr. Lemen may testify that based on epidemiological studies, Plaintiff/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' machinery or equipment, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. Additionally, Dr. Lemen may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known

that their asbestos-containing products or use of asbestos-containing products could cause disease. Dr. Lemen will testify as to his visits at various asbestos plants and manufacturing plants and about TLVs. Dr. Lemen may testify about TLVs using demonstrative aids. Dr. Lemen may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Lemen will testify that asbestos was known to cause various diseases and cancers before 1950. Dr. Lemen may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Lemen may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Lemen may testify that Plaintiff/Decedent's diagnosis and symptoms were related to, and caused by, his/her exposure to asbestos and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. He may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. Dr. Lemen may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. Dr. Lemen will testify as to when end product users, household exposed individuals and bystanders were known to get sick and die from asbestos. Dr. Lemen may also testify as to his review of the documents entered into evidence in this cause or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiff/Decedent. Dr. Lemen may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to adequately and timely warn of the dangers of their products or the use of asbestos-containing products. Further, Dr. Lemen may testify concerning the increased risk of cancer faced by asbestos-exposed workers and the epidemiological link between asbestos and cancer. He will testify that smoking is addictive. Dr. Lemen will specifically testify to activities listed in his curriculum vitae, including his factual knowledge of the conduct of asbestos companies from his work with the United States Government. More specifically, Dr. Lemen may testify as to Plaintiff/Decedent's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff/Decedent's fear of cancer is a reasonable fear. Dr. Lemen will discuss the dangers of low-level exposure to asbestos and will testify that there is no safe level of exposure to asbestos. He will testify that all the various types of asbestos fibers are capable of causing death, mesothelioma, asbestosis and all other asbestos-related diseases. Dr. Lemen may also testify that Plaintiff/Decedent's increased risk of cancer was caused and/or contributed to by Plaintiff/Decedent's exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. Dr. Lemen may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Defense counsel are in possession of transcripts within which Dr. Lemen's opinions have been fully explored.

This doctor may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. He may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

This doctor may testify that warnings placed on containers of asbestos-containing products, if any, may have been inadequate to properly inform users and persons exposed of the significant hazards of asbestos inhalation.

Further, Dr. Lemen will testify as to the following specific issues: his background; ethical aspects of corporate responsibility; warnings; and the state of the art of the medical, scientific and/or technical literature regarding asbestos. Dr. Lemen will testify regarding bystander exposure to asbestos, "fiber drift," the fact that asbestos products are "toxic" and unreasonably dangerous, the TLV defense, and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. He may testify that the effects of exposure to asbestos at occupational levels are cumulative in nature and that these exposures contribute to the development of asbestos diseases and particularly mesothelioma. He may also testify regarding "bystander" and "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. He may testify regarding when it was known that bystander and household exposures were known to cause disease. Further, Dr. Lemen may testify as to the level of asbestos exposure Plaintiff/Decedent would have received during his employment. Dr. Lemen may testify that there is no "safe level" of exposure to asbestos in terms of causation of asbestos diseases, including mesothelioma.

Dr. Lemen may testify as to the health aspects of asbestos exposure and to his own personal and professional writings, publications and editorials; the amount of asbestos exposure it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding asbestos and asbestos exposure. Dr. Lemen may also testify that Defendants' failure to comply with these regulations constitutes negligence and was a cause of Plaintiff/Decedent's injuries.

This doctor's opinions will be based upon his review of any and all medical records and available chest x-rays and/or pathology materials, as well as his expertise in the field, including experience and training, and his review of historical and more recent medical articles and journals.

Dr. Lemen may testify that pure chrysotile asbestos, in the absence of tremolite, causes mesothelioma. Dr. Lemen may further testify that, in his opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide's calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

This doctor may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

Charles Ay
19481 Jasper Hill Road
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Mr. Ay is a former asbestos worker/insulator who worked in that trade at various locations including shipyards, power plants, refineries and commercial construction sites.

He is certified by the United States Environmental Protection Agency to detect asbestos in place and on the proper removal methods of such asbestos. His certification and training includes methods of industrial hygiene, detection and identification of asbestos and non-asbestos materials, and on the risks posed by asbestos.

Mr. Ay has inspected numerous plants, refineries, paper mills, processing plants, ships, powerhouses, chemical plants, and other industrial facilities to determine potential asbestos exposure to workers.

He received training from the U.S. Navy on methods of asbestos detection and removal onboard ships and in shore side facilities. Mr. Ay may testify as to Mr. Knight's opportunities for exposure, and generally the practices, procedures, and types of asbestos products. He may testify as to the manner in which asbestos-containing products were used, the tendencies of asbestos-containing products to release dust into the atmosphere, to be deposited onto clothing, and to be transported with the exposed individual home exposing the worker's family. He also may testify as to the manner of proper recognition, the manner of removal particularly concerning the necessity of proper abatement procedures to remove asbestos from a premises or facility and finally the proper disposal methods of asbestos once properly abated.

Captain Francis J. Burger, USNR (Ret.)
3101 Les Arbres Lane
Ocean Springs, MS 39564

Captain Burger is a retired U.S. Navy Line Officer and Engineer and Engineering Duty Officer, as well as an Engineer/Project Manager in Naval Architecture and Marine Engineering. He is knowledgeable of and may testify to the use of asbestos-containing materials on board ship, work practices regarding the use of insulation and other asbestos-containing products and the types of asbestos products required by various manufacturer specifications and manuals, as well as work performed in naval shipyards. He is familiar with and may testify regarding the types and quantities of materials used in naval construction and repair including insulation, gaskets and packing materials. Captain Burger will testify regarding the use of asbestos in the United States Navy, and aboard vessels. He may testify regarding the use of asbestos in all different kinds of equipment used on Naval ships and other vessels. He may testify that different pieces of equipment used on these ships and vessels were, in fact, asbestos products. He may testify that asbestos was a component of various pieces of equipment and was necessary for the proper operation of the equipment. He may testify that asbestos insulation, asbestos gaskets and asbestos packing were component parts of different pieces of equipment. Captain Burger may further testify that manufacturers of Naval equipment specified and required the use of asbestos on their equipment.

He may testify that these manufactures would have known and foreseen that asbestos was a required component of their equipment. He may further testify that these pieces of equipment were not complete products without the asbestos components. Mr. Burger may testify as to U.S. Naval vessel construction, overhaul, repair and maintenance. Mr. Burger is familiar with Navy manuals and specifications for construction and overhaul and repair of U.S. Navy vessels.

Captain Burger will further testify regarding Naval practices and procedures. He may testify that the Navy relied on the expertise of the manufacturers of products and equipment when determining what was used on Naval vessels. He may testify that that manufacturers instructed the Navy on how much asbestos was necessary for their particular equipment and often created drawings and instructions that specified the asbestos insulation and asbestos gaskets and packing requirements for each piece of equipment. He may testify that the manufacturers were also required by the Navy to provide technical manuals with their equipment, and that these manuals were supposed to contain warnings regarding all potential dangers associated with the equipment and its components. He may testify that the manufacturers should have included warnings regarding the dangers of asbestos in these technical manuals. He may testify that equipment manufactures could have always warned about the dangers of asbestos, had they wanted to do so.

Mr. Burger is expected to offer testimony regarding U.S. Navy ship design and engineering, particularly with regard to the use of asbestos containing insulation, gaskets and packing, aboard ship and in various applications in marine engineering operations, including without limitation, boilers, turbines, valves, pumps, distilling plants, steam lines, insulation, and auxiliary systems and equipment. Mr. Burger may also testify as to the authenticity and meaning of records, specifications, and other documents pertaining to naval ship construction and operation. He may offer the opinion that Navy inspection reports, Navy Bureau of Ships documents and other similar records are reliable and authoritative sources of information for establishing the manufacturers of various pieces of equipment aboard a particular U.S. Navy vessel or class of vessels. Mr. Burger may also provide general testimony concerning the field of marine engineering and machinery in general as it relates to the subject of the manufacture, design, construction, maintenance, and overhaul of U.S. Navy and commercial vessels, shipyard operations, including major ship construction and overhaul, as well as the use of asbestos and asbestos containing materials during such activities. In addition, Mr. Burger may also offer testimony concerning the level of supervision and control exercised by the U.S. Navy over the design and manufacture of equipment intended for installation on U.S. Navy vessels.

Mr. Burger may also testify regarding the construction and operation of the United States Navy ships, particularly during the time period when Plaintiff/Decedent was potentially exposed to asbestos while serving and/or working aboard such vessels. Mr. Burger may also testify regarding Plaintiff/Decedent's Naval service record and the classification, function, purpose and service records of ships identified by Plaintiff/Decedent.

Mr. Burger may also testify as to the methods, manner and procedures for maintaining and repairing the propulsion plant, boilers, turbines, pumps, distilling plants, valves and other associated and auxiliary equipment aboard Naval vessels, including during shipyard periods as testified to by Plaintiff/Decedent. Mr. Burger may testify about Plaintiff/Decedent's actual and potential exposure to asbestos in the Navy and aboard various ships, both military and commercial.

Mr. Burger may testify concerning the foreseeability to manufacturers of Naval equipment that its equipment would be insulated with asbestos. He may also testify regarding Plaintiff/Decedent's asbestos exposure to products and equipment attributable to the Defendants named in this case.

Mr. Burger also may testify as to the specifications, including the types and grades, of which insulation, gasket and packing materials were used on naval vessels. Mr. Burger may testify regarding departure reports and ship histories regarding specific ships.

He may testify regarding the working conditions on Naval vessels and the procedures and conditions involved in work on and around equipment. He may testify based on his personal experience that work on different pieces of Naval equipment involved the disturbance of asbestos insulation, and asbestos gaskets and packing. He may testify that disturbance of the asbestos components of these pieces of equipment would release visible dust into the air, and into the breathing zone of workers in the area.

He may testify regarding the Plaintiff/Decedents particular job duties and responsibilities and explain how these responsibilities may have involved the disturbance of asbestos components on various different pieces of equipment. He may also testify about the characteristics of Naval vessels in general and the particular vessels that Plaintiff/Decedent was aboard. He may testify regarding the different pieces of equipment that Plaintiff/Decedent would have worked on or near.

Captain Burger's testimony will be based upon his experience and training and may also be based on his review of Naval documents and his review of depositions of the Plaintiff/Decedent, co-workers, or other individuals.

Captain William A. Lowell, USNR (Ret.)
45 Sixth Avenue
Augusta, ME 04330

Captain Lowell is an expert in the construction, operation, repair, and maintenance of naval vessels. He may testify live, or by deposition taken in this case. He may testify in Plaintiff/Decedents' case in chief or in rebuttal as to U.S. Naval vessel construction, overhaul, repair and maintenance. Mr. Lowell is familiar with Navy manuals and specifications for construction and overhaul and repair of U.S. Navy vessels. He is knowledgeable concerning the use of asbestos-containing materials on board ship, work practices regarding the use of insulation products and the types of asbestos products required by various Navy specifications and manuals. Mr. Lowell may testify as to the particular products and/or equipment that was aboard the vessels upon which the Plaintiff/Decedent served and as to the likelihood of exposure to asbestos from those particular products. Specifically, he will provide opinions as to the likelihood of the Plaintiff/Decedent's exposure to various equipment manufactured and supplied to the U.S. Navy. Mr. Lowell is familiar with and may testify concerning Navy and military specifications for the types and quantities of materials used in naval construction and repair including insulation materials. He may also testify about military specifications regarding the contents of technical manuals and instruction books as well as the Navy's Uniform Labeling Program. He may testify that equipment manufacturers were required to warn about potential hazards associated with work on their products. Mr. Lowell may also provide testimony regarding departure reports and ship

histories regarding specific ships. He will also testify that the Navy did not and would not prohibit a manufacturer from warning about hazards of their products, specifically including asbestos hazards.

Mr. William Lowell may also testify as to the methods, manner and procedures for maintaining and repairing the propulsion plant, boilers, turbines, pumps, valves and other associated and auxiliary equipment aboard Naval vessels, including during shipyard periods as testified to by Plaintiff/Decedent. Mr. William Lowell may testify about Plaintiff/Decedent's actual and potential exposure to asbestos in the Navy and aboard various ships, both military and commercial. Mr. William Lowell may testify concerning the foreseeability to manufacturers of Naval equipment that its equipment would be insulated with asbestos. He may also testify regarding Plaintiff/Decedent's asbestos exposure to products and equipment attributable to the Defendants named in this case.

Mr. Lowell may testify that certain equipment on board Navy vessels, including but not limited to, turbines, boilers, pumps, valves, distilling plants, compressors, and other equipment are, "asbestos products" and that they were designed by the manufacturer to use asbestos gaskets, packing, and/or insulation. He may testify about the content and meaning of records obtained at the National Archives, or other locations, and how these records relate to the equipment used on vessels where the Plaintiff/Decedent was exposed, as well as the use of asbestos with such equipment.

Captain Arnold P. Moore, PE
395 Caterbury Lake
Alpharetta, GA 30004
770-346-7721

Captain Moore is an expert in the construction, operation, repair, and maintenance of naval vessels. He may testify live, or by deposition taken in this case. He may testify in Plaintiff/Decedents' case in chief or in rebuttal as to U.S. Naval vessel construction, overhaul, repair and maintenance. Mr. Moore is familiar with Navy manuals and specifications for construction and overhaul and repair of U.S. Navy vessels. He is knowledgeable concerning the use of asbestos-containing materials on board ship, work practices regarding the use of insulation products and the types of asbestos products required by various Navy specifications and manuals. Mr. Moore may testify as to the particular products and/or equipment that was aboard the vessels upon which the Plaintiff/Decedent served and as to the likelihood of exposure to asbestos from those particular products. Specifically, he will provide opinions as to the likelihood of the Plaintiff/Decedent's exposure to various equipment manufactured and supplied to the U.S. Navy. Mr. Moore is familiar with and may testify concerning Navy and military specifications for the types and quantities of materials used in naval construction and repair including insulation materials. He may also testify about military specifications regarding the contents of technical manuals and instruction books as well as the Navy's Uniform Labeling Program. He may testify that equipment manufacturers were required to warn about potential hazards associated with work on their products. Mr. Moore may also provide testimony regarding departure reports and ship histories regarding specific ships. He will also testify that the Navy did not and would not prohibit a manufacturer from warning about hazards of their products, specifically including asbestos hazards.

Captain Moore may also testify as to the methods, manner and procedures for maintaining and repairing the propulsion plant, boilers, turbines, pumps, valves and other associated and auxiliary equipment aboard Naval vessels, including during shipyard periods, as testified to by Plaintiff/Decedent. Mr. Moore may testify about Plaintiff/Decedent's actual and potential exposure to asbestos in the Navy and aboard various ships, both military and commercial. Mr. Moore may testify concerning the foreseeability to manufacturers of Naval equipment that its equipment would be insulated with asbestos. He may also testify regarding Plaintiff/Decedent's asbestos exposure to products and equipment attributable to the Defendants named in this case.

Mr. Moore may testify that certain equipment on board Navy vessels, including but not limited to, turbines, boilers, pumps, valves, distilling plants, compressors, and other equipment are, "asbestos products" and that they were designed by the manufacturer to use asbestos gaskets, packing, and/or insulation. He may testify about the content and meaning of records obtained at the National Archives, or other locations, and how these records relate to the equipment used on vessels where the Plaintiff/Decedent was exposed, as well as the use of asbestos with such equipment.

Andrew A. Ott
P. O. Box 64301
1105 Burlington Road
Virginia Beach, VA 23467
757-748-6153

Captain Ott is an expert in the construction, operation, repair, and maintenance of naval vessels. He may testify live, or by deposition taken in this case. He may testify in Plaintiff/Decedents' case in chief or in rebuttal as to U.S. Naval vessel construction, overhaul, repair and maintenance. Mr. Ott is familiar with Navy manuals and specifications for construction and overhaul and repair of U.S. Navy land other marine vessels. He is knowledgeable concerning the use of asbestos-containing materials on board ship, work practices regarding the use of insulation products and the types of asbestos products used historically on U.S. Navy and other marine vessels. Mr. Ott may testify as to the particular products and/or equipment that was aboard the vessels upon which the Plaintiff/Decedent served and as to the likelihood of exposure to asbestos from those particular products. Specifically, he will provide opinions as to the likelihood of the Plaintiff/Decedent's exposure to various equipment manufactured and supplied to the U.S. Navy. Mr. Ott is familiar with and may testify concerning Navy and military specifications for the types and quantities of materials used in naval construction and repair including insulation materials. He may also testify about military specifications regarding the contents of technical manuals and instruction books as well as the Navy's Uniform Labeling Program. He may testify that equipment manufacturers were required to, and at no time prohibited from, warning about potential hazards associated with work on their products. Mr. Ott may also provide testimony regarding departure reports and ship histories regarding specific ships. He will also testify that the Navy and Naval personnel expected manufacturers to warn about hazards of their products, specifically including asbestos hazards.

Captain Ott may also testify as to the methods, manner and procedures for maintaining and repairing the propulsion plant, boilers, turbines, pumps, valves and other associated and auxiliary equipment aboard Naval vessels, including during shipyard periods, as testified to by Plaintiff/Decedent. Mr. Ott may testify about Plaintiff/Decedent's actual and potential exposure

to asbestos in the Navy and aboard various ships, both military and commercial. Mr. Ott may testify concerning the foreseeability to manufacturers of Naval equipment that its equipment would be insulated with asbestos. He will testify that asbestos-containing replacement products were usually supplied by equipment manufacturers. He may also testify regarding Plaintiff/Decedent's asbestos exposure to products and equipment attributable to the Defendants named in this case.

Mr. Ott may testify that certain equipment on board Navy vessels, including but not limited to, turbines, boilers, pumps, valves, distilling plants, compressors, and other equipment are, "asbestos products" and that they were designed by the manufacturer to use asbestos gaskets, packing, and/or insulation. He may testify about the content and meaning of records obtained at the National Archives, or other locations, and how these records relate to the equipment used on vessels where the Plaintiff/Decedent was exposed, as well as the use of asbestos with such equipment.

John F. Rogers
Alfa Laval, Inc.
5400 International Trade Drive
Richmond, VA 23231
804-222-5300

Mr. Rogers may testify live, or by deposition in this case. Mr. Rogers is familiar with Navy manuals and specifications for overhaul and repair of equipment on U.S. Navy vessels. He is knowledgeable concerning the use of asbestos-containing materials on board ship, work practices regarding the use of insulation products and the asbestos-containing products manufactured by and/or specified by Defendants. He may also testify about the contents of technical manuals and instruction books written by manufacturers, as well as the necessity of having those manuals provide cautionary information to the sailors working on equipment.

Mr. Rogers may also testify as to the methods, manner and procedures for maintaining and repairing valves, steam traps, turbine-driven pumps and all other associated steam-powered equipment and steam-connected equipment aboard Naval vessels. Specifically, he may testify that performing repairs on this equipment disturbed the asbestos components and created a visible dust. He may testify that gaskets and packing were in virtually all engine room equipment where two pieces of metal came together and were extremely dusty to remove. He may also testify regarding Plaintiff/Decedent's asbestos exposure to products and equipment attributable to the Defendants named in this case.

Additionally, Mr. Rogers may testify concerning any of the matters discussed in his deposition of June 4, 2008 in the case of *Mary Ann Duncan, individually and as Representative of the Estate of Milton Duncan v. Alfa Laval, Inc., et al*, No. 2006-CP-46-3077, in the Court of Common Pleas, York County, South Carolina, a copy of which will be provided to you upon specific request.

Dr. Barry Castleman
1722 Linden Avenue
Baltimore, MD 21217
410-448-2648

Dr. Castleman may testify about asbestos and the diseases caused by asbestos generally. Dr. Castleman may testify that based on the medical and scientific literature available to Defendant(s), and/or on the studies they conducted or the information available to them as members of trade associations, or from state or federal governmental agencies, Defendant(s) knew or should have known that their asbestos-containing products or use of asbestos-containing products by Defendant(s), including Premises Defendant(s) and Railroad Defendant(s), could cause disease. Dr. Castleman may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Castleman may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature, Dr. Castleman may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Castleman may also testify as to his review of the documents, including those entered into evidence, and testimony pertaining to Defendant(s), and as to his conclusions reached therefrom that Defendant(s) were negligent, are strictly liable, acted with wanton and willful disregard for the rights and safety of Plaintiff/Decedent and, with respect to the Railroad Defendant(s), violated the Federal Employer Liability Act and Boiler Inspection Act by using asbestos-containing products. Dr. Castleman may also testify as to the hazardous nature of all types of asbestos and all types of asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendant(s) engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market, in failing to warn of the dangers of their products or, with respect to the Premises Defendant(s) and Railroad Defendant(s), suppliers, and contractors, in using asbestos-containing products. Further, Dr. Castleman may testify that all Defendant(s) conspired to suppress information pertaining to the hazards of asbestos, exposure to asbestos-containing products, and the diseases resulting therefrom. Dr. Castleman may testify that, based on epidemiological studies, Plaintiff's/Plaintiff's Decedent's asbestos-related disease was caused by his/her exposure to Defendant's asbestos-containing products, or, with respect to premises cases, to asbestos-containing products manufactured by other entities while working at Premises Defendant(s)' facilities. Dr. Castleman may also testify that Defendant(s) engaged in negligent and grossly negligent conduct in failing to warn its/their employees and persons working at Defendant's facility of the dangers of asbestos, in failing to provide safety equipment for protection from asbestos exposure and in failing to provide a safe working environment. Consequently, Defendant(s) deprived Plaintiff/Plaintiff's Decedent of the right to make an informed choice concerning his/her exposure to asbestos-containing products. Defense counsel are in possession of numerous transcripts of Dr. Castleman's prior testimony within which his opinions concerning this subject have been fully explored. Dr. Castleman may also testify as to his personal research of various companies, some of which are included in his book "ASBESTOS: Medical and Legal Aspects."

Dr. Richard Cohen
19242 Panorama Drive

**Saratoga, CA 95070-6225
415-424-5156**

Dr. Cohen may testify about asbestos and the diseases caused by asbestos generally. He may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products or the use of asbestos-containing products, could cause disease. He may testify as to his review of the literature and the opinions and conclusions contained in that literature. He may also testify regarding availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. He may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to their conclusions reached there from that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiff/Decedent. Additionally, he may testify as to the hazardous nature of all types of asbestos and that all types of asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos-containing products. Further, he may testify that all Defendants conspired to suppress information pertaining to the hazards of asbestos, exposure to asbestos-containing products, and the diseases resulting there from. Consequently, Defendants deprived Plaintiff/Decedent of the right to make an informed choice concerning his/her exposure to asbestos-containing products. Defense counsel are in possession of numerous transcripts of this experts' prior testimony within which his opinions concerning these subjects have been fully explored. Dr. Cohen may testify concerning the reasonable and necessary medical expenses that the Plaintiff/Decedent has incurred and will incur in the future, as a result of his/her asbestos-related disease.

Dr. Cohen may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. He may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases.

Dr. Cohen may also testify that warnings placed on asbestos-containing products, if any, may have been inadequate to properly inform users and persons exposed of the significant hazards of asbestos inhalation.

Dr. Cohen's opinions will be based upon his review of any and all medical records and available chest x-rays and/or pathology materials, as well as his expertise in the field, including experience and training, and his review of historical and more recent medical articles and journals.

Further, Dr. Cohen will testify as to the following specific issues: his background; ethical aspects of corporate responsibility; warnings; and the state of the art of the medical, scientific and/or technical literature regarding asbestos. He will testify regarding bystander exposure to asbestos, "fiber drift," the fact that asbestos products are "toxic" and unreasonably dangerous, the TLV defense, and that all exposures to asbestos of an occupational level substantially contribute to the development of mesothelioma. He may testify that the effects of exposure to asbestos at

occupational levels are cumulative in nature. Occupational levels of asbestos exposure to asbestos are typically many times (tens to hundreds or a thousand fold and greater) above background levels experienced by those with no exposure to asbestos at occupational levels. Dr. Cohen may also testify that individuals can be exposed to asbestos outside of the workplace or in a bystander fashion, but still experience exposure at levels one would expect to see occupationally or directly. These exposures contribute to the development of asbestos diseases and particularly mesothelioma. He may also testify regarding “bystander” and “household exposures” to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. This expert may testify regarding when it was known that bystander and household exposures were known to cause disease. Further, He may testify as to the level of asbestos exposure Plaintiff/Decedent would have received during his/her employment.

Dr. Cohen may testify as to the health aspects of asbestos exposure and to his own personal and professional writings, publications and editorials; the amount of asbestos exposure it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding asbestos and asbestos exposure. He may also testify that Defendants’ failure to comply with these regulations constitutes negligence and was a cause of Plaintiff/Decedent’s injuries.

This doctor may testify that pure chrysotile asbestos, in the absence of tremolite, causes mesothelioma. He may further testify that, in his opinion, chrysotile asbestos mined in the vicinity of Coalinga, California, including in Union Carbide’s calidria mines, causes all of the asbestos disease caused by Canadian chrysotile.

This doctor may testify that chrysotile in asbestos-containing products is contaminated with tremolite asbestos.

Ronald F. Dodson, Ph.D.
President: Dodson Environmental Consulting, Inc.
Senior Consultant: ERI Consulting, Inc.
2026 Republic Drive, Suite A
Tyler, TX 75701
903-534-5001

Dr. Ronald F. Dodson is a Ph.D. whose specialty is biological electron microscopy (cell biology). He spent thirty-four years in academia until his retirement in August 2005. His academic appointments at the time of his retirement were as Professor of Cell biology and Environmental Sciences at the University of Texas Health Center at Tyler and as Professor of Biology (with tenure) at the University of Texas at Tyler. His research over those years focused on pneumoconiosis with a particular emphasis on asbestos-related diseases. Much of the asbestos-related research involved the determination of ferruginous bodies and uncoated asbestos fibers in tissue and body fluids as related to establishing past exposures.

He will testify that malignant mesothelioma is a signal tumor for asbestos as its cause, and that virtually all diffuse malignant mesotheliomas in adult men in the U.S. are caused by asbestos. He will testify about “fiber burden analysis” in general, and regarding the fiber burden analysis

performed in this case. He may also testify about testing that he has done on Defendants' products, as well as the results of those tests. He will testify that chrysotile asbestos fibers were a cause-in-fact of Plaintiff/Decedent's malignant pleural mesothelioma. He will testify that malignant mesothelioma is always fatal and that there are no cures for asbestos-related diseases. He will testify that asbestos diseases are incurable and progressive by nature. He will testify that asbestos fibers do not signal ordinary human senses as to their dangers, and that they are more dangerous than ordinary people with ordinary senses and characteristics will perceive. In that regard, he may testify that particular asbestos products are unreasonably dangerous as defined by The Texas Pattern Jury Charge. He will testify that there is no known safe level of asbestos exposure and that the permissible exposure level(s) described by OSHA will not, cannot, and are not intended to prevent all asbestos-related mesotheliomas. He will testify that malignant mesothelioma can be caused in humans by all asbestos fiber-types chrysotile, tremolite, actinolite, anthophyllite, amosite, and crocidolite. He will testify that all of these fiber-types are potent. He will testify that all of these asbestos fiber types cause all forms of asbestos-related disease, including but not limited to, diffuse malignant mesothelioma, lung cancer, asbestosis, pleural plaques, pleural thickening, diaphragmatic and pericardial plaques, and pleural effusions. He will testify that the proposition, if any, that chrysotile-containing products do not cause malignant mesothelioma in humans, or do so only as a result of asbestos exposures on the order of 25 fiber years, is false.

He may testify generally as to how asbestos diseases are caused, and specifically, as to asbestos causation in the case of the Plaintiff/Decedent within reasonable scientific probability. He may utilize visual aids, slides, photographs, drawings, a flip chart, power point, film, medical articles, and/or textbooks to assist in explaining any matter about which he may testify. He has published extensively in peer-reviewed literature on tissue burden of asbestos in occupationally exposed individuals who had asbestos diseases, including but not limited to, diffuse malignant mesothelioma, and he may testify regarding those publications, as well as any others that he has reviewed and identifies as reliable and/or authoritative. A copy of his curriculum vitae is attached to this supplemental designation.

He will testify that "short" asbestos fibers (those that are less than 5 microns in length) are capable of causing mesothelioma in humans, and that asbestos fibers, both longer and shorter than 5 microns in length were found pathologically in this case. He will testify that fiber burden analysis should account for asbestos fibers that are capable of being seen only in the transmission electron microscope and these analysis should include fibers shorter than 5 microns since these are the asbestos fibers which more readily relocate to extrapulmonary sites where asbestos induced diseases such as mesothelioma occur. He will testify that counting asbestos bodies is a poor indicator of the past presence of chrysotile in human lung and likewise as a marker which can be related to asbestos diseases, including but not limited to, diffuse malignant mesothelioma. He may testify that the fiber-burden analysis performed, if any, by the Defense Doctor(s) contains methodological variations which may result in an inaccurate representation of the nature and amount of a population of asbestos fibers found in the lung and pleura.

He will testify about the asbestos content and type of asbestos found in talc, and the presence or absence of talc in products at issue in this case. He will also testify that exposure to asbestos from talc can and does cause asbestos related diseases, including mesothelioma. He may also testify that exposures to products containing talc were substantial contributing factors in causing

Plaintiff/Decedent's mesothelioma, and/or other asbestos related disease. He will also testify about government regulations relating to asbestos in talc and other products.

He will testify that asbestos diseases are caused by cumulative asbestos exposure. He will testify that each exposure to asbestos adds to the total dose that causes malignant mesothelioma and is a substantial contributing factor in causing fatal asbestos disease. He will testify that asbestos diseases and their causes are well documented currently and historically.

He will testify based upon his review of medical records, pathology materials, expert reports, deposition testimony in the case, medical and scientific literature, his background, education, and professional training and all of his opinions will be offered within reasonable scientific probability.

He is available for deposition upon written request.

Ronald E. Gordon, Ph.D.
Mt. Sianai School of Medicine
One Gustave L. Levy Place
Atran Building 6th Floor, Room 622
New York, NY 10029
212-241-7362

Dr. Gordon's specialty is biological electron microscopy (cell biology). His research for the past twenty-five years has involved assessment of asbestos burden in asbestos-exposed individuals. Dr. Gordon has agreed to testify at the trial of this matter, and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that he is expected to testify to at trial.

He will testify that malignant mesothelioma is a signal tumor for asbestos as its cause, and that virtually all diffuse malignant mesothelioma in adult men in the U.S. are caused by asbestos. He will testify that Decedent's mesothelioma (and other asbestos-related conditions) was caused by his asbestos exposures and by no other cause. He will testify that malignant mesothelioma is always fatal and that there are no cures for asbestos-related diseases. He will testify that asbestos diseases are incurable and progressive by nature. He will testify that asbestos fibers do not signal ordinary human senses as to their dangers, and that he are more dangerous than ordinary people with ordinary senses and characteristics will perceive. He will testify that there is no known safe level of asbestos exposure and that the permissible exposure level(s) described by OSHA will not, cannot, and are not intended to prevent all asbestos-related mesotheliomas. He will testify that malignant mesothelioma can be caused in humans by asbestos fiber-types chrysotile, tremolite, actinolite, anthophyllite amosite, and crocidolite. He will testify that all of these fiber-types are potent. He will testify that all of these asbestos fiber types cause all forms of asbestos-related disease, including but not limited to, diffuse malignant mesothelioma, lung cancer, asbestosis, pleural plaques, pleural thickening, diaphragmatic and pericardial plaques, and pleural effusions. He will testify that the proposition that chrysotile-containing products do not cause malignant mesothelioma in humans, or do so only as a result of asbestos exposures on the order of 25 fiber years, is false.

He will testify generally as to how asbestos diseases are caused, and specifically, as to asbestos causation in this case. He may utilize visual aids, slides, photographs, drawings, a flip chart, power point, film, medical articles, and/or textbooks to assist in explaining any matter about which he may testify. He has published extensively in peer-reviewed literature on tissue burden of asbestos in occupationally exposed individuals who had asbestos diseases, including but not limited to, diffuse malignant mesothelioma, and he may testify regarding those publications, as well as any others that he has reviewed and identifies as reliable and/or authoritative. A copy of his curriculum vitae is available upon request.

He will testify that "short" asbestos fibers (those that are less than 5 microns in length) are capable of causing mesothelioma in humans. He will testify about the methodology and results of any fiber-burden analyses performed on Decedent's tissue. He will testify that fiber burden analysis should account for asbestos fibers that are capable of being seen only in the transmission electron microscope and these analyses should include fibers shorter than 5 microns since these are the asbestos fibers which more readily relocate the extrapulmonary sites where asbestos induced diseases such as mesothelioma occur. He may testify that counting asbestos bodies is a poor indicator of the past presence of chrysotile in human lung and likewise as a marker which can be related asbestos diseases, including but not limited to, diffuse malignant mesothelioma. He will testify that asbestos diseases are caused by cumulative asbestos exposure. He will testify that each exposure to asbestos adds to the total dose that causes malignant mesothelioma and is a substantial contributing factor in causing fatal asbestos disease. He will testify that asbestos diseases and their causes are well documented currently and historically. He will testify that a causal relationship between asbestos and asbestosis was well documented by the 1930's, lung cancer by the 1940's, and diffuse malignant mesothelioma on or before 1960. If called upon to do so, he may perform a fiber burden analysis and testify to the results and his opinions and interpretation of same. He may also offer opinions concerning the analysis and/or findings submitted by any other expert who is retained, designated, or otherwise testifies in this matter.

William Longo, Ph.D.
Materials Analytical Services
3945 Lakefield Court
Suwanee, GA 30024
770-866-3200

Dr. Longo is a scientist specializing in the measurement and analysis of materials, determining the constituent ingredients in materials, and characterizing those materials and ingredients. Dr. Longo has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to, Kaylo, Unibestos, Carey products, Pabco products, Mundet products, W.R. Grace products, 85 percent magnesia thermal insulation, asbestos-containing refractory and castable products, asbestos containing joint compound products, asbestos-containing floor tile products, including but not limited to Congoleum and Flintkote floor tile and flooring products, United States Gypsum products, Kaiser Gypsum products, Micarta panels manufactured by Westinghouse, Flintkote products, asbestos-containing gaskets and packing manufactured by Garlock, Anchor, Flexitallic, John Crane and other manufacturers, Johns Manville products (including pipe covering, block, and transite pipe), Certainteed pipe, as well asbestos-containing brake components, assemblies and gaskets

manufactured by Bendix, FelPro and Carlisle (Motion Control Industries), and has documented his investigation on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Longo will testify on his results from the release of asbestos-containing dust from the various products that he has tested by either mixing, application, removal or the normal use of those products. Dr. Longo has quantified both the asbestos content and asbestos release generated from the aforementioned uses of these materials. Dr. Longo will testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release, and fiber release and contamination on clothing and other personal contamination. He will compare his results of these dust studies by analysis using both particles per cubic foot, fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. Dr. Longo will testify that the levels of asbestos dust measured during these tests exceeded established TLVs and PELs in many instances of his product testing. In addition, Dr. Longo has prepared and will use demonstrative aids regarding asbestos dust release from the various products that he has studied and the Defendants' TLV defense. Dr. Longo will compare and contrast his findings with other scientific findings. Dr. Longo will offer opinions concerning testing which has been performed on behalf of Defendants or the lack of testing of Defendants' products.

Dr. Longo may testify that the dust levels measured in testing one Defendant's asbestos product would be similar to the results expected from another Defendant's similar product with similar ingredients.

Dr. Longo's opinions will be based upon his review of any and all depositions, records and materials, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals.

Dr. Longo has produced written reports and videotapes of each of the tests he has performed. Copies are available upon request.

Dr. Longo will testify that they have conducted a chrysotile digestion analysis on Garlock asbestos sheet gasketing and will testify that such gasketing is contaminated with tremolite asbestos.

Dr. James R. Millette
Millette Technical Consulting
220 Cricket Walk SW
Lilburn, GA 30047
404-375-0979

Dr. Millette is a scientist specializing in the measurement and analysis of materials, determining the constituent ingredients in materials, and characterizing those materials and ingredients. He has agreed to testify at the trial of this matter, and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that he is expected to testify to at trial. Mr. Millette's fee for testimony is \$440.00 per hour.

Mr. Millette may testify regarding Plaintiff/Decedent's exposures to asbestos at different times. Mr. Millette may also testify regarding the material and characteristics of defendants' asbestos and asbestos-containing products, release of asbestos fibers from defendants' asbestos and asbestos-containing products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification.

This expert may further testify concerning the conditions at the sites of Plaintiff/Decedent's exposure to asbestos based on testimony of the Plaintiff/Decedent, relevant documents, discovery responses and/or conversations with other workers who engaged in similar work. He may testify concerning asbestos exposure resulting from maintenance, repair and construction operations taking place at those sites.

He may testify regarding direct exposure and bystander exposure to asbestos and specifically that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. He may also testify regarding "household exposures" to asbestos. He may also testify that there are no known recognized safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause the disease mesothelioma. He may testify further that all types of asbestos are considered by OSHA and EPA to represent hazards and there is no distinction for regulatory purposes.

Dr. Millette has examined the asbestos content and/or amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to, Gaskets, Packing, Talc and friction products, and has documented many of his investigations on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Millette will testify on his results from the asbestos content and release of asbestos-containing dust from the various products that he has tested by either application, removal or the normal use of those products. He will testify about the different types of asbestos likely to be in Defendants' products. Dr. Millette has quantified both the asbestos content and asbestos release generated from the aforementioned uses of these materials. Dr. Millette will testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release, and fiber release and contamination on clothing and other personal contamination. Dr. Millette may testify that the levels of asbestos dust measured during these tests exceeded background levels in many instances of his product testing. In addition, he will compare and discuss other publications and/or studies regarding asbestos dust content and release from these products. In addition, Dr. Millette has prepared and will use demonstrative aids regarding asbestos dust release from the various products that he has studied. Dr. Millette will compare and contrast his findings with other scientific findings. Dr. Millette will offer opinions concerning testing which has been performed on behalf of Defendants or the lack of testing of Defendants' products.

He will testify, if asked, that Garlock and Cranite gaskets, that he tested, as well as John Crane gaskets and packing, that he tested, were asbestos containing and that the asbestos is not fully encapsulated.

Dr. Millette will testify about the asbestos content and type of asbestos found in talc, and the presence or absence of talc in products at issue in this case. He may also testify about government regulations relating to asbestos in talc and other products.

This expert has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. He may testify that during foreseeable uses of defendants' asbestos and asbestos-containing products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These products include adhered gaskets or packing that are removed in whole or in part by scraping, brushing or sanding, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and product scrap that is swept or blown or vacuumed. He may testify that impregnated and/or encapsulated products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. He may compare and contrast the findings with other scientific findings. He may offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing on defendants' asbestos and asbestos-containing products.

Dr. Millette may testify that the dust levels measured in testing one Defendant's asbestos product would be similar to the results expected from another Defendant's similar product with similar ingredients.

This expert's opinion may be based upon his review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals as well as government regulations.

Dr. Millette has produced written reports and, in some cases, videotapes of each of the tests he has performed. Copies are available upon request.

Dr. Steve P. Compton
MVA Scientific Consultants
3300 Breckinridge, Suite 400
Duluth, GA 30096
770-662-8509

Dr. Compton is a scientist specializing in the measurement and analysis of materials, determining the constituent ingredients in materials, and characterizing those materials and ingredients. He has agreed to testify at the trial of this matter, and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that he is expected to testify to at trial. Mr. Compton's fee for testimony is \$440.00 per hour.

Mr. Compton may testify regarding Plaintiff/Decedent's exposures to asbestos at different times. Mr. Compton may also testify regarding the material and characteristics of defendants' asbestos and asbestos-containing products, release of asbestos fibers from defendants' asbestos and

asbestos-containing products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification.

This expert may further testify concerning the conditions at the sites of Plaintiff/Decedent's exposure to asbestos based on testimony of the Plaintiff/Decedent, relevant documents, discovery responses and/or conversations with other workers who engaged in similar work. He may testify concerning asbestos exposure resulting from maintenance, repair and construction operations taking place at those sites.

He may testify regarding direct exposure and bystander exposure to asbestos and specifically that they were significant contributing factors in the Plaintiff/Decedent's asbestos exposure. He may also testify regarding "household exposures" to asbestos. He may also testify that there are no known recognized safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause the disease mesothelioma. He may testify further that all types of asbestos are considered by OSHA and EPA to represent hazards and there is no distinction for regulatory purposes.

Dr. Compton has examined the asbestos content and/or amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to, Gaskets, Packing, Talc and friction products, and has documented many of his investigations on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Compton will testify on his results from the asbestos content and release of asbestos-containing dust from the various products that he has tested by either application, removal or the normal use of those products. He will testify about the different types of asbestos likely to be in Defendants' products. Dr. Compton has quantified both the asbestos content and asbestos release generated from the aforementioned uses of these materials. Dr. Compton will testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release, and fiber release and contamination on clothing and other personal contamination. Dr. Compton may testify that the levels of asbestos dust measured during these tests exceeded background levels in many instances of his product testing. In addition, he will compare and discuss other publications and/or studies regarding asbestos dust content and release from these products. In addition, Dr. Compton has prepared and will use demonstrative aids regarding asbestos dust release from the various products that he has studied. Dr. Compton will compare and contrast his findings with other scientific findings. Dr. Compton will offer opinions concerning testing which has been performed on behalf of Defendants or the lack of testing of Defendants' products.

This expert has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products. He may testify that during foreseeable uses of defendants' asbestos and asbestos-containing products that those products released asbestos fibers into the breathing zone of workers, including but not limited to, Plaintiff/Decedent, in levels that are above background. These products include adhered gaskets or packing that are removed in whole or in part by scraping, brushing or sanding, brake linings that are ground, filed or sanded and/or blown out of drums with supplied air, and product scrap that is swept or blown or vacuumed. He may testify that impregnated and/or encapsulated

products, when disturbed or abraded, can release asbestos fibers into the breathing zone of workers, like Plaintiff/Decedent, in levels that are above background. He may compare and contrast the findings with other scientific findings. He may offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing on defendants' asbestos and asbestos-containing products. Dr. Compton may testify that the dust levels measured in testing one Defendant's asbestos product would be similar to the results expected from another Defendant's similar product with similar ingredients.

This expert's opinion may be based upon his review of any and all records and materials, published and or expressed opinions of other experts in the field, corporate documents, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals as well as government regulations.

Dr. Compton is a consulting scientist with expertise in spectroscopy and microscopy, specializing in asbestos analysis and research, and particulate characterization by scanning electron and transmission electron microscopy. Dr. Compton may testify about his experience in the field of microscopy, his published papers, and presentations at various meetings/conferences.

Dr. Compton may also testify regarding materials-testing techniques, air sampling techniques, fiber counting techniques, physical characteristics of asbestos and other minerals, identification of asbestos and materials and other constituents, methods for analyzing asbestos materials, releasability of asbestos fibers, and his opinion of the releasability of asbestos fibers from asbestos-containing products. He may also testify generally as to the characteristics of the various types of asbestos fibers. His testimony is based on his review of literature, his education and work experience, and his own research.

Dr. Compton may testify on his results from the release of asbestos-containing dust from the various products that he and MVA Scientific Consultants has tested by installation, removal or the normal use of those products. Dr. Compton has quantified the asbestos release generated from the aforementioned uses of these materials. Dr. Compton may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release and fiber release and contamination on clothing and other personal contamination. He may compare his results of these dust studies by analysis using units of fibers per cubic centimeter as well as current and past techniques used to analyze asbestos content in dust. Dr. Compton may testify that the levels of asbestos dust measured during these tests exceeded background levels in many instances.

Dr. Compton may further testify as to the microscopic testing used to determine fiber release and/or the quantity of asbestos fibers emitted from the asbestos-containing products he has studied.

Dr. Compton may testify based on hypotheticals propounded by counsel for either the plaintiff or the defense. Such hypotheticals may include, but are not limited to, factual summaries related to specific exposures for which there is evidence in the case.

Dr. Compton has produced written reports and, in some cases, videotapes of each of the tests he has performed. Copies are available upon request.

Tricia Yount, CPA, MAFF
Director, DHG Forensics
Dixon Hughes Goodman, LLP
525 E. Bay St.
Charleston, SC 29403
(843) 722-6443

Ms. Yount is forensic economist. She may testify regarding the economic impact of the decedent's asbestos-related disease. She may calculate and testify regarding the past, present, and future economic damages incurred by the plaintiff/decedent and the family members of the plaintiff/decedent resulting from the decedent's asbestos-related damages, injuries, and death. Additionally, she may testify about past and future lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the plaintiff/decedent has suffered or will suffer in the future. She may also testify about the financial condition of the defendants in the case. Her curriculum vitae will be provided upon specific request. She has been qualified as an expert in the field of economic and financial damages in both federal and state courts. Ms. Yount works and testifies on behalf of both plaintiffs and defendants.

Dr. David Fractor
Phillips, Fractor & Company, LLC
750 E. Walnut Street
Pasadena, CA 91101
626-744-3540

Dr. Fractor is an economist. He may testify regarding the economic impact of the plaintiff/decedent's asbestos-related disease and/or injuries of the plaintiff/decedent and/or his family members. He may calculate and testify regarding the past, present, and future economic damages incurred by the plaintiff/decedent and the family members of the plaintiff/decedent resulting from the plaintiff's/decedent's asbestos-related damages, injuries, and death (if applicable). Additionally, he may testify about past and future lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the plaintiff/decedent has suffered or will suffer in the future. He may also testify about the financial condition of the defendants in the case. His curriculum vitae will be provided upon specific request.

Karen Grossman Tabak, Ph.D., CPA
Maryville University, John E. Simon School of Business
12608 Royal Manor Drive
St. Louis, MO 63141

Dr. Grossman is an economist. She may testify regarding the economic impact of the decedent's asbestos-related disease and/or injuries of the decedent and/or his family members. She may calculate and testify regarding the past, present, and future economic damages incurred by the decedent and the family members of the decedent resulting from the decedent's asbestos-related damages, injuries, and death (if applicable). Additionally, she may testify about past and future

lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the decedent has suffered or will suffer in the future. Her curriculum vitae will be provided upon specific request.

Dr. Paul Torelli
2600 2nd Avenue, Suite 2204
Seattle, WA 98121

Dr. Torelli is an economist. Dr. Torelli will calculate the present value of any loss of wage, pension, benefits or other income to plaintiffs and/or the present value of any loss of pension, benefits or other income to plaintiff, as a result of the inability of Plaintiff to work due to his mesothelioma and/or premature death of plaintiff. He will base these calculations upon plaintiff's wages, loss and reduction in benefits, loss of expected benefits, and the additional burden of medical expenses. Dr. Torelli will calculate any other economic loss to the plaintiffs.

G. Richard Thompson, Ph.D.
John E. Walker Department of Economics
Clemson University
Clemson, SC 29634-1309

Dr. Thompson is an economist. He may testify regarding the economic impact of the plaintiff/decedent's asbestos-related disease and/or injuries of the plaintiff/decedent and/or his family members. He may calculate and testify regarding the past, present, and future economic damages incurred by the plaintiff/decedent and the family members of the plaintiff/decedent resulting from the plaintiff's/decedent's asbestos-related damages, injuries, and death (if applicable). Additionally, he may testify about past and future lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the plaintiff/decedent has suffered or will suffer in the future. His curriculum vitae will be provided upon specific request.

William G. Brandt, CPA, ABV, MBA, CFF
P.O. Box 10187
Bainbridge Island, WA 98110

Mr. Brandt is a forensic economist. He may testify regarding the economic impact of the decedent's asbestos-related disease and/or injuries of the decedent and/or his family members. He may calculate and testify regarding the past, present, and future economic damages incurred by the decedent and the family members of the decedent resulting from the decedent's asbestos-related damages, injuries, and death (if applicable). Additionally, he may testify about past and future lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the decedent has suffered or will suffer in the future. His curriculum vitae will be provided upon specific request.

Oliver G. Wood, Jr., Ph.D
Economist in Residence, Charleston School of Law
121 Running Fox Rd.
Columbia, SC 29223-3020

Dr. Wood is an economist. He may testify regarding the economic impact of the plaintiff/decedent's asbestos-related disease and/or injuries of the plaintiff/decedent and/or his family members. He may calculate and testify regarding the past, present, and future economic damages incurred by the plaintiff/decedent and the family members of the plaintiff/decedent resulting from the plaintiff's/decedent's asbestos-related damages, injuries, and death (if applicable). Additionally, he may testify about past and future lost wages, past and future loss of earning capacity, and past and future medical expenses, and any other economic damages that the plaintiff/decedent has suffered or will suffer in the future. His curriculum vitae will be provided upon specific request.

James S. Webber, Ph.D. Adjunct Asst. Prof.
University of NY-Albany
School of Public Health 1400 Washington Ave.
Albany, NY 12222

James S. Webber, PhD, MS, BS, Adjunct Asst. Prof., University of New York-Albany, School of Public Health, 1400 Washington Ave., Albany, NY 12222. Dr. Webber may agree to testify at the trial of this matter. If so, he will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning the specific testimony, including any opinion and its basis, that he is expected to testify to at trial. Dr. Webber's fee for deposition testimony is \$400.00 per hour.

Dr. Webber is an environmental health scientist specializing in the measurement and analysis of materials, determining the constituent ingredients in materials, and characterizing those materials and ingredients from a laboratory and public health perspective. Dr. Webber's expertise spans over 40 years and includes asbestos research, asbestos analysis, certification of laboratories for asbestos testing and analysis, environmental chemistry, standards and regulation development, aerosol research, and trace metal analysis. Dr. Webber has expertise in the analysis of various substances, including asbestos and talc, through the use of various analytical methodologies and equipment including x-ray diffraction (XRD), polarized light microscopy (PLM), phase contrast microscopy (PCM) and transmission electron microscopy (TEM) with selected area electron diffraction (SAED) and Electron Dispersive Spectroscopy (EDS). He has conducted analysis for asbestos (measurement, identification, quantification) in thousands of samples of various products and materials in the public and private sector, and trained other technicians to do so as well. Dr. Webber received his Ph.D. from the School of Public Health at the State University A Paleolimnological Reconstruction of Airborne Asbestos Concentrations in the Fibrous-Talc Region of St. Lawrence County, New York, from 1872 to 1998. Dr. Webber developed the asbestos laboratory accreditation program for the New York State Department of Health, assisted in the development of criteria for EPA accreditation of asbestos laboratories, chaired the ASTM International Committee D22, Air Quality, and was a peer review group leader for the review of EPA and NIOSH publications.

Dr. Webber may testify regarding plaintiff's exposures to asbestos at different times and may testify concerning his assessment of the various risks which were associated with such exposures. He may also testify regarding the material and characteristics of defendants' asbestos-containing

products, release of asbestos fibers from defendants' asbestos-containing products, industry and regulatory protocols, constituent analysis with respect to the nature of the materials and the identity of the manufacturer of the materials, product formulae and product identification. He may further testify regarding the availability of materials as substitutes for asbestos and asbestos-contaminated talc and when information concerning these substitute materials/sources appeared in the medical and scientific literature. Dr. Webber may also testify regarding the asbestos content of different products during different periods of time. Dr. Webber may further testify that defendants were aware, or should have been aware, of the hazards of asbestos by the time of Plaintiff's use of, and exposure to, their products, as a result of medical, scientific and industrial hygiene literature available to all Defendants.

Dr. Webber may also testify, based on his experience, training and education, as to the health risks associated with exposure to asbestos. He may testify regarding direct exposure, bystander exposure to asbestos and "fiber drift," household exposures, entrenchment and reaerosolization and specifically that these are hazards associated with asbestos and that they were significant contributing factors in the Plaintiff's asbestos exposure. He may also testify regarding "household exposures" to asbestos and that these types of exposures are known to contribute to cause mesothelioma and other asbestos related diseases. Dr. Webber may testify regarding when it was known that direct, bystander and household exposures were known to cause disease. He may testify that the cumulative dose of asbestos that a person receives is what increases the risk of asbestos related diseases, including mesothelioma. He may testify that all exposures above background are substantial contributing factors to an individual's disease, and that all of Plaintiff's exposures above background contributed to the development of Plaintiff's diagnosis in this case. He may also testify that asbestos and asbestos products are toxic and unreasonably dangerous, and that they are more dangerous than would be contemplated by the ordinary user with ordinary skills and characteristics common to the community, particularly consumer hygiene and cosmetic products like talcum powder. He may also testify that there are no safe levels of exposure to asbestos dust in that there is no level of exposure to asbestos that has been proven too low to cause the disease mesothelioma. He may testify further that all types of asbestos represent hazards and that in the science of industrial hygiene, all types of asbestos are understood to cause all asbestos diseases, including but not limited to, malignant mesothelioma. He may testify that for asbestos disease risk, the human body cannot distinguish and does not distinguish between "fibers" and what geologists and mineralogist term "cleavage fragments."

Dr. Webber may testify regarding the general background levels of asbestos release, bystander and household levels of exposure of the fiber release, and fiber release and contamination on clothing and other personal contamination. He may also testify regarding results of dust studies by analysis of using both particles per cubic foot and fibers per cubic centimeter, as well as current and past techniques used to analyze asbestos content in dust. Dr. Webber may discuss the dangers of low-level exposure to asbestos and may testify that there is no safe level of exposure to asbestos. Dr. Webber has examined studies of the amount of asbestos fibers released into the breathing zone during ordinary and foreseeable operations of asbestos products and talcum powder products. He may testify that during foreseeable uses of defendants' asbestos-containing products that those products released asbestos fibers into the breathing zone of users, including but not limited to, Plaintiff, in levels that are above background. These asbestos products include talc, talcum powder, and talc-containing products and materials. He may compare and contrast the findings with other

scientific findings regarding encapsulated and friable products and materials. He may offer opinions concerning testing which has been performed on behalf of Plaintiff and Defendants or the lack of testing on defendants' asbestos-containing products. Dr. Webber may testify that dust levels measured in testing one defendants' asbestos product would be similar to the results from another defendant's similar product with similar ingredients.

Dr. Webber may testify that asbestos exposure of the Plaintiff arising from defendants' asbestos products or activities involving the use of those products were substantial contributing factors in Plaintiff's overall asbestos exposure and were the result of defendant's failure to exercise appropriate industrial hygiene controls for suppressing or reducing exposures to asbestos, including but not limited to truthfully informing regulatory agencies of testing results and methodologies, removing/replacing the contaminating source(s), and adequately warning Plaintiff of the dangers associated with asbestos and means to protect herself. He will testify that these failures by defendants were knowing and/or unreasonable in the time and place in which they occurred given the information that was available to defendants, medical and scientific literature, statutes, regulations and/or based on the defendant's actual knowledge. Dr. Webber's opinion may be based upon his review of any and all records and materials, published and or expressed opinions of other experts in the field, his own publications, corporate documents, as well as his expertise in the field, including experience and training, and his review of historical and more recent scientific articles and journals as well as government regulations. Dr. Webber may testify that medical articles and journals indicated in the 1920s that asbestos could be hazardous and deadly, and in the 1930s and 1940s indicated that asbestos could cause cancer, and that it was known or knowable that asbestos was a hazardous and dangerous substance in those time frames. He may testify regarding the development of knowledge in the medical and scientific community regarding asbestos and asbestos diseases. Dr. Webber may testify about the research and testing of talc, talc-containing products, and talcum powder products, including but not limited to Johnson's Baby Powder and Shower-to-Shower and other talcum powder products, including historic testing, testing by government agencies, trade group testing, industry testing, and the testing of other experts in the field. He may further testify regarding the published work relating to talc, talc-containing products, and talcum powder products, including on Johnson's Baby Powder and Shower-to-Shower. He may testify that this testing has repeatedly shown that talcum powder products including Johnson's Baby Powder and Shower-to-Shower, and the source mines, contain asbestos, and have historically contained asbestos, including tremolite, anthophyllite, chrysotile, and others. He may further testify that the various talc mines where talc was sourced for talcum powder products, including Johnson's Baby Powder and Shower-to-Shower, contained asbestos fibers that can and did end up in the finished products. He may testify regarding historical literature about the presence of asbestos in talc, and reports specifically relating to the presence of asbestos in Johnson's Baby Powder and Shower-to-Shower and other talcum powder products. He may further testify regarding tests that show that asbestos is released into the air from use of talcum powder products, including but not limited Johnson's Baby Powder and Shower-to-Shower products, in amounts that are significantly above background levels. He may testify, based on his review of the case specific materials in this case, as well as all of the materials he has reviewed and personal tests he has done, that the Plaintiff was exposed to levels of asbestos from use of talcum powder products that were significantly above background levels. Dr. Webber may also testify about the historical knowledge regarding contamination of talc with asbestos, the evolution of methodologies for the sampling, identification, and quantification of asbestos in talc, and

industry involvement (including in trade advocacy groups) in order to prevent regulation of talc for asbestos content, withhold information from the public, manipulate scientific data, and advocate for use of testing methodologies and equipment which would allow for a certain percentage of asbestos to be present in consumer hygiene and cosmetic products.

For additional information, plaintiffs refer defense counsel to the report, declaration and/or deposition testimony James S. Webber offered or will offer in this case, as well as their testimony on these issues in other pending or prior cases.

Corporate Witnesses and Other Witnesses: The following witnesses may offer expert as well as factual testimony

Robert Marecek (Librarian & Custodian of Records for the N.S.C.)
National Safety Council Office
1121 Spring Lake Drive
Itasca, IL 60143-3201
630-285-1121

Mr. Marecek will testify live or by deposition regarding the storage retention, authenticity and business records and/or ancient nature of National Safety Council (NSC) documents as well as different companies who were members of the National Safety Council. He may also testify regarding the distribution of NSC documents to members of the NSC. Copies of Mr. Marecek's prior deposition testimony in Plaintiff's possession will be made available for inspection upon request. Please see, for example, his deposition in Anderson v. Amoco, et al, cause number 00-10-06613, February 7th, 2003, In the 9th Judicial District, Montgomery County, Texas.

Sally J. Wilke (Custodian of IHF documents)
Industrial Hygiene Foundation
34 Penn Circle West
Pittsburgh, PA 15206

Ms. Wilke will testify live or by deposition regarding the storage, retention, authenticity and business records and/or ancient nature of Industrial Hygiene Foundation (FKA Air Hygiene Foundation, NKA Industrial Health Foundation, collectively referred to here as IHF) documents as well as different companies who were members of the IHF. She may also testify regarding the distribution of IHF documents to members of the IHF. Copies of Ms. Wilke's prior deposition testimony in Plaintiff's possession will be made available for inspection upon request. Please see her depo in King v. Allied Signal, et al, cause number 2424C-03, January 8th, 2000, in the Circuit Court for the City of Newport News, Virginia.

Lloyd Higgins

Mr. Lloyd Higgins will testify live or by videotaped deposition as to how, when, and where he was exposed to asbestos during his service in the United States Navy. He will testify that he has malignant mesothelioma, a disease he understands to have been caused by his exposure to asbestos. He will testify as to his education, training, background and credentials relating to his service in

the United States Navy. He will testify as to his awareness, or lack thereof, of the hazards of asbestos during the periods in which he was exposed to asbestos in the United States Navy. His testimony is being offered by Plaintiffs in part to show the awareness, or lack thereof, of the hazards of asbestos among Naval elite during the decades of the 1950's, 1960's and 1970's. Please see page line designation from the videotaped deposition of Lloyd Higgins, taken on May 9, 2007 in the case of *Lloyd Higgins and Carol Higgins vs. AGCO Corporation, sued individually and as successor-in-interest to Allis-Chalmers Corporation, et al.*, Cause No. 2007-439, in the Supreme Court of the County of New York, County of Schenectady as follows:

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Thomas Grubka
c/o Armstrong Industries, Inc.

Mr. Grubka, corporate representative and person most knowledgeable of Armstrong Industries, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with Armstrong Industries, Inc. (and any predecessor or successors), Armstrong Industries, Inc.'s (and any predecessor or successors) knowledge and conduct, and Armstrong Industries, Inc.'s (and any predecessor or successors) products. Please see his deposition in *Gary Lenz, et al v. Allis Chalmers Corporation, et al*, No. 2007-CP-40-5106, in the Court of Common Pleas, Richland County, South Carolina, dated May 29, 2008.

Louis Merz
c/o Borg Warner Corporation

Mr. Merz, corporate representative of Borg Warner Corporation, will testify live or by deposition regarding various matters related to Borg Warner's knowledge of the hazards of asbestos, Borg Warner's actions in response to the hazards of asbestos, the asbestos content and other aspects of various Borg Warner friction products, the corporate history and financial condition of Borg Warner and any other matters relevant to this litigation. Please see his deposition taken in *Edward Guerra vs. Bondex International, Inc.*, Cause No. BC365479; In the Superior Court, Los Angeles

County, California, December 18, 2007. Copies of Mr. Merz's deposition are in plaintiffs' possession and will be made available for inspection upon request.

Robert Hornick
c/o Borg Warner Corporation

Mr. Hornick, corporate representative of Borg Warner Corporation, will testify live or by deposition regarding various matters related to Borg Warner's knowledge of the hazards of asbestos, Borg Warner's actions in response to the hazards of asbestos, the asbestos content and other aspects of various Borg Warner friction products, the corporate history and financial condition of Borg Warner and any other matters relevant to this litigation. Please see his deposition in *Gerri S. Coogan, the spouse of Jerry D. Coogan, deceased James P. Spurgetis, solely in his capacity as the Personal Representative of the Estate of Jerry D. Coogan, Deceased, v. Borg-Warner Morse Tec, Inc., et al.*, No. 15-2-09504-3, in the Superior Court of Washington for Pierce County, Dated: January 27, 2017.

Richard Anderson
c/o Borg Warner Corporation (Borg-Warner Morse Tec)

Mr. Anderson, corporate representative of Borg Warner Corporation, will testify live or by deposition regarding various matters related to Borg Warner's knowledge of the hazards of asbestos, Borg Warner's actions in response to the hazards of asbestos, the asbestos content and other aspects of various Borg Warner friction products, the corporate history and financial condition of Borg Warner and any other matters relevant to this litigation. Please see his depositions taken on December 20, 2007 in *Edward Guerra vs. Bondex International, Inc.*, Cause No. BC365479; In the Superior Court, Los Angeles County, California; and June 21, 2011 in *John Cowan, et al v. Agco Corp., et al*, No. MID L-008122 09, in the Superior Court, Middlesex County, New Jersey.

Anthony Pantaleoni
c/o Crane Co.

Mr. Pantaleoni, corporate representative of Crane Co., will testify live or by video deposition regarding his experience with Crane Co., Crane Co. knowledge and conduct, and Crane Co. products. Please see his depositions on June 14, 2006 in *Robert Baxter v. Alfa Laval Inc, et al*, No# 05-4314, Commonwealth of Massachusetts, Middlesex; November 19, 2008 in *James Prough, et al v. Allis Chalmers Corporation Product Liability Trust, et al*, CA No. BC389423, in the Superior Court of Los Angeles County, California; July 8, 2009 in *David Kelemen, et al. v. Alfa Laval, Inc., et al.*, CA No. BC384059, in the Superior Court of Los Angeles County, California; March 11, 2010 (Vol. I) and April 14, 2010 (Vol. II) in *Jacoby, et al. v. A.W. Chesterton Co., et al.*, No. 07-3804, in the Superior Court, Middlesex County, Massachusetts; March 22, 2012 (Vol. I) and March 29, 2012 (Vol. II) in *Gerald McCarthy, et al. v. Baltimore Aircoil Company, et al.*, CA No. BC464985, in the Superior Court of Los Angeles, California; July 26, 2012 in *Donald Kent, et al. v. Alfa Laval, Inc., et al.*, CA No. BC473418, in the Superior Court of Los Angeles County, California; and February 26, 2013 in *Estenson, et al v. Borg-Warner Morse Tec, Inc., et al*, No. 11-2-25571-9 SEA, in the Superior Court, King County,

Washington, CA No. 15-2441, in the Fourth Judicial District Court for the Parish of Quachita State of Louisiana; February 11, 2016 in *Lynda Berry v. ANCO Insulations, Inc.* Deposition in *Thomas H. Hayden and Jacqueline S. Hayden v. 3M Company, et al.*, No. 2015-3732, in the Civil District Court for the Parish of Orleans State of Louisiana, Dated: May 27, 2016. Please see his deposition in *Lanny Johnson, as Trustee and Next-of-Kin of Roy Hays Johnson, Deceased, v. 3M Company, et al.*, NO. 62CV-15-6345, in the Distric Court Second Judicial Distric State of Minnesota – County of Ramsey, Dated: January 5, 2017.

Gary K. Austin
c/o Dana Corporation

Mr. Austin, corporate representative and person most knowledgeable of Dana Corporation (and any predecessor or successors) will testify live or by deposition regarding his experience with Dana Corporation (and any predecessor or successors), Dana Corporation's (and any predecessor or successors) knowledge and conduct, and Dana Corporation's (and any predecessor or successors) products. Please see his depositions taken in *Elmer Royer, et al v. AC&S, Inc., et al*, No. 14293*RM00, in the 149th District Court, Brazoria County, Texas on October 29, 2002; *Debby Pyle, et al v. Able Supply Company, et al*, No. 01cv1140, in the 122nd Judicial Distrcet, Galveston County, Texas on September 16, 2003; and *Diane Mathias, et al v. AC&S, Inc., et al*, No. 2002-4218, in the County Court at Law No. 6, El Paso County, Texas on September 26, 2003.

Marcella Duncan
c/o Dana Corporation

Ms. Duncan, corporate representative and person most knowledgeable of Dana Corporation (and any predecessor or successors) will testify live or by deposition regarding her experience with Dana Corporation (and any predecessor or successors), Dana Corporation's (and any predecessor or successors) knowledge and conduct, and Dana Corporation's (and any predecessor or successors) products. Please see her deposition taken in *Thurl Charles Van Kirk, et al v. Borg-Warner Morse Tec, Inc., et al*, No. BC388610, in the Superior Court, Los Angeles County, California on September 5, 2008. Please see depositions taken September 27, 2016 in *Thomas H. Hayden and Jacqueline S. Hayden v. 3M Company, et al.*, No. 2016-3732, in the Civil District Court for the Parish of Orleans State of Louisiana

Roger J. Hobbie
c/o Eaton Corporation

Mr. Hobbie, corporate representative of Eaton Corporation, individually and as successor-in-interest to the Eaton Corporation will testify live or by deposition regarding his experiences with Eaton Corporation, individually and as successor-in-interest to the Eaton Corporation products. Please see his deposition in *Thomas H. Hayden and Jacqueline S. Hayden v. David Hernandez Dominguez, et al.* No. 2015-3732, Civil District Court for the Parish of Orleans State of Louisiana, Dated: July 12, 2016.

Edward Drislane

Friction Materials Standards Institute (FMSI)
23 Woodland Road, Suite B-3
Madison, CT 06443
203-245-8425

Mr. Drislane was the director of the Friction Materials Standards Institute, a trade organization involving manufacturers and distributors of friction products including brakes and clutches. Mr. Drislane is also the custodian of all of the records of the FMSI and is expected to authenticate the documents generated by that organization as well as testify regarding the distribution of those documents to the member organizations. Mr. Drislane will testify regarding the formation and activities of the Asbestos Study Committee which was developed to investigate and formulate policy on the friction companies' response to the awareness of the health hazards associated with asbestos in brakes. He will further testify about efforts made by the organization to influence OSHA and OSHA's adoption of standards regarding the inclusion of warnings on packaged products containing asbestos. Copies of Mr. Drislane's prior deposition testimony in Plaintiff's possession will be made available for inspection upon request. Please see, for example, his depositions taken August 23, 1982 in *Hughes v. Johns-Manville*; October 24, 2002 in *Cutright v. A-Best Products Co.*; and July 23, 1999 in *Book v. Asbestos Defendants*. Please see Deposition taken in August 12, 1982 in *Hughes v. Johns-Manville and Nancy W. Rees*, No. 4530 (811), No. 80-0662, No. 80-4034, in the United States District Court, Eastern District of Pennsylvania.

Liane Brewer
c/o Genuine Parts Company

Ms. Brewer, corporate representative and person most knowledgeable of Genuine Parts Company (and any predecessor or successors) will testify live or by video deposition regarding his experience with Genuine Parts Company (and any predecessor or successors), Genuine Parts Company's (and any predecessor or successors) knowledge and conduct, and Genuine Parts Company's (and any predecessor or successors) products. Please see his deposition in *Gerri S. Coogan, the spouse of Jerry D. Coogan, deceased James P. Spurgetis, solely in his capacity as the Personal Representative of the Estate of Jerry D. Coogan, Deceased, v. Borg-Warner Morse Tec, Inc., et al.*, No. 15-2-09504-3, in the Superior Court of Washington for Pierce County, Dated: November 16, 2016.

Byron Frantz
c/o Genuine Parts Company

Mr. Frantz, corporate representative and person most knowledgeable of Genuine Parts Company (and any predecessor or successors) will testify live or by video deposition regarding his experience with Genuine Parts Company (and any predecessor or successors), Genuine Parts Company's (and any predecessor or successors) knowledge and conduct, and Genuine Parts Company's (and any predecessor or successors) products. Please see his deposition in *Gerri S. Coogan, the spouse of Jerry D. Coogan, deceased James P. Spurgetis, solely in his capacity as the Personal Representative of the Estate of Jerry D. Coogan, Deceased, v. Borg-Warner Morse Tec, Inc., et al.*, No. 15-2-09504-3, in the Superior Court of Washington for Pierce County, Dated: January 17, 2017.

The following are **Goodyear Tire & Rubber Company** person(s) with knowledge of relevant facts, who will appear by prior written deposition at any all trials against Goodyear Tire & Rubber Company, some of whom will offer expert testimony and some of whom will offer factual testimony. Most of the transcripts were provided by Goodyear Tire & Rubber Company counsel of record as witness statements, party opponent admissions or admissions against interest. Many of the witnesses are unavailable for trial, but the most recent contact information would be within the care, custody or control of Goodyear Tire & Rubber Company. They may be contacted by and through the attorney of record who represented them at the deposition:

- Mr. Holthouser, corporate representative and person most knowledgeable of Goodyear Tire & Rubber Company will testify live or by video deposition regarding his experience with Goodyear, Goodyear knowledge and conduct, and Goodyear products. Please see his deposition in *Vicki Lynn Rogers v. The Goodyear Tire & Rubber Company, et al*, Cause No: CC-10-03294-E, In the District Court of Harris County, Texas, 11th Judicial District, dated: July 22, 2014. Please see deposition taken in *Thomas Hayden and Jacqueline S. Hayden vs. 3m Company, et al*. Case No. 2015-3732 Civil Court for the Parish of Orleans State of Louisiana, Dated: June 28, 2016.
- Dr. Clifford Johnson deposition taken November 12, 1991 in *Cunningham, et al v. Eagle Picher Industries, Inc.*, No. 150433, in the Common Pleas Court, Cuyahoga County, Ohio; and deposition taken February 24, 1998.
- Byron H. Frantz, taken on March 29, 2016 in *Jimmy D. Tracy and Lynda Tracy v. Asbestos Corporation Limited, et al*. No. 15-CV-01000-JFL-002 in the Superior Court of Floyd County State of Georgia.

Ernest W. DeMarse
c/o Goodyear Tire & Rubber Company

Mr. DeMarse, corporate representative and person most knowledgeable of Goodyear Tire & Rubber Company (and any predecessor or successors) will testify live or by deposition regarding his experience with Goodyear Tire & Rubber Company (and any predecessor or successors), Goodyear Tire & Rubber Company's (and any predecessor or successors) knowledge and conduct, and Goodyear Tire & Rubber Company's (and any predecessor or successors) products. Mr. DeMarse also has knowledge regarding **Crane Co.** and **Durabla Manufacturing Company**. Please see his depositions in *Kelley & Ferraro-Group 5 Asbestos*, in the Court of Common Pleas, Cuyahoga County, Ohio on December 12, 2001; *John McNamara, et al v. Bondex International, Inc., et al*, No. BC342803, in the Superior Court, Los Angeles County, California on June 13, 2006; and *Chomo, et al v. American Standard, Inc., et al*, No. BC 362159, in the Superior Court, Los Angeles County, California on July 24, 2007.

E. Barry Bradshaw
c/o Goulds Pumps Inc.

Mr. Bradshaw, corporate representative and person most knowledgeable of Goulds Pumps (IPG) Inc, Goulds Pumps (NY), Inc. and Goulds Pumps, Inc. (Goulds) will testify live or by video deposition regarding his experience with Goulds, Goulds knowledge and conduct, and Goulds products. Please see his deposition in Charles White and Barbara Lorton vs. Buffalo Pumps, Inc., et al, Cause No: 2006-41943, In the District Court of Harris County, Texas, 11th Judicial District, dated February 1st, 2007.

Bruce H. Conner
c/o Goulds Pumps Inc.

Mr. Conner, corporate representative and person most knowledgeable of Goulds Pumps, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with Goulds Pumps, Inc. (and any predecessor or successors), Goulds Pumps, Inc.'s (and any predecessor or successors) knowledge and conduct, and Goulds Pumps, Inc.'s (and any predecessor or successors) products. Please see his deposition taken October 24, 2012 in *Hill, et al v. Waco, Inc., et al*, in the Circuit Court, Newport News, VA.

Joel Charm
c/o Honeywell International, Inc.
(sued individually and as successor-in-interest to Bendix Corporation)

Mr. Charm, corporate representative and person most knowledgeable of Honeywell International, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with Honeywell International, Inc. (and any predecessor or successors), Honeywell International, Inc.'s (and any predecessor or successors) knowledge and conduct, and Honeywell International, Inc.'s (and any predecessor or successors) products. Please see his depositions taken on August 28, 2009 (Vol. 1) and September 2, 2009 (Vol. 2) in *David Anderson, v. Borg-Warner Corp.* and *Betty Raynor, et al v. Alfa Laval, Inc., et al*, in the 1st Judicial Circuit Court, Cook County, Illinois as well as *Lawrence Boman, et al v. Alfa Laval, Inc., et al*, in the Superior Court, Los Angeles County, California.

Joel Cohen
c/o Honeywell International, Inc.
(sued individually and as successor-in-interest to Bendix Corporation)

Mr. Cohen, corporate representative and person most knowledgeable of Honeywell International, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with Honeywell International, Inc. (and any predecessor or successors), Honeywell International, Inc.'s (and any predecessor or successors) knowledge and conduct, and Honeywell International, Inc.'s (and any predecessor or successors) products. Please see his deposition taken November 21, 2013 in *Yates, et al v. Air & Liquid Systems Corp., et al*, No. 5:12-cv-00752-FL, in the USDC, Eastern District of North Carolina and *Phillips, et al v. Amcord, Inc., et al*, No. 12CECG04055, in the Superior Court, Fresno County, California. Deposition taken November 3, 2015 in *Ronald Conda, No. 62-cv-15-465*; *Donna Harrison, No. 1552-cc09759*; *Thomas Hayden No. 2015-3732*.

The following are **Honeywell International, Inc. (sued individually and as successor-in-interest to Bendix Corporation)** person(s) with knowledge of relevant facts, who will appear by prior written deposition at any all trials against Honeywell International, Inc. (sued individually and as successor-in-interest to Bendix Corporation), some of whom will offer expert testimony and some of whom will offer factual testimony. Most of the transcripts were provided by Honeywell International, Inc. (sued individually and as successor-in-interest to Bendix Corporation) counsel of record as witness statements, party opponent admissions or admissions against interest. Many of the witnesses are unavailable for trial, but the most recent contact information would be within the care, custody or control of Honeywell International, Inc. (sued individually and as successor-in-interest to Bendix Corporation). They may be contacted by and through the attorney of record who represented them at the deposition:

- Eugene L. Rogers' deposition taken January 5, 1984 in *Jacque, et al v. Johns-Manville Corporation, et al*, in the Superior Court, Los Angeles County, California; and January 12, 1993 in *Fassler v. Fibreboard Corporation, et al*, No. 92-01061, in the 261st Judicial District, Travis County, Texas.
- Albert Shaw's deposition taken October 4, 2013 in *Erhart, et al v. CSK Auto, Inc., et al*, No. BC473955, in the Superior Court, Los Angeles County, California.
- Tony Watson's Deposition taken July 7, 2016 in *Thomas H. Hayden and Jacqueline S. Hayden v. 3M Company, et al.*, No. 2015-3732, in the Civil District Court for the Parish of Orleans State of Louisiana. Please see his deposition taken December 13, 2016 in *Gerri S. Coogan, The spouse of Jerry D. Coogan, Deceased, and James P. Sputgetis, Solely in his capacity as the Estate of Jerry D. Coogan, Deceased, v. Borg-Warner Morse, TEC, INC., et al.*, No. 15-2-09504-3, in Superior Court of Washington for Pierce County.
- Gregory Bellopatrick's Deposition taken December 14, 2016 in *Sebastian J. Paterniti and Elizabeth Paterniti, v. Asbestos Corp., Limited, et al.*, No. 2016-CP-40-00849, in State of South Carolina County of Richland in the Court of Common Pleas for the Fifth Judicial Circuit.

Gerald Swimmer
c/o Ingersoll-Rand Company

Mr. Swimmer, corporate representative and person most knowledgeable of Ingersoll-Rand Company (and any predecessor or successors) will testify live or by video deposition regarding his experience with Ingersoll-Rand Company (and any predecessor or successors), Ingersoll-Rand Company's (and any predecessor or successors) knowledge and conduct, and Ingersoll-Rand Company's (and any predecessor or successors) products. Please see his deposition in *Schlotfeldt, et al v. Alfa Laval, Inc., et al*, No. 07-2-12398-9SEA, in the Superior Court of King County, Washington, dated October 15, 2008. Deposition taken February 4, 2016 in *Ronald Eugene Conda and Jenella Joyce Conda v. Gagnon, Inc., et al*, No.62cv154651, in the District Court 2nd Judicial District, State of Minnesota, County of Ramsey. Please see his Deposition in *Lanny Johnson, as Trustee and Next-of-Kin of, Roy Hays Johnson, Deceased, v. 3M Company, et al.*, No. 62CV-15-

6345, in the District Court Second Judicial District, State of Minnesota County of Ramsey, Dated: February 1, 2017.

Patrick Moyer

c/o ITT Industries, Inc. (sued individually and as successor-in-interest to Bell & Gossett)

Mr. Moyer, corporate representative and person most knowledgeable of ITT Industries, Inc. (sued individually and as successor-in-interest to Bell & Gossett) (and any predecessor or successors) will testify live or by video deposition regarding his experience with ITT Industries, Inc. (sued individually and as successor-in-interest to Bell & Gossett) (and any predecessor or successors), ITT Industries, Inc.'s (sued individually and as successor-in-interest to Bell & Gossett) (and any predecessor or successors) knowledge and conduct, and ITT Industries, Inc.'s (sued individually and as successor-in-interest to Bell & Gossett) (and any predecessor or successors) products. Please see his depositions in *In Re: New York State Asbestos Litigation*, in the Supreme Court of New York, dated April 30, 2002; and *Schlotfeldt, et al v. Alfa Laval, Inc., et al*, No. 07-2-12398-9SEA, in the Superior Court of King County, Washington, dated October 14, 2008.

Dr. Michael Matteson

c/o John Crane, Inc.

Dr. Matteson, corporate representative and/or person most knowledgeable of John Crane, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with John Crane, Inc. (and any predecessor or successors), John Crane, Inc.'s (and any predecessor or successors) knowledge and conduct, and John Crane, Inc.'s (and any predecessor or successors) products. Please see his trial testimony from January 10, 2008 through January 11, 2008 taken in the *Betty Werts, et al. v. John Crane, et al.* matter in the Court of Common Pleas, Cuyahoga County, Civil Division, Case No. CV 541869, C/A No. 08 091403.

George McKillop

c/o John Crane, Inc.

Mr. McKillop, corporate representative and person most knowledgeable of John Crane will testify live or by video deposition regarding his experience with John Crane, John Crane knowledge and conduct, and John Crane products. Please see his deposition in Charles White and Barbara Lorton vs. Buffalo Pumps, Inc., et al, Cause No: 2006-41943, In the District Court of Harris County, Texas, 11th Judicial District, dated February 22nd, 2007.

George Springs

c/o John Crane, Inc.

Mr. Springs, corporate representative and person most knowledgeable of John Crane, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with John Crane, Inc. (and any predecessor or successors), John Crane, Inc.'s (and any predecessor or successors) knowledge and conduct, and John Crane, Inc.'s (and any predecessor or successors) products. Please see his depositions taken November 14, 2008 in James Robert Prough, et al. v. Allis Chalmers Corporation Product Liability Trust, et al., No. BC389423, in the Superior Court

of Los Angeles County, California; May 20, 2010 in Joan Johnston, et al. v. Afton Pumps, Inc., et al., No. 2008-36868, in the 11th Judicial District Court, Harris County, Texas; November 8, 2010 and November 9, 2010 in William Pfeifer, et al. v. Buffalo Pumps, Inc., et al., No. BC416536, in the Superior Court of Los Angeles County, California; and December 21, 2011 in Theresa M. Schott, Individually and as Personal Representative of the Estate of Robert Thomas Schott v. Alfa Laval, Inc., et al., No. BC390952, in the Superior Court of Los Angeles County, California. Please see his deposition in *Delvin E. Domagala and Eileen R. Domagala, v. 3M Company, f/k/a Minnesota Mining and Manufacturing, et al.*, No. 62-CV-163232 in the district Court, Dated: November 18, 2016.

Noel Genco
c/o Pfizer, Inc.

Mr. Genco, corporate representative and person most knowledgeable of Pfizer, Inc. (and any predecessor or successors) will testify live or by video deposition regarding his experience with Pfizer, Inc. (and any predecessor or successors), Pfizer, Inc.'s (and any predecessor or successors) knowledge and conduct, and Pfizer, Inc.'s (and any predecessor or successors) products. Please see his deposition taken October 3, 2012 in *C.H. Dennis, Jr. and Rayma Dennis v. 3M Company, et al*, No. BC481310, in the Superior Court, Los Angeles County, California.

Albert D. Indelicato
c/o Pneumo Abex Corporation (sued individually and as successor-in-interest to Abex Corporation)

Mr. Indelicato, corporate representative and person most knowledgeable of Pneumo Abex Corporation (and any predecessor or successors) will testify live or by video deposition regarding his experience with Pneumo Abex Corporation (and any predecessor or successors), Pneumo Abex Corporation's (and any predecessor or successors) knowledge and conduct, and Pneumo Abex Corporation's (and any predecessor or successors) products. Please see his depositions taken on June 15, 2016 in *Gerri Coogan vs Abex Corporation, et al.* in Pourtsmouth, New Hampshire. Please see his deposition taken on Wednesday, August 24, 2016 in *Thomas H. Hayden and Jacqueline S. Hayden v. 3M Company, et al. No. 2015-3732* in Civil District Court for the Parish of Orleans, State of Louisiana.

Charles Blackwell
c/o Pneumo Abex Corporation (sued individually and as successor-in-interest to Abex Corporation)

Mr. Blackwell, corporate representative and person most knowledgeable of Pneumo Abex Corporation (and any predecessor or successors) will testify live or by video deposition regarding his experience with Pneumo Abex Corporation (and any predecessor or successors), Pneumo Abex Corporation's (and any predecessor or successors) knowledge and conduct, and Pneumo Abex Corporation's (and any predecessor or successors) products. Please see his depositions taken on January 24, 2003 in *Sprague vs Abex Corporation, et al.* in the county of Allegheny, Pennsylvania; and November 19, 1984 in *Jacque vs Johns-Manville Corporation, et al.* in the county of Los Angeles, California.

William V. Buccella

c/o Pneumo Abex Corporation (sued individually and as successor-in-interest to Abex Corporation)

Mr. Buccella, corporate representative and person most knowledgeable of Pneumo Abex Corporation (and any predecessor or successors) will testify live or by video deposition regarding his experience with Pneumo Abex Corporation (and any predecessor or successors), Pneumo Abex Corporation's (and any predecessor or successors) knowledge and conduct, and Pneumo Abex Corporation's (and any predecessor or successors) products. Please see his depositions taken in *Virginia Bohr, et al v. Chrysler LLC, et al*, No. BC388611, in the Superior Court Los Angeles County, California on March 26, 2009.

Dexter Kenfield

c/o Pneumo Abex Corporation (sued individually and as successor-in-interest to Abex Corporation)

Mr. Kenfield, corporate representative and person most knowledgeable of Pneumo Abex Corporation (and any predecessor or successors) will testify live or by video deposition regarding his experience with Pneumo Abex Corporation (and any predecessor or successors), Pneumo Abex Corporation's (and any predecessor or successors) knowledge and conduct, and Pneumo Abex Corporation's (and any predecessor or successors) products. Please see his depositions taken **January 28, 2004** in *George Adams, et al v. A.W. Chesterton, et al*, No. CIV-2000-32, in the Circuit Court of Little River County, Arkansas; **February 20, 2004** in *Jimmie Mills v. American Optical Corporation, et al*, No. 02-2559, in the 229th Judicial District of Duval County, Texas; **March 25, 2004** in *C. Ann Jones and The Rev George A. Jones v. Meyer's Auto Parts, Inc., et al*, No. 03-3367, in the Civil District Court, Parish of Orleans, Louisiana; **July 20, 2004** and **July 21, 2004** in *Elbert Davidson v. Burns International Services Corp., et al*, No. 429088, in the Superior Court, San Francisco County, California; **December 7, 2005** in *Flora Franklin, et al v. General Motors Corp., et al*, No. 04-CI-00274, in the Anderson Circuit Court; **March 2, 2006** in *Edward Adams, Sr., et al v. ACandS, Inc., et al*, No. 24-X-05-000342, in the Circuit Court for Baltimore City; **May 15, 2006** in *Edward A. Adams, Sr. v. ACandS, Inc., et al*, No. 24-X-05-000342, in the Circuit Court for Baltimore City; **September 6, 2006** in *Christopher Pounds, et al v. A.W. Chesterton, Inc., et al*, No. 447748, in the Superior Court, San Francisco County, California; **June 13, 2007** in *David Vanderhyde, et al v. A.W. Chesterton, Inc., et al*, No. CGC-07-274037, in the Superior Court, San Francisco County, California; and **January 15, 2008** in *Lorraine Jamrom v. A.W. Chesterton Company, et al*, No. 03-C-9600, in the Circuit Court of Kanawha County, West Virginia.

William Joseph McClure

c/o William Powell

Mr. McClure, corporate representative and person most knowledgeable of William Powell (and any predecessor or successors) will testify live or by video deposition regarding his experience with William Powell (and any predecessor or successors), William Powell's (and any predecessor or successors) knowledge and conduct, and William Powell's (and any predecessor or successors)

products. Please see his depositions taken April 4, 2007 in *James Howell, et al v. Alfa Laval, Inc., et al*, No. BC 353761 in the Superior Court of Los Angeles County, California; May 28, 2008 in *Mary Ann Duncan, et al v. Alfa Laval, Inc., et al*, No. 2006-CP-3077, in the Court of Common Pleas in York County, South Carolina; June 30, 2008 in *George and Lynne Abbey, et al v. CLAVAL, Co., et al*, No. 07-2-36540-1 SEA in the Superior Court of King County, Washington; June 17, 2009 in *Homayoon Enayati, et al v. A.W. Chesterton Company, et al*, No. BC400729, in the Superior Court, Los Angeles County, California; and September 4, 2012 in *Dennis Smith, et al v. Alfa Laval, Inc., et al*, No. BC434386 in the Superior Court, Los Angeles County, California.

Kathleen S. Corpus

Ms. Corpus is a former attorney for Ford Motor Company. She may testify regarding the amount of money paid to consulting companies by automotive manufacturers to fund various literature and studies relating to asbestos. The consulting companies include, but are not limited to, ChemRisk, Exponent and EpiLung. Please see her audiovisual deposition taken July 29, 2011 in *Stillman, et al v. Allied Packing & Supply, Inc., et al*, No. RG10528222, in the Superior Court, Alameda County, California.

All witnesses listed by all Defendants.

All witnesses listed in Plaintiff's Answers to Interrogatories and any and all supplements and/or amendments thereto.

All witnesses deposed in this case.

All witnesses listed in any deposition taken in this case.

Any physician who has examined and/or treated Plaintiff.

Any and all records custodians, live or by deposition upon written questions.

Any witness necessary for rebuttal.

INTERROGATORY NO. 3:

If Plaintiff contends that there is prior testimony relates to the claim for punitive or exemplary damages, please state the following:

- (a) Date and place of the prior testimony and identity of cause in which it was taken;
- (b) Identify the person making the prior testimony;
- (c) Describe the form in which the prior testimony exists, (i.e., written, typed, recorded, etc.);
- (d) Identify the custodian of the prior testimony; and
- (e) Identify the person who obtained the prior testimony.

ANSWER:

Plaintiffs object that this request is vague, overly broad, unduly burdensome and premature. Subject to and without waiving these objections, Plaintiffs answer that evidence supporting punitive damages at this stage of the case is anticipated to be in the form of yet to be produced

Defendant's documents and testimony yet to be taken in this case. Plaintiffs have made no determinations as to the prior testimony they will seek to admit at trial. Plaintiffs further reserve the right to supplement or amend this answer should further responsive information or more accurate information comes to light.

INTERROGATORY NO. 4:

Identify all documents of which Plaintiffs have knowledge, including but not limited to medical articles, medical journals, case reports, textbooks, abstracts, or synopses, which Plaintiff, believe relate to their position on the "state-of-the-art" defense.

ANSWER:

Plaintiffs object to this interrogatory as overly broad, vague, ambiguous and unduly burdensome. Moreover, Plaintiffs believe that the information requested by this interrogatory is equally, if not more so, available to Defendants. Subject thereto, Plaintiffs Linda Knight and Richard Knight have no knowledge of medical articles, medical journals, case reports, textbooks, abstracts, or synopses which relate to "state of the art."

INTERROGATORY NO. 5:

Identify all persons whom Plaintiff expects to call as witnesses at trial, including a summary of the testimony that each witness is expected to give.

ANSWER:

Plaintiffs object that this interrogatory requires the Plaintiffs to marshal the entirety of their evidence and such is not required pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Plaintiff objects to the request as premature. Plaintiffs have not yet made determinations about which, if any, witnesses it will call at trial. Plaintiffs also state that at this time they are not aware of every potential witness and as such cannot speculate. Subject to and without waiving these objections, please see Plaintiffs Answer to Standard Interrogatory No. 2 above, and any Supplemental Answers to this interrogatory. Additionally, Plaintiffs respond as follows:

Linda Knight (Plaintiff, widow)

Linda Knight, wife of Decedent Teddy Knight, will testify, live as to the changes that occurred to her husband's physical and mental health (including, but not limited to her husband's heightened fear of the progression of his asbestos-related mesothelioma), as well as the changes that occurred in his lifestyle and marital relationship as a result of his exposure to asbestos and his development of an asbestos-related disease and subsequent death. She may testify about the physical pain and suffering, and mental anguish that she has sustained due to her husband's asbestos-related disease, as well as loss of society, comfort, and loss of household services. She may also testify as to any other matter relevant to this cause of action.

Richard Knight (Plaintiff, PR, son)

Richard Knight, son of Decedent Teddy Knight, will testify, live or by deposition as to the changes that occurred to his father's physical and mental health (including, but not limited to their father's

heightened fear of the progression of his asbestos-related mesothelioma), as well as the changes that occurred in his lifestyle and relationship with his son as a result of his exposure to asbestos and his subsequent development of an asbestos-related disease. He may testify about the physical pain and suffering, and mental anguish, that he has sustained and/or incurred and may sustain and/or incur in the future due to his father's asbestos-related disease. He may also testify as to any other matter relevant to this cause of action.

Rhonda L.K. Murray (Daughter)

Rhonda Murray, daughter of Decedent Teddy Knight will testify, live or by deposition as to the changes that occurred to her father's physical and mental health (including, but not limited to their father's heightened fear of the progression of his asbestos-related mesothelioma), as well as the changes that occurred in his lifestyle and relationship with his daughter as a result of his exposure to asbestos and his subsequent development of an asbestos-related disease. She may testify about the physical pain and suffering, and mental anguish, that she has sustained and/or incurred and may sustain and/or incur in the future due to her father's asbestos-related disease. She may also testify as to any other matter relevant to this cause of action.

Prisma Health Baptist Hospital

Taylor at Marion St.
Columbia, SC 29220
(803) 296-5010

Regional Medical Center of Orangeburg & Calhoun Counties

3000 St. Matthews Rd.
Orangeburg, SC 29118
(803) 395-2200

Hospice and Community Care of Rock Hill

2275 India Hook Rd.
Rock Hill, SC 29732
(803) 329-1500

Atrium Health Pineville

10628 Park Road
Charlotte, NC 28210
(704) 667-1000

The Cancer Center at South Carolina Oncology Associates

166 Stoneridge Dr.
Columbia, SC 29210
(803) 461-4913

Lexington Medical Center

2720 Sunset Blvd.
West Columbia, SC 29169

(803) 791-2000

Duke University Medical Center

10 Duke Medicine Circle
Durham, NC 27710
(919) 684-8111

Dr. Vann Beth Shuller, PCP

1205 Hutto St. NE
Orangeburg, SC 29118
(803) 531-3911

Dr. Elizabeth Norman McKeown

1918 Randolph Road
Charlotte, NC 28207
(704) 364-8100

Dr. Chaudhry M. Mushtaq

South Carolina Oncology Associates
166 Stoneridge Drive
Columbia, SC 29210
(803) 461-3000

Dr. William Yarborough

2750 Laurel St.
Columbia, SC 29204
(803) 254-5140

Dr. Christopher D. Perry

1655 Bernardin Ave., Ste 350
Columbia, SC 29204
(803) 253-7575

Dr. Matthew N. Thoma

131 Summerplace Dr.
West Columbia, SC 29169
(803) 794-4585

Dr. James Tribble

1850 Laurel St.
Columbia, SC 29212
(803) 256-3400

CHS – Atrium Health Pineville

10628 Park Road
Charlotte, NC

(704) 667-1000

Providence Hospital

2435 Forest Dr.
Columbia, SC 29204
(803) 256-5300

Duke Medical Center

2301 Erwin Rd.
Durham, NC 27710
(919) 684-8111

Carolinas Palliative Care & Hospice

(704) 403-5399

These doctors may testify, live or by deposition, concerning their examination and treatment of Decedent and their diagnosis of asbestos-related disease in this case. They may testify concerning asbestos, the effects of asbestos on the body and any other topics related thereto. They may also testify as to their review of recent medical information pertaining to Decedent and the progression of Decedent's disease that occurred since his last examination. Additionally, they may testify that Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products, the use of asbestos-containing products on Defendants' equipment or machinery, and/or the use of asbestos-containing products while working on Defendants' premises and/or while employed by Defendants. They may testify as to the hazardous nature of asbestos and/or asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. They may also testify concerning the role of Decedent's asbestos-related disease in causing and/or precipitating Plaintiff's illnesses and/or resulting death. They may testify that Decedent required and/or requires medical monitoring and treatment and/or hospitalizations as a result of his exposure to asbestos. They may also testify regarding the effects of asbestos-related disease on the body and more specifically, the pain and suffering of the Decedent, including his mental state. They may testify concerning the reasonable and necessary medical expenses the Decedent has incurred as a result of his asbestos-related disease. A copy of these doctors' records, currently in Plaintiffs' possession were provided with Plaintiffs' response to Master Discovery and may also be obtained by Defendants with the medical records authorization provided.

Any coworkers that worked with Mr. Knight and any coworkers identified in any deposition to be taken in this case.

As discovery is in its inception, Plaintiffs expressly reserves the right to supplement this answer.

INTERROGATORY NO. 6:

Identify all documents which Plaintiff expects to offer as evidence at trial.

ANSWER:

Plaintiffs object to this interrogatory as unduly burdensome and premature. Subject to and without waiving this objection, Plaintiffs state that they have not yet made determinations about which documents to offer as evidence at trial.

INTERROGATORY NO. 7:

Identify all persons whom Plaintiff expect to call as expert witnesses at trial, and as to each such person, provide a summary of the testimony each witness is expected to give.

ANSWER:

Plaintiffs hereby incorporate their objections and response, including any supplemental responses, to Standard Interrogatory No. 2 above as if fully set forth herein.

INTERROGATORY NO. 8:

Identify all persons whom Plaintiff have retained or employed in anticipation of litigation or for trial preparation purpose whom the Plaintiff do not expect to call as expert witnesses at trial.

ANSWER:

Plaintiffs object to this Request to the extent that it calls for documents provided by purely consulting experts who will not testify, and on whose opinions a testifying expert will not rely and is, thus, protected by the consulting expert privilege. Subject to and without waiving this objection, Plaintiffs have no knowledge of information responsive to this request. Plaintiffs agree to supplement this Request in accordance with the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

INTERROGATORY NO. 9:

State all facts and opinions on which Plaintiffs rely in alleging that Plaintiffs are entitled to punitive or exemplary damages, include in your response a detailed description of all activities of each named defendant which plaintiff allege justify the imposition of punitive damages

ANSWER:

Plaintiffs object to this Interrogatory to the extent that it is overly broad, unduly burdensome and premature. Subject to, and without waiving these objections, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that the Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight, it was no accident, nor take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of the Decedent and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Decedent and others. Please also see the depositions of the corporate representatives listed in response to these interrogatories as well as any corporate representative depositions taken in this case. Plaintiffs also refer Defendants to the exhibits accompanying these responses. Plaintiffs reserve the right to supplement this answer as discovery continues.

INTERROGATORY NO. 10:

Identify all documents of which Plaintiff have knowledge including but not limited to sales literature, promotion material technical or education literature, or intra-corporate memoranda, which were produced, distributed or maintained by any defendant which Plaintiff believe relate to any matter at issue in this litigation.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Plaintiff further object that this interrogatory as calling for information protected by South Carolina's attorney work product doctrine, in that this request is intended for Plaintiff's counsel. Subject thereto and without waiving these objections, Plaintiff Richard Knight and Plaintiff Linda Knight are without knowledge of any responsive documents to this request. Further, Plaintiffs have made no determinations as to what documents it will seek to admit at trial. Accordingly, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs' documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Plaintiffs further reserve the right to supplement or amend this answer should responsive documents come to light.

INTERROGATORY NO. 11:

Identify and describe with particularity each written express warranty or guaranty, if any, which Plaintiff believe they received in connection with the use of any products sold or distributed by defendant.

ANSWER:

Plaintiffs object to this Interrogatory to the extent that it is overly broad and unduly burdensome. Moreover, documents relevant to this interrogatory are in Defendants' possession, and therefore are equally, if not more so, available to Defendants. Subject thereto and without waiving these objections, Plaintiffs specifically reserve the right to supplement these responses pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

INTERROGATORY NO. 12:

Identify and describe with particularity each oral or express warranty or guaranty, if any, which Plaintiffs believe they received in connection with the use of any products sold or distributed by defendant.

ANSWER:

Plaintiffs object to this Interrogatory to the extent that it is overly broad and unduly burdensome. Moreover, documents relevant to this interrogatory are in Defendants' possession, and therefore are equally, if not more so, available to Defendants. Subject thereto and without waiving these objections, Plaintiffs specifically reserve the right to supplement these responses pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

INTERROGATORY NO. 13:

Identify and describe with particularity every implied warranty or guaranty, if any, which Plaintiff believe they received in connection with the use of any products sold or distributed by defendant.

ANSWER:

Plaintiffs object to this Interrogatory to the extent that it is overly broad and unduly burdensome. Moreover, documents relevant to this interrogatory are in Defendants' possession, and therefore are equally, if not more so, available to Defendants. Subject thereto and without waiving these objections, Plaintiffs specifically reserve the right to supplement these responses pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

INTERROGATORY NO. 14:

Identify all documents which relate to Plaintiff allegations that any defendant has breached any warranties given in connection with the sale or distribution of any asbestos products used by any plaintiff.

ANSWER:

Plaintiffs object to this Interrogatory to the extent that it is overly broad and unduly burdensome. Moreover, documents relevant to this interrogatory are in Defendants' possession, and therefore are equally, if not more so, available to Defendants. Subject thereto and without waiving these objections, see Plaintiff's production of documents made herewith as responsive to this interrogatory. Plaintiffs specifically reserve the right to supplement these responses pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

INTERROGATORY NO. 15:

State all facts and opinions on which Plaintiff rely in alleging that defendants breached any warranties which may have been given in connection with the sale or distribution of any asbestos products used by any plaintiff.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues.

INTERROGATORY NO. 16:

State all facts and opinions on which Plaintiff rely in alleging that defendants acted negligently with respect to the Plaintiff.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues.

INTERROGATORY NO. 17:

Identify all documents of which Plaintiff has knowledge which relate to Plaintiff claim that defendants acted negligently with respect to the Plaintiff.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, once that determination has been made, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues.

INTERROGATORY NO. 18:

State all facts or opinions upon which Plaintiff rely in alleging that defendants are strictly liable in tort for injuries which may have been suffered by Plaintiff.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, when such determinations have been made, pursuant to the standing South Carolina Master

Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Additionally, by the prior to the last date Defendants were selling the asbestos-containing products to which Mr. Knight was exposed, it was known in the general scientific community as well as in industry that have asbestos as a component or ingredient in your product made the product defective in and of itself, from the moment it came from the manufacturers' facility.

Furthermore, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues.

INTERROGATORY NO. 19:

Identify all documents of which Plaintiff have knowledge which related to Plaintiff' claim that defendants are strictly liable in tort of injuries which may have been suffered by Plaintiff.

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Moreover, documents relevant to this interrogatory are equally, if not more so, available to the defendants. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Despite this knowledge, the Defendants willfully failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. Additionally, in many cases, the Defendants affirmatively acted to conceal or minimize the knowledge of the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of the Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues.

INTERROGATORY NO. 20:

State all facts and opinions upon which Plaintiff rely in claiming that products sold by defendants and used by Plaintiff were "unreasonably dangerous".

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Moreover, documents relevant to this interrogatory are equally, if not more so, available to the defendants. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for

Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

Furthermore, Defendants acted in a manner that was unreasonable both in their actions and inactions when selling or manufacturing asbestos products. Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Defendants also had reason to know asbestos could cause a permanent and fatal disease prior to the time Mr. Knight was exposed. Despite this knowledge, the Defendants failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues. Please also see the depositions of the corporate representatives listed in response to these interrogatories as well as any corporate representative depositions taken in this case.

INTERROGATORY NO. 21:

Identify all documents of which Plaintiff have knowledge which relate to Plaintiff' claim that products sold by defendants and used by Plaintiff were "unreasonably dangerous".

ANSWER:

Plaintiffs object that this request is overly broad, unduly burdensome and premature. Moreover, documents relevant to this interrogatory are equally, if not more so, available to the defendants. Subject thereto and without waiving these objections, Plaintiffs' counsel will provide counsel for Defendants with exhibit lists containing all Plaintiffs documents they seek to use at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket.

Furthermore, Defendants acted in a manner that was unreasonable both in their actions and inactions when selling or manufacturing asbestos products. Additionally, each Defendant had actual knowledge that asbestos could cause permanent and fatal diseases prior to and during the time that Mr. Knight was exposed. Defendants also had reason to know asbestos could cause a permanent and fatal disease prior to the time Mr. Knight was exposed. Despite this knowledge, the Defendants failed to warn Mr. Knight or take precautions to ensure that he and other individuals were not exposed to asbestos. Such actions and inactions constitute conscious indifference to the rights, safety, and welfare of Mr. Knight and others. In addition, in many cases, the Defendants affirmatively acted to conceal or minimize the dangers of asbestos. This conduct also indicates conscious indifference to the rights, safety and welfare of Mr. Knight and others. Discovery is ongoing and Plaintiffs reserve the right to supplement as discovery continues. Please also see the depositions of the corporate representatives listed in response to these interrogatories as well as any corporate representative depositions taken in this case.

INTERROGATORY NO. 22:

If Plaintiff contend that there is prior testimony which relates to Plaintiff' claim that defendants' products used by Plaintiff were "unreasonably dangerous", please state the following:

- (a) date, location, jurisdiction and title of cause of said prior testimony;
- (b) identify the person making the prior testimony;
- (c) describe the form in which the prior testimony exists, (i.e., written, typed, recorded, etc.);
- (d) identify the custodian of the prior testimony; and
- (e) identify the person who obtained the prior testimony.

ANSWER:

Plaintiffs object that this request is vague, overly broad, unduly burdensome and premature. Subject to and without waiving these objections, Plaintiffs answer that evidence supporting Defendants' products being unreasonably dangerous is, at this stage of the case, anticipated to be in the form of future testimony yet to be taken. Plaintiffs will provide counsel with page and line designations for all depositions Plaintiffs play or read at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Should Plaintiff locate responsive testimony, Plaintiffs reserve the right to supplement or amend this answer.

INTERROGATORY NO. 23:

Identify all written statements or transcriptions of oral statements of any defendant in this action, or agent, employee, representative, former agent, former employee, or former representative of any defendant which Plaintiff contend are relevant to the subject matter of these lawsuits.

ANSWER:

Plaintiffs object that this request is vague, overly broad, unduly burdensome and premature. Subject to and without waiving these objections, Plaintiffs are unaware of any such evidence. Plaintiffs will provide counsel with page and line designations for all depositions Plaintiffs play or read at trial, pursuant to the standing South Carolina Master Discovery/Scheduling Order for the Coordinated Asbestos Litigation Docket. Should Plaintiff locate responsive written statements or transcriptions, Plaintiffs reserve the right to supplement or amend this answer.

INTERROGATORY NO. 24:

Identify all photographs, charts, drawings, diagrams, or other graphic representations of documents made by or on behalf of Plaintiff which related to the illnesses, relevant working conditions, or other circumstances complained of in these actions or related to the subject matter of these actions.

ANSWER:

Plaintiffs object to this interrogatory in that it is overly broad, vague, premature and ambiguous and calls for the production of protected work product and invades the attorney-client privilege. Subject to and without waiving these objections, Plaintiffs are still making determinations as to what representations of documents will be needed for trial in this matter, and accordingly has no information responsive to this request. Plaintiffs reserve the right to supplement this response should responsive information come to light.

INTERROGATORY NO. 25:

Identify all written statements which Plaintiff have made which related to the facts of these lawsuits and the damages claimed, including but not limited to statements made to any police or law officer, insurance company representative, investigator, state or federal agent, representative or employee of any kind.

ANSWER:

Plaintiffs object to this interrogatory in that it is overly broad, vague and ambiguous and calls for the production of core work product and invades the attorney-client privilege. Subject to and without waiving these objections, Plaintiffs are unaware of information responsive to this request.

INTERROGATORY NO. 26:

Identify all investigations or other reports which have been prepared, compiled, submitted, conducted, or made by Plaintiff or anyone acting in their behalf which related to the subject matter of this action.

ANSWER:

Plaintiffs object to this interrogatory in that it is overly broad, vague and ambiguous and calls for the production of core work product and invades the attorney-client privilege. Subject to and without waiving these objections, Plaintiff is unaware of information responsive to this request.

RESPONSES TO REQUEST FOR PRODUCTION

REQUEST NO. 1:

All documents identified in response to the foregoing Interrogatories.

RESPONSE:

Plaintiffs object to this request for production to the extent that it is overly broad and unduly burdensome, vague and ambiguous, calls for core work product and invades the attorney client privilege. Moreover, the documents relevant to this interrogatory are equally, if not more so, available to the Defendants. Subject to and without waiving these objections, please see Exhibit 1 (Plaintiffs' Document Production), produced herewith.

REQUEST NO. 2:

All documents referred to in preparing the answers to the foregoing interrogatories.

RESPONSE:

Plaintiffs object to this request for production to the extent that it is overly broad and unduly burdensome, vague and ambiguous as Plaintiffs did not "refer to" any documents "in preparing" their answers. Furthermore, this request calls for documents protected by work product doctrine and attorney client privilege. Moreover, the documents responsive to this request are equally, if not more so, available to the Defendants. Subject to and without waiving these objections, please see Exhibit 1 (Plaintiffs' Document Production), produced herewith.

REQUEST NO. 3:

Each plaintiff's Federal income tax returns for the past three (3) years.

RESPONSE:

Plaintiffs are not seeking any damages based on lost wages or any lost income from any work.

REQUEST NO. 4:

All damage studies, damage reports or damage analyses, or any and all other documents containing any mention of facts or opinions which relate to Plaintiffs' claims for damages suffered as a result of acts of any of the defendants.

RESPONSE:

Plaintiffs object to this request as it is overly broad, unduly burdensome, vague and ambiguous, calls for the production of core work product, invades the attorney client privilege and invades the consulting expert privilege. Subject thereto and without waiving these objections, Plaintiffs know of no responsive documents.

REQUEST NO. 5:

All correspondences between any defendants and any other person which Plaintiff contends relate to any matter at issue in this litigation.

RESPONSE:

Plaintiffs object to this request as it is overly broad, unduly burdensome, vague and ambiguous, calls for the production of core work product, invades the attorney client privilege and invades the consulting expert privilege. Subject thereto and without waiving these objections, please see Exhibit 1 (Plaintiffs' Document Production), produced herewith. Beyond the correspondences contained in Exhibit 1, Plaintiffs have no knowledge of further responsive documents.

REQUEST NO. 6:

All documents which relate to or identify insulation projects or jobs upon which each plaintiff worked.

RESPONSE:

Please see Exhibit 1 (Plaintiffs' Document Production), produced herewith.

REQUEST NO. 7:

All documents which relate to or identify asbestos-containing materials with which each plaintiff may have worked.

RESPONSE:

Plaintiffs object to this request as it is overly broad, unduly burdensome, vague and ambiguous, calls for the production of core work product, invades the attorney client privilege and invades the consulting expert privilege. Subject thereto and without waiving these objections, please see Exhibit 1 (Plaintiffs' Document Production), previously produced. Plaintiffs have no knowledge of further responsive documents. Further, documents responsive to this request are in Defendants' possession and therefore equally, if not moreso available to Defendants as Plaintiff.

REQUEST NO. 8:

All packaging materials which Plaintiff alleges were used in packaging asbestos containing materials.

RESPONSE:

Plaintiffs do not possess the packaging the asbestos containing materials, to which he was exposed, came in.

REQUEST NO. 9:

All medical, doctor or hospital reports, summaries, test results, or other records of any type which relate to each plaintiff's medical history and/or current medical condition.

RESPONSE:

Please see Exhibit 1 (Plaintiffs' Document Production), produced herewith, which includes the pathology report regarding Mr. Knight's mesothelioma, as well as fully executed authorizations to obtain all medical records of Plaintiff, unlimited by time or by place on the body for each party to obtain responsive documents equally available to everyone at their own cost.

REQUEST NO. 10:

All x-rays which have ever been taken of each plaintiff's chest.

RESPONSE:

Please see Exhibit 1 (Plaintiffs' Document Production), produced herewith, which includes the pathology report regarding Mr. Knight's mesothelioma, as well as fully executed authorizations to obtain all medical records of Plaintiff, unlimited by time or by place on the body for each party to obtain responsive documents equally available to everyone at their own cost.

REQUEST NO. 11:

All Plaintiff's Social Security Administration printout and work records.

RESPONSE:

Please see Exhibit 1 (Plaintiffs' Document Production), produced herewith.

Respectfully submitted,

/s/ Jonathan H. Holder

Jessica M. Dean

(To be admitted *Pro Hac Vice*)

Jonathan M. Holder (SC Bar No. 77935)

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ATTORNEYS FOR PLAINTIFF

November 27, 2019

Dallas, Texas.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was served on counsel for all parties via Certified U.S. Mail Return Receipt, U.S. Mail Standard First Class, and/or electronic mail this 27th day of November 2019.

/s/ Jonathan M. Holder

Jonathan M. Holder

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
C/A No. 2019-CP-38-01045

RICHARD L. KNIGHT, II, as)
Personal Representative of the Estate of)
TEDDY L. KNIGHT, SR., and)
LINDA KNIGHT, individually)
)
Plaintiffs,)
)
v.)
)
EASTMAN CHEMICAL COMPANY,)
et al.,)
)
Defendants.)

**COVIL CORPORATION'S
AMENDED MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the South Carolina Rules of Civil Procedure, Defendant Covil Corporation moves for summary judgment on Plaintiffs' claims based on a lack of sufficient evidence of exposure.

INTRODUCTION

Plaintiffs allege that Covil and fifty other defendants manufactured or are associated with asbestos-containing products that caused Teddy L. Knight, Sr. to develop mesothelioma. (First Am. Compl. ¶¶ 67–82). Plaintiffs, however, have not adduced evidence that links Covil, or any product installed, supplied, or disturbed by Covil, to Mr. Knight's alleged asbestos exposure. Covil asks that the Court enter summary judgment in Covil's favor.

FACTUAL BACKGROUND

Plaintiffs claim that Mr. Knight was exposed to asbestos throughout his career while working as a pipefitter and welder at various industrial facilities from approximately 1966 to 1991. (First Am. Compl. ¶¶ 70–76). They also admit that Mr. Knight worked around asbestos-

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containing materials during his service in the United States Navy between 1961 and 1966. (*See* Pls.’ Resps. to Standard Interrogs. at 3–5 (attached as Ex. 1)).

Plaintiffs have failed to produce evidence of asbestos exposure from any product installed, supplied, or disturbed by Covil. Plaintiffs’ written discovery responses make the same assertions about Mr. Knight’s work history and alleged asbestos exposure. (*See id.*) Those responses do not mention any product allegedly installed, supplied, or disturbed by Covil.

The only exposure evidence in this case comes from the testimony of two fact witnesses who were deposed on March 19, 2020: (1) Mr. Knight’s younger brother and former co-worker, Randy Knight, and (2) Mr. Knight’s former co-worker R. L. Cassidy.

Randy Knight worked at the Ethyl chemical plant in Orangeburg for the majority of his career. Specifically, he worked at the plant for approximately four years beginning in the late 1960s, (R. Knight Dep. 18:17–19 (excerpts attached as Ex. 2)), and then again from 1973 or 1974 until he retired, (*id.* at 21:19–20, 28:20–25). Randy Knight testified to seeing his brother a few times at the Ethyl chemical plant in 1968 when Mr. Knight worked there for a two-week period, but he could not say what Teddy Knight’s work entailed. (*Id.* at 38:8–13, 68:6–16).

During his deposition, Randy Knight was asked by Plaintiffs’ counsel if he remembered an insulation contractor named Covil at Ethyl. (*Id.* at 159:19–25). Randy Knight responded that Covil “used to sell insulation to the company.” (*Id.* at 160:4–8). Later on in his deposition, however, Randy Knight admitted that his sole basis for that testimony was seeing “trucks coming in and unloading at the insulation building.” (*Id.* at 183:20–184:2). Randy Knight could not provide any description of the trucks, nor could he identify the brands or manufacturers of the products that Covil allegedly sold at Ethyl—or even the relevant time period. (*Id.* at 160:9–11, 184:3–10, 185:5–14). He did not know whether the products contained asbestos. (*Id.* at 185:15–

17). Moreover, Randy Knight admitted that he had no responsibility for purchasing or warehousing insulation products. (*Id.* at 185:18–24). Randy Knight also identified North Brothers as an insulation supplier at Ethyl, (*id.* at 186:3–9), and said that Ethyl had its own insulators, (*id.* at 185:2–4).

Mr. Cassidy, who worked with Mr. Knight at Wateree Generating Station, Greenwood Mills, and Carolina Eastman, was likewise asked about Covil during his deposition. (Cassidy Dep. 164:25–165:1 (excerpts attached as Ex. 3)). Mr. Cassidy remembered Covil’s name but could not identify any sites at which Covil supplied, installed, or removed insulation. (*Id.* at 165:2–8, 168:18–169:9).

LEGAL STANDARD

Under Rule 56, summary judgment must be granted if there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. *See Bishop v. S.C. Dep’t of Mental Health*, 331 S.C. 79, 81, 502 S.E.2d 78, 85–86 (1998); *Baughman v. Am. Tel. & Tel. Co.*, 306 S.C. 101, 114–15, 410 S.E.2d 537, 545 (1991). The Court must view the evidence in the light most favorable to the non-moving party. *Cafe Assocs., Ltd. v. Gerngross*, 305 S.C. 6, 9, 406 S.E.2d 162, 164 (1991). The law makes clear that “it is not sufficient for a party [opposing summary judgment] to create an inference that is not reasonable or an issue of fact that is not genuine.” *Town of Hollywood v. Floyd*, 403 S.C. 466, 477, 744 S.E.2d 161, 166 (2013).

Once a defendant establishes an absence of evidence to sustain the plaintiff’s claim, the burden shifts to the plaintiff, who may not rely on allegations in the pleadings, but instead must set forth specific facts showing that a genuine issue of material fact exists. *See Strother v. Lexington Cty. Recreation Comm’n*, 332 S.C. 54, 61 n.3, 504 S.E.2d 117, 121 n.3 (1998) (citing *Baughman*, 306 S.C. at 115, 410 S.E.2d at 545). Moreover, the party opposing summary

judgment may not rely on mere speculation or conjecture to survive a summary judgment motion. *See, e.g., Nelson v. Piggly Wiggly Cent., Inc.*, 390 S.C. 382, 390, 701 S.E.2d 776, 780 (2010) (holding that a non-moving party may not rely on speculation to defeat a motion for summary judgment). Indeed, “South Carolina courts have consistently held [that] evidence must amount to more than speculation and conjecture” to survive summary judgment. *McKnight v. S.C. Dep’t of Corr.*, 385 S.C. 380, 389, 684 S.E.2d 566, 570 (2009).

ARGUMENT

I. Covil Is Entitled to Summary Judgment Because Plaintiffs Cannot Satisfy the “Frequency, Regularity and Proximity” Requirement under South Carolina Law.

For a claim of asbestos exposure to be actionable, the plaintiff must establish sufficient proximate cause between the injury and exposure to asbestos from a particular product. *Henderson v. Allied Signal, Inc.*, 373 S.C. 179, 185, 644 S.E.2d 724, 727 (2007). The Supreme Court of South Carolina has adopted the “frequency, regularity and proximity test” established by the Fourth Circuit in *Lohrmann v. Pittsburgh Corning Corp.*, 782 F.2d 1156 (4th Cir. 1986). *See Henderson*, 373 S.C. at 185, 644 S.E.2d at 727. Under that standard, “[t]o support a reasonable inference of substantial causation from circumstantial evidence, there must be evidence of exposure to a specific product on a regular basis over some extended period of time in proximity to where the plaintiff actually worked.” *Lohrmann*, 782 F.2d at 1162. Importantly, “presence in the vicinity of static asbestos is not exposure to asbestos.” *Henderson*, 373 S.C. at 185, 644 S.E.2d at 727.

To prevail under the standards set forth in *Lohrmann* and *Henderson*, Plaintiffs must produce evidence that Mr. Knight was substantially exposed to asbestos dust from an asbestos-containing product supplied or installed by Covil on a regular basis, over an extended period of time. Plaintiffs cannot meet that burden here. They have offered no evidence that Mr. Knight

was ever near a product supplied, installed, or disturbed by Covil—much less an asbestos-containing product. And the only fact witness to identify Covil supplying materials at a job site (1) based his testimony solely on seeing Covil trucks for which he could not provide a description, (2) could not identify a relevant time period in which he allegedly saw Covil trucks at the job site, (3) could not identify the brand or manufacturer of any product that Covil allegedly sold, and (4) had no responsibility for purchasing or warehousing insulation products.

Because there is not even a “scintilla” of evidence that Mr. Knight was regularly, frequently, and proximately exposed to *any* product supplied or installed by Covil—much less an asbestos-containing product supplied or installed by Covil—it is, as a matter of law, impossible for Covil to be liable to Plaintiffs. *Hancock v. Mid-S. Mgmt. Co.*, 381 S.C. 326, 330, 673 S.E.2d 801, 802–03 (2009); *see Henderson*, 373 S.C. at 185, 644 S.E.2d at 727. Thus, Covil is entitled to summary judgment as a matter of law.

II. Plaintiffs Cannot Maintain a Claim for Loss of Consortium.

Plaintiffs assert a claim for Plaintiff Linda Knight’s loss of consortium based on Mr. Knight’s alleged injuries. (*See* First Am. Compl. ¶¶ 164–67). Under South Carolina law, where an injured person’s claim is barred as a matter of law, a corresponding claim for loss of consortium is also barred. *See Lee v. Bunch*, 373 S.C. 654, 663, 647 S.E.2d 197, 202 (2007).

Because Plaintiffs’ other claims against Covil fail as a matter of law, Ms. Knight’s loss-of-consortium claim likewise fails.

CONCLUSION

For the reasons explained above, Covil respectfully requests that the Court grant Covil’s motion for summary judgment and dismiss Covil from this case.

This the 28th day of July, 2020.

/s/ Ashley K. Brathwaite
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Counsel for Defendant Covil Corporation

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF ORANGEBURG	)	FOR THE FIRST JUDICIAL CIRCUIT
	)	
RICHARD L. KNIGHT, II , as Personal	)	C/A NO. 2019-CP-38-1045
Representative of the Estate of TEDDY L.	)	
KNIGHT, SR. , and LINDA KNIGHT ,	)	<i>In Re:</i>
Individually,	)	Asbestos Personal Injury Litigation
	)	Coordinated Docket
Plaintiffs,	)	
	)	
v.	)	
	)	
EASTMAN CHEMICAL COMPANY , et	)	
al.	)	
	)	
Defendants.	)	

**PLAINTIFFS' RESPONSE IN OPPOSITION TO COVIL CORPORATION'S MOTION
FOR SUMMARY JUDGMENT**

Plaintiffs Richard L. Knight, II, as Personal Representative of the Estate of Teddy L. Knight, Sr., and Linda Knight, opposes the motion for summary judgment filed by Defendant Covil Corporation and would respectfully show the Court that the motion should be denied.

INTRODUCTION

Decedent Teddy Knight after years of working as a pipefitter, welder, foreman, and construction superintendent, was diagnosed with malignant sarcomatoid mesothelioma on August 19, 2016. Unfortunately, Mr. Knight died just one month later September 24, 2016, due to his disease.

Throughout his career, Mr. Knight worked at various commercial facilities throughout South Carolina, including premises owned and operated by Ethyl Corporation and Carolina Eastman. As a result of his work, Mr. Knight was routinely and repeatedly exposed to asbestos while working at these various locations. His job duties required that he remove asbestos-



containing insulation in order to perform his pipefitting and welding duties. Additionally, Mr. Knight worked in close proximity to individuals installing, removing, and repairing asbestos-containing insulation and asbestos-containing component parts. Mr. Knight's work practices and the work practices of others working in close proximity to him, generated dust which Mr. Knight repeatedly breathed.

Covil has moved for summary judgment on the ground that Plaintiffs have not adduced evidence that links Covil to Teddy Knight's asbestos exposure. However, as explained herein, Plaintiffs' evidence is sufficient for a factfinder to conclude that Teddy Knight was regularly around Covil workers installing and removing asbestos-containing thermal insulation and that this exposure was a substantial factor in the subsequent development of Teddy Knight's mesothelioma. As such, Covil's summary judgment motion should be denied.

STATEMENT OF FACTS¹

A. Teddy Knight was exposed to asbestos insulation supplied and/or installed by Covil.

As noted, Teddy Knight passed away from his mesothelioma without being able to sit for deposition. As such, Plaintiffs' exposure evidence comes from the testimony of Mr. Knight's co-workers.

1. Testimony of Kenneth Randy Knight

Kenneth Randy Knight, who goes by Randy, is Teddy Knight's younger brother. **Ex. 3**, Telephonic Deposition of Kenneth R. Knight ("Knight Depo"), 3/19/2020, at 16:16-18. They worked together at Ethyl Corp in the mid to late 1970s. *Id.* at 40:4-19. During his time there, Randy recalls Mr. Knight being employed by the Yeargin Construction Company as a foreman in the piping department. *Id.* at 40:4-19, 41:3-5. Randy's specific memories of Mr. Knight's work at

¹ Exhibits refer to those in the Master Exhibit List.

Ethyl involved new construction on Plant 9. *Id.* at 40:10-23. He remembers seeing insulators installing insulation as the piping Mr. Knight worked on was connected. *Id.* at 42:6-15. At this time, the walls would have already been constructed and the equipment set. *Id.* at 41:16-23. Randy Knight specifically recalled that Covil sold insulation to Ethyl during his time there. *Id.* at 159:23-160:1; 185-25-186:9. He specifically noted seeing Covil trucks entering the Ethyl facility and unloading at the insulation building. *Id.* at 183:20-184:2. Kenneth believed that Covil insulation was used everywhere on the Ethyl plant. *Id.* at 184:15-24.

Teddy Knight's contemporaneous resumes showed Teddy worked at Ethyl Corp. in Orangeburg, SC in 1968, then again from 1977–1980. **Ex. 5** at 1 and 2.

2. Testimony of Robert L. Cassidy

Robert Cassidy worked alongside Teddy Knight at multiple locations. Mr. Cassidy and Mr. Knight worked together at the Wateree power, owned and operated by South Carolina Electric & Gas, plant for a little over three years as pipe fitters. **Ex. 4**, Telephonic Deposition of Robert L. Cassidy ("Cassidy Depo"), 3/19/2020, at 15:2-6; 15:13-20; 20:8-10; 15:10-12. During this time, they were involved in building two new steam fire units that included turbines and boilers. Cassidy Depo, at 16:5-15. Their specific responsibilities included installing new pipe and connecting the boiler to the turbine. Cassidy Depo, at 17:4-9. As they were installing these pipes, insulators were following along behind them in the powerhouse insulating all the newly installed pipe. Cassidy Depo, at 18:1-7.

Mr. Cassidy and Mr. Knight also worked together in the pipe department at Carolina Eastman. Cassidy Depo, at 26:3-25; 29:7-24. After working on a new construction project at Carolina Eastman, they did odd jobs all over the plant. Cassidy Depo, at 27:15-20; 30:25-31:5. This work included removing and replacing gaskets in the plant equipment. Cassidy Depo, at 31:9-15.

Similarly, Mr. Knight and Mr. Cassidy would have to remove insulation as part of their job duties. The insulation surrounding the pipes contained asbestos and in order to do repairs as a pipe fitter, Mr. Cassidy explained that he and Mr. Knight had to remove the asbestos insulation themselves and then proceed to the required repairs or maintenance. Cassidy Depo, at 44:4-8, 14-17. Mr. Cassidy further testified that “[e]verybody that worked the pipe department [at Carolina Eastman] was exposed to [asbestos] at one time or another.” Cassidy Depo, at 43:8-18.

Mr. Cassidy specifically recalled seeing Covil at Carolina Eastman as an insulation contractor. Cassidy Depo, at 164:24-165:2. He also noted that no one at Carolina Eastman ever warned he or Mr. Knight of the hazards of asbestos. Cassidy Depo, at 41:20-42:24.

B. Covil supplied and installed asbestos-containing insulation at Mr. Knight’s identified worksites.

Covil has previously testified, through its founding president, that Covil was a large insulating contract firm, probably the second largest in the southeast. **Ex. 15**, Deposition of Palmer Covil, Vol. I, 7/13/77, at 101:13-21. Covil purchased from a number of asbestos manufacturers, including Johns-Manville, Rockwool, Keene, and Pittsburg-Corning. *Id.* at 103:4-9. Covil would then “sell [our] asbestos products to others.” *Id.* at 23-25.

Covil testified that he first saw a warning about asbestos in 1968, when Johns-Manville and Owens-Corning came out with warning labels on their cartons of insulation. *Id.* at 93:10-94:9. Nevertheless, Covil could not say that his company made any specific change in its procedures for its employees in response to the warning labels on packages regarding asbestos. *Id.* at 94:22-95:1. Covil never put any caution labels or warnings on its products. *Id.* at 104:18-20. Yet his company sold asbestos well after OSHA was enacted—Covil conceded that as of 1977, his company was still selling products that contained asbestos. *Id.* at 92:15-21.

James P. Covil is the son of Palmer Covil. **Ex. 16**, J. Covil Depo, 3/27/18, at 25:19-21.

James Covil worked in the warehouse in 1967 and 1970. *Id.* at 26:5-7. He confirmed that the company had pipe covering from Owens Corning and Johns-Manville, duct board in large cartons, and material in 55-gallon drums in its warehouse. *Id.* at 26:15-27:4. He admitted that there were no warnings on the packages. *Id.* at 27:9-11.

As it relates specifically to Teddy Knight, Covil testified, through its corporate representative Robert Glenn, that it provided services to many of Teddy Knight's former worksites, including Carolina Eastman, Ethyl Corp, and Greenwood Mills. **Ex. 17**, Oral & Via Zoom Videoconference 30(b)(6) Deposition of Covil Corporation, through its designated representative, Robert Glenn, 6/29/2020, at 43:15-25. Covil produced a number of termination notices and personnel files to show that its workers were working at Carolina Eastman in 1968 and 1969, while Mr. Knight worked at that premises. *Id.* at 50:14-21; 96:7-97:9. Covil also confirmed that as of 1988, it had an ongoing insulation project with workers on-site at Carolina Eastman. *Id.* at 51:16-52:8. However, Covil had no records to demonstrate when the Carolina Eastman project started. *Id.* at 53:4-12.

Additionally, documents produced by Covil demonstrate that it supplied services and workers to Ethyl Corp. from the mid to late 1960s until, at least, 1977. *Id.* at 59:1-24; 81:3-15. Covil was unable to produce additional documents detailing its work at Ethyl. *Id.* at 61:23-62:1. Similarly, Covil's documents established that it had workers on site at Greenwood Mills at least as of October 1971. *Id.* at 66:25-5. According to Covil's documents, it had workers at Greenwood Mills until, at least, 1981. *Id.* at 68:11-16. There was no evidence that Covil terminated its provision of services to any of these locations. *Id.* at 68:17-69:11.

C. Covil knew that asbestos exposure could cause fatal disease but did not warn.

Palmer Covil testified that by 1965 or 1966 he had become aware of asbestosis. P. Covil

Depo, 7/13/77, at 109:9-14. In about 1965, the union began to make “noises” about the harm asbestos caused, and he read some articles by Selikoff concerning those dangers. *Id.* at 95:6-96:9. In 1967 Covil attended a conference at which Dr. Selikoff spoke. **Ex. 18**, P. Covil Depo, 7/14/77, at 333:14-18. Dr. Selikoff is one of the preeminent asbestos researchers and has published widely on the dangers of asbestos. That conference included an article that Covil would have had that discussed the dangers of household exposure to asbestos. **Ex. 19**, W.C. Hueper, *Occupational and Nonoccupational Exposures to Asbestos*; **Ex. 44**, Deposition of James Covil (Feb. 7, 2018), at 173:16-180:2.

Covil was well aware of OSHA when it was enacted and what its limitations on asbestos exposure were. **Ex. 15**, at 90:15-91:22. He first learned of OSHA through trade magazines and discussion among manufacturers and contractors. *Id.* at 91:23-92:7. Covil found the OSHA regulations by ordering the Federal Register and stayed up to date on OSHA by ordering supplements to the Federal Register. *Id.* In 1972, Covil had its first worker’s compensation claim against it for asbestosis. *Id.* at 106:10-20.

Covil testified that he first saw a warning about asbestos in 1968, when Johns-Manville and Owens-Corning came out with warning labels on their cartons of insulation. *Id.* at 93:10-94:9. Nevertheless, Covil could not say that his company made any specific change in its procedures for its employees in response to the warning labels on packages regarding asbestos. *Id.* at 94:22-95:1. ***Covil never put any caution labels or warnings on its products.*** *Id.* at 104:18-20. Yet his company sold asbestos well after OSHA was enacted—Covil conceded that as of 1977, his company was still selling products that contained asbestos. *Id.* at 92:15-21.

Covil’s current corporate representative, Robert Glenn, has testified that beginning in the 1960s, Daniel was one of Covil’s largest customers. **Ex. 20**, Trial Tr., *Crawford v. Covil*, 7/17/18

(Rough), at 256:23-257:9, 278:13-24.

Covil knew as of 1965 that exposure to asbestos could cause death. *Id.* at 297:19-21; *see also id.* at 286:20-287:4, 289:22-290:3. Covil sold Kaylo insulation more than any other brand. *Id.* at 280:10-16. Although Kaylo stopped making asbestos insulation in November 1972, Covil continued to supply Kaylo asbestos-containing insulation for a full year, until November 1973, or even “a little longer.” *Id.* at 280:17-281:1. Records show that Covil was still selling Thermobestos as late as February 1974. *Id.* at 283:23-284:12.

Given that Covil still sold asbestos insulation in late 1973 and early 1974, Covil was selling asbestos insulation for a couple of years after the OSHA asbestos regulations were published in 1971 and also sold other asbestos-containing products as late as 1977. *Id.* at 284:14-285:10, 293:21-294:5. Even after the OSHA regulations were in effect, Covil continued to sell asbestos insulation without a warning, now claiming that warning “wasn’t a legal requirement.” *Id.* at 296:13-297:3, 297:22-298:1, 298:21-25. Covil contends that it made a business decision not to warn and that it had no obligation to pass on its knowledge about asbestos hazards to its customers. *Id.* at 299:1-11.

D. Teddy Knight’s mesothelioma was caused by exposure to products and materials supplied by Covil.

Plaintiffs’ medical expert, Dr. John C. Maddox, had confirmed, within a reasonable degree of medical certainty, that Teddy Knight indeed suffered from malignant pleural mesothelioma and that this disease was caused by his cumulative exposure to asbestos. **Ex. 9**, Maddox Linking Report, 3/12/20. During his deposition, Dr. Maddox clarified that Teddy Knight, although he suffered from stomach cancer as well, had, to a reasonable degree of medical certainty, a desmoplastic-sarcomatoid mesothelioma. **Ex. 10**, Telephonic Deposition of John Coulter Maddox, M.D., 6/17/2020.

ARGUMENT and AUTHORITIES

I. Covil has failed to meet its summary judgment burden.

“Summary judgment is a drastic remedy which should be cautiously invoked so that a litigant is not improperly deprived of a trial on disputed factual issues.” *Madison ex rel. Bryant v. Babcock Center, Inc.*, 371 S.C. 123, 134, 638 S.E.2d 650, 655 (2006); *Baughman v. American Tel. and Tel. Co.*, 306 S.C. 101, 112, 410 S.E.2d 537, 543 (1991). Under South Carolina Rule of Civil Procedure 56, summary judgment is only appropriate when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. Rule 56(c), SCRPC; *Cafe Assocs. Ltd. v. Gerngross*, 305 S.C. 6, 9, 406 S.E.2d 162, 164 (1991). The moving party has the burden of clearly establishing the absence of a genuine issue of material fact. *Singleton v. Sherer*, 377 S.C. 185, 659 S.E.2d 196 (Ct. App. 2008). If and when the party moving for summary judgment meets its initial burden of showing an absence of evidentiary support for the plaintiff’s case, only then is the plaintiff required to come forward with specific facts showing there is a genuine issue for trial. *See Regions Bank v. Schmauch*, 354 S.C. 648, 660, 582 S.E.2d 432, 438 (Ct. App. 2003).

In determining whether a genuine question of fact exists, the court must view the evidence and all inferences which can be reasonably drawn from the evidence in the light most favorable to the nonmoving party. *Faile v. S. C. Dep’t of Juvenile Justice*, 350 S.C. 315, 324, 566 S.E.2d 536, 540 (2002). Summary judgment is not appropriate where further inquiry into the facts of the case is desirable to clarify the application of the law. *Baugus v. Wessinger*, 303 S.C. 412, 401 S.E.2d 169 (1991). Even when there is no dispute as to the evidentiary facts, but only as to the conclusions or inferences to be drawn from them, summary judgment should be denied. *Koester v. Carolina*

Rental Ctr., 313 S.C. 490, 443 S.E.2d 392 (1994). Summary judgment should be denied unless reasonable minds cannot differ on plain, palpable, and indisputable facts. *See Ellis v. Davidson*, 358 S.C. 509, 518, 595 S.E.2d 817, 822 (Ct. App. 2004). Here, Covil has failed to meet its high burden of showing the absence of a genuine issue of material fact for trial.

II. Plaintiffs' evidence raises genuine issues of material fact regarding the causation of Mr. Knight's mesothelioma from exposure to asbestos from Covil's asbestos-containing products and work with such products.

A plaintiff in an asbestos case may defeat summary judgment with evidence of "actionable exposure" to a defendant's asbestos product. *Henderson v. Allied Signal, Inc.*, 373 S.C. 179, 185, 644 S.E.2d 724, 727 (2007). To determine whether exposure is actionable, South Carolina courts apply the "frequency, regularity and proximity" factors set forth in *Lohrmann v. Pittsburgh Corning Corp.*, 782 F.2d 1156 (4th Cir. 1986). *Id.* Therefore, "[t]o support a reasonable inference of substantial causation from circumstantial evidence, there must be evidence of exposure to a specific product on a regular basis over some extended period of time in proximity to where the plaintiff actually worked." *Id.* (quoting *Lohrmann*, 782 F.2d at 1162).

The *Henderson* exposure standard is met here. The evidence establishes that Mr. Knight worked or in close proximity to others who were working with asbestos-containing material supplied by Covil to five of the industrial facilities identified as Mr. Knight's former worksites-- Carolina Eastman, Greenwood Mills, Ethyl Corp, Merch, and H.B. Robinson. Mr. Knight's coworkers at these locations specifically identified Covil as the supplier and/or installer of the insulation covering the pipes and valves which they were tasked with repairing. Covil concedes that the products it supplied contained asbestos, and it supplied these products to Mr. Knight's worksites. It has absolutely no record of when its relationships with Mr. Knight's worksites began or ended. Dr. Maddox has confirmed that Teddy Knight, after years of asbestos exposure,

developed mesothelioma, which ultimately killed him. There is no question that the *Henderson* factors of Mr. Knight's exposure to asbestos from Covil are met in this case. Accordingly, Defendant Covil's motion for summary judgment should be denied.

CONCLUSION

For the reasons explained herein, Plaintiffs respectfully request that this Court deny Covil's motion for summary judgment.

Respectfully submitted,

s/ Jonathan M. Holder

Jonathan M. Holder, (SC Bar No. 77935)
Charles W. Branham, III (To be admitted *Pro Hac Vice*)

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August 21, 2020
Dallas, Texas.

STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

COUNTY OF ORANGEBURG

RICHARD L. KNIGHT, II, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF TEDDY L.

KNIGHT, SR., AND LINDA KNIGHT, INDIVIDUALLY,
Plaintiffs,

vs. CASE NO. 2019-CP-38-1045

EASTMAN CHEMICAL COMPANY, EASTMAN KODAK
COMPANY,

(Caption continued on Page 2.)

TELEPHONIC

DEPOSITION OF: ROBERT L. CASSIDY

DATE: March 19, 2020

TIME: 1:38 PM

LOCATION: Country Inn & Suites by Radisson
731 Citadel Rd.

Orangeburg, SC

TAKEN BY: Counsel for the Plaintiff

REPORTED BY: MARIE MCCOLLUM, Court Reporter

Job No. 4004930

PLAINTIFF'S
EXHIBIT

23G

Page 2 1 (Caption continued from Page 1.) 2 4520 CORP., INC.; 3 APAC-ATLANTIC, INC.; 4 ARMSTRONG INTERNATIONAL, INC.; 5 ASHLAND, LLC; 6 BP CORPORATION NORTH AMERICA, INC.; 7 BW/IP INC.; 8 CBS CORPORATION; 9 CECO ENVIRONMENTAL CORP.; 10 CLEAVER-BROOKS, INC.; 11 COVIL CORPORATION; 12 CRANE CO.; 13 CURTISS-WRIGHT FLOW CONTROL CORPORATION; 14 DANIEL INTERNATIONAL CORPORATION; 15 DEZURIK INC.; 16 EECI, INC.; 17 E.I. DU PONT DE NEMOURS AND COMPANY; 18 FISHER CONTROLS INTERNATIONAL, LLC; 19 FLOWSERVE CORPORATION; 20 FLOWSERVE US INC.; 21 FLUOR CONSTRUCTORS INTERNATIONAL; 22 FLUOR CONSTRUCTORS INTERNATIONAL, INC.; 23 FLUOR DANIEL SERVICES CORPORATION; 24 FLUOR ENTERPRISES, INC.; 25 FMC CORPORATION; 26 GOULDS PUMPS, INCORPORATED; 27 GREENWOOD MILLS, INC.; 28 GRINNELL, LLC; 29 HARRISON CONSTRUCTION COMPANY; 30 HONEYWELL INTERNATIONAL, INC.; 31 INGERSOLL-RAND COMPANY; 32 JACOBS APPLIED TECHNOLOGY, INC.; 33 MERCK & CO. INC.; 34 METROPOLITAN LIFE INSURANCE COMPANY; 35 NEWMARKET CORPORATION; 36 PHARMACIA CORPORATION; 37 ROBERT BOSCH, LLC; 38 RUST ENGINEERING & CONSTRUCTION, INC.; 39 RUST INTERNATIONAL INC.; 40 SI GROUP, INC.; 41 SOUTHERN INSULATION, INC.; 42 STARR DAVIS COMPANY, INC.; 43 STARR DAVIS COMPANY OF S.C., INC.; 44 STERLING FLUID SYSTEMS (USA) LLC; 45 TRAN U.S., INC.; 46 UNION CARBIDE CORPORATION; 47 VERSO CORPORATION; 48 WESTROCK MWV, LLC; 49 YEARGIN POTTER SMITH CONSTRUCTION, INC.	Page 4 1 ATTORNEYS FOR THE DEFENDANT FLOWSERVE CORPORATION: 2 RICHARDSON PLOWDEN & ROBINSON, P.A. BY: JOSEPH E. THOENSEN 3 1900 Barnwell St. Columbia, South Carolina 29201 4 jthoensen@richardsonplowden.com 5 6 ATTORNEYS FOR THE DEFENDANT HONEYWELL INTERNATIONAL, INC.: NELSON MULLINS RILEY & SCARBOROUGH 7 BY: JASE GLENN 1320 Main St., 17th Floor 8 Columbia, South Carolina 29201 jase.glenn@nelsonmullins.com 9 10 ATTORNEYS FOR DEFENDANT PHARMACIA CORPORATION: 11 NELSON MULLINS RILEY & SCARBOROUGH BY: DEIRDRE S. MCCOOL 12 151 Meeting St., 6th Floor harleston, South Carolina 29401 13 deirdre.mccool@nelsonmullins.com 14 15 ATTORNEYS FOR THE DEFENDANT GREENWOOD MILLS: GALLIVAN, WHITE, AND BOYD, PA 16 BY: T. DAVID RHENEY 55 Beattie Pl., Suite 1200 17 Greenville, South Carolina 29601 drheney@gwblawfirm.com 18 19 ATTORNEYS FOR DEFENDANT SOUTHERN INSULATION, INC.: 20 PIERCE, SLOAN, WILSON, KENNEDY & EARLY, LLC 21 BY: DANIEL F. LYNCH 321 East Bay St. 22 Charleston, South Carolina 29401 daniellynch@piercesloan.com 23 24 25
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Page 6 1 ATTORNEYS FOR THE DEFENDANTS DANIEL INTERNATIONAL CORPORATION; FLUOR 2 ENTERPRISES, INC.; FLUOR DANIEL SERVICES CORPORATION; FLUOR CONSTRUCTORS INTERNATIONAL, 3 INC.; UNION CARBIDE CORPORATION: HAYNSWORTH SINKLER BOYD, P.A. 4 BY: MOFFATT G. MCDONALD (Via Phone) One North Main, 2nd Floor 5 Columbia, South Carolina 29601 mmcdonald@hsblawfirm.com 6 7 ATTORNEYS FOR THE DEFENDANT E.I. DUPONT DE NEMOURS AND COMPANY: 8 SMITH ANDERSON BLOUNT DORSETT MITCHELL & JERNIGAN, PLLC 9 BY: ADDIE K. S. RIES (Via Phone) 150 Fayetteville St., Suite 2300 10 Raleigh, North Carolina 27601 aries@smithlaw.com 11 12 ATTORNEYS FOR DEFENDANT ROBERT BOSCH, LLC 13 WOMBLE BOND DICKINSON (US) LLP BY: KEITH D. MUNSON (Via Phone) 14 550 South Main Street, Suite 400 Greenville, South Carolina 29601 15 keith.munson@wbd-us.com 16 ATTORNEYS FOR THE DEFENDANT 17 MEADWESTVACO; WESTROCK, MWV, LLC: PIERCE, SLOAN, WILSON, KENNEDY 18 & EARLY, LLC BY: CARL E. PIERCE, II (Via Phone) 19 321 East Bay Street Charleston, South Carolina 29401 20 carlpierce@piercesloan.com 21 22 23 24 25	Page 8 1 ATTORNEYS FOR THE DEFENDANT COVIL CORPORATION: 2 ELLIS & WINTERS, LLP BY: SCOTTIE LEE (Via Phone) 3 300 North Greene Street, Suite 800 Greensboro, North Carolina 29401 4 scottie.lee@elliswinters.com 5 ATTORNEYS FOR THE DEFENDANTS 6 SPIRAX SARCO, INC.; VIACOMCBS INC.: EVERT WEATHERSBY HOUFF, LLC 7 BY: ANDREW S. ROGERS (Via Phone) 3455 Peachtree Road NE, Suite 1550 8 Atlanta, Georgia 30326 asrogers@ewlaw.com 9 10 ATTORNEYS FOR DEFENDANT CURTISS-WRIGHT FLOW CONTROL CORPORATION: 11 PIERCE SLOAN KENNEDY & EARLY, LLC BY: M. TODD RAINSFORD (Via Phone) 12 The Blake-Grimké House 321 East Bay Street 13 Charleston, South Carolina 29413 toddrainsford@piercesloan.com 14 15 ATTORNEYS FOR THE DEFENDANT CECO ENVIRONMENTAL CORP.: 16 HEDRICK GARDNER KINCHELOE & GAROFALO, LLP 17 BY: ANDY STEIN (Via Phone) 6000 Fairview Rd., Suite 1000 18 Charlotte, North Carolina 28210 astein@hedrickgardner.com 19 20 21 22 23 24 25
Page 7 1 ATTORNEYS FOR THE DEFENDANTS GOULDS LLC; GRINNELL LLC: 2 NELSON MULLINS RILEY & SCARBOROUGH BY: ROBERT O. MERIWETHER (Via Phone) 3 1320 Main St., 17th Floor Columbia, South Carolina 29201 4 robert.meriwether@nelsonmullins.com 5 ATTORNEYS FOR DEFENDANTS 6 ASHLAND, LLC; APAC-ATLANTIC, INC.; HARRISON CONSTRUCTION COMPANY: 7 BURR FORMAN MCNAIR BY: NICK FELIX (Via Phone) 8 4 Clarks Summit Drive, Suite 200 Bluffton, South Carolina 29910 9 nfelix@burr.com 10 ATTORNEYS FOR THE DEFENDANTS 11 STARR DAVIS COMPANY, INC; STARR DAVIS COMPANY OF S.C., INC.: 12 PIERCE, SLOAN, WILSON, KENNEDY & EARLY, LLC 13 BY: BENJAMIN C. SMOOT (Via Phone) 321 East Bay Street 14 Charleston, South Carolina 29401 bensmoot@piercesloan.com 15 16 ATTORNEYS FOR DEFENDANT 4520 CORP., INC. AS SUCCESSOR TO 17 BENJAMIN F. SHAW COMPANY: WHITE AND WILLIAMS, LLP 18 BY: CHRISTIAN J. SINGEWALD (Via Phone) 19 Courthouse Square 600 N. King St., Suite 800 20 Wilmington, Delaware 19801 singewaldc@whiteandwilliams.com 21 22 23 24 25	Page 9 1 ATTORNEYS FOR THE DEFENDANT FISHER CONTROLS INTERNATIONAL, LLC: 2 von BRIESEN & ROPER, s.c. BY: PHILIP REID (Via Phone) 3 411 East Wisconsin Avenue, Suite 1000 Milwaukee, Wisconsin 53202 4 preid@vonbriesen.com 5 ALSO PRESENT: 6 7 FOX ROTHSCHILD, LLP NICOLAS J. CHERRY (Via Phone) 8 9 10 11 12 13 14 (INDEX AT REAR OF TRANSCRIPT) 15 16 17 18 19 20 21 22 23 24 25

Page 10 1 MR. HOLDER: This is Jonathan Holder on 2 behalf of the Knight family in the Knight case, 3 about to move forward with the deposition of RL 4 Cassidy. But before we do that, we want to put 5 some stipulations on the record. 6 First, this deposition is going forward 7 under the South Carolina Rules of Civil Procedure 8 and Evidence. An objection by one is good for all, 9 both present and on the phone, so that at least 10 while Plaintiff is questioning, that all objections 11 can just be listed in the record as Defense 12 Counsel. 13 Also, all objections except as to the 14 form of the question are reserved for the time of 15 trial. 16 And Defendants aren't waiving defenses 17 for personal jurisdiction, process of service, 18 etcetera, by appearing here and taking part in this 19 deposition. 20 Any other stipulations anyone wants to 21 put on the record before we get going? 22 Hearing none, we can swear in the 23 witness. 24 ROBERT L. CASSIDY 25 being first duly sworn, testified as follows:	Page 12 1 there in Swansea. 2 Q. Let's start with that Navy service. 3 Where did you serve out of or on what ship or what 4 did you do? 5 A. I served on an oil tanker out of 6 Newport Rhode Island for two years. Then I put in 7 for a transfer and went to a guided missile cruiser 8 for my last two years. 9 Q. So you did approximately four years 10 total? 11 A. Yes. 12 Q. Is that the length of a standard tour 13 at that time? 14 A. No, it was six years. It was two years 15 being active. 16 Q. Okay. So did you continue those last 17 two years inactive once you got back home? 18 A. Yeah. 19 Q. Okay. Did you ever know Teddy when you 20 were in the Navy? 21 A. No. 22 Q. Okay. When you got out of the Navy, 23 what did you do for work? 24 A. I started as a pipe fitter's helper at 25 Carolina Eastman in 1966 with Daniels Construction
Page 11 1 EXAMINATION 2 BY MR. HOLDER: 3 Q. Good afternoon, Mr. Cassidy. Can you 4 state your full name for the record? 5 A. Robert Lucious Cassidy. 6 Q. And you go by RL; is that correct? 7 A. Yes. 8 Q. Mr. Cassidy, we are here for the case 9 that's been brought by the family of Teddy Knight 10 who passed away from mesothelioma. 11 Is that your understanding of why you 12 are here today, to give a deposition in this case? 13 A. Yes. 14 DEFENSE COUNSEL: Object to the form. 15 BY MR. HOLDER: 16 Q. Okay. Let's start out with a little 17 background for you. Where did you grow up? 18 A. I grew up in Swansea, South Carolina. 19 Q. Swansea? 20 A. Yes. I went to school there. 21 Q. All right. 22 A. And in 1961, I joined the Navy and 23 spent four years in it. 24 Q. Where did you serve -- 25 A. The rest of the time I've been right	Page 13 1 Company. 2 Q. And where is Carolina Eastman located? 3 A. It's located on Highway 21 and 176 in 4 the community called Sandy Run. 5 Q. Now, was this plant already built or 6 was it under new construction or what was that? 7 A. Everything was brand new. 8 Q. Okay. Was the plant completed when you 9 were there in '66? 10 A. No. They'd just started. 11 Q. And how did you get the job of pipe 12 fitter helper with Daniel? Did you know anyone -- 13 A. No. 14 Q. -- or just apply? 15 A. I just went and put an application in 16 and got hired. 17 Q. Now, how long was that first work you 18 did for Daniel at Carolina Eastman? 19 A. From '66 to, let's say, middle of '68. 20 Q. Now, was Teddy present at any point 21 during this first stint at Carolina Eastman to your 22 recollection? 23 A. No. 24 Q. Okay. Where did you go after you left 25 Carolina Eastman in '68?

Page 14 1 A. Went to work with the union, Local 227 2 out of Columbia. And I went to HB Robertson 3 nuclear power house in Hartsville, South Carolina. 4 Q. Local 227 out of Columbia, did you say? 5 A. Yes. 6 Q. What type of union was that? 7 A. Pipe fitter, steamfitter. Local. 8 Q. And so would your employers hire you 9 out through the union hall? 10 A. Yes, union hall would send you out. 11 Q. Okay. So I think you just mentioned, 12 and I may have missed it, who did they match you 13 with as your employer over at H.B. Robinson, if 14 you -- 15 A. I worked with Ebasco Construction. 16 Q. Now, at H.B. Summer, was -- 17 A. H.B. Robinson. 18 Q. H.B. Robinson. Sorry. I'm mixing up 19 two different plants. H.B. Robinson in Hartsville, 20 was Teddy around to your knowledge at that site? 21 A. Not -- I didn't see him. 22 Q. Okay. After you left H.B. Robinson, 23 where did you go next? 24 A. I went to Wateree power house, South 25 Carolina Electric and Gas.	Page 16 1 test when you go in there. 2 Q. Okay. So you got the journeyman rank 3 from the Local 227 when you joined there? 4 A. Yes. 5 Q. Okay. What was the project that y'all 6 were working on for Grinnell at the Wateree power 7 plant? 8 A. They was building two units down there, 9 two steam fire units down there, brand new. 10 Q. And did these units include turbines? 11 A. Yes. You have a power house, you got 12 to have a turbine. 13 Q. Sure. Do these units also include the 14 boilers? 15 A. Yes. 16 Q. Okay. And let's just take one at a 17 time. Did y'all work on both of the units? 18 A. No, no. 19 Q. Did you just start on one unit? 20 A. Started on one unit. When we got it 21 completed, we moved on to the next one. 22 Q. So you did work on both of them, just 23 one at a time? 24 A. Yes. 25 Q. Okay. Specifically was it -- since
Page 15 1 Q. Okay. And that's what I was going to 2 ask. Is Wateree a power plant? 3 A. Yes. Steam fire, coal fire, boiler. 4 Q. No nuclear capabilities at Wateree, 5 correct? 6 A. No. 7 Q. Do you know approximately what year you 8 got to Wateree? 9 A. It was sometime in '69. 10 Q. Okay. Now, do you recall who your 11 employer was when you got to Wateree? 12 A. Grinnell. 13 Q. Now, this job at Wateree, are you -- is 14 this the -- do you recall if Teddy was present at 15 this job? 16 A. Yes. I seen him the first time with 17 that. 18 Q. So you met Teddy at the Wateree power 19 house; is that fair? 20 A. Yes. 21 Q. And you had started as a pipe fitter 22 helper with Daniel, I believe, '66, but after 23 joining the union, what level were you at in terms 24 of your pipe fitting by that point? 25 A. I was a journeyman. They give you a	Page 17 1 y'all were pipe fitters, were y'all installing 2 pipe? 3 A. That's what a pipe fitter does. 4 Q. Thank you. Did this include installing 5 the new pipe and tying it in to the turbine? 6 A. Yes. 7 Q. Okay. 8 A. We run it from the boiler to the 9 turbine. 10 Q. Now, while y'all were running lines to 11 the turbine -- I'm trying to think in terms of the 12 construction -- was there already insulators there 13 applying insulation to the turbine? 14 A. No. 15 Q. Okay. At what point would that have 16 occurred? 17 A. Well, you start off the boiler with 18 your main steam line, which the wall thickness is 4 19 and 5/8ths inch thick, weighed a ton a foot. You 20 run it from that to a big stomp valve right there 21 at the turbine. You know, and then you got all the 22 oil lines and all that to run around the thing, the 23 turbine, and all that tough stuff, you know, 24 because that turbine, it floated in oil when it was 25 turning.

Page 18 1 Q. Now, were there insulators there in the 2 power house that were coming behind insulating the 3 pipe y'all were installing? 4 A. Yes. As soon as we got it hung and 5 welded together, that'd leave -- the joint that was 6 welded for x-ray and all that, they'd leave that 7 uncovered and insulate the rest of it. 8 Q. Was Teddy also a member of the 9 steamfitters union? 10 A. Yes. 11 Q. Was he a journeyman by this point as 12 well? 13 A. Yes. 14 Q. Okay. Would y'all be on the same crew 15 out there at the power house? 16 A. No. We wasn't on the same crew. 17 Q. But y'all were both working on the same 18 project in the power house at Wateree? 19 A. Yeah. Yeah. 20 Q. Now, the insulators that were following 21 behind and insulating the lines, did that include 22 on the turbine? 23 A. Yes. 24 Q. Okay. Do you know by chance the 25 manufacturer of either of the turbines at Wateree?	Page 20 1 this asbestos? 2 A. No, no, no, no, no. 3 Q. Were you warned by that fellow that was 4 the personnel from GE about the hazards potentially 5 from asbestos that was being put on and around the 6 turbine? 7 A. No. 8 Q. How long was that project? 9 A. Three years -- a little over three 10 years. 11 Q. '69 to about '72? 12 A. '72, somewhere along there. 13 Q. And do you recall if y'all all remained 14 in the same job roles while y'all were there? I 15 mean, you didn't become a manager -- 16 A. No. 17 Q. -- or a superintendant? 18 A. No. Just pipe fitters. 19 Q. Okay. Do you know when you finished up 20 at Wateree where you went next? 21 A. Not really, I can't count. I don't 22 know where Teddy went, you know. 23 Q. Sure. When was the next time you 24 remember running back into Teddy at a work site 25 after Wateree?
Page 19 1 A. General Electric. 2 Q. Okay. Now, during this project, did 3 General Electric send any personnel over to Wateree 4 to help with this project or oversee it? 5 A. They had one man there that was over 6 the whole thing that represented General Electric. 7 Q. Did he have like a General Electric 8 shirt, hat, or some kind of identifying name tag or 9 anything? 10 A. I can't remember that now. That's too 11 far back. 12 Q. Do you happen to recall the fellow's 13 name by chance? 14 A. No, no, no, no. 15 Q. But he oversaw and made sure everything 16 was going up to spec on the turbine? 17 A. Yes. He inspected everything. 18 Q. Do you think as part of that work that 19 Teddy Knight as well as yourself would have been 20 exposed to asbestos during that project? 21 A. It was everywhere. 22 DEFENSE COUNSEL: Form. 23 BY MR. HOLDER: 24 Q. Were y'all ever warned by anybody at 25 Wateree or SCE&G of the hazards of working around	Page 21 1 A. Man, you got me bumfumbled there now. 2 Q. Well, let me strike that. Maybe I can 3 ask a better question. 4 A. I don't know. Ethyl, Greenwood Mills, 5 or... 6 Q. Well, let me see if I can ask it this 7 way: After you left -- after you left over there 8 at Wateree, you mentioned you did some work at 9 Ethyl. Would that have been like a shutdown? 10 A. No. 11 DEFENSE COUNSEL: Form. 12 BY MR. HOLDER: 13 Q. No. Okay. When you worked at Ethyl, 14 was it very long? 15 A. No. That place scares me. 16 Q. Yes. Did you only work there a single 17 time? 18 A. Just long enough to find another job. 19 Q. Yes. I hear you. Now, you mentioned 20 working at Greenwood Mills. Do you remember who 21 your employer was at Greenwood Mills? 22 A. Daniels. 23 MR. HOLDER: Okay. Just for 24 housekeeping, really quickly, I should have done 25 this at the first. I have marked some documents as

Page 22 1 some exhibits. 2 Exhibit 1 is the Plaintiff's First 3 Amended Notice of Deposition of RL Cassidy set for 4 today that was served on February 21st. 5 (PLF. EXHIBIT 1, First Amended Notice 6 of Deposition of RL Cassidy, was marked for 7 identification.) 8 MR. HOLDER: Here is the -- Exhibit 2 9 has been marked, which is the e-mail from February 10 21st serving the notice of deposition on 11 Mr. Cassidy. 12 (PLF. EXHIBIT 2, E-mail Serving the 13 Notice Served 2/21/20, was marked for 14 identification.) 15 MR. HOLDER: Exhibit 3 is Plaintiff's 16 Second Amended Notice of Deposition of Mr. Cassidy 17 served on the 17th of March, which simply changed 18 the location to here at the Country Inn & Suites By 19 Radisson. 20 (PLF. EXHIBIT 3, Second Amended Notice 21 of Deposition of RL Cassidy, was marked for 22 identification.) 23 MR. HOLDER: And Exhibit 4 is the 24 e-mail serving the second amended notice on the 25 17th of March and indicating that it was a change	Page 24 1 numbers? 2 MR. PHILLIPS: Exhibit 5. 3 DEFENSE COUNSEL: I can't hear the 4 witness. 5 MR. HOLDER: He hasn't said anything. 6 DEFENSE COUNSEL: Can't hear. 7 MR. HOLDER: He hasn't said anything. 8 Mr. Traylor asked another lawyer something in the 9 back. No secrets anymore, guys. Everyone has to 10 be loud to be heard. 11 BY MR. HOLDER: 12 Q. All right. Mr. Cassidy, can you see at 13 the top there in the header where it says synopsis 14 of the resumé of Teddy Leroy Knight? 15 A. Yes. 16 Q. Okay. Great. Just trying to establish 17 that. 18 A. I'm looking at it. 19 Q. Now, you see there that there's a 20 highlighted portion in the experience section from 21 1980 to 1982. Do you see that? 22 A. Yes. 23 Q. Okay. And he describes working for 24 Daniel Construction Company as a pipe foreman at 25 Greenwood Mills in Orangeburg. Do you see that?
Page 23 1 in location. 2 (PLF. EXHIBIT 4, E-mail Serving the 3 Notice Served 3/17/20, was marked for 4 identification.) 5 MR. HOLDER: I have marked as Exhibit 5 6 a resumé that -- a resumé that Teddy had put 7 together back during his working time, and I've -- 8 it's further identified by the Bates label Knight 9 SC, EX, dot, 1, Production, underscore, 000024, 25, 10 and 26. 11 I'm just going to highlight an entry 12 for Greenwood Mills on this exhibit. 13 (PLF. EXHIBIT 5, Resumé of Teddy 14 Knight, was marked for identification.) 15 BY MR. HOLDER: 16 Q. First, I've handed you Exhibit 5. Does 17 that appear to be at least typed up in the heading 18 a resumé for Teddy Leroy Knight? 19 DEFENSE COUNSEL: Object to form. 20 DEFENSE COUNSEL: Object to the form. 21 DEFENSE COUNSEL: Jonathan, you're 22 fading in and out. 23 MR. HOLDER: Okay. Thank you. I'll 24 pull the phone a little closer. 25 MR. TRAYLOR: I apologize. What Bates	Page 25 1 A. Yes. 2 Q. Do you believe that that lines up with 3 the time when you were working for Daniel at 4 Greenwood Mills? 5 A. It'd almost have to be. 6 Q. Do you remember Teddy at Greenwood 7 Mills working? 8 A. I've seen him, but I didn't work for 9 him. We was at -- the little crew we was in, we 10 was down at the tank farm, you know, and they was 11 up in the building. 12 Q. All right. What were you doing out at 13 the tank farm? 14 A. We was running some pipes from pumps 15 and stuff, to unload trucks and stuff. 16 Q. And is the tank farm, how far away from 17 the buildings is that at Greenwood Mills? 18 A. I would say at least 200 yards. 19 Q. So it would be fair to say that you 20 didn't personally witness the work that Teddy was 21 doing up in the building at Greenwood Mills? 22 A. No. We was... 23 Q. That's fine. After that, as you can 24 also see on Exhibit 5, after Greenwood Mills, he 25 describes -- or Mr. Cassidy -- excuse me,

Page 26 1 Mr. Knight describes starting with Harrison 2 Construction at Carolina Eastman. 3 Did you have an occasion to work at 4 Carolina Eastman after you worked at Greenwood 5 Mills? 6 A. Oh, yeah. Yeah. 7 Q. Okay. Do you recall seeing Teddy 8 working at -- 9 MR. HOLDER: Please mute your phones. 10 Star 6. Thank you. 11 BY MR. HOLDER: 12 Q. Do you recall seeing Teddy in your work 13 at Carolina Eastman? 14 A. Yes. 15 Q. Okay. Now, just to be clear for the 16 record, this is the same Carolina Eastman that you 17 had worked at back in '66; is that correct? 18 A. Right. 19 Q. And he is working for Harrison 20 Construction Company it looks like the first time 21 when he's getting to -- 22 A. When he come to Eastman. Yeah. 23 Q. Eastman. Did you ever work for 24 Harrison? 25 A. Oh, yeah. Yeah.	Page 28 1 THE WITNESS: 17 LO 7. 2 BY MR. HOLDER: 3 Q. LO 7. 4 A. They marked the buildings out there by 5 the streets. 6 Q. And in the construction process of that 7 building going up, was it already the four walls up 8 when you were working there on it? 9 A. They had the red iron up. 10 Q. Okay. 11 A. And we had to go in there and put the 12 floor drains in, and then they poured the floors, 13 and then we started setting the equipment and 14 running pipes. 15 Q. Okay. And that was limited to that one 16 new construction building? 17 A. Yes. 18 Q. Okay. Was there any need to tie in the 19 new piping to any preexisting piping? 20 A. Well, let's see. All they was doing 21 was transferring them little pellets from one 22 building to another over there. And they'd go 23 through this process here, and then they would blow 24 them over to the silos which they stored them in, 25 you know.
Page 27 1 Q. Okay. What was your job for Harrison? 2 A. I was general foreman. 3 Q. Okay. And did they have multiple 4 departments there? 5 A. Well, you had several department: 6 Electrical department and then the pipe 7 department -- 8 Q. Okay. 9 A. -- and then you had your iron workers, 10 you know. 11 Q. And so you would have been working in 12 the pipe department as a -- did you say a foreman? 13 A. General foreman. 14 Q. General foreman. 15 Do you recall in this early '80s time 16 frame any specific projects at Carolina Eastman 17 that Harrison was working on? 18 DEFENSE COUNSEL: Object to form. 19 THE WITNESS: They was working on -- 20 they built a whole complete new building. 21 BY MR. HOLDER: 22 Q. What was that called? 23 A. I think -- I don't know what number. 24 The number was 17 LO 7. 25 (Court reporter clarification.)	Page 29 1 Q. After -- 2 A. So -- 3 Q. I'm sorry. 4 A. There really wasn't no, you know, 5 hazardous stuff, Dowtherm, nothing like that run 6 over there. 7 Q. Beginning in '83 on Exhibit 5, he talks 8 about staying at Carolina -- Teddy Knight talks 9 about staying at Carolina Eastman, but his employer 10 now is Yeargin Construction company. Do you see 11 that beginning in '83? 12 A. Yeah. 13 Q. Now, did you also work for Yeargin at 14 Carolina Eastman? 15 A. Yes. 16 Q. Okay. Did there come a time when 17 Yeargin took over the contract or the work from 18 Harrison? 19 A. Oh, yeah. They underbid them. 20 Q. And so were the employees that had been 21 for Harrison, did a lot of them simply change to 22 working for Yeargin? 23 A. Just took one hardhat off and put the 24 other one on. 25 Q. Okay. Was there a fellow -- a

Page 30 1 superintendant at Carolina Eastman who was over 2 that type of stuff? 3 A. I can't recall his name. 4 Q. Does the name Dick Key ring a bell? 5 A. Dick Key -- 6 DEFENSE COUNSEL: Form. 7 THE WITNESS: -- was an Eastman 8 employee. He was an inspector for Eastman. 9 BY MR. HOLDER: 10 Q. Would he be the person that if he saw 11 you and liked your working for Harrison, he would 12 say, all right, you keep working for Yeargin when 13 they start? 14 A. Well, they had a great deal to do with 15 it, but they couldn't come out and say it. Do you 16 know what I'm saying? 17 Q. Yes. And once you switched over to 18 Yeargin, do you recall what your job duties were or 19 where y'all worked when y'all started working for 20 Yeargin? 21 A. I can't remember that. I don't know. 22 Q. Okay. Well, let me ask -- 23 A. I think I was a foreman, but I ain't 24 real sure about that. 25 Q. Well, that's fine. In terms of the	Page 32 1 gaskets related to the valves or the flanges, would 2 you have to remove all the old gasket material? 3 A. Yes. If you didn't, it would leak. 4 Q. Okay. 5 A. You had to have a clean surface -- 6 Q. Sure. 7 A. -- to seal it back up. 8 Q. What type of work would you do or 9 action would you perform to get the flange facing 10 clean? 11 A. Well, sometimes you could scrape it off 12 with a scraper, and then other times you had to 13 take what we called the end grinder with a brush on 14 it. 15 Q. Is the brush a wire brush? 16 A. A wire brush and tear it off. Yeah. 17 Q. And would that be when the old gasket 18 materials kind of cooked or stuck on to the flange 19 facing? 20 A. Yes. 21 Q. And these practices or work practices 22 that you're describing, they would release the old 23 gasket material from the flange; is that correct? 24 A. Yes. 25 Q. Okay. Do you believe that the flange
Page 31 1 work that was being done once y'all started for 2 Yeargin, were y'all still working the new 3 construction of that 17 LO 7 building? 4 A. No. We had little odd jobs all over 5 the plant. 6 Q. Okay. 7 A. You know, change that won't -- you 8 know... 9 Q. And so these odd jobs that you're 10 talking about all over the plant beginning in '83, 11 would those include work on valves and pumps? 12 A. Yeah. Anything that come along. 13 Q. Okay. And would that work involve the 14 removing and replacing of gaskets in the -- 15 A. Yes. 16 Q. -- equipment? 17 How would y'all -- well, let me first 18 ask: On a valve, where are the gaskets on a 19 general valve? 20 A. On a flange valve, they're on the 21 flange. 22 Q. Okay. Are there any internal gaskets? 23 A. Yeah. You got to pack it on the valve, 24 the stem itself. 25 Q. Okay. Now, when you had to change out	Page 33 1 gaskets that were being used during that time 2 period at Carolina Eastman contained asbestos? 3 DEFENSE COUNSEL: Object to the form. 4 THE WITNESS: We -- we used -- 5 DEFENSE COUNSEL: Object to the form. 6 THE WITNESS: -- all kind of asbestos 7 gaskets. They would have different numbers for 8 different jobs. 9 BY MR. HOLDER: 10 Q. Sure. 11 A. Yeah. 12 Q. Was there any places at Eastman where 13 they had corrosive or acidic process running 14 through that would require a heavier duty gasket? 15 DEFENSE COUNSEL: Objection. Form. 16 THE WITNESS: They had some bad stuff 17 out there. 18 BY MR. HOLDER: 19 Q. Do you know what they made at Eastman? 20 A. They made Kodel pellets. 21 Q. Kodel pellets? 22 A. At that time. And that made yarn for 23 the carpet. Well, when that went down, they come 24 up with the process for the Coca-Cola bottles. 25 There had to be some changeover for that. Do you

Page 34 1 know what I'm saying. And then they make -- 2 started making pellets for that. 3 Q. And so is that for some coating to go 4 onto the bottle or was it part of the glass? 5 A. The whole bottle, son. 6 Q. Oh, the plastic bottle. 7 A. The whole bottle. 8 Q. I'm thinking about the glass bottle. 9 A. And no -- this plastic bottles. 10 Q. I got you. 11 A. The little containers you get your 12 medicine in, that was big. And then they had the 13 brown ones there for beer bottles. 14 Q. Okay. 15 A. And then later on, they had them 16 colored for your different parts they could make, 17 like on your lawnmowers and stuff. 18 Q. Yes. 19 A. You know... 20 Q. How -- 21 A. Your John Deere green, you'd have green 22 pellets. They make green pellets, so many of them, 23 and ship them, you know. 24 Q. And this -- describe any way you can, 25 in terms of football fields or however, but how	Page 36 1 you had the two boiler houses was over there. Then 2 the big Dowtherm plant there where they heated the 3 Dowtherm at. Then you went down to DMT building, 4 and I done forgot the number of it. But it was 5 there. And then behind it, you had the TPA 6 building. And then on below it, you had another 7 tank farm down there. And that was it. 8 Q. Okay. You mentioned two boiler houses. 9 Did these two boiler houses supply all the steam to 10 everywhere in the plant? 11 A. Yes. That's what it was there for. 12 Q. And each individual building didn't 13 have its own boiler? 14 A. No. All of it comes from the two 15 boilers at the boiler house. 16 Q. So were they separated up as in half 17 the plant ran off of one boiler house and half the 18 plant ran on the other? 19 A. No. All of it was tied together. It 20 was one of those small boilers. I think it was two 21 stores. 22 Q. Okay. Do you happen to remember the 23 manufacturers of the boilers out at Eastman? 24 A. Not really, no. 25 Q. That's okay. Did the boiler houses at
Page 35 1 large of a plant was Eastman, Carolina Eastman? 2 DEFENSE COUNSEL: Object to the form. 3 THE WITNESS: If you rode around all 4 the streets, it was eight miles. 5 BY MR. HOLDER: 6 Q. Okay. And is that overlapping over one 7 another? 8 A. Well, that's crossing at the 9 crossroads. 10 Q. Sure. Did they have -- strike that. 11 How many building were part of the 12 Carolina Eastman plant? 13 A. Well, let's start. The first building 14 they built was two big warehouses. Then it jumps 15 across the railroad track and built three or four 16 big warehouses. Then they had a yarn plant that 17 they spun yarn until that kind of went out of 18 business, you know. 19 Then you move on down there to 15 L 01. 20 That's where they made the Kodel at, the cotton 21 fiber that they shipped out. Then you come on 22 down, you had 17 L 01, and then 17 LO 5, and then 23 17 LO 7. Okay. And we -- then you had a tank farm 24 out behind it where they unload railroad cars. 25 Jump across the railroad track then,	Page 37 1 Eastman have turbines in them? 2 A. No. All they made was steam. That was 3 it. 4 Q. Okay. You recalled that a lot of the 5 work y'all did all around the plant was work on 6 things like pumps and valves and the lines going 7 into them, correct? 8 A. Yeah. 9 Q. Do you recall any of the manufacturers 10 of those pumps or valves? 11 A. Not really. There were so many of 12 them. 13 Q. Okay. If you'll flip to the second 14 page of Exhibit 5, the second page is titled 15 amplified resumé, and it kind of gives a little 16 more summary. The first two entries are both 17 working for Yeargin at Carolina Eastman. The first 18 '83 to '85, and the top one's '85 to present. And 19 present being whenever this resumé was made. 20 A. Yeah. 21 Q. So here is my question: In that first 22 paragraph that describes the '85 to present work, 23 he talks about going into the estimating department 24 for four months, then going into the cost 25 department for a few months. But then on February

Page 38 1 2nd of '87, he was transferred back to the field as 2 a pipe fitter because of a drastic decrease in 3 workload. 4 A. Yeah. 5 Q. Do you recall that Teddy would be 6 pulled up to do estimator cost work and then be put 7 back into the field? 8 A. Yes. That was Eastman's operation 9 there. They'd borrow people, you know, until the 10 workload slowed down, then they'd get rid of you. 11 Q. In this first one, in the estimating 12 department -- when Teddy was working in the 13 estimating department for Yeargin at Carolina 14 Eastman, would he still have to come out into the 15 field and into the plants and stuff? 16 A. Oh, yeah. You'd have to look at the 17 job. 18 Q. So that wasn't necessarily a completely 19 indoor, in-office job? 20 A. No, no. 21 Q. That was still in the plant? 22 A. No, no. That was in and out. 23 Q. Okay. And the same thing with the cost 24 department, for that stint where he was there, is 25 the cost department all in office or are they still	Page 40 1 I think we've established that Yeargin was the 2 general contractor at Eastman? 3 A. At that time, yes. 4 Q. At that time. But prior to them, was 5 Harrison the general contractor at Eastman? 6 A. Yes. 7 Q. Okay. When you were at Wateree in that 8 power house for several years, do you know who the 9 general contractor was over the whole project? 10 A. I've got no idea. 11 Q. Okay. 12 A. I think South Carolina Electric and Gas 13 handled it theyself because they have a lot of 14 inspectors down there, you know. 15 Q. Yes. Do you recall Ebasco having any 16 hand in that one? 17 A. No. 18 Q. Okay. Only Robinson? 19 A. Just Robinson there. 20 Q. Robinson, yes. 21 A. Grinnell was one that -- to fab the 22 pipe, had installed at Wateree. 23 Q. Okay. So you, as far as you know, the 24 highest contractor you were aware of at Wateree was 25 Grinnell?
Page 39 1 coming out -- 2 A. No. 3 Q. -- to the site? 4 A. They come out and look at the jobs, 5 too. 6 (Court reporter clarification.) 7 BY MR. HOLDER: 8 Q. I should have reminded you of that. It 9 gets so conversational and easy, because we're kind 10 of going back and forth, but just try and wait 11 until I finish the question. 12 When coming back off of a stint in 13 costs or estimating department when you're put back 14 as a pipe fitter, is it a decrease in pay or rank 15 or anything like that? 16 A. No, no, no. Leave the pay the same. 17 Q. During the entire time that you 18 remember working with Teddy out at Carolina 19 Eastman, were y'all always still in that same union 20 together? 21 A. No. We had dropped out the union. The 22 union didn't have no work. They wanted to send you 23 to New York. 24 Q. Oh, okay. Do you happen -- I should 25 have asked when we were there. Let's start with --	Page 41 1 A. Yes. 2 Q. During this work in the -- for Yeargon, 3 on throughout the '80s, would this work have 4 regularly brought y'all into the boiler house or 5 the boiler houses? 6 A. Not really. There wasn't that much 7 work over there. 8 Q. Okay. Was there any one portion of the 9 plant y'all seemed to be going to more often than 10 the others or was it just all over? 11 A. It was all over. There wasn't no 12 particular one. 13 Q. All right. And having been at the 14 plant during the new construction back in '66 -- do 15 you know if back in '66 what building they were 16 working on when you were working there? 17 A. They was working on that -- the 15 LO 18 1, that fiber plant, was the main one they was 19 working on at that time. 20 Q. Now, at any point during your time at 21 Carolina Eastman, did anyone from Eastman ever warn 22 you or Teddy about the hazards of asbestos that you 23 might come into with your work there at Eastman? 24 DEFENSE COUNSEL: Object to the form. 25 THE WITNESS: Carolina Eastman had

Page 42 1 nothing to do with you with that part. That was up 2 to the contractor. 3 BY MR. HOLDER: 4 Q. And at what point is that? The early 5 days when you were there? 6 A. Yeah. We have a safety meeting every 7 week, you know. 8 Q. And when you say we would have a safety 9 meeting, would anyone from Carolina Eastman be 10 present? 11 A. No. 12 Q. So that was just a contractor? 13 A. That was a contractor. 14 Q. Okay. Now, your contractors or your 15 bosses at the -- for whoever your contractor is, 16 they get hired by Eastman to come on site and do 17 work, correct? 18 A. Yeah. 19 Q. And aside from the safety meetings that 20 you had -- well, let me ask that. In the safety 21 meetings you did have with your employer 22 contractor, was it ever mentioned to watch out for 23 the hazards of asbestos while at Carolina Eastman? 24 A. No. 25 Q. Okay.	Page 44 1 mid-to-late '80s when they started telling you 2 about abatement and stuff like that -- 3 A. Yeah. 4 Q. -- in the earlier part of the '80s, did 5 y'all have to remove the insulation off the piece 6 of pipe that y'all were working on if there wasn't 7 an insulator around? 8 A. Yes. We'd do it ourself, you know. 9 Q. Are there any signs up to wet it down 10 or anything like that to be careful to not disturb 11 asbestos? 12 A. Well, this come later on there when 13 they got to talking about it, you know. 14 Q. But nothing at that early time; is that 15 correct? 16 A. Not leading up to that, no. You'd tear 17 it off and go on about your business. 18 Q. Now, did you ever work with Teddy at 19 all after you left Carolina Eastman? 20 A. I worked with him at the Masters 21 Company there sometime. 22 Q. Okay. Do you recall about when you 23 went to work for the Masters? 24 A. It was in the '70s, the late '70s, I 25 think. I'm not real sure.
Page 43 1 A. Not until up in the mid-'80s when the 2 asbestos come around. They started then, see. 3 Q. Okay. And when you say the asbestos 4 come around, do you mean the abatement and removal 5 of asbestos from the buildings? 6 A. Yes. That's when they started to find 7 out about it. 8 Q. Prior to the mid-'80s when y'all were 9 working there both for Harrison and then even for 10 Yeargin, understanding what you know now, do you 11 believe it's more likely than not that Teddy was 12 exposed to asbestos while working at Carolina 13 Eastman? 14 DEFENSE COUNSEL: Object to the form. 15 DEFENSE COUNSEL: Object to the form. 16 THE WITNESS: Everybody that worked the 17 pipe department was exposed to it at one time or 18 another. 19 BY MR. HOLDER: 20 Q. And is that from asbestos-containing 21 insulation that was there at Carolina Eastman? 22 A. Well, that's what we -- that's what we 23 done there. We tied the lines and stuff, replaced 24 lines. 25 Q. And during those years prior to the	Page 45 1 Q. Okay. Do you have any recall of the 2 places where you may have worked for Masters? 3 A. Well, you had Applied Engineering here 4 in Orangeburg, and they was building little old 5 propane plants for that energy shortage in '73 when 6 everybody run out of natural gas. We would go to 7 different places and put in different tanks, an 8 evaporator, you know, that turn liquid into a vapor 9 and tie-in to the town, you know. 10 Q. You say tie-in to the town? 11 A. Yeah, the little small towns. 12 Q. Do you mean like stuff for the city or 13 for the town -- 14 A. Yes. 15 Q. -- and you tie it into the town's 16 piping system? 17 A. Yeah. 18 Q. Okay. This tank work and things like 19 that, do you have any reason to believe that that 20 work with Masters would have exposed Teddy or you 21 to asbestos? 22 A. They're only supposed to be little 23 gaskets that we used all this time, you know. 24 Q. And the gaskets would have been when 25 you were tying in?

Page 46 1 A. Yeah. Well, you had flange parts, too, 2 coming off the pipe for your header. You know, you 3 had flange units on your tank. 4 Q. Sure. And the tank would also be tied 5 into the preexisting lines; is that correct? 6 A. Yeah. 7 Q. Okay. Now -- and just to be clear, I 8 think that's what you were alluding to, but you 9 don't recall having to work with any preexisting or 10 old thermal insulation during this work with 11 Masters; is that correct? 12 A. No. 13 Q. Okay. Now, I think that we established 14 that was in the '70s, the work at Carolina Eastman 15 was through the '80s. Do you remember anywhere 16 after Carolina Eastman in the '80s when you would 17 have run back into Teddy on a worksite? 18 A. Not that I can recall. 19 Q. Okay. Now, did you ever work at the 20 AlliedSignal plant in Irmo? 21 DEFENSE COUNSEL: Object to the form. 22 THE WITNESS: Yes. I worked at Allied. 23 BY MR. HOLDER: 24 Q. Do you happen to recall who you were 25 employed by at that time?	Page 48 1 A. Yeah. 2 Q. -- Irmo, South Carolina? 3 A. Yeah. 4 Q. Do you think that -- and it's undated 5 right there. Do you believe that you and Teddy 6 were at the AlliedSignal in Irmo, South Carolina, 7 at the same time? 8 DEFENSE COUNSEL: Object to the form. 9 BY MR. HOLDER: 10 Q. Or do you recall? 11 A. If he was, he was at a different part 12 of the plant. 13 Q. You don't recall seeing him there? 14 A. No. But I didn't see him. 15 Q. That's fine. Did you work at any other 16 AlliedSignal plants besides the one in Irmo? 17 A. No. That was it. 18 Q. You can set that to the side. 19 MR. TRAYLOR: May I ask what exhibit 20 that was? 21 MR. HOLDER: That was Exhibit 6. 22 MR. TRAYLOR: Thank you. 23 BY MR. HOLDER: 24 Q. Now, just because you'll likely get 25 asked about it. This resumé is undated. Would you
Page 47 1 A. I think it was Yeargin. They had the 2 contract up there, the maintenance contract. 3 Q. Okay. 4 A. And I ain't real sure about that. 5 MR. HOLDER: I'm going to mark Exhibit 6 6, another resumé of Teddy. 7 (PLF. EXHIBIT 6, Second Resumé of Teddy 8 Knight, was marked for identification.) 9 BY MR. HOLDER: 10 Q. Hand you that right there. On this 11 one, if you look down at the bottom of the first 12 page -- 13 DEFENSE COUNSEL: What's the Bates 14 number? 15 MR. HOLDER: I'm sorry. The Bates 16 number for Exhibit 6 is Knight, SC, EX, 1, 17 Production, 000031 and 32. 18 BY MR. HOLDER: 19 Q. And this is the one that in the top it 20 says PMR. Do you see that? Mr. Cassidy, do you 21 see -- 22 A. Yeah. Yeah. 23 Q. Okay. Sorry. Down at the bottom up 24 there, you see the very last bullet point down at 25 the bottom, it says AlliedSignal --	Page 49 1 agree with that? There's no dates on any of the 2 jobs or references? 3 A. Yes. I would agree with that. 4 Q. Okay. So any of this continuing 5 education stuff at the bottom -- I guess you know 6 when he was in the U.S. Navy, but for the OSHA and 7 supervisory training, would you have any idea as to 8 what years that would have been for Teddy? 9 A. Got no idea. 10 Q. Okay. You can -- 11 A. They'd send you to many of them 12 classes, you know. 13 Q. Say again. 14 A. They would send you to them classes, 15 OSHA classes, every so often. 16 Q. And who is they? Your employer? 17 A. Employer would, you know. 18 Q. Do you recall having to go to any OSHA 19 classes when you were working at Yeargin -- or 20 working for Yeargin at Carolina Eastman? 21 A. They would come out on the jobsite, and 22 it'd be about an hour class, you know. 23 Q. Do you recall OSHA or anyone ever 24 coming on site at Eastman for an inspection or a 25 citation?

Page 50 1 DEFENSE COUNSEL: Objection to form. 2 THE WITNESS: I had a young man fall 3 down the elevator shaft. They was all over out 4 there then. That was with Harrison Electric. 5 BY MR. HOLDER: 6 Q. I'm sorry to hear that. Did -- 7 A. Well -- 8 Q. I know. It happens. 9 Was there any OSHA inspections that you 10 know of or citations related to asbestos at 11 Carolina Eastman? 12 A. Not that I'm aware of. 13 Q. Mr. Cassidy, did you keep in touch with 14 Mr. Knight over the years after y'all worked 15 together in the '80s? 16 A. Oh, yeah. We was fishing buddies. 17 Q. Okay. Where did y'all go fishing? 18 A. Well, we -- Edisto River, Savannah 19 River, Santee, you know. 20 Q. Did -- 21 A. Different places. 22 Q. Did you keep in contact with him after 23 he started to get ill? 24 A. No. 25 Q. Okay.	Page 52 1 Q. Back on the record. One question I 2 forgot to ask Mr. Cassidy: You don't have an 3 asbestos case yourself, correct? You don't have a 4 lawsuit? 5 A. No. 6 Q. For purposes of this case, though, I 7 represent you as your attorney at this deposition, 8 correct? 9 A. Yes. 10 Q. And, in fact, I came and we met 11 together yesterday at your house; isn't that 12 correct? 13 A. Yes. 14 Q. And several weeks ago, we met at your 15 house as well, correct? 16 A. Yes. 17 Q. Did I show you any pictures or any 18 lists or anything like that? 19 A. No. 20 MR. HOLDER: That's all the questions I 21 have. Defense, y'all can take it. 22 MR. HERNS: Jonathan, if we could go 23 ahead, we didn't do it in the last deposition, mark 24 the defense e-mails that you brought as an exhibit 25 to this one?
Page 51 1 A. But I think the last time I really seen 2 him and talked with him, I had a son get killed in 3 a car wreck, and I seen him at the funeral. 4 Q. I'm so sorry to hear that. 5 A. I believe that was the last time I 6 really seen him. We kind of just drifted apart, 7 you know. 8 Q. Yes. Had you been in contact at all 9 before he had to go up to the hospital or anything? 10 A. No. I didn't even -- I didn't know he 11 was even sick -- 12 Q. Okay. 13 A. -- until my buddy called and said he 14 was dead. 15 Q. Oh, my goodness. 16 A. You know... 17 MR. HOLDER: All righty. Thank you 18 very much for the time and answering all these 19 questions. There will be follow-up questions from 20 defense lawyers. I may have some follow-up after 21 that. But we'll try to move through as quickly as 22 possible. Thank you very much. 23 We can go off the record. 24 (Off-the-record conference.) 25 BY MR. HOLDER:	Page 53 1 MR. HOLDER: Sure. We're going to mark 2 as Exhibit 7, it's a 21-page e-mail from last 3 night, requested marked as an exhibit by Defense 4 Counsel. 5 There you go. Anyone want to hop in? 6 MR. TRAYLOR: I'll start. 7 MR. HOLDER: Mr. Traylor, thank you. 8 Did y'all want to switch between the 9 stickers or is it okay? That's fine. 10 MR. TRAYLOR: Get my stuff situated. 11 THE WITNESS: Take your time. 12 MR. HOLDER: Would y'all like me to -- 13 just for the record -- switch the sticker to 14 Defendant's Exhibit 1 for the e-mails? 15 MR. PHILLIPS: Sure. 16 MR. HERNS: That'll work. 17 MR. HOLDER: It's currently Exhibit 7. 18 MR. PHILLIPS: Did we append one to the 19 first deposition? I thought we had. I thought we 20 said we were. 21 MR. HERNS: We said we were, but I 22 don't believe we did. 23 MR. HOLDER: I think it was identified. 24 I have a second copy, and I am happy to -- well, it 25 was identified. I don't know. I'm happy to make

Page 54 1 it as whatever defense exhibit y'all want to make 2 it to that first deposition. 3 MR. HERNS: I believe it's part of the 4 record in one. 5 (DFT. EXHIBIT 1, 21-Page E-mail Chain, 6 was marked for identification.) 7 EXAMINATION 8 BY MR. TRAYLOR: 9 Q. Mr. Cassidy, my name is David Traylor. 10 And I'll start out asking you some questions. I'll 11 try to ask you -- if I ask you a question that you 12 don't understand or doesn't make any sense, let me 13 know, and I'll try to do better. 14 A. All right. 15 Q. All right, sir. 16 A. Sounds good to me. 17 Q. Okay. Let me just get a little bit of 18 information about you. What is your address? I 19 know you said -- did you give -- 20 MR. HOLDER: I didn't get his address. 21 BY MR. TRAYLOR: 22 Q. I know you're in Swansea. 23 A. I live on 410 Mamie Lane. 24 Q. As in M-A-M-I-E? 25 A. That's it.	Page 56 1 Q. And this is Teddy Knight's -- one of 2 his -- a resumé of his. 3 A. Yeah. 4 Q. And let me -- and it's Exhibit 6 here. 5 Let me ask you to look on the second page down at 6 the bottom. I know Mr. Holder mentioned something 7 to you. But Mr. Knight references, as far as 8 continuing education, OSHA. And then he has 9 safety, excavation, and first aid. 10 A. Yeah. That's different classes that 11 OSHA teaches. 12 Q. Right. Right. 13 A. Yeah. 14 Q. Would you agree that at least at some 15 point in his career, Mr. Knight had some OSHA 16 training? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: I feel sure he did. 19 Yeah. 20 BY MR. TRAYLOR: 21 Q. Yeah. Do you have any idea when he 22 first had OSHA training or would that be something 23 you just -- 24 A. I got no -- 25 Q. -- somebody else --
Page 55 1 Q. And that's in Swansea? 2 A. Yeah. ZIP code 29160. 3 Q. Okay, sir. And what's your date of 4 birth? 5 A. [REDACTED]. 6 Q. Okay. And the last four digits of your 7 Social Security? 8 A. 4111. 9 Q. Are you retired now? 10 A. Yes, sir. 11 Q. Okay. How long have you been retired? 12 I mean, just approximately. 13 A. 15 years. 14 Q. Okay. You were shown a document -- I 15 don't know -- I think it was exhibit -- 16 MR. HOLDER: All the exhibits are right 17 here. 18 MR. TRAYLOR: Yes. 19 MR. HOLDER: 5, 6, and then 1 through 20 4. 21 BY MR. TRAYLOR: 22 Q. I'm going to hand you this. 23 A. Uh-huh. 24 Q. That's Exhibit 6. 25 A. Yeah.	Page 57 1 A. -- idea about that. 2 Q. Okay. 3 DEFENSE COUNSEL: I'm having a little 4 bit of trouble hearing the witness. Could you move 5 the phone a little bit closer to him, please? 6 MR. HOLDER: Speak up as best you can. 7 Thank you so much. 8 THE WITNESS: I'll talk louder. 9 DEFENSE COUNSEL: Thank you so much, 10 Mr. Cassidy. I appreciate it. 11 BY MR. TRAYLOR: 12 Q. And I don't know if you can answer this 13 or not, but you just tell me: Would you expect 14 Mr. Knight to have been aware of OSHA regulations 15 when they came into effect? 16 MR. HOLDER: Objection to form. 17 THE WITNESS: I feel sure he did. 18 BY MR. TRAYLOR: 19 Q. Okay. I want to move now and ask you 20 something about the Masters Company and talk to you 21 a little bit about that. Okay? 22 A. Yeah. I'm good. 23 Q. Do you know any -- do you have any 24 background information about the Masters Company 25 like when it started or things like that? And I'll

Page 58 1 ask you more specific questions. I just am curious 2 whether you have -- 3 MR. HOLDER: Objection to form. 4 THE WITNESS: I'm not real sure about 5 that. 6 BY MR. TRAYLOR: 7 Q. Okay. 8 A. That was the mid-'70s or later, you 9 know. 10 Q. Sure. Okay. Are you aware or is it 11 your understanding that Mr. Knight was a co-owner 12 of the Masters Company along with Bobby Kraft? 13 Does that ring a bell with you? 14 A. And -- and Kenny Kraft. 15 Q. Okay. And Kenny. 16 A. Both of them was his uncle. 17 Q. Right. Right. 18 A. Yeah. 19 Q. And do you know how many employees at 20 different times the Masters Company would have had? 21 A. Let's see. There was one -- he had 22 three different crews with about four people in 23 each crew, whatever that comes up to. 24 Q. It actually comes up to 12. 25 A. Yeah. Small -- small outfit.	Page 60 1 Q. When you were with the Masters Company, 2 what was your role? What was your job? Just -- 3 A. I was superintendent. 4 Q. Okay. And as far as safety, do you 5 recall that they have any kind of safety 6 department? 7 A. No. Not a small company like that. 8 Q. Who was in charge of safety on a 9 jobsite then -- 10 MR. HOLDER: Objection to form. 11 BY MR. TRAYLOR: 12 Q. -- for the Masters Company? 13 A. Nobody that I know of. You know, you 14 kind of had to look out for yourself and your men. 15 Q. Right. But would the supervisor look 16 after his men? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: Yeah. 19 BY MR. TRAYLOR: 20 Q. Okay. Was there ever any discussion at 21 the Masters Company about any potential hazards of 22 asbestos? 23 A. Not that I'm aware of. 24 Q. Okay. Now, did the Masters Company 25 provide you supervision when you worked with them?
Page 59 1 Q. Right. Would it have been bigger 2 sometimes or did it just depend? 3 A. Oh, yeah. They hired with the load 4 work -- workload, you know, like everybody else. 5 Q. They had a lot of work, they hired more 6 people. 7 A. There you go. 8 Q. Okay. And was Teddy one of the 9 supervisors as well as owners? 10 A. Yes. 11 Q. Okay. 12 A. And he worked right along with him, 13 too, you know. 14 Q. Right. Now, do you know how they got 15 the jobs? Do you know what I mean? 16 A. I reckon they bid on them like 17 everybody else, you know, as far as I know. 18 Q. Okay. 19 A. They didn't hold no gun on nobody to 20 get it, you know. 21 Q. Sure. And were you involved in any of 22 that? 23 A. No, sir. 24 Q. Okay. 25 A. No.	Page 61 1 MR. HOLDER: Objection to form. 2 THE WITNESS: Explain that again to me 3 now. 4 BY MR. TRAYLOR: 5 Q. In other words, when you're on a job, 6 who told you what to do? If you needed telling 7 what to do, would somebody for the Masters Company? 8 A. No. You would go to -- the client 9 would tell you what to do. 10 Q. And who was the client? 11 A. Well, we were -- done a lot of work at 12 Fort Jackson. 13 Q. Oh, you mean the places where you 14 worked? 15 A. Well -- 16 Q. The premises? 17 A. You worked for the Corps of Engineers, 18 and they had somebody assigned to that project that 19 you was working on. 20 Q. Okay. So that would be -- 21 A. Like, okay, take for instance now, we 22 changed out 80-something boilers at Fort Jackson, 23 and we had an inspector that come around and 24 inspected each one of them with the Corps of 25 Engineers.

Page 62 1 Q. All right. 2 A. You know, we tear out the old boiler, 3 put a new one down. 4 Q. So that's the Corps of Engineers is 5 telling you what to do, basically? 6 A. Yes. Well, that goes -- well, we went 7 to Fort Stewart, same thing down there. The Corps 8 of Engineers had a man assigned to the job, you 9 know. 10 Q. All right. Who provided you the tools? 11 A. We was -- provide our own tools, now. 12 You have to provide all your tools. 13 Q. Right. And you were paid by the 14 Masters Company? 15 A. Yes. 16 Q. Okay. A check every week or two weeks? 17 A. Every week, yeah. 18 Q. Okay. Now, just in general, when you 19 were working as a pipe fitter just for various 20 companies -- 21 A. Yeah. 22 Q. -- the contractors, and when you were 23 in construction and when you were a union guy -- 24 union man, do you remember at some point when 25 insulation boxes had had warning labels on them?	Page 64 1 MR. HOLDER: Objection to form. 2 THE WITNESS: Let's start on that now. 3 Fort Stewart, Georgia. 4 BY MR. TRAYLOR: 5 Q. Okay. 6 A. Bobby Kraft would take any kind of 7 work, now. We remodeled a medical warehouse down 8 there for the government, you know. That, we put 9 some tanks in in Bessemer, Alabama. 10 Q. You talking about the propane tanks? 11 A. Yes, the propane tanks for Applied 12 Engineer. I don't know how Bobby got hooked up 13 with them, but he -- yeah. Then we went to Tipton, 14 Iowa. 15 MR. GLENN: What was that? I'm sorry. 16 MR. HOLDER: Tipton, Iowa. 17 THE WITNESS: Tipton. 18 MR. TRAYLOR: Tipton. 19 THE WITNESS: Tipton. About 20 miles 20 from the Mississippi River, over an hour. Nothing 21 but farm country. Took me two weeks to get a crane 22 to set a tank. 23 Okay. From there, we went to O'Neill, 24 Nebraska. Then we dropped down to Missouri down 25 there. I can't think of the name of that town down
Page 63 1 A. Not that I'm aware of. 2 Q. Okay. You remember Kaylo? Does that 3 name ring a bell with you? 4 A. Yes. It's a type of insulation. 5 Q. And Owens Corning made Kaylo? 6 MR. HOLDER: Objection. 7 THE WITNESS: I didn't know that. 8 BY MR. TRAYLOR: 9 Q. Do you recall when Kaylo went 10 asbestos-free? 11 MR. HOLDER: Objection to form. 12 THE WITNESS: No. I got no idea about 13 that. 14 BY MR. TRAYLOR: 15 Q. Do you recall seeing boxes that said 16 asbestos-free? 17 A. No, no. 18 Q. Okay. You mentioned that when you were 19 with the Masters Company, you worked -- I thought 20 you had said -- and I'm going to have to look at my 21 notes. I thought you said you worked at various 22 cities; is that right? 23 A. Yes. We traveled around. 24 Q. Right. Can I get you to list for me 25 all the sites that you recall?	Page 65 1 there, but we put in nine 200,000 gallon tanks and 2 tied into the main line running from Texas to New 3 York. So that was a pretty good-sized job. 4 And then he was going to send us to 5 Bold Water in Indiana, and I told Mr. Bobby if he'd 6 pay the alimony and divorce, I'd go; otherwise, I 7 quit. So that's how we parted company. 8 BY MR. TRAYLOR: 9 Q. So you parted company that way. Okay. 10 I need to ask you about the propane 11 tanks, the system. How big are they? 12 A. Well, they come in different sizes. 13 Q. Right. 14 A. You have 60,000-gallon, 90,000-gallon, 15 and 120,000 gallons. 16 Q. And different ones for different jobs? 17 A. Different jobs. Yes. 18 Q. Okay. And about -- this sounds funny, 19 but how much did they weigh? It's a system? 20 A. I don't know how much they weighed, 21 now. It took a pretty good-sized crane to set 22 them, you know. 23 Q. How did they get shipped to a site? 24 A. They would come on a truck. 25 Q. On trucks?

Page 66 1 A. Yeah. 2 Q. And what was the purpose of them, those 3 tanks? 4 A. They was using them for backup systems 5 for these little small towns when the -- to cut the 6 natural gas off for them, is what that was for. 7 Q. Okay. And what were they made of? 8 A. What? The tanks? 9 Q. Yes, sir. 10 A. Carbon steel. 11 Q. And were there sections or parts of 12 them? 13 A. They come whole. 14 Q. So it was already assembled? 15 A. Yeah. The tank was, now. 16 Q. Was there anything else besides the 17 tanks? 18 A. Well, once you're done, you pour the 19 radius out of concrete -- 20 Q. Right. You lay them -- 21 A. -- and set them in a saddle to put them 22 in. You put them in that there, and had all kind 23 of relief valves on them, and then you have a 24 header that tied two or more of them together that 25 run to the evaporator house. And out of the	Page 68 1 turn that into a gas. Well, this little evaporator 2 building had a little boiler in it. When you 3 heated that propane, it turned to gas, and that's 4 what's sent out. Do you understand that, how it 5 works? 6 Q. Kind of. 7 A. Yeah. Okay. 8 Q. And how would it operate once it was 9 in -- ready to go? 10 A. Everything was automatic. 11 Q. Okay. 12 A. All the town had to do was come turn it 13 on. 14 Q. Okay. Now, is this the same for, I 15 guess, each jobsite? 16 A. Yes. 17 Q. Okay. Then I need to go through and 18 ask you the dates that -- and how long the job took 19 for each jobsite, if you can help me with that. 20 A. It generally took about two months on 21 each one. 22 Q. Okay. Do you recall the dates for Fort 23 Stewart? 24 A. Got no idea. 25 Q. How about Bessemer, Alabama?
Page 67 1 evaporator house, it went to the town and tied into 2 it. 3 Q. Now, they were preassembled? 4 A. Yes. They was made right here at -- 5 Q. Right. 6 A. -- in Orangeburg. 7 Q. In Orangeburg. 8 A. At Clyde Engineering. 9 Q. Right. Now, and I appreciate it, and I 10 just don't know what -- I need to get some 11 information from you -- 12 A. I don't know where tanks come from, 13 now. They didn't make the tanks. Now, they made a 14 little evaporator house down there. 15 Q. Okay. And at the sites -- or let me, I 16 guess, at the sites, where were they installed? 17 Were they usually off -- they weren't connected up 18 to a plant necessarily, were they? 19 A. No, just tied into the town. 20 Q. Right. Okay. And what was running 21 through them? Air? 22 A. Propane. 23 Q. All right. It's cold or liquid or 24 cool, ambient? 25 A. Propane is a liquid. And you have to	Page 69 1 A. No idea whatsoever. 2 Q. I just need to go through: Tipton, 3 Iowa? 4 A. No idea. I know -- yeah, it was, too, 5 it was in August because I -- the little place we 6 was putting it in there, there was a maintenance 7 shed right there next to it, and the fellow was 8 hooking up snow plows. And I go over there and 9 asked him what's going on with the snow plows. He 10 told me, he said Labor Day, he said, anything can 11 happen around here then. So we got busy and got 12 out of there. So it was around Labor Day on that 13 one. 14 Q. So each job took about two months? 15 A. About two months, yeah. 16 Q. And the O'Neill, Nebraska? 17 A. Same with it. 18 Q. And Missouri tanks, the Missouri? 19 A. Well, that was a longer one, that one. 20 Q. Okay. Now, you were asked by 21 Mr. Holder about any possible asbestos exposure. 22 Do you believe that there was any asbestos exposure 23 that may have occurred to Mr. Teddy Knight as a 24 result of installing these propane tanks or the 25 system?

Page 70 1 A. The only way it would be was he 2 handling propane -- handling gaskets that was 3 bundled up -- 4 COURT REPORTER: What? 5 THE WITNESS: -- that had asbestos on 6 it. 7 BY MR. TRAYLOR: 8 Q. Okay. I want to ask you -- now, are 9 you talking about a flange gasket? 10 A. Yes. 11 Q. Okay. I want to ask you about that 12 then. I guess now, were there some piping that was 13 welded on that system? 14 A. Yes. 15 Q. Okay. And -- 16 A. You had to carry a welder with you. 17 Q. And wasn't Mr. Teddy Knight kind of one 18 of the primary welders? 19 A. He was a welder, yes. 20 Q. Were there screwed connections -- you 21 understand what I'm saying -- or just flange 22 connections? 23 A. All -- all -- all that was screwed on 24 that was the damn relief valves on the system. 25 Everything else was welded and flanged, you know.	Page 72 1 A. Yeah. 2 Q. So he was on the Bessemer, Alabama, 3 job? 4 A. Yeah. That was a pretty good-sized job 5 there. 6 Q. Right. Would he have installed any of 7 the flange gaskets? 8 A. Yes. 9 Q. Do you have any idea how many Teddy 10 Knight would have installed on the Bessemer, 11 Alabama, job? 12 A. Got no idea. 13 Q. And how would you install that -- the 14 flange gasket? Was it precut? 15 A. Yes. 16 Q. And this is all new installation? 17 A. Yes. 18 Q. Okay. And it's outdoors? 19 A. Outdoors. 20 Q. Okay. Where would you get the flange 21 gaskets? 22 A. Where would we guess them? 23 Q. Get them. I'm sorry. 24 A. Oh. 25 Q. Obtain them.
Page 71 1 Q. And what percentage would be flanged? 2 A. 98 percent of it. 3 Q. Okay. Now, was Teddy Knight involved 4 with any of the application of or installing the 5 flange valves? 6 A. Yes. If he was on the job, he was, you 7 know. 8 Q. And he was -- 9 A. Everybody -- everybody helped 10 everybody, you know. 11 Q. Was he on every one of these jobs that 12 you mentioned? 13 A. No. He wasn't on none of them jobs 14 with me. He was on other jobs. 15 Q. Okay. He wasn't on any of the jobs 16 that you mentioned -- 17 A. Bessemer, Alabama, he come down and 18 helped us out welding down there. 19 Q. And I apologize. I misunderstood. I 20 thought he was on every one -- 21 A. No, no. 22 Q. -- of the jobs. 23 A. No, no, no, no. I'm the 24 superintendant, and I had my own crew. 25 Q. I see. Okay.	Page 73 1 A. We'd order them from the supply house. 2 Q. Okay. And where was -- 3 A. The pipe supplier. 4 Q. What? 5 A. The pipe supplier. 6 Q. You'd get it from a local pipe supplier 7 wherever you were? 8 A. Yeah. 9 Q. Okay. 10 A. Most of the time, we'd -- we would have 11 them with us before we went, because when you go 12 somewhere, you don't know what you're going to 13 find. You know what I'm saying? 14 Q. You mean the Masters -- 15 A. He had them stockpiled -- 16 Q. I got you. 17 A. -- you know, different sizes. 18 Q. Right. 19 A. When you went to the job, you just 20 carried them with you, how many you ever -- that 21 you needed. 22 Q. Right. Do you know the brand or the 23 manufacturers of any of those? 24 MR. HOLDER: Objection to form. 25 THE WITNESS: Garlock is the only one I

Page 74 1 can remember. But there were different types, you 2 know. 3 BY MR. TRAYLOR: 4 Q. And I'm talking -- this is for the 5 Masters Company? 6 A. Yes. 7 Q. Okay. And they were precut? 8 A. Precut, yeah. 9 Q. So, I mean, just tell me how -- what it 10 would do -- how would you install them? I just 11 need to ask this just to -- 12 A. All right. You take -- you got two 13 flanges, right. 14 Q. Right. 15 A. And you're going to put a valve in 16 between them, right. 17 Q. Right. 18 A. You put the valve up there and put two 19 bolts in the bottom of it, you know. And you 20 spread it apart to drop the gasket in. 21 Q. Okay. 22 A. And then you put the rest of the bolts 23 up and crisscross it and tied it up. 24 Q. But you wouldn't have to cut it or do 25 anything like that?	Page 76 1 Q. Okay. 2 A. Yeah. You had -- you had them specs on 3 there -- 4 Q. And who provided -- 5 A. -- you had to read them. 6 Q. -- the specs? 7 A. The company you was doing the work for. 8 Q. Meaning the city or the -- 9 A. Meaning Applied Engineering. 10 Q. You're saying Applied Engineering -- 11 A. Yes. 12 Q. -- specified it? 13 A. Specified it. See, they had inspected 14 each one of them jobs, too, Applied did. 15 Q. Right. Now, how long would it take for 16 you to drop the gasket in? 17 A. A multi-second, I reckon. But you got 18 to pick it up and handle it to put it in, you know. 19 Q. Right. And would you -- and how many 20 gaskets would be on a system that an individual 21 would have to drop in, if that makes sense? 22 A. I would say 12 or 14. 23 Q. 12 or 14 gaskets -- 24 A. Gaskets. 25 Q. -- for the whole system?
Page 75 1 A. No, no. Huh-uh. 2 Q. So it was a matter of taking it out of 3 the package and dropping it in -- 4 A. Dropping it in. 5 Q. -- and then tightening up your bolts? 6 A. Yeah. 7 Q. Now, were there -- do you recall any 8 red rubber gaskets? 9 A. Red rubber gaskets is for water, and 10 all we had was propane. 11 Q. Right. 12 A. So we didn't never mess with no red 13 rubber gaskets. 14 Q. Do you know the composition of the 15 gaskets that you were installing in, what, 16 mid-to-late '70s? 17 A. What composition you talking about? 18 Q. What's it made of? 19 A. It was asbestos. 20 Q. And why do you say that? 21 A. Well, that was the specs on the job. 22 Q. There was specified -- 23 A. Specified for that. 24 Q. -- for asbestos-containing -- 25 A. Yes.	Page 77 1 A. Yeah. 2 Q. And I'm assuming sometimes somebody 3 would do it, sometimes somebody else would do it? 4 A. Yes. Whoever got free would do it. 5 Q. Right. Okay. Do you recall at 6 Bessemer, Alabama, whether Teddy Knight actually 7 handled or put in the new gaskets or not? 8 A. All those was done. I -- I couldn't 9 say. 10 Q. Okay. But in other words, somebody 11 else could have done those 12 or 14? 12 A. Well, that was a bigger job down there, 13 now. 14 Q. You mean it varied with the job? 15 A. It varied with the job. Yes. 16 Q. Let's just say at Bessemer, Alabama, 17 how many gaskets do you think? Or are you able to 18 say? 19 A. There were 6 tanks there, and there was 20 14 to each one. So you figure it out. 21 Q. So 6 times 14, is that what you're 22 saying? 23 A. There you go. 24 Q. That's how many gaskets would have been 25 utilized at Bessemer?

Page 78 1 A. Yeah. 2 Q. But you don't know whether he did any 3 of them or not? 4 A. I feel sure he did, now. Everybody was 5 around there doing it, you know. 6 Q. Do you know how many he would have 7 done? 8 A. Got no idea. 9 Q. Okay. Any other potential exposure 10 other than the -- installing those flange gaskets? 11 A. That's all I know. 12 Q. Okay. Do you know who dealt with 13 Applied Engineering as far as, you know, getting 14 the jobs and all? 15 A. Bobby Kraft did. 16 Q. Bobby did all that? 17 A. Yeah. He got all the bidding. 18 Q. I got you. Do you know with whom he 19 dealt -- who did he deal with? 20 A. I got no idea. 21 Q. Okay. Now, as far as the work that 22 y'all were doing, you said there was an applied 23 engineer -- 24 A. I really don't know of any engineer, 25 but inspector more or less --	Page 80 1 MR. HOLDER: Objection to form. 2 BY MR. TRAYLOR: 3 Q. Yes? 4 A. Yes. Yes. That was big business back 5 then. Yeah. 6 MR. TRAYLOR: Okay. I may have some 7 other follow-up, but I appreciate your time. 8 THE WITNESS: Well -- 9 MR. TRAYLOR: Thank you very much. 10 THE WITNESS: Thank you. 11 MR. HOLDER: Anybody else in the room? 12 EXAMINATION 13 BY MS. SHYTLE: 14 Q. Good afternoon. 15 A. How do you do? 16 Q. I'm doing just fine. My name is 17 Courtney Shytle, and I grew up in Saint Matthews, 18 and I'm here to ask you some questions about that 19 Carolina Eastman plant right up the road from my 20 house. 21 A. Yeah. The one you collecting taxes off 22 of all them years. 23 Q. Had to do something, man. 24 A. Uh-huh. 25 Q. I believe you testified that back in
Page 79 1 Q. Okay. What I meant -- 2 A. He wasn't no -- 3 Q. I'm sorry. 4 A. -- engineer. 5 Q. Was there somebody from Applied 6 Engineering on the job? 7 A. Yeah. You'd see him about once a week. 8 Q. Okay. Was the work that y'all were 9 doing for Applied Engineering, was that, I guess, 10 part of their business? 11 A. Yes. 12 Q. I mean, was it essential to the Applied 13 Engineering's business to get -- 14 MR. HOLDER: Objection to form. 15 BY MR. TRAYLOR: 16 Q. -- that system installed the way he 17 did? 18 A. Yes. See, they sold it -- 19 Q. Right. 20 A. -- to the town, you know. 21 Q. Right. And y'all had to -- 22 A. We had to go put it in. 23 Q. Okay. So it was a necessary, 24 essential, and integral part of Applied 25 Engineering's business?	Page 81 1 1966 you had done some work at Carolina Eastman in 2 Columbia. Do you remember that? 3 A. Yes. 4 Q. And I believe at that point you said 5 you did not know Mr. Teddy Knight; is that right? 6 A. Yes. I didn't know him. 7 Q. So you don't know what work he might or 8 might not have done at the Eastman plant in 9 Columbia at that time in the '60s? 10 A. He wasn't on that job at that time. 11 Q. Okay. And you don't have any 12 information about whether or not Mr. Teddy Knight 13 may have ever worked at any other Eastman facility, 14 only the one in Columbia? 15 MR. HOLDER: Objection to form. 16 THE WITNESS: All as I know, that's the 17 only one he ever worked at. 18 BY MS. SHYTLE: 19 Q. Okay. If my notes are right, I have 20 that -- and I believe you were referring to some of 21 the exhibits that Plaintiff's counsel handed you -- 22 that you first recall meeting Mr. Knight or seeing 23 him work at the Eastman plant in Columbia around 24 1982 to 1983; is that right? 25 A. Right.

Page 82 1 Q. And what was the first job that you 2 knew Mr. Knight to be working on at Carolina 3 Eastman in Columbia? 4 MR. HOLDER: Objection to form. Asked 5 and answered. 6 THE WITNESS: You got me bumfumbled 7 there, now. I can't remember all that. 8 The Harrison job. 9 BY MS. SHYTLE: 10 Q. Okay. And what job was that? I mean, 11 what were y'all doing? 12 MR. HOLDER: Objection to form. Asked 13 and answered. 14 THE WITNESS: We was pipe fitting. 15 BY MS. SHYTLE: 16 Q. And in what building was the work you 17 were doing? 18 MR. HOLDER: Objection to form. 19 THE WITNESS: 17 L 07. 20 BY MS. SHYTLE: 21 Q. And that was new construction, I 22 believe you said? 23 A. New construction. 24 Q. Okay. And how closely did you work 25 with Mr. Knight?	Page 84 1 THE WITNESS: Repeat that for me one 2 more time. 3 BY MS. SHYTLE: 4 Q. I'll try to do a better job. When is 5 the first time that you can recall that you saw 6 Mr. Knight when he was working at Eastman in 7 Columbia that you think he might have been exposed 8 to asbestos? 9 MR. HOLDER: Objection to form. 10 THE WITNESS: You got me there now. I 11 can't... 12 BY MS. SHYTLE: 13 Q. Was there ever a time? 14 A. Oh, yeah. I've seen him plenty of 15 times, but I'm thinking about the time you're 16 talking about. You got me on the time. 17 Q. Well, we said it was not when you were 18 working in the new building? 19 A. Yeah. 20 Q. So would it have been after that or 21 before that? 22 A. It was after that. 23 Q. After that. Okay. Can you give me an 24 example of a time that you think you saw him being 25 exposed to asbestos?
Page 83 1 MR. HOLDER: Objection to form. 2 THE WITNESS: How close do you work 3 with somebody, explain that now. 4 BY MS. SHYTLE: 5 Q. Well, I guess my question is did you 6 all work together every day or some days you did, 7 some days you didn't? I'm just -- that's what I'm 8 trying -- 9 A. You work -- 10 Q. -- to understand. 11 A. -- on a -- 12 MR. HOLDER: Objection to form. 13 THE WITNESS: -- construction job, you 14 see everybody every day. 15 BY MS. SHYTLE: 16 Q. Okay. And was there anything during 17 the work in building 17 LO 7 a time when you 18 believe that Mr. Knight may have been exposed to 19 asbestos? 20 A. None in that building. 21 Q. Okay. When during your time at 22 Carolina Eastman do you believe that you observed 23 Mr. Knight being exposed potentially to asbestos? 24 MR. HOLDER: Objection to form. 25 If you understand the question.	Page 85 1 A. Well, on several shutdowns, you know. 2 Q. Okay. Shutdowns? 3 A. Yes. 4 Q. Okay. Do you know during what time 5 period that would have been? 6 A. There you go with that time again, now. 7 Q. I'm sorry. 8 MR. HOLDER: Objection to form. 9 THE WITNESS: That's been a long time 10 ago, and I'm an old man. 11 BY MS. SHYTLE: 12 Q. Would this have been before or after he 13 moved him to his field coordinator position? 14 MR. HOLDER: Objection to form. 15 THE WITNESS: Before. 16 BY MS. SHYTLE: 17 Q. Before? 18 A. Yeah. 19 Q. Okay. 20 A. Yeah. He worked a good -- good -- good 21 while before he went to that field coordinator 22 deal. 23 Q. And I believe according to his resumé, 24 he became a field coordinator in 1985? 25 A. That sounds right.

Page 86 1 Q. So we're talking sometime probably 2 between '83 and '85? 3 A. There you go. 4 Q. Tell me if you would, give me an 5 instance of when you would have observed Mr. Knight 6 being exposed, you believe, to asbestos? 7 MR. HOLDER: Objection to form. Asked 8 and answered. 9 THE WITNESS: Everybody worked out 10 there was exposed to it at one time or another. 11 BY MS. SHYTLE: 12 Q. Okay. What kind of asbestos material 13 would he have been exposed to that you observed, do 14 you think? 15 A. Well, some of it was soft and some of 16 it was that old hard stuff. 17 Q. Yes. What would Mr. Knight have been 18 doing specifically? 19 A. Well, either changing a valve or tying 20 in a line or replacing the line. 21 Q. Can you tell me any more about the 22 material that you observed other than some was soft 23 and some was hard? 24 MR. HOLDER: Objection to form. 25 THE WITNESS: I can tell you -- let me	Page 88 1 Please mute your phones, Star 6. It's getting 2 really loud. Thank you. 3 Sorry to interrupt, guys. 4 MS. SHYTLE: No, thank you. 5 MR. HOLDER: Would you mind repeating 6 that last question? 7 BY MS. SHYTLE: 8 Q. Yes, if I can. I guess my question was 9 when you all were doing these odd jobs, did 10 sometimes you go to some buildings and he went to 11 others? 12 A. Yes. We worked all over the plant but 13 different -- 14 Q. And who was -- okay. And who was your 15 supervisor that would have assigned people to 16 different jobs during this time period? 17 A. Dick Key for Eastman. 18 Q. And I believe we've already said 19 Mr. Key was an Eastman employee; is that right? 20 A. Correct. 21 Q. He's not a Yeargin employee? 22 A. No. 23 Q. Would Eastman employees typically go do 24 these odd jobs with you? Were they also part of 25 that crew?
Page 87 1 make this statement here. 2 BY MS. SHYTLE: 3 Q. Yes? 4 A. I have five or six good friends that 5 was insulators, and none of them with us now. 6 Q. So talking about insulation? 7 A. Yes. Insulators. You know Rick 8 Rickenbacker? 9 Q. I know a lot of Rickenbackers. 10 A. Well, he's from Saint Matthews. He was 11 an insulator. He's no longer with us. 12 Q. During the time -- I believe you told 13 counsel that you were -- you did odd jobs during 14 this time at Carolina Eastman. That's how you 15 described it; is that right? 16 A. Yes. They had a miscellaneous crew. 17 They done everything. 18 Q. Was Mr. Knight on that crew with you? 19 A. Yes. 20 Q. Okay. Would you typically work on the 21 same odd jobs or would sometimes he go one place 22 and you go the other? 23 A. Just whatever popped up. 24 Q. So you would -- do you not recall -- 25 MR. HOLDER: Please mute your phones.	Page 89 1 A. No. They would point their finger and 2 leave, and you've done the job. 3 Q. Okay. Do you recall any of the 4 buildings that you would have gone to? You listed 5 a number of buildings because it is a big site. 6 The buildings that you would have gone in during 7 this time period -- or excuse me, not that you 8 would have gone in, but that Mr. Knight would have 9 gone in to perform some of these odd jobs? 10 A. I would say every building out there 11 except the warehouse, you know. There was nothing 12 in it. 13 Q. Now, it's fair to say, I suppose, some 14 of these odd jobs would not involve asbestos, would 15 they? 16 A. Yeah. Right. And a lot of them did -- 17 Q. Right. 18 A. -- you know. So... 19 Q. Tell me about -- you said that a lot of 20 this work would be during shutdowns? 21 A. Yes. 22 Q. Tell me what you mean by that. Tell me 23 about that. 24 A. Well, let's see. How do you explain a 25 shutdown? When the client wanted some changes

Page 90 1 made. 2 Q. And in this case, who was the -- 3 A. And this plant runs 24 hours a day, 7 4 days a week. 5 Q. Let me just interrupt you one minute. 6 The client you're talking about is Eastman? 7 A. Eastman, yes. 8 Q. When they want to make some changes? 9 A. They want to make a change. 10 Q. Yes. 11 A. Everything is running seven days a 12 week, making that money, right. They ain't wanting 13 it down too long. You have a shutdown. You jump 14 in there with both feet, get the job done, and get 15 them back on the line. And that's a shutdown. 16 Q. Okay. Now, is the work that Mr. Knight 17 would have done, if you know, during these 18 shutdowns, is this maintenance work? Is this 19 repair work? What was he doing? 20 A. We done a little bit of both. 21 Q. Okay. Would you have -- 22 A. If maintenance got behind and needed 23 help, we helped them, you know. 24 Q. And when you say maintenance got 25 behind, you mean the Eastman maintenance group?	Page 92 1 A. When they first started up 17 LO 1, 2 that was -- the one making the pellets for the 3 Kodel fiber, it would clog up, mess up, and 4 everything else at a minute's notice, and you had 5 to stay there until it was finished. 6 Q. Do you recall Mr. Knight working on 7 that project? 8 A. Yes. 9 Q. Do you have an opinion as to whether or 10 not Mr. Knight might have been exposed to asbestos 11 doing that work or no? 12 A. We had a column there. Let me see how 13 to explain this. It was a column that was four 14 stories high, right. Can you imagine that? All 15 right. It had a top on it with trays in it, went 16 back and forth, working under a vacuum. 17 And when it would clog up, everything 18 would freeze up. Once it come below a certain 19 temperature, you had to pull the top off of it, 20 clean them trays, break the lines loose going to 21 it, clean -- get the Eastman people to clean all 22 them out, and then put them back together as quick 23 as you can. 24 Q. And what building was this in? Do you 25 remember?
Page 91 1 A. The Eastman people. Yeah. 2 Q. Okay. 3 A. All them. 4 Q. So sometimes when you were doing 5 maintenance, you would be working side-by-side with 6 the Eastman maintenance guys? 7 A. Yeah. 8 Q. Would the same be true with repairs? 9 Would sometimes you would or Mr. Knight would work 10 side-by-side with the Eastman repair guys? 11 A. Yeah. On occasions, yeah. 12 Q. Was any of the work that you observed 13 Mr. Knight doing during this time period related to 14 new construction or no? 15 A. No. This was more or less 16 maintenance-type work we was doing there. It 17 wasn't new construction. 18 Q. Okay. And would these be scheduled 19 shutdowns for scheduled maintenance and repairs? 20 A. Oh, yeah. 21 Q. Okay. Do you recall whether there was 22 ever any particular event that occurred during this 23 time period? You know, a particular failure that 24 caused, you know, an unscheduled repair that 25 Mr. Knight worked on?	Page 93 1 A. 17 LO 1. 2 Q. Oh, 17 LO 1. I'm sorry. You told me 3 that. 4 And do you believe that there was 5 asbestos in that column? 6 A. Back then, everything was asbestos. 7 Yeah, man. Oh, hell. 8 Q. And when you were doing that or when 9 Mr. Knight was doing that repair or maintenance 10 work, I think you said you all were assisting or 11 working with the Eastman -- 12 A. Eastman people -- 13 Q. -- guys? 14 A. -- on that. Yeah. 15 Q. When Mr. Knight moved into the position 16 of field coordinator in 1985, did you all continue 17 to work together or that was a different position 18 than -- 19 A. That was a different position there. 20 Q. Okay. 21 A. I had to argue with him then. 22 Q. So you didn't work nearly as close 23 together at that point? You were in two 24 different -- 25 A. Yeah.

Page 94 1 Q. -- positions? 2 A. Yeah. 3 Q. Okay. And based on what we have as 4 his -- do you know what his job entailed as a field 5 coordinator at Carolina Eastman? Do you know what 6 he did? 7 MR. HOLDER: Objection to form. 8 BY MS. SHYTLE: 9 Q. Or what his responsibilities were? 10 A. Let me -- let me tell you how fool 11 Eastman is. If you run a half inch air line from 12 here to that door back there, they want the red 13 line drawing on it sent to the motherland, 14 Kingsport, Tennessee, for them to put that on their 15 big drawings. That's what Teddy Leroy was doing. 16 Q. So he was working with the Eastman 17 engineers? 18 A. Yes. He was in the office with them, 19 yeah. 20 Q. And they were documenting the work that 21 was occurring -- 22 A. Yes. 23 Q. -- in Columbia? 24 And then they would communicate that to 25 Kingsport?	Page 96 1 about that time he was also transferred to the 2 estimating department and the cost department? 3 A. Yes. That's where the argument 4 started. 5 Q. Okay. Those are the estimating 6 departments and cost departments of Carolina 7 Eastman -- 8 A. Carolina Eastman. 9 Q. -- in Columbia, right? 10 A. Yes. 11 COURT REPORTER: I'm sorry. Please try 12 and wait for her to finish. I can't type two 13 people at the same time. That's why. I'm sorry. 14 MR. HOLDER: We're getting -- yes. 15 We're just getting real comfortable. It's okay. 16 We'll just take our time. 17 THE WITNESS: You got to get better, 18 you know. 19 COURT REPORTER: I literally can't type 20 two people at the same time. 21 MR. HOLDER: Yes. It's okay. You're 22 doing a great job. We'll just try not to talk over 23 each other. It'll be fine. 24 BY MS. SHYTLE: 25 Q. My question is: Isn't it true that
Page 95 1 A. Yeah. 2 Q. So that was pretty much -- I know he 3 had to go out and see what was happening -- 4 A. Yeah. 5 Q. -- but this was more or less a desk job 6 in the office? 7 MR. HOLDER: Objection to the form. 8 THE WITNESS: Well, he stayed out in 9 the field a good bit, too, now, because he had to 10 take all the measurements, place where that line 11 was at, the elevation of it, and all that too, now. 12 And he had to do all that. So he was in the field 13 a good bit. 14 BY MS. SHYTLE: 15 Q. Taking measurements and keeping 16 records -- 17 A. Yeah. 18 Q. -- of lines and where they were? 19 A. And send them to Tennessee. 20 Q. But he wasn't installing pipes or 21 working with valves or pumps -- 22 A. No. 23 Q. -- or anything like that? 24 A. No. 25 Q. And Counsel asked you a little bit	Page 97 1 when we're talking about the estimating department 2 and the cost department, those are Eastman 3 departments not Yeargin Construction departments? 4 A. Right. 5 Q. Okay. So, again, Mr. Knight would have 6 been working really more or less as an Eastman 7 employee doing the same things they were doing at 8 that time? 9 MR. HOLDER: Objection to form. 10 THE WITNESS: Yes. But Yeargin would 11 be paid, but he was right there with the Eastman 12 people. 13 BY MS. SHYTLE: 14 Q. Okay. Was there ever a time after that 15 that you and Mr. Knight sort of came back together 16 and began working together as pipe fitters? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: Yeah. When work got 19 slack, they sent him back into the field. 20 BY MS. SHYTLE: 21 Q. Okay. And did you all -- I'm sorry? 22 A. They were through with him then, you 23 know. 24 Q. Okay. And this was in the late 1980s? 25 A. Yeah.

Page 98 1 Q. Okay. And I think you testified that 2 by the mid-1980s there were signs around the plant 3 and the facility relating to the potential 4 hazards -- 5 MR. HOLDER: Objection. 6 BY MS. SHYTLE: 7 Q. -- of working with asbestos? 8 A. Yeah. 9 MR. HOLDER: Objection to form. 10 Misstates the prior testimony. 11 BY MS. SHYTLE: 12 Q. After Mr. Knight returned to the field 13 as a pipe fitter in the late 1980s, do you have any 14 opinions as to whether or not you observed him 15 potentially being exposed to asbestos? 16 MR. HOLDER: Objection to form. 17 DEFENSE COUNSEL: Object to form. 18 THE WITNESS: Not that I know of. 19 BY MS. SHYTLE: 20 Q. Do you happen to know who Mr. Knight's 21 supervisor might have been during the time he was a 22 field coordinator? 23 MR. HOLDER: Objection to form. 24 THE WITNESS: He was in the office with 25 Joe Bare.	Page 100 1 Q. Oh, I'm sorry. You're exactly right. 2 A. He wasn't work working -- 3 Q. My fault. 4 A. -- for Yeargin. 5 Q. My apologies. You're right. 6 A. He was working under me. I was the 7 general foreman. 8 Q. Okay. So you were his supervisor; is 9 that right? 10 A. Right. 11 Q. Did Eastman in Columbia have a safety 12 department when you all worked there in the 1980s? 13 A. Yes. They had a safety department. 14 Q. Do you know who was in charge of it? 15 A. I want to say Elliott was his last 16 name. They had ambulance and fire trucks and 17 everything else in the safety department, you know. 18 Q. Did they also have protective gear? 19 A. Oh, yeah. They was outfitted fine, you 20 know, Eastman people was. 21 Q. Okay. And where would you or 22 Mr. Knight get protective gear to wear -- 23 MR. HOLDER: Objection to form. 24 BY MS. SHYTLE: 25 Q. -- during the 1980s when you were at
Page 99 1 BY MS. SHYTLE: 2 Q. Joe Bare? 3 A. Yeah. 4 Q. B-E-A-R? 5 A. B-A-R-E. 6 Q. Okay. Was Mr. Bare a Yeargin 7 Construction or an Eastman employee? 8 A. He was an Eastman man. 9 Q. Okay. What about -- I forgot to ask 10 you. When the two of you were working together in 11 the new construction, building 17 LO 7 -- 12 A. Yeah. 13 Q. -- who was your supervisor at that 14 time? 15 A. Who was his supervisor? 16 Q. Yes, thank you. 17 A. I don't know which crew he was in. He 18 might have even been foreman. I don't know. 19 Q. Do you know whether his supervisor 20 would have been an Eastman employee or a Yeargin 21 employee? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: He was working for 24 Harrison then. 25 BY MS. SHYTLE:	Page 101 1 Carolina Eastman? 2 A. They gave you one of them little 3 coverall suits to go on -- the white with -- like 4 the trash man wears. That was your suit. 5 Q. Okay. And that's what you would -- 6 that's what you all wore -- 7 A. Yeah. 8 Q. -- in the 1980s? 9 Is that what you would have worn when 10 you were doing the maintenance and repair work 11 alongside the Eastman employees? 12 A. Yeah. 13 MR. HOLDER: Objection to form. 14 THE WITNESS: Yeah. 15 BY MS. SHYTLE: 16 Q. What other types of safety equipment 17 would you have worn? 18 A. Well, we have them little masks to put 19 on there when we was getting the asbestos off. We 20 started with that, you know. 21 Q. What about respirators? 22 A. That come along later, asked for a 23 little white mask -- 24 Q. Okay. 25 A. -- on down the road.

Page 102 1 Q. Okay. Would the respirators have been 2 while you were doing these odd jobs? 3 MR. HOLDER: Objection to form. 4 THE WITNESS: This was on down the 5 road. We had done done them little jobs behind us. 6 BY MS. SHYTLE: 7 Q. Okay. 8 A. It was over with. 9 Q. Okay. During that time period, would 10 you all -- and when I say you, do you know if 11 Mr. Knight participated in any type of safety 12 meetings -- 13 MR. HOLDER: Objection to form. 14 BY MS. SHYTLE: 15 Q. -- during this time of odd jobs from 16 '83 to '85? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: Everybody went to a 19 safety meeting on Monday morning. 20 BY MS. SHYTLE: 21 Q. Okay. Who hosted -- or excuse me. Who 22 ran that meeting? 23 A. Well, the foreman generally to run it, 24 but the office would send you the paper out, the 25 topic to talk about, whether it's tying off or	Page 104 1 trash at the meeting, you know. A little -- 2 Q. That's what I thought you were saying. 3 A. Yeah. They would -- five-minute safety 4 meeting, and then go to talking and carrying on 5 there. 6 MS. SHYTLE: Those are all the 7 questions I have at this time. 8 THE WITNESS: Thank you. 9 MR. HOLDER: Next? 10 MR. GLENN: Do you want to take a 11 break? 12 MR. HOLDER: If you think you're going 13 to be short. If you think you're going to be more 14 than 15 minutes -- 15 MR. GLENN: I have no idea. 16 MR. HOLDER: Let's go ahead and take a 17 quick break. Off the record. 18 (Off-the-record conference.) 19 EXAMINATION 20 BY MR. GLENN: 21 Q. Mr. Cassidy, we met a second go, but 22 now that we're on the record and official, I'll say 23 it again. My name is Jase Glenn. I'm a lawyer 24 from Columbia. It's good to meet you, sir. 25 A. Yeah.
Page 103 1 different safety rules. 2 Q. Now, when you said the foreman would 3 run it, was that Mr. Dick Key? 4 MR. HOLDER: Objection to form. 5 THE WITNESS: No. Dick was an Eastman 6 man. He had nothing to do with the safety 7 department of Yeargin. 8 BY MS. SHYTLE: 9 Q. But he was the one that told everybody 10 where to go and what jobs to do? 11 A. Yeah. He inspected it. 12 Q. Okay. So it would be your Yeargin 13 foreman that would run that safety meeting? 14 A. Yes. 15 Q. And who was that? 16 A. The different foremens -- 17 Q. Can you remember anyone's name? 18 A. -- and the crews. 19 Well, there was so many of them, I 20 can't remember all them. But anyway, you know, 21 you'd have a safety meeting, and everybody would 22 sign the sheet, and that would be the end of that. 23 And then they'd go to bulling, you know. 24 Q. What was the last thing you said? 25 A. I can't say it. They were talking	Page 105 1 Q. So I'm going to jump around a little 2 bit, and I hope this will not take long. 3 One thing that you talked about briefly 4 to Mr. Holder earlier was your career in the Navy 5 in the early '60s, right? 6 A. Yes. 7 Q. Okay. And you said that you were in 8 the Navy for four years, and two of the years you 9 served on an oil tanker in Newport, Rhode Island? 10 A. Right. 11 Q. And the next two years, I think you 12 said you put in to get on a guided missile cruiser 13 for the next two years; is that right? 14 A. Yes. 15 Q. Okay. And you said you did not serve 16 in the Navy with Mr. Knight, but did you know 17 that -- did you later learn that Mr. Knight was in 18 the Navy about the same time that you were? Did 19 you all talk about that on your fishing trips or 20 on -- 21 A. Oh, yeah. 22 Q. Y'all compared your Navy -- 23 A. Yeah. 24 Q. -- experiences? 25 A. Yeah.

Page 106 1 MR. HOLDER: Objection to the form. 2 THE WITNESS: He was on a pig boat, a 3 submarine. 4 BY MR. GLENN: 5 Q. Pig boat? 6 A. Yeah. 7 Q. Do you know what ship it was or what 8 subs it was? 9 A. No idea. 10 Q. Was his experience with the Navy 11 similar with yours when y'all compared notes? 12 MR. HOLDER: Objection to form. 13 THE WITNESS: I reckon. If you'd like 14 to go there, but I was a surface mate. 15 BY MR. HOLDER: 16 Q. Sure. You were on a surface ship -- 17 A. Yeah. 18 Q. -- and he was on a submarine? 19 A. Yeah. 20 Q. Do you believe when you were in the 21 Navy that you were exposed to asbestos? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: I was what they call a 24 deck ape. We took care of the outside of the ship, 25 a bosun mate. We took care of the ship. We	Page 108 1 there, it was a freshwater tanker in World War II, 2 and then they converted it to an oiler. 3 Q. What was the name of that ship? 4 A. USS Severn, AO-61. 5 Q. And how about the guided -- did you say 6 the USS Severn? 7 A. Severn. 8 Q. Severn. 9 A. S-E-V-E-R-N. 10 Q. Got it. And then how about the guided 11 missile cruiser, what was the name of that? 12 A. USS Albany. It was an old cruiser in 13 World War II, and they cut all of the 14 superstructure off of it, and put aluminum 15 structure on it with guided missiles. 16 Q. And were you duties on the Albany 17 similar to what your duties were on the Severn? 18 A. Same thing. Deck apes. 19 Q. Do you believe there was asbestos all 20 over the ship -- even if you weren't exposed to it, 21 all over the ship on the Albany? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: Yes. It was -- it was 24 made -- it was in World War II, too. 25 BY MR. GLENN:
Page 107 1 painted it. We run boats. And on that tanker, we 2 refuelled other ships was our job. The engineer, 3 they called snipes. That was the one around the 4 asbestos, was in the boiler room and the turbine 5 room down there. That's where the asbestos was at. 6 We had no asbestos where we was at up topside. 7 BY MR. GLENN: 8 Q. Understood. 9 A. Yeah. 10 Q. Did you ever go into the engine room? 11 A. Every now and then, I'd pass through 12 it. 13 Q. Do you believe you were exposed to 14 asbestos during those times or when you were down 15 below deck in your, you know, berthing quarters -- 16 A. Berthing quarters, no. No. No. 17 Q. Okay. All right. What about in the 18 mess hall? 19 MR. HOLDER: Objection to form. 20 THE WITNESS: Well, you had the pipes 21 and stuff run overhead. 22 BY MR. GLENN: 23 Q. Exactly. 24 A. They had so many coats of paint on it, 25 you know. That old -- that old tanker I was on	Page 109 1 Q. Absolutely. 2 A. Yeah. 3 Q. So they were both World War II ships 4 that had asbestos all over them? 5 A. Yeah. 6 MR. HOLDER: Objection to form. 7 BY MR. GLENN: 8 Q. Do you believe that Mr. Knight was 9 exposed -- would have been exposed to asbestos in 10 the Navy on board the submarines that he served on? 11 MR. HOLDER: Objection to form. 12 THE WITNESS: I've never been on a 13 submarine, so I can't say. 14 BY MR. HOLDER: 15 Q. I understand. 16 A. You know... 17 Q. That's fine. That's a perfectly 18 acceptable answer. 19 A. I feel sure if there was any 20 insulation, that was -- that's asbestos, you 21 know -- 22 Q. Right. Especially if it had been a -- 23 A. -- on there, too. 24 Q. Go ahead. I didn't mean to cut you 25 off.

Page 110 1 A. I didn't say nothing. 2 Q. Okay. But especially if he served on a 3 World War II ship as well -- 4 MR. HOLDER: Objection to form. 5 BY MR. GLENN: 6 Q. -- fair? 7 A. I would say yeah. That was a World War 8 II sub he was on. 9 Q. All right. Thank you, sir. You were 10 asked -- earlier you had kind of gone through your 11 work history, which kind of went in and out with 12 Mr. Knight? 13 A. Yeah. 14 Q. Y'all jumped around a little bit? 15 A. Oh, yeah. Oh, yeah. That's 16 construction work. 17 Q. Yes, sir. I understand. And one of 18 the jobsites Mr. Holder asked you about earlier was 19 a site called AlliedSignal in Irmo. Do you 20 remember that? 21 A. Yeah. 22 Q. And you'd said that you think you 23 worked in maintenance there, and you thought it was 24 a maintenance contract with Yeargin, but you were 25 not sure. That's what I wrote down that you said.	Page 112 1 Q. Right. Got it. And it sounds like, 2 because you don't remember who you were getting 3 your paycheck from exactly, that you probably 4 weren't there that long; is that fair to say? 5 A. No. I was there about two years. 6 Q. Okay. All right. Two years. And can 7 you tell me roughly which two years we're talking 8 about? 9 MR. HOLDER: Objection to form. 10 BY MR. GLENN: 11 Q. That's a no? You got to verbalize your 12 answer for her. That's -- is that -- 13 A. I'm not real sure about that. 14 Q. That's fine. Are we talking '80s, 15 '70s, or can you not do that either? 16 A. Had to be the '80s. 17 Q. Early '80s or late '80s or can you not 18 do that? 19 A. I got no idea on that. 20 Q. That's fine. That's fine. Where was 21 that plant -- I know you said Irmo, but where -- 22 can you give me an address or a street that it was 23 on or anything like that -- 24 MR. HOLDER: Objection to form. 25 BY MR. GLENN:
Page 111 1 A. That's right. 2 Q. Is it possible it was somebody other 3 than Yeargin or do you just not know? 4 A. I don't know. 5 Q. That's fine. 6 A. Could have been Daniels, could have 7 been Harrison. But Bobby Keasler was the 8 superintendant over it, the maintenance of it. 9 Q. And Mr. Keasler -- 10 A. Yeah. 11 Q. -- he would have worked with whoever 12 the contractor was who you worked for, right? In 13 other words, he wasn't an Allied employee? 14 A. No. He -- he was one with the -- with 15 the -- whichever contract it was, he was over it. 16 Q. Exactly. 17 A. You know... 18 Q. Right. 19 MR. HOLDER: Is it Keasler or Keasley? 20 BY MR. GLENN: 21 Q. I thought you said Keasler. Bobby 22 Keasler -- 23 A. Bobby Keasler -- 24 Q. Keasler. 25 A. -- was the superintendant.	Page 113 1 Q. -- physically where the plant was? 2 A. I can't think of that street. 3 That's -- you -- what is the one you pass 20 going 4 up to 26, the first exit down St. Andrews Road. 5 Q. That sounds right. 6 A. Well, that's where it was located -- 7 MR. HOLDER: Objection to form. 8 THE WITNESS: -- off St. Andrews Road. 9 BY MR. GLENN: 10 Q. All right. So you're going out of 11 downtown Columbia up -- 12 A. Going towards the lake. 13 Q. Right. 14 A. Yeah. 15 Q. Okay. 16 A. And it was built -- it was built in the 17 country. 18 Q. Right. 19 A. And then the town grew up around it. 20 Q. That's right. And your job was -- I 21 think you said maintenance. Were you considered a 22 pipe fitter? 23 A. Yes. 24 Q. All right. And you were doing similar 25 work to what you've already described today at

Page 114 1 other jobsites, fair? 2 A. Yeah. 3 Q. Is that true? 4 A. Yeah. 5 Q. All right. By the '80s when you were 6 doing this work, fair to say that you had been 7 warned about the hazards of asbestos by this point? 8 A. Yes. Coming around then, yeah. 9 Q. All right. 10 A. You know... 11 Q. And was that your employer, whether it 12 was Yeargin or one of the others that you 13 mentioned, was that your employer that gave you the 14 safety meetings and the instructions pursuant to 15 OSHA? 16 A. Yes. 17 Q. And you testified that you don't recall 18 seeing Teddy at this facility -- this Allied 19 facility in Irmo. And I think what you said was if 20 he was there, we were in different parts of the 21 plant, right? 22 A. Yeah. Yeah. 23 Q. Okay. Before this deposition was being 24 set, did you even know that Teddy had worked there? 25 Had you and Teddy talked about it years ago that --	Page 116 1 Q. Right. Yes. You don't know anything 2 about that plant, do you? 3 A. No. 4 Q. Okay. Do you remember how large that 5 plant was? Was that a pretty big one? 6 MR. HOLDER: Objection to form. 7 BY MR. GLENN: 8 Q. I'm sorry. I'm going back to the one 9 in Irmo. 10 A. Back to Irmo? 11 Q. Back to the one you know about. Can 12 you tell me roughly how large that facility was? 13 Was it about the same size as Eastman or -- 14 A. No, no. Nothing like Eastman. No. 15 Q. Okay. 16 A. No. That thing didn't cover but about 17 three blocks. 18 Q. The Irmo facility -- 19 A. Irmo, three city blocks -- 20 Q. Three city blocks. 21 A. -- and then it run to the river, you 22 know. 23 Q. Can you estimate how many buildings? 24 A. We didn't work in but one down there. 25 But this -- on the other side -- they called it the
Page 115 1 A. No. 2 Q. -- y'all had -- 3 A. I didn't even know he ever worked at 4 Allied. 5 Q. Okay. All right. Fair enough. So I'm 6 guessing then it's fair to say you don't have any 7 idea what Teddy's job duties would have been at 8 Allied? 9 A. No. 10 Q. And you can't tell me what areas of the 11 facility that he worked in, can you? 12 A. I got no idea. 13 Q. Right. And you can't, as you sit here 14 today, say one way or the other whether Teddy 15 Knight was ever exposed to asbestos at an Allied 16 facility, can you? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: No. 19 BY MR. GLENN: 20 Q. All right. I have also seen reference 21 in this lawsuit to an AlliedSignal facility, it's 22 actually been referred to as AlliedSignal 23 Oak-Mitsui in Camden. Have you ever even heard of 24 that facility? 25 A. No. That's news there.	Page 117 1 other side of the tracks over there. I don't know 2 how many was over there, because we never went over 3 there. 4 Q. I see. 5 A. You know... 6 Q. So your job was one building the entire 7 two-year period you were there -- 8 A. Going out -- 9 Q. -- and you went straight there and 10 nowhere else in the facility? 11 A. That's it, yeah. 12 Q. What was that one area you were 13 assigned to, that one building, if you remember? 14 A. It made Kodel -- not Kodel, some kind 15 of fiber. 16 Q. Can you be more specific than just 17 fiber? Do you know -- 18 A. I got no idea about that. Just fiber. 19 Q. Do you know what the fiber was going 20 into or being made for? 21 A. I think it was for car seats. I'm not 22 real sure. Upholstery in cars or something, 23 something to do with automotive. 24 Q. Do you remember if -- well, was 25 Mr. Keasler charged with safety when you were on

Page 118 1 that job? 2 A. He was over the whole job. He had to 3 be. 4 Q. Okay. But was there a specific safety 5 person under Mr. Keasler or was Mr. Keasler the 6 guy? 7 A. That goes back to them foremens was the 8 safety man and all for his crew. 9 Q. Understood. 10 A. You know, they didn't -- they didn't 11 have safety people on the jobs then. 12 Q. Okay. How big was that crew roughly? 13 Are we talking a dozen men or much larger -- 14 MR. HOLDER: Object to form. 15 THE WITNESS: It was 2, 4, 6 -- it was 16 12 of us in our pipe crew. 17 BY MR. HOLDER: 18 Q. Okay. 19 A. Harvey Amick was our foreman. 20 MR. HOLDER: Just say that again. 21 THE WITNESS: Harvey Amick was the 22 foreman at Allied. 23 BY MR. GLENN: 24 Q. Harvey Amick? 25 A. Yeah.	Page 120 1 MR. HOLDER: Objection to form. 2 THE WITNESS: Right. 3 BY MR. HERNES: 4 Q. And did you ever work at any paper mill 5 while you were employed by Grinnell? 6 A. No. 7 Q. Okay. Did you ever work -- I know this 8 is going to sound like a dumb question, but I got 9 to ask it. Did you ever work with Mr. Teddy Knight 10 at a paper mill when you were employed by Grinnell? 11 MR. HOLDER: Objection to form. 12 THE WITNESS: No. 13 BY MR. HERNES: 14 Q. Okay. Now, the Greenwood Mills, that 15 is not a paper mill, correct? 16 A. No. That was a dye plant. 17 Q. Okay. And you did not work at a paper 18 mill when you were employed by Carolina Eastman? 19 A. No. 20 Q. And you did not work at a paper mill 21 with Mr. Teddy Knight when you were employed by 22 Carolina Eastman? 23 A. No. 24 Q. Now, let's see. Yeargin Construction, 25 did you ever work at a paper mill with Mr. Teddy
Page 119 1 Q. Okay. So he was under Mr. Keasler? He 2 was like the -- 3 A. Right. 4 Q. -- next person below? 5 A. Yeah. 6 MR. GLENN: Sir, I think those are all 7 the questions I have. Thank you very much. 8 THE WITNESS: Appreciate it. 9 MR. HOLDER: Anybody else in the room? 10 MR. HERNES: Yes. 11 EXAMINATION 12 BY MR. HERNES: 13 Q. Mr. Cassidy, my name is Lewis Hernes. 14 A. How you doing? 15 Q. Pleasure to meet you, sir. 16 A. Yeah. 17 Q. I'll try to be brief. 18 A. Yeah. 19 Q. The Wateree power house, that was not a 20 paper mill, correct? 21 A. They built the paper mill on up the 22 river from the power house. 23 Q. Okay. But the power house that you 24 worked at when you were working at the mill was not 25 a paper mill, correct?	Page 121 1 Knight when you were employed by Yeargin 2 Construction? 3 A. No. 4 Q. And, again, while you were at Yeargin 5 Construction -- employed by Yeargin Construction, a 6 Carolina Eastman facility was not a paper mill? 7 A. No. 8 Q. Okay. And then Masters Company, you 9 were employed there for a time. Did you ever work 10 at a paper mill when employed by Masters Company? 11 A. No. 12 Q. Did you ever work at a paper mill with 13 Mr. Teddy Knight while you were employed by Masters 14 Company? 15 A. No. 16 Q. Okay. Did you ever work down in 17 Charleston or North Charleston at any paper mill 18 with Mr. Teddy Knight? 19 A. No. 20 Q. Did you ever work in Charleston County 21 with Mr. Teddy Knight at any paper mill? 22 A. No. 23 Q. Did you ever work in the State of South 24 Carolina with Mr. Teddy Knight at any paper mill? 25 A. No.

Page 122 1 Q. Did you ever work for a company called 2 Verso Corporation? 3 A. No. 4 Q. Do you know if Mr. Teddy Knight ever 5 worked for a company called Verso Corporation? 6 A. Got no idea. 7 Q. Did you ever work for a company called 8 NewPage? 9 A. No. 10 Q. Do you know if Mr. Teddy Knight ever 11 worked for a company called NewPage? 12 A. Got no idea. 13 Q. Okay. Did you ever work in any Verso 14 Corporation facility? 15 A. No. 16 Q. Okay. To your knowledge, did Mr. Teddy 17 Knight ever work at any Verso Corporation facility? 18 A. No idea. 19 Q. Did you ever work at a NewPage 20 facility? 21 A. No. 22 Q. Do you know if Mr. Teddy Knight ever 23 worked at a NewPage facility? 24 A. Not that I know of. 25 Q. Just to make sure the record's clear,	Page 124 1 Q. I don't blame you. They also stink. 2 A. Yeah. Bad, too. 3 Q. Do you know who owned that facility? 4 A. Well, at that time, it was Westvaco. I 5 don't know what the name of it is now. The one in 6 Charleston, now. 7 Q. Do you ever recall that facility in 8 Charleston being a Verso Corporation facility? 9 A. No, not that I know of. 10 Q. Do you ever recall that facility in 11 Charleston being a NewPage facility? 12 A. No. 13 Q. You never worked at that facility when 14 it was a Verso Corporation facility or a NewPage 15 facility? 16 A. No. 17 Q. Do you know if Mr. Teddy Knight ever 18 worked in that facility, the paper mill down in 19 Charleston? 20 A. Not at my knowledge. 21 MR. HOLDER: Objection to form. 22 You're referring to the same Westvaco 23 he just talked about, right? 24 MR. HERNS: Yes. 25 MR. HOLDER: Okay.
Page 123 1 you never worked with Teddy Knight at any Verso 2 Corporation facility? 3 A. Right. 4 Q. And you never worked with Mr. Teddy 5 Knight at any NewPage facility? 6 MR. HOLDER: Objection to form. 7 THE WITNESS: That's right. 8 BY MR. HERNS: 9 Q. Did you ever work at any paper mill in 10 Charleston, South Carolina, or North Charleston, 11 South Carolina? 12 MR. HOLDER: Objection to form. 13 THE WITNESS: I did one shutdown down 14 there with MSI. 15 BY MR. HERNS: 16 Q. What's MSI? 17 A. It's a construction company in West 18 Columbia, South Carolina. 19 Q. And what shutdown did you work? What 20 facility did you work? 21 A. I don't know. We was in that black 22 liquor, and that'd give me a bathe of -- paper 23 mills -- 24 Q. Okay. 25 A. -- I tried to stay away from them.	Page 125 1 BY MR. HERNS: 2 Q. Did you ever work with Mr. Teddy Knight 3 in Eastover, South Carolina, at the International 4 Paper paper mill? 5 A. No. 6 Q. Okay. Do you know if Mr. Knight ever 7 worked at the Eastover, South Carolina, 8 International Paper mill? 9 A. I got no idea. 10 MR. HERNS: Okay. Thank you, sir. 11 That's all I have. 12 THE WITNESS: Appreciate it. 13 MR. HOLDER: Anyone else in the room? 14 One more in the room, then I will -- anyone on the 15 phone. 16 EXAMINATION 17 BY MS. MCCOOL: 18 Q. Hey, Mr. Cassidy. I'm Deirdre 19 McCool -- 20 MR. MCDONALD: Hey, Jonathan, this is 21 Mott. 22 MR. HOLDER: Hey, Mott. We've got 23 Deirdre McCool about to ask her questions, but I 24 think that's the last one in the room. 25 MR. MCDONALD: Okay. I thought you

Page 126 1 were ready for the phone. 2 MR. HOLDER: Thanks. Go ahead. 3 BY MS. MCCOOL: 4 Q. Have you ever worked at a plant or a 5 facility that was owned or operated by a company 6 called Fabric Services? 7 A. What? 8 Q. Have you ever worked at a facility or a 9 plant by the name of Fabric Services? 10 A. No. 11 Q. To your knowledge, has Teddy Knight -- 12 are you aware of Teddy Knight ever working at -- 13 A. I have no idea on that. 14 Q. Just let me finish the question. By -- 15 at a facility or a plant by the name of Fabric 16 Services? 17 A. No. 18 MR. HOLDER: Objection to form. 19 BY MS. MCCOOL: 20 Q. To the best of your -- well, to the 21 best of your knowledge, have you ever worked at a 22 plant or a facility that was owned or operated by 23 Monsanto or what you understood to be an affiliate 24 of Monsanto? 25 A. Not that I know of.	Page 128 1 correct? 2 A. Yes. 3 Q. Okay. And you were both Daniel 4 employees there? 5 A. Yes. 6 Q. Okay. And, you know, I just want to 7 make sure Daniel is the way I think you remember 8 it. Of course, construction work is a hazardous 9 occupation; is that fair? 10 MR. HOLDER: Objection to form. 11 THE WITNESS: Yeah. More than that. 12 BY MR. MCDONALD: 13 Q. I mean, there's lots of -- yes, there 14 are hazards on a construction site; is that fair? 15 A. Yeah. 16 MR. HOLDER: Objection to form. 17 BY MR. MCDONALD: 18 Q. Yes. And Daniel had a safety 19 department, correct? 20 MR. HOLDER: Objection to form. 21 THE WITNESS: Yes. 22 BY MR. MCDONALD: 23 Q. And I'm sure on that Orangeburg project 24 y'all probably had the weekly toolbox meetings, the 25 once-a-week safety meetings?
Page 127 1 Q. Okay. And are you aware of Teddy 2 Knight ever working for or at a company by the name 3 of Monsanto at either a plant or facility 4 operated -- 5 A. I got no idea about that. 6 MS. MCCOOL: Okay. That's all I have. 7 Thank you. 8 THE WITNESS: Well, that was short. 9 MR. HOLDER: All right. Mott, I think 10 you said you had some on the phone. 11 MR. MCDONALD: Yes. Just a handful. 12 EXAMINATION 13 BY MR. MCDONALD: 14 Q. Mr. Cassidy, can you hear me okay? 15 A. Yes, sir. 16 Q. My name is Mott McDonald. I apologize 17 for not being there. I'm over in Greenville, and I 18 represent Daniel. 19 So, of course, you worked for Daniel, 20 right? 21 A. Yeah, a time or two. 22 Q. Right. So I tried to take really good 23 notes, and the one time it looked to me like you 24 and Mr. Knight and Daniel were all together was on 25 that Greenwood Mills project in Orangeburg; is that	Page 129 1 A. Oh, yeah. 2 Q. Yes. And did they even have a 3 full-time safety man there, a Daniel safety man? 4 A. As far as I know, they did. 5 Q. Yes. Okay. 6 A. They come around and aggravate you. 7 Q. Those are all the questions I have for 8 Daniel -- 9 MR. HOLDER: Repeat that, Mott. Sorry. 10 BY MR. MCDONALD: 11 Q. Let me ask you just a couple more. I'm 12 sorry. 13 MR. HOLDER: I was asking you to repeat 14 the last thing. He was talking over you. 15 MR. MCDONALD: Okay. Could you repeat 16 the last thing or do you need me to repeat my 17 question? 18 MR. HOLDER: I needed you to repeat the 19 last thing you had said about Daniel. You might 20 have just said that's all I had for Daniel. 21 MR. MCDONALD: Okay. 22 MR. HOLDER: I'm sorry. I just 23 couldn't hear. 24 MR. MCDONALD: I think that's -- yeah. 25 I think that's what I said. We talked about the

Page 130 1 weekly toolbox meeting, and that was going to be my 2 last question. 3 MR. HOLDER: Okay. 4 THE WITNESS: Okay. 5 BY MR. MCDONALD: 6 Q. And then let me just ask you -- I've 7 got another client. 8 So you were friends with Mr. Knight. 9 Did you ever do any home renovation projects with 10 him? 11 A. No. 12 Q. Okay. And have you today given us all 13 the information you can think of about how he may 14 have been exposed to asbestos? 15 A. As far as I know. 16 MR. MCDONALD: Okay. Thank you, 17 Mr. Cassidy. 18 THE WITNESS: Thank you. 19 MR. MCDONALD: Be safe. 20 MR. HOLDER: Next on the phone? 21 MR. PETERS: Mr. Cassidy -- 22 THE WITNESS: What's next? 23 MR. PETERS: -- this is Carl Peters. 24 Can I go next, guys? 25 MR. HOLDER: Sure. Go ahead, Carl.	Page 132 1 Westvaco that you testified about earlier today, it 2 did not involve any work that Mr. Knight would have 3 been working with, correct? 4 A. No. 5 Q. All right. So I want to make sure this 6 is correct, and it's clear on the record. So I 7 apologize. 8 But you never worked with Mr. Knight at 9 any Westvaco facility, correct? 10 A. Correct. 11 Q. And that's in North Charleston or any 12 other location, correct? 13 A. Correct. 14 Q. And you can't testify about any alleged 15 exposure that Mr. Knight would have at MeadWestvaco 16 or Westvaco, correct? 17 A. Correct. 18 Q. Okay. Do you know anything about any 19 claim of exposure that Mr. Knight would have at 20 Westvaco either at the North Charleston facility or 21 any other facility? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: Got no idea about that. 24 BY MR. PETERS: 25 Q. All right, sir. And so sitting here
Page 131 1 EXAMINATION 2 BY MR. PETERS: 3 Q. All right. Thank you. Mr. Cassidy, 4 I'm down in Charleston. How are you today, sir? 5 A. Fine. How about you? 6 Q. Fine. Fine. And I regret I couldn't 7 be with you, but the last thing we need is one more 8 lawyer in that room. So I'm from -- I'm from afar. 9 I want to ask you about something you 10 mentioned earlier in questioning from Mr. Herns 11 about working at Westvaco. 12 You said you worked at Westvaco for a 13 short period of time? 14 A. Very short. About a week. 15 Q. Are we talking hours? 16 A. A week. 17 Q. Days? Weeks -- a week? 18 A. 12 hours a day, 7 days a week. 19 Q. All right. You worked a shutdown then, 20 12 hours a day, 7 days a week? 21 A. Yes. 22 Q. All right. And was Mr. Teddy Knight 23 working with you then? 24 A. No. 25 Q. Okay. So the work that you did at	Page 133 1 today, you don't have any knowledge and would agree 2 with me that you can't provide any testimony that 3 Mr. Cassidy was in any way -- I mean, Mr. Knight 4 was in any way exposed to asbestos at a Westvaco 5 facility, correct? 6 MR. HOLDER: Objection to form. Asked 7 and answered. 8 Go ahead. 9 THE WITNESS: Got no idea on that. 10 MR. PETERS: All right. Thank you so 11 much. That's all I have for you. You have a good 12 day. 13 THE WITNESS: Same to you, now. 14 MR. FELIX: This is Nick Felix. Can I 15 jump in next? 16 MR. HOLDER: Sure, Nick. Go ahead. 17 MR. FELIX: Thank you very much. 18 Jonathan, if you'd be kind enough to hand or make 19 available to him the resumés that were marked as 20 previous exhibits that both Mr. Knight had 21 purportedly done and y'all had subsequently done. 22 MR. HOLDER: Sure. We didn't do any. 23 MR. FELIX: Thank you. I appreciate 24 that. 25 MR. HOLDER: Those were all from the

Page 134 1 time period -- just to let you know. I did not 2 even see these resumés while Mr. Knight was alive. 3 But they are, just for reference, 4 Exhibit 5 and Exhibit 6 to the current deposition. 5 MR. FELIX: Thank you, Jonathan. 6 EXAMINATION 7 BY MR. FELIX: 8 Q. Sir, this is Nick Felix, and likewise, 9 I'm sorry I'm not there today, but I certainly 10 appreciate y'all putting up with us. I'll try and 11 be, likewise, brief. A couple of series of 12 questions for you. 13 First of all, did you ever work for a 14 company called Ashland, LLC? 15 A. No. 16 Q. To your knowledge, did Teddy Knight 17 ever work for a company called Ashland, LLC? 18 A. I don't know. 19 Q. Have you ever worked for a company 20 called APAC-Atlantic, LLC? 21 A. No. 22 Q. To your knowledge, did Teddy Knight 23 ever work for a company called APAC-Atlantic, LLC? 24 A. Not that I know. 25 Q. Okay. And I represent those two	Page 136 1 Q. Well, I don't know. That's what I'm 2 trying to figure out, because I looked on the 3 Secretary of State's website, and they have a slew 4 of Harrisons and Harrison Construction and Harrison 5 Brown Construction, and I -- the company I 6 represent is a paving and asphalt company, and to 7 my knowledge, the company you worked for didn't do 8 any paving and asphalt, did they? 9 MR. HOLDER: Objection to form. 10 THE WITNESS: Not hardly. 11 BY MR. FELIX: 12 Q. Okay. And I -- you know, again, I 13 don't think there's anything untoward about it. 14 It's just it's a very familiar name. What kind of 15 company was the Harrison Construction you worked 16 for? 17 A. It was Harrison Electric. 18 Q. Harrison Electric. Okay. 19 A. Yes. 20 Q. And Harrison Electric, that's the same 21 company that Teddy Knight worked for? 22 A. Yes. 23 Q. You don't happen to by any chance 24 remember the specific name of the company, do you? 25 MR. HOLDER: Objection to form.
Page 135 1 entities. They've been sued in this lawsuit along 2 with a slew of other folks. If you've seen the 3 case caption, it's a hefty piece of work. 4 MR. HOLDER: Object to form. 5 BY MR. FELIX: 6 Q. The other company I represent is a 7 company called Harrison Construction. You've 8 mentioned working for about an overlapping period 9 of just under a year or so with Teddy Knight in the 10 '82, '83 time frame. 11 And I think you can see on that resumé 12 there that they've got in front of you, he puts 13 down that he worked for Harrison about that '82, 14 '83 time frame -- 15 A. Yes. 16 Q. -- is that correct? 17 A. Yes. That's clear. 18 Q. Okay. And to my knowledge, you 19 mentioned earlier that Harrison had a number of 20 departments. Tell me about Harrison Construction. 21 MR. HOLDER: Objection to form. 22 THE WITNESS: Well, is that the same 23 Harrison Construction that was in '82 or did you 24 add a new one? 25 BY MR. FELIX:	Page 137 1 BY MR. FELIX: 2 Q. Like was it Harrison Construction, 3 Incorporated, or Harrison Construction, LLC? 4 A. All I know is Harrison Electric. 5 Q. Do you recall where it was out of? Was 6 it a South Carolina company or a Georgia company or 7 do you know? 8 A. Out of Greenville. 9 Q. Out of Greenville, South Carolina? 10 MR. HOLDER: Object. 11 THE WITNESS: Yes. The old man was 12 some kin to Charlie Daniels. 13 BY MR. FELIX: 14 Q. Charlie Daniels, the country music 15 singer? 16 MR. HOLDER: No. They had -- sorry. 17 THE WITNESS: The man that started 18 Daniels Construction. 19 BY MR. FELIX: 20 Q. All right. Just making sure. 21 A. Yeah. 22 Q. Sorry. 23 A. I don't know if he can pick a tune or 24 not. 25 Q. Thank you for staying with us, sir.

Page 138 1 So you never did any asphalt and paving 2 work, correct? 3 A. I'm going to leave that to y'all. I 4 can't handle that. 5 Q. To your knowledge, Teddy Knight, when 6 he worked for Harrison Electric, he wasn't doing 7 any paving or asphalt work, correct? 8 A. He was doing a bunch of pipe work. 9 Q. Okay. And the Harrison Electric 10 Company that you're talking about, when you worked 11 for them, it was that brief period of time y'all 12 were working on that new building at the Eastman 13 Kodak plant in Columbia, correct? 14 A. Correct. 15 DEFENSE COUNSEL: Object to the form. 16 BY MR. FELIX: 17 Q. And during that time period, do you 18 know or were you exposed to any asbestos in the new 19 building when you were working for Harrison? 20 DEFENSE COUNSEL: Objection. Form. 21 THE WITNESS: No. 22 BY MR. FELIX: 23 Q. To your knowledge, was Teddy Knight 24 exposed to any asbestos when y'all were building 25 that new building for Harrison?	Page 140 1 MR. HOLDER: Anyone else on the phone? 2 Was that someone? 3 DEFENSE COUNSEL: Yeah. 4 MR. HOLDER: Okay. Go ahead. 5 DEFENSE COUNSEL: Go ahead. 6 MR. HOLDER: This is Jonathan. I was 7 in the room. If there's somebody on the phone, you 8 guys go ahead. 9 EXAMINATION 10 BY MR. REID: 11 Q. Mr. Cassidy, my name is Phil Reid. I 12 just want to ask you some questions to start with 13 about Wateree. 14 I understand from what you said earlier 15 that you worked there from 1969 to '72. Did I get 16 that right? 17 A. Somewhere right along in that time 18 frame. 19 Q. All right. Was Mr. Knight working 20 there already when you started? 21 A. Yes. He was already there. 22 Q. All right. I've got a couple of 23 records which suggest he left there in April of 24 '71. Does that sound about right to you? 25 A. That's close.
Page 139 1 A. No. 2 Q. And I think you said Harrison was there 3 for a brief period of time because they got outbid 4 by somebody sometime in the '83 time frame? 5 A. Yeah. Yeargin underbid them. 6 Q. Yeargin underbid them. So how long did 7 you work for Harrison? 8 A. The whole time they was at Eastman 9 there, about two years. 10 Q. Okay. Do you know how long Teddy 11 Knight worked for Harrison Electric? 12 A. He was right in there with me. 13 Q. Okay. And so that would have ended 14 when Yeargin outbid them in about the '83 time 15 frame? 16 A. There you go. 17 Q. And during that time period that you 18 worked for them, was that all at the new building 19 Harrison was working on, that new building; is that 20 correct? 21 A. That's correct. 22 MR. FELIX: Okay. Sir, I greatly 23 appreciate your time. I don't have anymore 24 questions for you. 25 THE WITNESS: All right.	Page 141 1 Q. So you may have worked there a year 2 after he left? 3 MR. HOLDER: Objection to form. 4 THE WITNESS: Could be. Could be. 5 BY MR. REID: 6 Q. And I think you said you -- your 7 responsibilities had you working on two brand new 8 units that you described earlier; is that correct? 9 A. Yeah. Two steam fire boilers. 10 Q. And did that work on those two units 11 span the entire three years that you were there? 12 A. Yes. 13 Q. I'm not quite sure I heard you right a 14 couple of hours ago, but I think you said you 15 encountered a valve at a turbine at Wateree; is 16 that correct? 17 A. I said it was a stop valve on the main 18 steam line. 19 Q. Do you have any idea -- and I realize 20 it's 50 years later here -- but do you have -- can 21 you tell me based on personal knowledge who 22 manufactured that stop valve? 23 A. You got to be kidding me. 24 Q. Well, and let me just clarify. All I'm 25 trying to find out is what you know. And if you

Page 142 1 don't remember something or never knew about it, I 2 don't want you to guess. I want you to just tell 3 me you can't recall or you don't remember. Like I 4 said, I know it's 50 years. 5 So do I take it you don't remember? 6 A. I'm going to ask you one. Who made the 7 turbine shells? 8 Q. Well, I don't know. 9 A. I don't either. 10 Q. Yes. All right. So just bear with me. 11 I'm not trying to be irritating, but fair 12 statement: You just don't remember who made that 13 stop valve; is that correct? 14 A. Got no idea, son. 15 Q. All right. Thank you. Do you recall 16 if Mr. Knight worked with or around any other 17 valves at Wateree? 18 A. Son, there was lines and valves all 19 over a power house. 20 Q. As you sit here today, can you recall 21 the brand of any of those valves that Mr. Knight 22 would have worked on himself? 23 A. Got no idea on that. 24 Q. Or that other people worked on while he 25 was in the vicinity, same answer?	Page 144 1 first worked with Mr. Knight at Carolina Eastman? 2 MR. HOLDER: Objection to form. Asked 3 and answered. 4 THE WITNESS: Hmm? 5 MR. HOLDER: I said objection to form. 6 Asked and answered. 7 You can answer, if you know. 8 THE WITNESS: Early '80s. 9 BY MR. REID: 10 Q. All right. And can you give me a year 11 when you last worked with him at Carolina Eastman? 12 A. I don't know that, now. 13 Q. Do you know if it was in the '80s or 14 '90s? 15 A. I can't answer that. I don't know. 16 Q. Fair enough. 17 A. Well, I want to explain something to 18 you. I worked over there 18 years off and on while 19 they was building the place and all that stuff, and 20 I can't remember when he left. 21 Q. I appreciate that. I don't expect you 22 to remember everything. None of us has a steel 23 trap memory here. 24 Of those -- well, never mind. 25 Can you tell me -- and I'm going to ask
Page 143 1 A. Same answer. 2 Q. All right. That's all I've got on 3 Wateree. And I apologize but the phone 4 connection's not always been good, and I would have 5 been there had it not been for this Coronavirus 6 going around. 7 But I think you mentioned you worked 8 once at the Ethyl plant; is that correct? 9 A. That's correct. 10 Q. And can you give me a year? 11 A. Got no idea. 12 Q. All right. Can you give me a decade? 13 Was it in the '70s, for instance? 14 A. That was in the '80s. 15 Q. Do you recall how long you were there? 16 A. Just as long as I can find me a job and 17 get away from it. 18 Q. Are we talking about a month or less? 19 A. You're talking about a week. 20 Q. All right. And was Mr. Knight there at 21 any point during that week? 22 A. Not that I know of. 23 Q. All right. And just trying to -- there 24 has been a lot of talk about Carolina Eastman 25 obviously, but can you give me a year that you	Page 145 1 you a question about types of valves. And by type, 2 I mean, you know, butterfly valve or a gate valve 3 or any of the various types of valves, but can you 4 remember any type of a valve that Mr. Knight ever 5 worked on at Carolina Eastman? 6 MR. HOLDER: Objection to form. 7 THE WITNESS: Let's start -- let's 8 start off with a globe valve, gate valve, knife 9 valves, diverter valves, and I believe that's about 10 it. 11 BY MR. REID: 12 Q. I didn't catch that last term. Did you 13 say converter? 14 A. Diverter valve. 15 Q. All right. Thank you. Were there 16 dozens and dozens of types of valves at Carolina 17 Eastman? 18 MR. HOLDER: Objection to form. 19 THE WITNESS: There was two miles of 20 high lines and branching off the buildings and 21 everything else over there, son. 22 BY MR. REID: 23 Q. And a whole variety of brands and types 24 and makes and models of valves? 25 A. You -- you name it, it was there.

Page 146 1 Q. All right. Mr. Cassidy, did you ever 2 interact with any representatives of any valve 3 companies? 4 A. No. 5 Q. And I'm sorry, but did you tell us when 6 you left Carolina Eastman? 7 MR. HOLDER: Objection to form. 8 THE WITNESS: I can't remember that. 9 BY MR. REID: 10 Q. All right. Last question: Do you 11 currently have any catalogs or product literature 12 or did you throw all that out, assuming you had any 13 at all, when you left the place? 14 MR. HOLDER: Objection to form. 15 THE WITNESS: I ain't have nothing like 16 what you're talking about. 17 MR. REID: Thank you. Appreciate it. 18 That's all I got for you. 19 THE WITNESS: Well, thank you. 20 MR. HOLDER: All right. Anyone else on 21 the phone? 22 MR. ROGERS: Yes. This is Andy Rogers. 23 I'll go ahead, if that's okay? 24 MR. HOLDER: Go ahead, Andy. 25 EXAMINATION	Page 148 1 A. Not that I know of. I'm sure he did, 2 but I don't know. 3 Q. Okay. Are you able to testify that 4 Teddy Knight ever worked with or around any 5 Westinghouse employees? 6 A. I don't know that. 7 MR. ROGERS: Okay. That's all the 8 questions I have for you. Thank you, sir. 9 THE WITNESS: Thank you. 10 MR. HOLDER: Anyone else on the phone? 11 I have just a few follow-ups. I'll run 12 through those, and then if anyone has any 13 follow-ups from those. 14 EXAMINATION 15 BY MR. HOLDER: 16 Q. Are you okay to keep going for a few 17 more minutes? 18 A. Yeah. Let's get through. I got to go 19 home and cook supper for the wife. 20 Q. I hear that. You're a good man. 21 A. Yeah. 22 Q. My wife's still asking me when I'm 23 going to cook supper. One day. 24 A few follow-ups. You were asked some 25 questions -- let me start with while you were at
Page 147 1 BY MR. ROGERS: 2 Q. Mr. Cassidy, can you hear me okay? 3 A. Yes, sir. 4 Q. Do you need to take a break or you're 5 okay for a couple more minutes? 6 A. Go ahead. 7 Q. Okay. I just wanted to ask you about a 8 couple of the companies that I represent. The 9 first is a company called Spirax Sarco, and I can 10 spell that for you. It's S, as in Sam; P, as in 11 Paul; I-R-A-X, as in x-ray. The second word is S, 12 as in Sam; A-R-C-O. 13 Are you familiar with that company? 14 A. Ain't ever heard of it. 15 Q. Okay. So is it fair to say you can't 16 testify that Mr. Teddy Knight ever worked on or 17 around any product made by Spirax Sarco? 18 A. You got that right. 19 Q. Second company, I'm sure you've heard 20 of it. It's Westinghouse. 21 A. Yes. 22 Q. Okay. With respect to Westinghouse, 23 are you able to testify that Teddy Knight ever 24 worked on or around any product made by 25 Westinghouse?	Page 149 1 Masters. The plant that they were about to send 2 you to before you quit was the BorgWarner plant in 3 Indiana? 4 A. Right. 5 DEFENSE COUNSEL: Object to the form. 6 BY MR. HOLDER: 7 Q. Do you know if Teddy ever went and 8 worked on that at that BorgWarner plant? 9 DEFENSE COUNSEL: Object to the form. 10 THE WITNESS: No. They had done parted 11 company then. Teddy wasn't with them. 12 BY MR. HOLDER: 13 Q. Okay. Just wanted to make sure we 14 crossed that off the list. 15 A. Yeah. 16 Q. Teddy's brother Randy answered some 17 questions this morning for us, and he recalled 18 going out to a plant -- a Union Carbide plant in 19 Columbia, Tennessee. Did you ever work at a Union 20 Carbide -- 21 A. No. 22 Q. -- plant in Tennessee? 23 A. No, no. 24 Q. Don't worry about that. You mentioned 25 that the propane tanks that y'all would be

Page 150 1 installing would have, I believe you said, relief 2 valves all over them; is that correct? 3 A. Oh, yeah. 4 Q. Do you know who made the relief valves? 5 A. Got no idea. 6 Q. Okay. 7 A. They come with the tank. 8 Q. Sure. 9 A. You know... 10 Q. Moving over to Eastman, I believe 11 the -- you were asked questions about the time that 12 you worked at Eastman under Harrison and then under 13 Yeargin kind of throughout the '80s, and even when 14 you started back in the '60s during the 15 construction. Do you recall that? 16 A. Yeah. 17 Q. Was it ever your job -- at least let's 18 say in the '80s, and even in the late '80s or after 19 the mid-'80s, to train new Eastman hires on what 20 your job was? 21 A. They had their own training department, 22 Eastman did. 23 Q. Okay. Did they ever ask you to teach 24 some younger employees like high school, fresh out 25 of high school kids --	Page 152 1 Carolina Eastman; is that correct? 2 DEFENSE COUNSEL: Objection to form. 3 THE WITNESS: Yes. Well, they -- they 4 done the big construction out there. They had 5 three buildings and didn't have the people. 6 BY MR. HOLDER: 7 Q. Okay. And so once y'all had gotten the 8 Eastman people trained up and able to handle the 9 things that y'all were handling from the shutdown 10 and repair and maintenance standpoint as well as 11 the construction that y'all had finished, that's 12 when they were able to handle it; is that correct? 13 DEFENSE COUNSEL: Objection. 14 BY MR. HOLDER: 15 Q. They being Eastman workers. 16 DEFENSE COUNSEL: Objection to form. 17 Misstates testimony. 18 THE WITNESS: Eastman never was able to 19 handle it. They always keep the construction 20 people there to do the work. 21 BY MR. HOLDER: 22 Q. Okay. 23 A. They'll tell you in a heartbeat: We 24 don't want to do that job; give it to construction. 25 Q. And was a lot of times they wouldn't
Page 151 1 A. No. 2 Q. -- on how to do work? 3 A. They had their own teachers for that. 4 Q. Have you ever heard of the term working 5 yourself out of a job? 6 DEFENSE COUNSEL: Objection to form. 7 THE WITNESS: That's what a 8 construction worker does. 9 BY MR. HOLDER: 10 Q. Okay. Explain that to me, what that 11 term means. 12 A. Well, you go there to build a plant and 13 get it running and leave. 14 Q. Sure. The job that y'all were doing 15 for Yeargin in the pipe department at Eastman, 16 eventually by the time you left, were Eastman 17 employees able to take over the job that y'all 18 previously did? 19 A. Yes. 20 DEFENSE COUNSEL: Objection to form. 21 BY MR. HOLDER: 22 Q. Okay. Until that time, though, they 23 needed Yeargin to do that because they didn't have 24 fully qualified or trained workers to do the same 25 things that y'all were doing at Yeargin and	Page 153 1 even be properly qualified to do that job? 2 DEFENSE COUNSEL: Objection. 3 THE WITNESS: Oh, yeah. They'd be -- 4 they'd be qualified. They just didn't want to do 5 it. That made construction happy, you know. 6 BY MR. HOLDER: 7 Q. Were you ever -- strike that. 8 Did you ever hold any training 9 qualifications to train others? 10 A. No. 11 Q. Okay. You mentioned an insulator you 12 knew named Rick Rickenbacker. Do you recall that? 13 A. Yes. 14 Q. He was from Saint Matthews. Do you 15 recall that? 16 A. Yes. 17 Q. And you said he is an insulator who's 18 not with us anymore. Do you recall that? 19 A. Yes. 20 Q. Is it your understanding that 21 Mr. Rickenbacker performed insulating work at 22 Eastman? 23 A. He worked at Wateree, too. 24 Q. Okay. And is it your understanding 25 that Mr. Rickenbacker passed away from an

Page 154 1 asbestos-related illness? 2 A. Yes. 3 DEFENSE COUNSEL: Object to the form. 4 THE WITNESS: Yes, and so did Bill 5 Busby and his wife. 6 BY MR. HOLDER: 7 Q. Who did Bill work for? 8 A. They worked -- 9 DEFENSE COUNSEL: Object to the form. 10 THE WITNESS: -- for Eastman out 11 there -- not Eastman, but Yeargin. And, see, they 12 was at Wateree, too. It was a man and his wife. 13 BY MR. HOLDER: 14 Q. And did Mr. Busby's wife work out there 15 as well? 16 A. Yes. She was a good insulator. 17 Q. Really? 18 A. Yeah. And then there was Rollo 19 Rollison. He was from Swansea, now. 20 Q. Was he also working at Eastman? 21 A. Yes. 22 Q. Did he also -- 23 A. And he also worked at Wateree. 24 Q. And did he also pass away from an 25 asbestos-related disease?	Page 155 1 now. 2 Q. Okay. Would you consider those little 3 paper masks adequate in protecting your breathing? 4 DEFENSE COUNSEL: Objection to form. 5 THE WITNESS: We didn't know the 6 difference -- 7 BY MR. HOLDER: 8 Q. Okay. 9 A. -- you know. 10 Q. Now, at the -- you were asked about 11 safety meetings during the odd job period from '83 12 to '85. Do you recall that? 13 A. Yeah. 14 Q. Okay. Earlier you had specifically 15 identified a meeting in the mid-'80s where there 16 was a certain man that explained to y'all about 17 asbestos and everything. Do you recall that? 18 A. Yeah. 19 Q. Was that at one of these weekly safety 20 meetings? 21 A. Yeah. 22 Q. Okay. Same thing. We're talking about 23 the same thing. 24 A. Every once in a while, they'd have a 25 group meeting and get them all together.
Page 155 1 A. Yeah. 2 DEFENSE COUNSEL: Object to the form. 3 BY MR. HOLDER: 4 Q. And I think you had said that, but same 5 for Mr. and Ms. Busby, they both passed away from 6 asbestos-related diseases? 7 DEFENSE COUNSEL: Object to the form. 8 THE WITNESS: Yeah. 9 DEFENSE COUNSEL: Same objection. 10 BY MR. HOLDER: 11 Q. Okay. You had mentioned that at 12 Eastman there could be a protective gear that they 13 might hand out for workers. Do you recall that? 14 A. Yeah. 15 Q. Okay. You were asked about several 16 different types, and I just want to unpack that 17 just a little. You mentioned little masks were 18 given to y'all prior to respirators given later. 19 Do you recall that? 20 A. Yeah. Yeah. 21 Q. These masks, were they paper? 22 A. Yeah. 23 Q. Okay. Were these the -- do you know if 24 they were manufactured by 3M by chance? 25 A. I got no idea who the manufacturer was,	Page 157 1 Q. Okay. And was that one of the bigger 2 group meetings? 3 A. It was one of the bigger meetings, 4 yeah. 5 Q. And was it after that that y'all -- I 6 think you said you started seeing abatement teams 7 come in with the plastic sheeting and the moon 8 suits and stuff like that? 9 DEFENSE COUNSEL: Objection to form. 10 THE WITNESS: We had a miscellaneous 11 crew that done that. We build a little house 12 around wherever you're going to tear the insulation 13 off and tear the insulation off and put it in bags 14 and seal it up and all that stuff. 15 BY MR. HOLDER: 16 Q. Did you or Teddy ever have to perform 17 those tasks? 18 A. No. 19 Q. Okay. Now, I am going to just ask you 20 about a couple of names of some valves and other 21 types of equipment, and I want you to let me know 22 if those ring a bell to you. 23 Okay. Do you recall ever working on 24 Fisher valves at any of the places where y'all 25 worked?

Page 158 1 A. Yes. Fisher was mostly control valves. 2 Q. Okay. Would Teddy have ever worked on 3 Fisher control valves? 4 A. Yes. He would be installing them. 5 Q. And where would that have been? 6 A. All over -- all over the plant. 7 Q. Sure. And that's what I was trying 8 to -- I should have asked a better question. 9 A. Yeah. 10 Q. Is this with Eastman or was this with 11 Masters or where would this have been? 12 A. Eastman. 13 Q. What about Wateree, any Fisher valves 14 there? 15 A. I feel sure they was there, but I don't 16 know who installed them. 17 About Crane valves. 18 Q. Okay. 19 A. Lunkenheimers. 20 Q. Okay. Hold on on the Crane valves. 21 Where do you remember Crane from? 22 A. Crane? 23 Q. Yes. 24 A. They was used at all the plants. 25 Q. And you said the next one was	Page 160 1 You corrected me. What did you say? 2 A. The Masters Company -- 3 Q. Masters Company, right. 4 A. -- had that. 5 Q. And do you know if the boilers y'all 6 removed from Jackson, if those were Cleaver-Brooks 7 boilers? 8 A. I got no idea what the name of them 9 was. See, originally, they had the old coal fire 10 boilers out there, you know, you'd stoke the coal 11 and heated the barracks. Then they come along 12 later on and took them out and put the oil burning 13 furnaces in the boilers for the heat and hot water 14 for the -- take a shower and all that. And then we 15 come along, tore them out, and put the gas ones in 16 them, little old, small gas boilers. 17 Q. So they were -- would you consider them 18 package boilers? 19 A. Me and you could tote one, you know. 20 Q. I got a few more. Do you recall ever 21 working on Byron Jackson pumps at any of the 22 facilities where you worked with Teddy? 23 A. There was Byron Jackson pumps at 24 Eastman. 25 Q. Okay. You happen to recall what part
Page 159 1 Lunkenheimer? 2 A. Lunkenheimer. 3 Q. Where do you remember Lunkenheimer 4 from? 5 A. Huh? 6 Q. Where do you remember Lunkenheimer 7 valves from? 8 A. They was from Germany. 9 Q. Okay. Do you remember a specific work 10 site? 11 A. Fort Jackson. 12 Q. I remember you said at Fort Jackson 13 y'all were responsible for removing about 80 14 boilers and replacing them; is that correct? 15 A. Yeah. 16 Q. Was this another job that was through 17 Allied engineering? 18 A. No, that was -- 19 Q. Or Applied -- 20 A. -- Masters -- 21 Q. -- Engineering. Excuse me. 22 DEFENSE COUNSEL: Objection. Form. 23 BY MR. HOLDER: 24 Q. Sorry. I think we were talking over 25 one another.	Page 161 1 of the plant at Eastman they would have been at? 2 A. They had so many pumps out there, son, 3 they had three people that went around and changed 4 the oil in them all over the whole plant, and 5 that's how many -- 6 Q. And that was their whole job? 7 A. That was their job that they done every 8 day, and that's how many pumps was out there. 9 Q. And you're not saying they're all Byron 10 Jackson, are you? 11 A. No, no, no. 12 Q. Okay. But some of them -- 13 A. They were all -- 14 Q. -- were Byron Jackson? 15 A. -- different types, you know. 16 Q. Do you recall Dean Brothers pumps at 17 any of the work sites where y'all worked? 18 A. I can't recall that. That doesn't ring 19 no bell. 20 Q. What about Sprague pumps; does that 21 recall? 22 A. No. 23 Q. Okay. How about DeZURIK valves? 24 A. DeZURIK, yes. 25 Q. Where do you remember those?

Page 162 1 A. Eastman. 2 Q. And you believe that would have been a 3 valve that Teddy would have worked on? 4 DEFENSE COUNSEL: Objection to form. 5 THE WITNESS: I feel sure he did, you 6 know. 7 BY MR. HOLDER: 8 Q. Okay. How about Durco pumps? Do you 9 remember Durcos? 10 A. Durcos. 11 Q. Yes. 12 A. That name sounds familiar, but I 13 can't -- I can't say really, you know. 14 Q. Okay. How about Edward valves? 15 A. Yes. I remember that. 16 Q. Where do you remember Edward valves 17 from? 18 A. Eastman. 19 Q. Now, when y'all were at Eastman, I know 20 we talked about them at Greenwood Mills. But do 21 you ever recall Daniel or Fluor Daniel workers over 22 at Eastman when y'all were working there? 23 DEFENSE COUNSEL: Object to form. 24 THE WITNESS: Fluor Daniel, no. 25 Daniels didn't come in there after Fluor bought	Page 164 1 of the sites? 2 DEFENSE COUNSEL: Object to form. 3 THE WITNESS: Yes. 4 BY MR. HOLDER: 5 Q. Okay. What sites do you associate with 6 Ingersoll-Rand pumps? 7 A. Eastman. 8 Q. Eastman. Okay. 9 A. Those were your water pumps. 10 Q. Okay. 11 A. They pumped all your water in them. 12 Q. Would that include feed water? 13 A. Feed water and all, yeah. 14 Q. Like feed water pumps on boilers? 15 A. Yeah. 16 DEFENSE COUNSEL: Object to form. 17 BY MR. HOLDER: 18 Q. Do you think that would have been 19 Ingersoll-Rand's or be a -- type of pump that Teddy 20 would have worked on out at Eastman? 21 DEFENSE COUNSEL: Object to form. 22 THE WITNESS: Yeah. Sometime or 23 another, he would. 24 BY MR. HOLDER: 25 Q. Do you happen to remember an insulation
Page 163 1 them. When Fluor bought them, they went to an 2 engineering firm and done away with the 3 construction. 4 BY MR. HOLDER: 5 Q. Okay. 6 A. That's why you ain't got no skilled 7 workers today is because of that. See, Daniels had 8 an apprentice program, you know, just like the 9 union did. Took you four years to go through it. 10 Q. Did -- 11 A. But -- 12 Q. I'm sorry. I didn't mean to interrupt 13 you. 14 A. But when they quit construction, and 15 they was going to be engineers, you know, and 16 brilliant ones -- 17 Q. Sure. 18 A. -- that they was going to do all that, 19 see. 20 Q. And they -- 21 A. So that done away with the Kraft 22 people. That's why there ain't none out there 23 today. 24 Q. I got you. Do you recall if you ever 25 worked around or on any Ingersoll-Rand pumps at any	Page 165 1 contractor at any of the work sites called Covil? 2 A. Yes. 3 DEFENSE COUNSEL: Objection. 4 BY MR. HOLDER: 5 Q. Okay. Do you recall which sites they 6 might have been at? 7 A. I got no idea, but I remember that 8 name. Them and North Brothers. And both of them 9 had a big -- big shop there in Columbia. 10 Q. Okay. How about steam traps generally, 11 did y'all work on steam traps? 12 A. There was a zillion of them things out 13 there at Eastman, a steam trap. 14 Q. Would they be like the -- I know 15 there's different kinds. Did y'all have like the 16 bucket kind of steam traps? There's another type 17 called the ball and float type steam traps. 18 A. Ball and float, yeah. 19 Q. Which kinds of that were out at 20 Eastman? 21 A. Both of them. 22 Q. Both of them. Did y'all -- 23 A. Most of your lines out there was -- 24 they was steam traced, you know. And they would be 25 banks of them steam traps as long as this table

Page 166 1 that would kick that water back to the boiler. 2 Q. And would those steam traps, just like 3 the other piece of equipment, need to be maintained 4 and worked on by y'all? 5 A. All the time. 6 Q. Okay. 7 DEFENSE COUNSEL: Objection. Form. 8 THE WITNESS: Everywhere you looked 9 there was steam traps. 10 BY MR. HOLDER: 11 Q. And did the steam traps -- well, first 12 let me ask you: The bigger bucket steam traps, 13 would those be insulated? 14 DEFENSE COUNSEL: Form. 15 THE WITNESS: Yes. 16 BY MR. HOLDER: 17 Q. And to work on them, would you have to 18 remove the insulation? 19 A. Yes. 20 Q. Now, for any of the types of steam 21 traps, would they have gaskets that had to be 22 replaced? 23 A. No. All these were screw traps. 24 Q. Okay. Do you recall the name Armstrong 25 as a steam trap at any of those places?	Page 168 1 when you and I were discussing? 2 A. Yeah. 3 Q. Are control valves a type of valve that 4 Teddy would have worked on regularly? 5 A. Yes. 6 MR. HOLDER: I think that's all the 7 questions that I have for you. We may have some 8 follow-up questions from Defense Counsel. I just 9 thank you so much for answering all of these. 10 Any follow up? Anybody on the phone? 11 MS. LEE: This is Scottie Lee. I have 12 a couple of questions really quick. 13 EXAMINATION 14 BY MS. LEE: 15 Q. Good afternoon, Mr. Cassidy. I promise 16 I'll be quick. I'm here in Greensboro, North 17 Carolina. 18 You said you recall a company called 19 Covil Corporation? 20 A. Yes. An insulating outfit. 21 Q. Yes. Just to be clear, though, you 22 can't identify any jobsite that Covil supplied or 23 performed work at, correct? 24 A. Covil worked around town with them 25 shut -- the maintenance shops around town, the
Page 167 1 A. My God, yes. They had them little ones 2 that was about like that, half inch. 3 Q. Small ones? 4 A. Yeah. 5 Q. Do you remember any of the bigger 6 bucket steam traps being Armstrong? 7 A. I can't recall that. 8 Q. That's fine. 9 A. I don't know. 10 Q. I think you were asked by one of the 11 defense counsel about another steam trap. Do you 12 ever recall working on steam traps by Sarco or 13 Spirax Sarco? 14 A. Yes. 15 DEFENSE COUNSEL: Object to form. 16 Asked and answered. 17 BY MR. HOLDER: 18 Q. Okay. And do you recall that being at 19 Eastman as well? 20 A. Yes. 21 Q. You had given several types of valves 22 to one of the last defense counsel: Globe valves, 23 gate valves, knife valves, diverter valves. These 24 are the kinds that Teddy would have worked on. 25 We were talking about control valves	Page 169 1 mechanical shops that done the hospital work. 2 Q. But -- 3 A. And different work around town is where 4 they insulated at. 5 Q. As you sit here today, the jobsites 6 we've talked about that either you or Teddy Knight 7 worked at, you can't identify any of those that 8 Covil performed work at, correct? 9 A. No. No. 10 MS. LEE: Thank you. That's all. 11 MR. HOLDER: Okay. 12 THE WITNESS: Thank you. 13 MR. HOLDER: Stephanie Flynn here in 14 the room has a couple of follow-up. 15 EXAMINATION 16 BY MS. FLYNN: 17 Q. Mr. Cassidy, my name is Stephanie 18 Flynn. I hope I won't be too long with you. 19 A. Whatever. 20 Q. You just mentioned Armstrong steam 21 traps, and I wanted to ask you a couple of 22 questions about those. You said they were a half 23 inch? 24 MR. HOLDER: Objection to form. 25 THE WITNESS: Yeah. They come in

Page 170 1 different sizes, sug: Half, three-quarter inch, 2 and one inch. 3 BY MS. FLYNN: 4 Q. So those -- the Armstrong, those were 5 all their sizes? 6 A. Yeah. 7 MR. HOLDER: Object to form. 8 BY MS. FLYNN: 9 Q. And those you recall being screwed into 10 the systems, into the lines? 11 A. Yes. 12 Q. And do you recall ever witnessing 13 Mr. Knight do any work on any of those? 14 MR. HOLDER: Objection to form. 15 THE WITNESS: These constantly leaked 16 steam. 17 BY MS. FLYNN: 18 Q. Right. That's purpose of them to 19 release steam -- 20 A. Yes. 21 Q. -- correct? 22 A. That steam was leaking, Eastman was 23 losing money, and they wanted it fixed. 24 Q. How would you go about fixing those? 25 A. Well, you have a shutoff valve ahead of	Page 172 1 BY MS. FLYNN: 2 Q. Okay. Did you have any -- do you 3 associate any asbestos with those steam traps? 4 A. Any what? 5 Q. Asbestos. 6 A. They was wrapped with asbestos about 7 that thick when they wrapped around it, and then 8 painted it on every one of them. 9 MR. HOLDER: He said that thick. Can 10 you just -- 11 BY MS. FLYNN: 12 Q. Yes. You indicated with your fingers. 13 It looked like -- 14 A. Asbestos, it was coming in a roll of 15 asbestos. It would be that big around, now, and 16 like that thick. 17 Q. You're indicating maybe an inch or two 18 inches, as best I can tell. I'm just trying to get 19 the measurement that you're -- because the record's 20 not going to reflect what you're doing with your 21 fingers. 22 A. It's an inch or an inch and a half. 23 Q. Thank you. 24 A. And they would wrap it around the steam 25 trap and then they'd paint some kind of mastic
Page 171 1 it, and then you go to a strainer -- are you 2 wanting me to draw you a picture of them, what a 3 steam trap is? 4 Q. Sure. 5 A. Huh? 6 Q. Sure. 7 MR. HOLDER: You got a piece of paper? 8 THE WITNESS: Give me a pencil. 9 MR. HOLDER: Here is a pen. 10 BY MS. FLYNN: 11 Q. There we go. 12 A. Pipe -- pipe here, steam traced, half 13 inch copper pipe on the bottom of it. Right. When 14 you get to the end, you'll drop down here, and 15 there'll be banks of steam traps. And then you'll 16 have a header there that goes back to the boiler. 17 You come down, and you got a valve -- a cutoff 18 valve there. Come on down, you got a strainer 19 there with the valve on the end of it to let the 20 pressure off. 21 Then you come down to the Sarco and 22 kicks it back to the header, and then you got a big 23 one -- big bucket trap here that kicks it back to 24 the boiler and re-covers your water. But they'd be 25 lined up there, sometimes 20 of them in a row.	Page 173 1 stuff and paint it there, you know, to make it 2 waterproof. 3 Q. So these weren't -- you wouldn't be 4 removing these things out of the line and opening 5 them up or doing anything on the internal portions 6 of these steam traps; is that right? 7 A. No. You would cut it off, take it out, 8 put a new one in, and stick it back in there. 9 Q. Toss the old one in the trash? 10 A. There you go. 11 Q. And did you know what the insulation 12 was that was being placed on top of the steam 13 traps? 14 A. No idea on that, now. 15 Q. Okay. Do you know where it came from? 16 A. No. Don't know. 17 Q. Do you know when it became -- 18 A. But I can tell -- 19 Q. -- asbestos-free? 20 A. I can tell you it was asbestos that was 21 wrapped around it. 22 Q. And what time frame are we talking 23 about? 24 A. Huh? 25 Q. What time frame are we talking about?

Page 174 1 A. Well, the place was built in the '60s. 2 Q. Was it ever replaced and turned over to 3 asbestos-free insulation? 4 MR. HOLDER: Objection to form. 5 THE WITNESS: Come again with that now. 6 BY MS. FLYNN: 7 Q. When did they start the asbestos 8 abatement processes and started warning you about 9 it and -- 10 A. That was in the early '80s when they 11 started that. 12 MR. HOLDER: Objection to form. 13 THE WITNESS: But you got it from the 14 late '60s until then. 15 The reason I know it's asbestos, 16 because them welders would take some of that cloth 17 I was telling you that they wrapped the stuff with 18 and make fingers out of where the fingers wouldn't 19 burn when they was welding. 20 BY MS. FLYNN: 21 Q. Do you remember a specific location in 22 the plant where these were -- Armstrong steam traps 23 were located? 24 MR. HOLDER: Objection to form. 25 THE WITNESS: All over the plant.	Page 176 1 remember specifically how many Ingersoll-Rand pumps 2 were at the Eastman plant? 3 A. Sug, they were -- service water had 4 them on it. Okay. Chill water that they cool 5 with, heat and return, had them on that. They had 6 them down at the river, pumping water out the 7 river. They had boosters everywhere you look with 8 Ingersoll-Rands circulating your water and stuff. 9 So I would be scared to say how many is out there. 10 Q. Okay. Were any of the Ingersoll-Rand 11 pumps used on steam lines or were these all ambient 12 temperature chill water? 13 A. Yeah. 14 Q. They were all ambient temperature or 15 chill water? 16 MR. HOLDER: Objection to form. 17 THE WITNESS: Well, there were some of 18 them on chill water and some of them on fresh water 19 and some of them on -- what the hell is that other 20 water -- got a damn DUI water that was in there, 21 too. So... 22 BY MS. FLYNN: 23 Q. All right. 24 MR. HOLDER: You said BUI? 25 COURT REPORTER: Did you say DUI or
Page 175 1 BY MS. FLYNN: 2 Q. Do you know how they operated on the 3 inside by chance? 4 A. I never did get down to that, now. 5 Q. Okay. 6 A. It worked off of pressure. And 7 pressure built up so much with the water, it would 8 kick it then and get the water out of it. 9 Q. Did you ever read any manuals or talk 10 to any representatives with Armstrong 11 International? 12 A. No. 13 Q. And do you know who specified the use 14 of insulation on top of these steam traps? 15 MR. HOLDER: Objection. 16 THE WITNESS: You would have to get 17 them Eastman specs on that. It's a book about that 18 thick that'll tell you. 19 BY MS. FLYNN: 20 Q. All right. Thank you. You also 21 mentioned a little bit earlier Ingersoll-Rand 22 pumps? 23 A. Yeah. 24 Q. I think you said those were water 25 pumps, was one of the things you said. Do you	Page 177 1 BUI? 2 THE WITNESS: DUI. 3 BY MS. FLYNN: 4 Q. Do you have a specific recollection of 5 seeing Mr. Knight work on any of the pumps that you 6 remember as Ingersoll-Rand pumps? 7 MR. HOLDER: Objection to form. 8 THE WITNESS: I feel sure he did, but I 9 never seen them, you know what I'm saying. 10 BY MS. FLYNN: 11 Q. I guess your response is his job would 12 have encompassed that kind of work but you just 13 never saw it? 14 A. That's right. 15 Q. And did you ever observe him in a 16 situation where somebody else was working on a pump 17 that you knew to be an Ingersoll-Rand pump? 18 MR. HOLDER: Objection to form. 19 THE WITNESS: They'd come -- let's 20 explain this now. They'd come there and put a base 21 down. They'd put the anchor bolts up, then you 22 would go get that pump from the warehouse, the 23 Ingersoll-Rand, come put on that base, right. 24 Okay. Then you'd run the pipe to -- to it and from 25 it, you know.

Page 178 1 And then a millwright would come there 2 and sit on the bucket and line that pump and motor 3 up to where it would -- you know, wouldn't wear 4 out. And that's -- that was the dealings you had 5 with them. 6 BY MS. FLYNN: 7 Q. Okay. So we're talking with the new 8 installation and so forth, can you say sitting here 9 today whether Mr. Knight was ever exposed to any 10 asbestos from doing any work on an Ingersoll-Rand 11 pump? 12 A. Not that I know of. 13 MS. FLYNN: Thank you, sir. Those are 14 all the questions I have for you at this time I 15 think. 16 THE WITNESS: Thank you. 17 MR. HOLDER: I just have one follow-up 18 for you off of that. 19 MS. FLYNN: Okay. 20 EXAMINATION 21 BY MR. HOLDER: 22 Q. Earlier in the deposition, you told us 23 that at Eastman sometime in the mid-'80s y'all had 24 a big meeting where y'all would get together, and 25 that's where they told you about the abatement that	Page 180 1 MR. HOLDER: Okay. No further 2 questions. 3 DEFENSE COUNSEL: I think I have one. 4 DEFENSE COUNSEL: I've got a couple of 5 questions. 6 EXAMINATION 7 BY MR. REID: 8 Q. Mr. Cassidy, do you remember seeing 9 Mr. Knight actually work on a Fisher valve? 10 A. Yes. 11 Q. How many times? 12 MR. HOLDER: Objection to form. 13 THE WITNESS: You got me there, now. 14 More times than I can count. 15 (Court reporter clarification.) 16 MR. HOLDER: Phil Reid. 17 BY MR. REID: 18 Q. Do you have any basis to say that he 19 was exposed to asbestos in that work? 20 A. This was new insulation we was putting 21 in. The insulators hadn't insulated them yet. 22 Q. All right. How many employees did 23 Carolina Eastman have? 24 A. One time there was 1,400 over there. 25 Q. Okay. I presume a place that big has a
Page 179 1 was coming up and about asbestos being hazardous. 2 Do you recall that? 3 A. Yeah. Uh-huh. 4 Q. Just now when you were going back and 5 forth on the questioning, I think you said the 6 abatement activities had started in the early '80s. 7 A. Yeah. 8 Q. Was it the mid-'80s when it started 9 with the abatement and actually learning everything 10 about the hazards at Eastman? 11 DEFENSE COUNSEL: Object to the form. 12 THE WITNESS: The early '80s, they 13 started talking about it, but they wasn't doing 14 nothing about it. Then it got further down there, 15 they found out that the asbestos was bad for you, 16 and that's when they started telling you about it. 17 BY MR. HOLDER: 18 Q. Did they ever tell you in the '80s that 19 working around the stuff you could get mesothelioma 20 or cancer? 21 DEFENSE COUNSEL: Objection to form. 22 THE WITNESS: No. 23 BY MR. HOLDER: 24 Q. They didn't ever say that specifically? 25 A. No.	Page 181 1 procurement department? In other words, you don't 2 have all 1,400 people ordering stuff from outside, 3 correct? 4 A. They had a warehouse that they kept 5 stocked with items they needed in that plant. 6 Q. Who managed the warehouse? Do you have 7 any names? 8 A. Eastman did. 9 Q. Well, particular employees. 10 A. Let's see. I can't think of -- I can't 11 think of none of them. 12 (Court reporter clarification.) 13 BY MR. REID: 14 Q. I presume -- you were never part of the 15 procurement department, right? 16 A. No. 17 MR. REID: All right. That's all I've 18 got for you. Thank you. 19 MR. HOLDER: We've got David Traylor in 20 the room. 21 EXAMINATION 22 BY MR. TRAYLOR: 23 Q. What I hope is one. I apologize. I 24 got one more question, I hope. 25 A. All right.

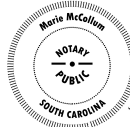
Page 182 1 Q. When you were putting in propane tanks 2 for the Masters Company, did the Masters Company 3 ever provide a mask or respirator for you? 4 MR. HOLDER: Object to form. 5 THE WITNESS: No. 6 MR. HOLDER: On the phone, was there 7 another follow-up? 8 MS. O'NEILL: Yes. I've got a few 9 questions. 10 MR. HOLDER: Go ahead. Who is this? 11 EXAMINATION 12 BY MS. O'NEILL: 13 Q. Sir, my name is Elizabeth O'Neill. 14 This is Elizabeth O'Neill. Can you hear me okay, 15 Mr. Cassidy? 16 A. Barely. 17 Q. Okay. Let me -- is this better? 18 A. Yes. 19 Q. Okay. Did you ever personally see 20 Mr. Knight work on what you believed to be a 21 DeZURIK valve? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: Not that I know of. 24 BY MS. O'NEILL: 25 Q. Did you ever see someone working on	Page 184 1 A. I can't remember that. We was there, 2 though. 3 Q. And how long were you there with 4 Mr. Knight at Fort Jackson? 5 A. We worked on valve pits all over that 6 fort. 7 Q. For how long? 8 A. I know for six months, we just lived in 9 them. 10 Q. I'm sorry, sir. Did you say you lived 11 there for six months? 12 A. We worked in them for six months. It 13 felt like we was living in them. 14 Q. I got it. I'm sorry. It's a little 15 hard to hear because the audio connection is 16 through the Court Reporter's iPhone. 17 A. Yeah. 18 Q. I appreciate your patience with me. 19 Is there any other place besides Fort 20 Jackson that you believe you saw somebody working 21 on a DeZURIK valve when Teddy Knight was present? 22 A. I can't recall that now. 23 Q. You testified that there were some 24 insulation on steam traps that you thought was 25 asbestos because people took it off to make fingers
Page 183 1 what you believed to be a DeZURIK valve around 2 Mr. Knight? 3 A. Yes. You know what a valve pit is? 4 Q. When was that? I'm sorry, sir. Say 5 that again. 6 A. Do you know what a valve pit is? 7 Q. Yes, sir. I do. 8 A. Well, you get in there working on -- 9 on -- on -- on something, you know how much room 10 you got to get around in it, don't you? 11 Q. Yes, sir. 12 A. You can't get away from it. 13 Q. And your testimony, if I understand it 14 correctly, is that there were DeZURIK valves in a 15 valve pit at Eastman that were being worked on and 16 Mr. Knight was also in that pit; is that correct? 17 DEFENSE COUNSEL: Objection. 18 THE WITNESS: We was in Fort Jackson. 19 We wasn't at Eastman. 20 BY MS. O'NEILL: 21 Q. I'm sorry. So do you believe that 22 there were DeZURIK valves at Fort Jackson? 23 A. Yes. 24 Q. All right. And when were you at Fort 25 Jackson with Mr. Knight? What years?	Page 185 1 out of it to protect their hands when they were 2 welding? 3 A. Yes. 4 Q. Do you recall that? 5 MR. HOLDER: Objection to form. 6 BY MS. O'NEILL: 7 Q. Did you ever see Teddy do that? 8 A. Teddy wasn't a welder. He was a pipe 9 fitter. 10 Q. Did you ever see him take any of the 11 insulation off and use it to protect his hands or 12 for any other purpose? 13 MR. HOLDER: Objection to form. 14 THE WITNESS: I seen him take it off to 15 work on the steam traps. 16 BY MS. O'NEILL: 17 Q. For anything else? 18 A. He ain't had no other use for it. 19 Q. Did you ever see Mr. Knight work 20 directly on a pump that you believe to be a Byron 21 Jackson pump? 22 A. Not that I can recall. 23 Q. Do you recall ever seeing somebody work 24 on what you believe to be a Byron Jackson pump when 25 Mr. Knight was there?

Page 186 1 A. Not that I recall. 2 MS. O'NEILL: Thank you, sir. Those 3 are all my questions. Again, I appreciate your 4 patience with the audio. 5 THE WITNESS: Thank you. 6 MR. HOLDER: A few more follow-up here 7 in the room. Go ahead. 8 MS. SHYTLE: Almost done, I promise. 9 EXAMINATION 10 BY MS. SHYTLE: 11 Q. I want to go back. You talked about 12 this '83 to '85 time period when you and Mr. Knight 13 were doing maintenance and repair work, or as you 14 called them, odd jobs at Eastman. Can you recall 15 the names of any of the other Eastman employees 16 besides Dick Key that you all were working with? 17 MR. HOLDER: Objection to form. 18 THE WITNESS: Let's see. It's bad when 19 you can see the face and can't call the names, you 20 know. 21 MR. HOLDER: The best you can. 22 BY MS. SHYTLE: 23 Q. I understand. 24 A. There was four of them in there. I 25 can't recall. I'll get halfway home, I'll remember	Page 188 1 A. Like I told you before, everything is 2 hot out there. If it comes down to a certain 3 temperature, it'll freeze up. So the pumps was 4 insulated. You go there to work on a pump, you got 5 to get the insulation off of it. 6 Q. Okay. This work that you're talking 7 about with the valves and the pumps, that would 8 have been during the time that you and Mr. Knight 9 were working with the maintenance and repair crew, 10 right? 11 A. Right. 12 MR. HOLDER: Objection to form. 13 BY MS. SHYTLE: 14 Q. And you don't know of any instance in 15 which Mr. Knight would have worked with those types 16 of products while he was a field coordinator; he 17 had a different job at that time? 18 A. He had a different job. 19 MR. HOLDER: Objection. 20 THE WITNESS: Frank Weaver was one of 21 them's name that would go with Dick Key. 22 BY MS. SHYTLE: 23 Q. See, if we sit here long enough, you 24 can think of them. 25 MR. HOLDER: Let's don't do that.
Page 187 1 them then, you know, but not now. I can see their 2 faces but... 3 Q. I understand, sir. There has been a 4 good bit of discussion in the last set of questions 5 about valves, pumps, gaskets, and steam traps that 6 were at Carolina Eastman. Do you have any specific 7 recollection of Mr. Knight coming into contact with 8 valves at Carolina Eastman that would have exposed 9 him to asbestos? 10 MR. HOLDER: Objection to form. You 11 can answer. 12 THE WITNESS: Everybody out there come 13 in contact with it. It took them -- it removed a 14 valve to go to the valve shop. 15 BY MS. SHYTLE: 16 Q. Okay. And would -- can you estimate 17 how many times you might have seen Mr. Knight come 18 into contact with a valve that you -- 19 MR. HOLDER: Objection to form. 20 THE WITNESS: I couldn't answer that. 21 BY MS. SHYTLE: 22 Q. Same question about a pump at Carolina 23 Eastman that may have contained asbestos, do you 24 have a specific recollection of Mr. Knight doing 25 repair or maintenance work on those?	Page 189 1 We'll be here until midnight. 2 THE WITNESS: There was an Amick, but I 3 can't think of his first name. He was in there, 4 too. 5 MR. HOLDER: Does it end with a T or a 6 C-K? Amit or Amick? 7 BY MS. SHYTLE: 8 Q. C-K. 9 A. Amick is only name I know. 10 MR. HOLDER: I've heard it with C-K; 11 then this morning I thought I heard a T. Anyway. 12 THE WITNESS: Holly Kennerly was in 13 there, too. 14 BY MS. SHYTLE: 15 Q. What was that name again? 16 A. Holly Kennerly. 17 Q. Harley, a man? Harley Kennerly? 18 A. Holly, H-O-L-L-Y. 19 Q. Was Holly a man or a woman? 20 A. He was a man from Springfield. 21 Q. Probably knows about a frog jump. 22 MR. HOLDER: Kennerly? 23 THE WITNESS: Yeah. I think that was 24 all of them. I think of Amick's name in a little 25 bit. His brother was named Harvey. But...

Page 190 1 MS. SHYTLE: I think that's all the 2 questions I have. Thank you, sir. 3 THE WITNESS: Thank you. 4 MR. HOLDER: I don't have anything 5 further. 6 Any other follow-up? 7 MS. FLYNN: Just like two. I forgot to 8 make an exhibit that -- the drawing. 9 MR. HOLDER: Hold on. 10 MR. ROGERS: This is Andy. 11 MR. HOLDER: Hold on. Stephanie Flynn 12 is coming back up here and wants to mark an 13 exhibit. 14 MS. FLYNN: Sorry, Andy. I just -- I 15 neglected to mark the drawing which was done 16 actually on the back of the deposition notice. So 17 I would like to make that an exhibit to the 18 deposition, if you don't mind. 19 THE WITNESS: Give me that key, and 20 I'll give you a better drawing. I left out some 21 unions and stuff on it. 22 MR. HOLDER: Yes. I think we got to 23 stick with this one, right? 24 MS. FLYNN: Right. 25 MR. HOLDER: Okay. I am making this	Page 192 1 A. And that's where there's a trap. 2 Q. Okay. And then it leads down into a 3 line? 4 MR. HOLDER: Objection. Form. 5 THE WITNESS: The header. Back to the 6 boiler. 7 BY MS. FLYNN: 8 Q. Okay. 9 A. It condensates, is what you call that. 10 Q. And above that, those two lines 11 represent the pipe from which it came down? 12 A. Yeah. It would all tie in there. 13 Q. Do you recall what type of metal those 14 steam traps were made out of, the Armstrong -- 15 A. Carbon steel. 16 Q. Carbon steel. Do you know what color 17 they were? 18 A. When they was new, they were shiny. 19 After a while, they turn on you. 20 Q. Okay. So they were silver? 21 A. Yeah. 22 MS. FLYNN: Okay. Those are all the 23 questions I have. Thank you. 24 EXAMINATION 25 BY MR. HOLDER:
Page 191 1 Defense Exhibit 2, and tearing off the front page. 2 Defendant's Exhibit 2 being the drawing that he 3 attempted to show regarding, I guess, steam traps. 4 (DFT. EXHIBIT 2, Drawing By 5 Mr. Cassidy, was marked for identification.) 6 EXAMINATION 7 BY MS. FLYNN: 8 Q. Right. And on that exhibit, could you 9 do little circles where those Armstrong steam traps 10 are? 11 MR. HOLDER: I'm going to have some 12 follow up now. 13 THE WITNESS: I was in a hurry. 14 MR. HOLDER: Could you also title it 15 what building, and like the east, west, north, 16 south so we have some kind of idea what that was? 17 THE WITNESS: Unions -- you know what a 18 union is, don't you? 19 BY MS. FLYNN: 20 Q. I'm not sure, but you can write next to 21 it. 22 A. Union is where you take something apart 23 and put it back together. And that lets you take 24 this trap out and replace it there. 25 Q. And that square is the trap?	Page 193 1 Q. Now were you able to tell the color 2 after they had all that asbestos on them, the steam 3 traps -- 4 DEFENSE COUNSEL: Objection to the 5 form. 6 BY MR. HOLDER: 7 Q. -- or were they covered up? 8 A. They were covered up. They wrapped up 9 everything, now. 10 Q. Okay. On this Exhibit 2 document, is 11 this an example or is this a specific building at 12 Carolina Eastman that you've drawn? 13 A. Plankwise. 14 Q. What? 15 A. Plankwise. 16 Q. Plankwise? 17 A. Yes, it was everywhere. 18 Q. Everywhere? So this is an exemplar -- 19 A. Steam -- steam was everywhere. 20 Q. Okay. So this is a fair exemplar of 21 what was in many locations at Eastman? 22 A. Well, there you go. 23 DEFENSE COUNSEL: Objection. 24 THE WITNESS: You've got that. You can 25 walk along the high line, they'd be up underneath

Page 194 1 the high line. 2 MR. HOLDER: No further questions that 3 I have. 4 Any further follow-up? 5 None in the room. Any on the phone? 6 Going once. 7 MR. ROGERS: This is Andy Rogers, and I 8 have some follow-up. 9 MR. HOLDER: Sure. Go ahead, Andy. 10 EXAMINATION 11 BY MR. ROGERS: 12 Q. Okay. Mr. Cassidy, can you hear me 13 okay? 14 A. Fine. 15 Q. Okay. I just wanted to follow up with 16 you about Sarco steam traps. 17 A. Yeah. 18 Q. Just a few questions. Would you agree 19 with me that there's a few different -- steam traps 20 use different kind -- different means for getting 21 the condensate out of steam? 22 MR. HOLDER: Objection to form. 23 THE WITNESS: Yes. 24 BY MR. ROGERS: 25 Q. Okay. Do you associate a particular	Page 196 1 BY MR. ROGERS: 2 Q. Okay. 3 A. I think they have carbon steel because 4 they wasn't galled up. Stainless will gall. Do 5 you know what I'm saying? 6 Q. It'll do what? I'm sorry. 7 A. Stainless steel will gall when heated. 8 So-- 9 Q. I'm sorry? 10 A. -- it had to be carbon steel. 11 Q. Okay. And these steam traps we're 12 talking about were at the Eastman plants? 13 A. Yes. 14 Q. And this is work you would have done 15 with Mr. Knight in the '80s? 16 A. Yes. 17 DEFENSE COUNSEL: Objection to form. 18 BY MR. ROGERS: 19 Q. Are you aware that there's some types 20 of steam traps that were not meant to be insulated 21 and, in fact, wouldn't function correctly if 22 they're insulated? 23 A. Did I say they was insulated? The pipe 24 up to them was insulated -- 25 Q. I think you did.
Page 195 1 type of steam trap with Sarco? 2 A. Well, it's according to the pressure on 3 a steam line. It's what you used. 4 Q. Okay. Have you ever heard of a type of 5 trap called a thermodynamic trap? 6 A. No. 7 Q. Okay. How could you tell if a steam 8 trap was made by Sarco? 9 A. Got the name on it. 10 Q. Was it just stamps on the side or 11 something like that? 12 A. It was a little metal plate on top of 13 it. Gives you the pressure, the size of the pipe, 14 and the name of it. 15 Q. Okay. And what sizes of steam traps do 16 you recall being made by Sarco? 17 A. Half, three-quarter, and one inch. 18 Q. And this is the inlet and outlet size? 19 A. Yes. 20 Q. And these are screw-in steam traps? 21 A. Yes. 22 Q. Do you recall if the Sarco steam traps 23 were made of stainless steel? 24 MR. HOLDER: Objection to form. 25 THE WITNESS: I can't recall that.	Page 197 1 A. -- on both sides. 2 Q. Sorry. I didn't catch that. 3 A. The pipe was insulated up on both sides 4 of it. The steam trap itself was not insulated. 5 Q. Okay. I misunderstood you then. I 6 thought you said the steam trap was insulated. 7 A. No. 8 MR. HOLDER: Objection to form. 9 BY MR. ROGERS: 10 Q. Okay. So is it correct that you would 11 not want to insulate a steam trap? 12 A. Why would you want to insulate it? 13 Q. Well, that's what I'm asking you. I'm 14 not aware of a reason. Are you? 15 A. You got steam running through it. I 16 don't think it could get cold and bust. 17 Q. Okay. So just to be clear, the steam 18 traps were not insulated, but the pipe running to 19 and from them was? 20 A. You got that right. 21 MR. ROGERS: Okay. That's all the 22 questions I have for you, sir. Thank you. 23 MR. HOLDER: You did it now, RL. Now 24 you've got Stephanie again. 25 THE WITNESS: Get over here.

Page 198 1 MR. HOLDER: You said some stuff she 2 didn't like. 3 EXAMINATION 4 BY MS. FLYNN: 5 Q. No. When I was talking to you earlier 6 about the insulation, and you were just talking 7 about insulation on the pipes leading up to it, 8 does that apply also to the Armstrong steam traps, 9 the insulation just came on up to the steam traps? 10 A. Up to the trap itself, yeah. 11 Q. Okay. And it was just on the pipes and 12 not the steam trap? 13 A. Not the steam trap. 14 MS. FLYNN: Okay. Those are all the 15 questions I have. 16 MR. HOLDER: Anything further? Any 17 more -- none in the room. 18 Any more on the phone? 19 MS. HUTCHENS: This is Rachel Hutchens. 20 MR. HOLDER: Okay. Go. 21 EXAMINATION 22 BY MS. HUTCHENS: 23 Q. Yes, sorry. Mr. Cassidy, my name is 24 Rachel Hutchens, and I know that it's been a long 25 day, so I'm going to be really brief.	Page 200 1 Q. And I'll clarify -- 2 A. Looked like a valve to me. 3 (Court reporter clarification.) 4 BY MS. HUTCHENS: 5 Q. Do they have any markings that you 6 remember? 7 A. They had the name in the casting on the 8 valve. 9 Q. Do you remember what color they were or 10 what they were made of? 11 A. Some of them was silver and some of 12 them was black. 13 Q. And do you remember what size they may 14 have been? 15 MR. HOLDER: Objection to form. 16 THE WITNESS: Anywhere from 2-inch to 17 12-inch. 18 BY MS. HUTCHENS: 19 Q. And do you have any estimate as to how 20 many of those valves you saw or a percentage of the 21 valves that were out there that you would attribute 22 to being Edward valves? 23 A. Your guess is as good as mine on that. 24 Q. All right. Do you have a specific 25 recollection of ever seeing Mr. Knight work on
Page 199 1 I just have a couple of follow-up 2 questions about Edward valves, you mentioned, I 3 believe, specifically remembering at the Eastman 4 plant; is that correct? 5 A. Yes. 6 Q. Okay. So similar to some of the other 7 questions you heard, do you recall a specific 8 location at the Eastman plant where Edwards valves 9 are located? 10 MR. HOLDER: Objection to form. Asked 11 and answered. 12 THE WITNESS: It was all over the 13 plant, sug. 14 BY MS. HUTCHENS: 15 Q. All right. And do you remember the 16 types of Edward valves that were located at 17 Eastman? 18 MR. HOLDER: Objection to form. 19 THE WITNESS: Gate valves, globe 20 valves. 21 BY MS. HUTCHENS: 22 Q. And do you have any recollection of 23 what those valves looked like? 24 MR. HOLDER: Objection to form. 25 BY MS. HUTCHENS:	Page 201 1 Edward valves? 2 MR. HOLDER: Objection to form. 3 THE WITNESS: Repeat that. 4 BY MS. HUTCHENS: 5 Q. Okay. So similar to some of the other 6 questions earlier: Do you have a recollection of 7 ever personally seeing Mr. Knight work on an Edward 8 valve? 9 A. We worked on so many, sug. I can't 10 tell you if it was an Edwards or what. 11 Q. And similarly then, do you have a 12 recollection of ever personally seeing someone else 13 working on an Edward valve near Mr. Knight? 14 A. Not that I recall. 15 Q. It is your testimony then that you 16 believe -- I don't want to put words in your mouth, 17 but when you said you worked on so many types of 18 valves, is it your general recollection that you 19 would have worked or believe that you would have 20 worked on an Edward valve? 21 A. Yes. 22 Q. But, again, do you have a specific 23 recollection of an instance where Mr. Knight was 24 actually working on an Edward valve? 25 A. I can't recall that.

Page 202 1 Q. Great. Well, thank you very much -- 2 well, hold on. Sorry. One more question. 3 Do you believe -- when y'all were 4 working on Edward valves, is your recollection that 5 y'all were primarily installing new valves or were 6 you doing work on existing valves? 7 A. Both. 8 Q. When you were working on existing 9 valves, did you actually replace the whole valve or 10 were you doing repair work inside the valve? 11 MR. HOLDER: Objection to form. 12 THE WITNESS: You would take the valve 13 out and send it to the valve shop, let them do it, 14 bring it back, and install it. 15 BY MS. HUTCHENS: 16 Q. So did you ever open up or did you work 17 inside of an Edward valve at Eastman? 18 MR. HOLDER: Objection to form. 19 THE WITNESS: I'm going to tell you one 20 more time, now. 21 BY MS. HUTCHENS: 22 Q. Personally. 23 A. We sent them to the valve shop, and 24 they done that. 25 MS. HUTCHENS: Okay. Thank you so	Page 204 1 that is they went to the valve shop if they needed 2 work done; that's true for all brands of valves, 3 correct? 4 A. Correct. 5 MR. REID: Thank you. 6 MR. HOLDER: Anything further, Phil? 7 MR. REID: No. 8 MR. HOLDER: Any other follow-up on the 9 phone? 10 All right. Going once, going twice. 11 We are off the record. 12 (The witness, after having been advised 13 of his right to read and sign this transcript, does 14 not waive that right.) 15 (This deposition was concluded at 5:22 16 PM.) 17 18 19 20 21 22 23 24 25
Page 203 1 much. I believe that's all of my questions. 2 MR. HOLDER: Okay. 3 THE WITNESS: Thank you. 4 EXAMINATION 5 BY MR. HOLDER: 6 Q. I got one follow up on that. 7 Understanding all of your work at Eastman with 8 Teddy and all of the valves that were there, do you 9 believe it's more likely than not that Teddy was 10 exposed to asbestos when working on Edward valves 11 at Eastman? 12 DEFENSE COUNSEL: Object to form. 13 THE WITNESS: Yes. 14 BY MR. HOLDER: 15 Q. And you believe that more likely than 16 not happened on multiple occasions? 17 A. Well, yes. Yes. 18 MR. HOLDER: No further questions. Any 19 other follow ups on the phone? 20 EXAMINATION 21 BY MR. REID: 22 Q. Just one question, Mr. Cassidy. 23 MR. HOLDER: Phil Reid. 24 BY MR. REID: 25 Q. What you told us about Edward valves,	Page 205 1 CERTIFICATE OF REPORTER 2 3 I, Marie McCollum, Court Reporter and 4 Notary Public for the State of South Carolina at 5 Large, do hereby certify that the foregoing 6 transcript is a true, accurate, and complete 7 record. 8 I further certify that I am neither 9 related to nor counsel for any party to the cause 10 pending or interested in the events thereof. 11 Witness my hand, I have hereunto 12 affixed my official seal this 24th day of March, 13 2020 at Charleston County, South Carolina. 14 15 16 17 18 19 20 21 22 23 24 25  Marie McCollum Marie McCollum, Court Reporter My Commission expires November 8, 2027

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Page 210 1 I have read the foregoing transcript of my deposition, 2 and find it to be true and accurate to the best 3 of my knowledge and belief. 4 5 6 ROBERT L. CASSIDY 7 Sworn and subscribed to before me on 8 this ____ day 9 of _____ 2020 10 11 12 13 Notary _____ 14 My Commission Expires _____ 15 16 17 18 19 20 21 22 23 24 25	
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South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

COUNTY OF ORANGEBURG

RICHARD L. KNIGHT, II, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF TEDDY L.

KNIGHT, SR., AND LINDA KNIGHT, INDIVIDUALLY,
Plaintiffs,

vs. CASE NO. 2019-CP-38-1045

EASTMAN CHEMICAL COMPANY, EASTMAN KODAK
COMPANY,

(Caption continued on Page 2.)

TELEPHONIC

DEPOSITION OF: KENNETH R. KNIGHT

DATE: March 19, 2020

TIME: 9:05 AM

LOCATION: Country Inn & Suites by Radisson
731 Citadel Rd.

Orangeburg, SC

TAKEN BY: Counsel for the Plaintiff

REPORTED BY: MARIE MCCOLLUM, Court Reporter

Job No. 4004945

PLAINTIFF'S
EXHIBIT

23H

1 (Caption continued from Page 1.)
2 4520 CORP., INC.;
3 APAC-ATLANTIC, INC.;
4 ARMSTRONG INTERNATIONAL, INC.;
5 ASHLAND, LLC;
6 BP CORPORATION NORTH AMERICA, INC.;
7 BW/IP INC.;
8 CBS CORPORATION;
9 CECO ENVIRONMENTAL CORP.;
10 CLEAVER-BROOKS, INC.;
11 COVIL CORPORATION;
12 CRANE CO.;
13 CURTISS-WRIGHT FLOW CONTROL CORPORATION;
14 DANIEL INTERNATIONAL CORPORATION;
15 DEZURIK INC.;
16 EECI, INC.;
17 E.I. DU PONT DE NEMOURS AND COMPANY;
18 FISHER CONTROLS INTERNATIONAL, LLC;
19 FLOWSERVE CORPORATION;
20 FLOWSERVE US INC.;
21 FLUOR CONSTRUCTORS INTERNATIONAL;
22 FLUOR CONSTRUCTORS INTERNATIONAL, INC.;
23 FLUOR DANIEL SERVICES CORPORATION;
24 FLUOR ENTERPRISES, INC.;
25 FMC CORPORATION;
GOULDS PUMPS, INCORPORATED;
GREENWOOD MILLS, INC.;
GRINNELL, LLC;
HARRISON CONSTRUCTION COMPANY;
HONEYWELL INTERNATIONAL, INC.;
INGERSOLL-RAND COMPANY;
JACOBS APPLIED TECHNOLOGY, INC.;
MERCK & CO. INC.;
METROPOLITAN LIFE INSURANCE COMPANY;
NEWMARKET CORPORATION;
PHARMACIA CORPORATION;
ROBERT BOSCH, LLC;
RUST ENGINEERING & CONSTRUCTION, INC.;
RUST INTERNATIONAL INC.;
SI GROUP, INC.;
SOUTHERN INSULATION, INC.;
STARR DAVIS COMPANY, INC.;
STARR DAVIS COMPANY OF S.C., INC.;
STERLING FLUID SYSTEMS (USA) LLC;
TRAN U.S., INC.;
UNION CARBIDE CORPORATION;
VERSO CORPORATION;
WESTROCK MWV, LLC;
YEARGIN POTTER SMITH CONSTRUCTION, INC.

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(INDEX AT REAR OF TRANSCRIPT)

1 KENNETH R. KNIGHT

2 being first duly sworn, testified as follows:

3 MR. HOLDER: This is Jonathan Holder on
4 behalf of the Plaintiff and the Knight family. We
5 are about to begin the deposition of Randy Knight
6 who is a brother --

7 DEFENSE COUNSEL: Jonathan, I'm sorry,
8 but we can't hear you.

9 DEFENSE COUNSEL: I can't hear you
10 either.

11 MR. HOLDER: This is Jonathan Holder on
12 behalf of the Plaintiff and the Knight family.
13 We're about to proceed with the deposition of Randy
14 Knight, the Decedent's brother and coworker. We're
15 going to put some stipulations on the record.

16 All the normal stipulations that an
17 objection by one can apply to all, both present and
18 on the phone, so that any objections can just be
19 noted as Defense Counsel. All objections except as
20 to the form of the question are reserved for the
21 time of trial.

22 This deposition will proceed under the
23 Rules of Civil Procedure and of Evidence of South
24 Carolina.

25 And it has been noted that -- and in

1 response to the COVID-19 virus that we have made
2 available remote access to any parties that wish to
3 partake in the deposition. So some are here
4 present, but many are on the phone, but nothing
5 will inhibit the examination of either.

6 And if there are any other statements
7 that you want to be put on the record, you can do
8 so at this time.

9 MR. TRAYLOR: This is David Traylor. I
10 would note that an appearance at this deposition is
11 not a waiver of any of the defenses asserted by, I
12 assume, any defendant rather than --

13 MR. FELIX: Can't hear. Can't hear.
14 This is Nick Felix. I can't hear you.

15 MR. TRAYLOR: This is David Traylor. I
16 would put on the record that an appearance at this
17 deposition is not a waiver of any defendant's
18 defenses, including personal jurisdiction, lack of
19 liability, subject matter jurisdiction, etcetera.

20 MR. HOLDER: Okay. Anyone else?

21 All right. Just a few ground rules
22 before we get started, Mr. Knight. We will move
23 through this as quickly as possible, but if at any
24 point you don't understand a question or you can't
25 hear either the questioner either on the phone or

1 in here, just let us know, and we can re-ask the
2 question in a different way or repeat it louder.

3 If at any point you need to take a
4 break for bathroom or for any purpose, as long as
5 there's not a question pending, we'll go ahead and
6 take a break. You just let us know when you need
7 that.

8 And just answer to the best of your
9 knowledge and ability.

10 EXAMINATION

11 BY MR. HOLDER:

12 Q. First, can you state your full name for
13 the record?

14 A. Kenneth R. Knight.

15 MR. HOLDER: I am going to start by
16 attaching a few exhibits. Plaintiff is going to
17 mark as Exhibit 1 the First Amended Notice of
18 Deposition of Randy Knight for the deposition here
19 today March 19th, 2020, and it was served February
20 21st, 2020, as Exhibit 1.

21 (PLF. EXHIBIT 1, First Amended Notice
22 of Deposition of Randy Knight, was marked for
23 identification.)

24 MR. HOLDER: Exhibit 2 is the e-mail
25 serving the notice on February 21st, that first

1 amended notice that's been marked as Exhibit 1.

2 (PLF. EXHIBIT 2, E-mail Serving the
3 Notice Served 2/21/20, was marked for
4 identification.)

5 MR. HOLDER: Mark as Exhibit 3
6 Plaintiff's Second Amended Notice of Deposition of
7 Randy Knight, which was changing only the location,
8 and was served on the 17th of March 2020.

9 (PLF. EXHIBIT 3, Second Amended Notice
10 of Deposition of Randy Knight, was marked for
11 identification.)

12 MR. HOLDER: And Exhibit 4 is the
13 e-mail -- Exhibit 4 is the e-mail from the 17th of
14 March serving the Second Amended Notice of
15 Deposition of Randy Knight and informing all
16 parties of the location change to the hotel that
17 we're currently in.

18 (PLF. EXHIBIT 4, E-mail Serving the
19 Notice Served 3/17/20, was marked for
20 identification.)

21 BY MR. HOLDER:

22 Q. Now, Mr. Knight --

23 MR. PHILLIPS: Jonathan, let me
24 interrupt. Okay. Just only in so much as you've
25 attached all the notices, and particularly the

1 communications, just to note for the record -- I'm
2 Mark Phillips, and there were requests that this
3 deposition be postponed because of the COVID-19
4 problem in the United States -- and these were made
5 yesterday -- I've not got them imprinted to produce
6 for this record, but certainly these were made, and
7 I just want to --

8 MR. HOLDER: I have a 21-page exhibit
9 of all the e-mails from yesterday between all
10 counsel in this case regarding --

11 MR. PHILLIPS: Good.

12 MR. HOLDER: -- everyone's conduct and
13 everything. So I can attach those as an exhibit as
14 well.

15 MR. PHILLIPS: That'd be great. But
16 there is objection. We're here with a spartan
17 crew, but we still got ten lawyers in this room.
18 And I know that a lot of advisories that indicate
19 we shouldn't do that, but I think a lot of the
20 lawyers on the phone would probably otherwise be
21 here but for the COVID-19 pandemic.

22 So we made those objections yesterday,
23 and we had made the request before. I just want to
24 make sure the record's clear about that. Thanks.

25 MR. HOLDER: Okay. I will clarify for

1 the record, I don't know of any formal objections
2 that were filed. But I do know that requests were
3 made yesterday and accommodations were provided.
4 But I understand the statement on the record, and
5 we can move forward.

6 BY MR. HOLDER:

7 Q. Mr. Knight --

8 MR. PHILLIPS: Yes. That's fine.
9 Sorry.

10 DEFENSE COUNSEL: Hey, Jonathan --

11 MR. PHILLIPS: The only accomodation I
12 know that's provided is we're here.

13 COURT REPORTER: One at a time.

14 MR. HOLDER: On the phone?

15 DEFENSE COUNSEL: Jonathan, would you
16 describe what the microphone situation is there in
17 the room?

18 MR. PHILLIPS: There ain't none.

19 MR. HOLDER: That's laughter y'all are
20 here hearing from Defense Counsel. That is an
21 iPhone that is on speaker, and he also has a laptop
22 in front of him. I'm not sure if that's
23 broadcasting him or not. But anyway, if you have
24 any problem hearing, just please let us know. I'm
25 going to speak plenty loudly, and I would encourage

1 everyone to encourage their co-defense counsel to
2 also speak loudly. We'll do as best as we can.
3 That's a dad joke for you.

4 BY MR. HOLDER:

5 Q. All right. Mr. Knight, have you --
6 well, just to start out, it's correct that I'm your
7 counsel in this case; is that correct?

8 A. Yes.

9 Q. And you and I met prior to today and
10 talked about your work history and you growing up
11 with your brother; isn't that correct?

12 A. Yes.

13 Q. Okay. Just to start off, when were you
14 born? What's your birth date?

15 A. [REDACTED].

16 Q. And are you a younger brother or an
17 older brother of Teddy?

18 A. I'm the youngest brother.

19 Q. And you understand that you're here to
20 give a deposition today in a case that his family
21 has filed due to his death from mesothelioma; is
22 that correct?

23 A. Yes.

24 DEFENSE COUNSEL: Objection to form.

25 BY MR. HOLDER:

1 Q. And how much older was Teddy than you?

2 A. Ten years.

3 Q. Even though there was a fairly large
4 age gap, would you consider yourself close to your
5 brother Teddy?

6 A. Very close.

7 Q. Did you look up to him growing up?

8 A. I did.

9 Q. Did he teach you a lot of stuff?

10 A. Uh-huh. Yes.

11 Q. Thank you. That's a perfect example.
12 We want to always enunciate our yeses and our noes
13 and not do uh-huhs or huh-uhs or head shakes. But
14 you picked up on it on your own, so I really
15 appreciate that.

16 Now, would y'all do stuff just in your
17 regular life like go fishing together and stuff
18 like that?

19 A. Yes.

20 Q. And did he also teach you stuff once he
21 got to working?

22 A. He did.

23 Q. Okay. When did you -- or did you go to
24 high school around here?

25 A. I did.

1 Q. Okay. How far did you go in school?

2 A. 11th grade.

3 Q. Okay. And did you get a job after you
4 got out of school?

5 A. I did.

6 Q. Where did you get a job?

7 A. I worked at a sign company for several
8 years.

9 Q. Okay. Did you start that while you
10 were in school?

11 A. When I was 11 years old.

12 Q. Oh, okay. Where was the next place you
13 worked after the sign company?

14 A. Ethyl Corporation.

15 Q. Okay. Is that here in Orangeburg?

16 A. Yes.

17 Q. Now, approximately what year did you
18 start out there?

19 A. Either '68 or '69.

20 Q. Okay. And was it after you had stopped
21 the 11th grade work?

22 A. Yes.

23 Q. Okay. What was your first job over at
24 Ethyl?

25 A. Well, I worked in maintenance. So just

1 whatever they threw at us.

2 Q. Okay. Did you have to help other
3 workers that were doing work around the plant?

4 A. I did.

5 Q. Okay. Did you have to help craft
6 workers like pipe fitters and welders and things
7 like that?

8 A. Yes.

9 DEFENSE COUNSEL: Object to the form.

10 BY MR. HOLDER:

11 Q. At the time, were you assigned to a
12 certain part of the plant or was it all over?

13 A. I was assigned to Plant 1.

14 Q. Okay. And when you started out at
15 Ethyl, do you know how many plants there were?

16 A. Let's see. About eight.

17 Q. Okay. Now, did -- what type of
18 business was Ethyl?

19 A. Chemical company.

20 Q. Okay. So did each one of these
21 different plants do a different chemical process to
22 your understanding?

23 A. Yes.

24 Q. And so when you started out there, you
25 were working at Plant 1, you said?

1 A. Right.

2 Q. Do you know what Plant 1 was doing when
3 you got out there?

4 A. Mainly making EPTD.

5 Q. And do you know what that chemical is
6 used for?

7 DEFENSE COUNSEL: I'm sorry. I didn't
8 hear the answer. What --

9 MR. HOLDER: EPTD.

10 BY MR. HOLDER:

11 Q. Which is a...

12 A. It was a pesticide.

13 Q. A pesticide. Okay.

14 DEFENSE COUNSEL: Thank you.

15 MR. HOLDER: Sure.

16 BY MR. HOLDER:

17 Q. Now, do you know, was Plant 1 newly
18 built when you got there or had it been around a
19 while?

20 A. No, it's been there forever.

21 Q. Do you know when Ethyl or that plant,
22 the whole corporation plant was built?

23 A. No.

24 Q. Now, did -- where did you work next
25 after that first stint at Ethyl?

1 A. I worked with the Masters Company.

2 Q. Okay. Explain to us what the Masters
3 Company was.

4 A. It was a construction company.

5 Q. Okay. And what role did your brother
6 Teddy have in it?

7 A. He was an owner, and he done the labor.

8 Q. Okay.

9 A. He was a welder.

10 Q. Okay. Did he -- was he a part owner
11 with other family members?

12 A. Yes.

13 Q. Who were the other owners of the
14 Masters?

15 A. Bobby Kraft was an uncle and Kenneth
16 Kraft was an uncle.

17 Q. Do you know approximately when you
18 started working over at Masters?

19 A. Let's see. I worked at Albemarle for
20 about four years. Probably around '73, I guess.

21 Q. Okay. Now, did you stay at Masters
22 very long?

23 A. A year.

24 Q. Okay. Now, did you -- do you recall
25 any of the places where you worked while you were

1 with Masters?

2 A. I remember working at Union Carbide in
3 Columbia, Tennessee. And I done in Alabama,
4 Mississippi, at Oxford at the college.

5 MR. TRAYLOR: Apologize, what?

6 MR. HOLDER: At Oxford at the college
7 in Mississippi.

8 BY MR. HOLDER:

9 Q. Was Alabama a college as well --

10 A. No.

11 Q. -- the job in Alabama?

12 Where was the job in Alabama? Do you
13 remember?

14 A. It was in Hueytown where we put in nine
15 30,000 gallon propane tanks.

16 Q. Now, did you do any work with Masters
17 here locally around Orangeburg at any facilities?

18 A. No.

19 Q. Okay. Specifically there was one, and
20 I'm not sure if it's in Orangeburg or if it's in
21 Greenwood or if I'm just -- if the name is a
22 misnomer. Have you heard of a Greenwood Mills?

23 A. Yes.

24 Q. Is that in or around Orangeburg?

25 A. It is in -- well, in Orangeburg County.

1 Q. Okay. Now, did you ever have occasion
2 to go out there and do any work while you were with
3 Masters?

4 A. One day.

5 Q. So you only did a day job out there?

6 A. Yeah.

7 Q. What was going on out there that one
8 day?

9 A. A propane tank.

10 Q. Is that an install or a removal and an
11 install?

12 A. A removal -- I mean, an install.

13 Q. When you install a propane tank, where
14 would you install it, for instance, at the
15 Greenwood Mills?

16 A. Behind the plant in an open field.

17 Q. Okay. So this wasn't -- didn't
18 necessitate you going into the plant at Greenwood
19 Mills when y'all did the work there that one day
20 for Masters?

21 A. No.

22 Q. Okay. Do you know if it was near the
23 beginning of your work with Masters or what
24 portion?

25 A. I think it was closer to the end.

1 Q. Okay. Now, that first job you
2 mentioned at Union Carbide in Columbia, Tennessee,
3 what did you do there? Was that also tanks?

4 A. Yes.

5 Q. Now, do you recall if that was a
6 removal and an install or an install only?

7 A. Install only.

8 Q. Okay. Do you recall how long that job
9 was?

10 A. About six weeks.

11 Q. Okay. Now, was Teddy on the Union
12 Carbide job with you?

13 A. Yes.

14 Q. And what was his work on that?

15 A. He was welding.

16 Q. Okay. Did he ever do any of the pipe
17 fitting duties or was he the best welder y'all had,
18 so he was focused on the welding?

19 DEFENSE COUNSEL: Object to the form.

20 BY MR. HOLDER:

21 Q. You can answer.

22 A. I think he was probably the only welder
23 at that time.

24 Q. I got you. When y'all did a job like
25 at Union Carbide in Columbia, Tennessee, would

1 y'all stay overnight, I'm guessing?

2 A. Yes.

3 Q. Okay. Where would y'all stay? Do you
4 recall?

5 A. I wouldn't have an idea.

6 Q. Did y'all ever take campers or
7 anything --

8 A. No.

9 Q. -- or would y'all stay in motels?

10 A. We stayed in a motel.

11 Q. You just don't remember the name of the
12 motel?

13 A. Right.

14 Q. At the Union Carbide in Columbia,
15 Tennessee, do you recall where at the plant y'all
16 would have installed the propane tank?

17 A. Yeah. It was on a hill about a half a
18 mile away from the plant.

19 Q. Okay. Was that fairly typical if it
20 was a propane tank install, that it wouldn't -- you
21 didn't want it close to the processes going on at
22 the plant?

23 A. Right.

24 Q. Okay. You also mentioned a job in
25 Hueytown, Alabama. Was that at a specific plant?

1 A. It was at the city of Hueytown.

2 Q. It was for the city. Okay. So were
3 these municipal city buildings that y'all were
4 working in?

5 A. No. We was working in a field.

6 Q. Okay. This was another install of
7 these propane tanks?

8 A. Right.

9 Q. Okay. And I think the last one you
10 mentioned was the college in Oxford, Mississippi?

11 A. Right.

12 Q. A lot of people I think refer to that
13 as Ole Miss. Does that sound right?

14 A. Uh-huh.

15 Q. Was this the same type of job,
16 installing propane tanks?

17 A. Yeah.

18 Q. Any removal of any equipment at that
19 job?

20 A. No.

21 Q. And all of the jobs that you worked
22 with Masters during that year you were working, do
23 you recall any of them having removal of any
24 equipment?

25 A. No.

1 Q. Do you recall if at any of the places
2 other construction or other work was going on
3 construction-wise at those plants separate from
4 Masters?

5 A. I don't know.

6 Q. Okay. Did you have any interaction
7 with the people at Union Carbide in Columbia,
8 Tennessee, for instance?

9 A. No.

10 Q. Would -- the way y'all acquire jobs
11 is -- would the company contact Masters, Teddy or
12 whoever, and request y'all to install propane tanks
13 or whatever the job was, and then you as a worker
14 would just take your directions from Teddy or
15 whomever on the job?

16 DEFENSE COUNSEL: Object to the form.

17 BY MR. HOLDER:

18 Q. Now, when did you end up leaving
19 Masters? Was it along the same year, '73?

20 DEFENSE COUNSEL: Object to the form.

21 THE WITNESS: Yeah.

22 BY MR. HOLDER:

23 Q. To the best of your recollection.

24 A. Yeah.

25 Q. I don't want to --

1 DEFENSE COUNSEL: Same objection.

2 BY MR. HOLDER:

3 Q. Why did you leave the Masters Company?

4 A. At the time, they didn't have enough
5 work.

6 Q. Okay. So if they didn't have enough
7 jobs, did you just not get hours?

8 A. Yeah. That's right.

9 Q. Was anyone else laid off or let go at
10 the time you were?

11 A. Yes. My cousin Michael Kraft.

12 Q. Anybody else?

13 A. Not that I'm aware of.

14 Q. All right. Now, when you left that
15 job -- or left because they didn't have the work,
16 where did you get a job next?

17 A. I went back out to Ethyl.

18 Q. Okay. Whenever that was, do you think
19 that there wasn't -- strike that.

20 Was there any job that you had in
21 between Masters and going back to Ethyl?

22 A. No.

23 Q. Okay. Now, you then worked at Ethyl
24 until your retirement; is that right?

25 A. Yes, sir.

1 Q. What was your job when you went back to
2 Ethyl in the '73 time frame, '74 time frame?

3 A. I went back into maintenance, and I was
4 on a crew. I worked in Plant 5, Plant 8, and Plant
5 4.

6 Q. Okay. Now, on maintenance, when you
7 first went back, did you go -- did you start back
8 as kind of a helper on maintenance at the same
9 level as you were when you left?

10 A. Yes.

11 Q. Did your work require y'all to work on
12 any pieces of equipment, overhauling pumps or
13 valves or anything like that?

14 A. Mainly what we done was valves and
15 pumps and plug lines.

16 Q. Explain to us what a plug line is.

17 A. It's when a chemical is not soluble
18 enough to go through the piping.

19 Q. Okay. And what does the plug do to
20 alleviate that?

21 A. Meaning?

22 Q. Sorry. That was probably a very poor
23 question. I was just trying to figure out
24 how does -- if the stuff is not moving through the
25 pipe, how does this plug help it move through the

1 pipe? Or does it?

2 A. No.

3 Q. Okay. I'm completely lost.

4 A. The plug stops the flow of chemical.

5 Q. I was completely misunderstanding what
6 you were saying. I got you.

7 A. Okay.

8 Q. Now, did you have to, as part of that,
9 change out gaskets and packing on any valves or
10 pumps or equipment?

11 (The proceedings were interrupted.)

12 MR. HOLDER: Back on the record.

13 BY MR. HOLDER:

14 Q. Did your work on these pieces of
15 equipment, pumps, and valves have -- require you to
16 remove and replace gaskets?

17 A. Yes.

18 DEFENSE COUNSEL: Object to the form.

19 BY MR. HOLDER:

20 Q. Was that a regular occurrence in your
21 job on maintenance?

22 DEFENSE COUNSEL: Object to form.

23 DEFENSE COUNSEL: Object to form.

24 BY MR. HOLDER:

25 Q. You can answer.

1 A. Pretty much every day.

2 Q. And when you would remove a gasket
3 from -- well, let me ask you this: Were there
4 pieces of equipment at Ethyl that were connected
5 into the lines through a flange connection?

6 DEFENSE COUNSEL: Object to the form.

7 THE WITNESS: Yes.

8 BY MR. HOLDER:

9 Q. Would there be gaskets between those
10 flange connections?

11 A. Yes.

12 DEFENSE COUNSEL: Object to the form.

13 BY MR. HOLDER:

14 Q. And would the work that you've
15 described in having to change or remove and replace
16 gaskets include those flange connections?

17 DEFENSE COUNSEL: Object to the form.

18 THE WITNESS: Yes.

19 BY MR. HOLDER:

20 Q. And after you remove the old gasket, is
21 it important to clean the facing of the flange
22 before you put a new gasket in?

23 DEFENSE COUNSEL: Object to the form.

24 THE WITNESS: It is.

25 BY MR. HOLDER:

1 Q. And why is that?

2 A. Because if you don't clean the -- the
3 old gasket off, the pump will leak.

4 Q. Were there times when the gasket
5 material would be cooked onto the flange where it
6 was stuck?

7 DEFENSE COUNSEL: Object to the form.

8 THE WITNESS: Yes.

9 BY MR. HOLDER:

10 Q. And would it sometimes require you to
11 work hard to get the material off of the flange?

12 DEFENSE COUNSEL: Object to the form.

13 THE WITNESS: You'd have to take a
14 chisel sometimes to get it off.

15 BY MR. HOLDER:

16 Q. Did you ever have to use a wire brush
17 on a grinder?

18 DEFENSE COUNSEL: Object to the form.

19 THE WITNESS: I have.

20 BY MR. HOLDER:

21 Q. And when you do that, does that help
22 remove all of that stuck on gasket material and
23 free it up off of that flange?

24 DEFENSE COUNSEL: Object to the form.

25 THE WITNESS: Yes.

1 BY MR. HOLDER:

2 Q. Okay. Did you have to do as part of
3 y'all's job removing and replacing packing in
4 either valves or pumps?

5 DEFENSE COUNSEL: Object to the form.

6 THE WITNESS: Yes.

7 BY MR. HOLDER:

8 Q. And how would you remove packing?

9 A. Most of the time, it would be with
10 packing pullers.

11 Q. Okay. And would sometimes also the
12 packing be difficult to remove?

13 DEFENSE COUNSEL: Object to the form.

14 THE WITNESS: It would be.

15 BY MR. HOLDER:

16 Q. Okay. And how would you have to get it
17 out? Just keep ripping at that tool?

18 DEFENSE COUNSEL: Object to form.

19 DEFENSE COUNSEL: Object to the form.

20 THE WITNESS: That, and just whatever
21 it took to get it out.

22 BY MR. HOLDER:

23 Q. Sure. Would you use other tools to put
24 down in there with the hook or just --

25 A. Screwdrivers, anything you could find.

1 Q. Okay. Now, did you start specifically
2 in Plant 8 when you came back? I know you
3 mentioned Plant 8, Plant 5, or Plant 4. Or were
4 you kind of among the three?

5 A. I was all over.

6 Q. Okay. Did there also come a time when
7 you had to work any heavy equipment?

8 A. I operated the crane out there for 28
9 years.

10 Q. So that started in the -- probably
11 mid-70s, maybe about '77?

12 A. Something like that.

13 Q. Now, when you were operating this
14 crane, would that take you even further around the
15 campus of the plant than just Plant 8, Plant 5,
16 Plant 4?

17 A. Yes. I'd be all over the plant.

18 Q. Okay.

19 MR. TRAYLOR: I apologize. Other
20 plants, is that --

21 MR. HOLDER: He said he'd be all over
22 the plant, yes.

23 MR. TRAYLOR: Okay.

24 BY MR. HOLDER:

25 Q. Now, did there come a time when your

1 brother Teddy came out to Ethyl and did some work?

2 A. Yes.

3 Q. Okay.

4 DEFENSE COUNSEL: What did he say?

5 MR. HOLDER: He said yes.

6 I am going to mark as Exhibit 5 a
7 handwritten work history list made by Mr. Teddy
8 Kennedy when he was alive back in -- back some
9 decades ago.

10 (PLF. EXHIBIT 5, Handwritten Work
11 History of Teddy Knight, was marked for
12 identification.)

13 BY MR. HOLDER:

14 Q. This was further identified by the
15 Bates label Knight SC, Exhibit 1, Production,
16 underscore, 000023.

17 MR. GLENN: Jonathan, you said Teddy
18 Kennedy. You meant --

19 MR. HOLDER: Teddy --

20 MR. GLENN: -- Knight, I'm assuming.

21 MR. HOLDER: I am so sorry. I'm
22 thinking -- yes, Teddy Knight.

23 MR. GLENN: Just a making sure.

24 MR. HOLDER: Yes. No Teddy Kennedys
25 popping up --

1 DEFENSE COUNSEL: What's the Bates
2 number again?

3 MR. HOLDER: -- hopefully.

4 It's 23 of the Plaintiff's
5 production -- Exhibit 1 production in Knight.

6 BY MR. HOLDER:

7 Q. I'm going to hand you --

8 MR. PHILLIPS: Jonathan, just for the
9 record, you've taken -- I think you called Exhibit
10 5, which is a handwritten -- reproduction of a
11 handwritten thing and then highlighted it; is that
12 right?

13 MR. HOLDER: Let me explain for the
14 record. This is a production of a document that
15 everyone has, and I have highlighted the portion
16 that I'm about to speak to the witness about, as
17 we've dealt with every document. But everyone in
18 this case has this document. This has been
19 produced: Knight parenthesis, SC, parenthesis, EX,
20 dot, 1, Production, underscore, 000023.

21 Everyone's had this for months, and I'm
22 just highlighting the portion I'm about to ask
23 about.

24 MR. PHILLIPS: May I have this?

25 MR. HOLDER: You can have this copy if

1 you want.

2 BY MR. HOLDER:

3 Q. Now, you understand that this was a
4 work history that was written by your brother
5 Teddy?

6 DEFENSE COUNSEL: Object to the form.

7 THE WITNESS: Yes.

8 BY MR. HOLDER:

9 Q. Okay. And, in fact, the initials TL
10 are up in the corner. Do you see that?

11 DEFENSE COUNSEL: Same objection.

12 THE WITNESS: I do.

13 BY MR. HOLDER:

14 Q. And what was Teddy's middle name?

15 A. Leroy.

16 Q. Okay. So his first two initials are
17 TL; is that correct?

18 A. Right.

19 Q. Okay. You see the -- about the fourth
20 entry down, he has written 7/31/68 to 8/14/68,
21 Ethyl Corp OBG. Do you see that?

22 A. Yes, sir.

23 Q. And I think it says \$2.37 an hour?

24 DEFENSE COUNSEL: Object to form.

25 BY MR. HOLDER:

1 Q. Is that what it looks like to you?

2 A. I really don't know what it says.

3 Q. Okay. Now, would this have been around
4 the time when you were first getting to Ethyl Corp?

5 DEFENSE COUNSEL: Object to form.

6 THE WITNESS: Yes, sir.

7 BY MR. HOLDER:

8 Q. Okay. Now, do you have any
9 recollection of seeing Teddy at Ethyl Corp in '68
10 when you were first starting there when he was
11 there for those two weeks?

12 A. I maybe passed across him a couple of
13 times.

14 Q. I got you. Would you have any memory
15 specific as to what he would have been doing back
16 in '68?

17 DEFENSE COUNSEL: Object to form.

18 BY MR. HOLDER:

19 Q. At Ethyl Corp specifically, like the
20 project. Sorry. I should have been more specific.

21 A. He must have been on a project, but I
22 don't know what it was.

23 Q. Okay. You can set that to the side.

24 Let me ask you, do you have any reason
25 to think Teddy was wrong about that entry where --

1 when he entered those two weeks he worked at Ethyl
2 Corp in '68?

3 DEFENSE COUNSEL: Object to form.

4 DEFENSE COUNSEL: Object to form.

5 THE WITNESS: No.

6 MR. HOLDER: Okay. I'm going to mark
7 as Exhibit 6 a resumé of Teddy Leroy Knight, and
8 it's Bates labelled the Knight SC, EX, dot, 1,
9 Production, underscore, 000024, 25, and 26.

10 (PLF. EXHIBIT 6, Teddy Knight's Resumé,
11 was marked for identification.)

12 BY MR. HOLDER:

13 Q. I'm going to highlight the entry for
14 Ethyl Corp on the first page that I'm going to ask
15 you about.

16 Okay. On that first page, do you see
17 that that identifies the resumé of your brother?

18 A. Yes.

19 DEFENSE COUNSEL: Object to form.

20 BY MR. HOLDER:

21 Q. And do you see that -- that the fifth
22 entry down says from 1977 to 1980, foreman, Yeargin
23 Construction Company at Ethyl Corporation,
24 Orangeburg, SC.

25 Do you see that?

1 DEFENSE COUNSEL: Object to form.

2 THE WITNESS: Yes.

3 BY MR. HOLDER:

4 Q. Now, do you happen to recall when Teddy
5 came out to Ethyl Corp this second time in the mid-
6 to late '70s?

7 DEFENSE COUNSEL: Object to form.

8 THE WITNESS: Yes.

9 BY MR. HOLDER:

10 Q. Okay. Now, do you recall any project
11 that was ongoing at that time with Yeargin
12 Construction out at Ethyl?

13 A. I'm thinking that's along the time they
14 built the Ibuprofen plant, which is Plant 9.

15 Q. Okay. Is it your best recollection
16 that during that -- this time frame that Teddy
17 would have been working out at Plant 9?

18 DEFENSE COUNSEL: Object to the form.

19 THE WITNESS: Yes.

20 BY MR. HOLDER:

21 Q. Do you know what kind of work they
22 were -- Yeargin was doing on Plant 9?

23 A. They was -- it was a new construction.

24 Q. Okay. So they have all --

25 A. Every --

1 Q. -- portions of the construction?

2 A. Yes.

3 Q. Okay. Do you know specifically what
4 department that Teddy was a foreman in?

5 A. Probably in piping.

6 Q. Okay. Now, do you recall ever having
7 to go by Plant 9 or seeing Teddy actually there at
8 Plant 9 on the construction?

9 A. Yes.

10 Q. Okay. What would take you over to
11 Plant 9?

12 A. Probably take me by Plant 9.

13 Q. Okay. What is that?

14 A. That would probably be when I would be
15 operating the crane.

16 Q. Okay. Do you happen to recall if at
17 the point in construction where they were when you
18 remember seeing Teddy there, were the walls already
19 up on the building?

20 A. Yes.

21 Q. Okay. By that point, do you think the
22 equipment was already set?

23 A. Yes.

24 Q. Would the piping department be running
25 the piping to the -- run the piping to the

1 equipment that's been set?

2 A. Right.

3 DEFENSE COUNSEL: Object to form.

4 THE WITNESS: Yes.

5 BY MR. HOLDER:

6 Q. Do you recall if they would have had
7 any insulators out there at Plant Number 9
8 following behind the piping?

9 DEFENSE COUNSEL: Same objection.

10 THE WITNESS: Yes.

11 BY MR. HOLDER:

12 Q. Okay. And do you recall them having
13 insulators installing insulation there at Plant 9
14 during the mid to late '70s period?

15 A. Yes.

16 DEFENSE COUNSEL: Object to form.

17 BY MR. HOLDER:

18 Q. And do you know if Plant Number 9 has
19 its own boilers?

20 A. No. All the steam was generated at --
21 on the other end of the plant at the boiler house.

22 Q. Was the boiler house at Ethyl in a
23 plant -- a numbered plant building or was it a
24 separate power house?

25 A. It was a separate power house.

1 Q. Okay. And it had steam pipes that went
2 from the boiler house to all over the plant?

3 A. Right.

4 Q. Do you recall if -- ever seeing Teddy
5 having to do any work down at the boiler house?

6 A. One time.

7 Q. When would that have been? Well, maybe
8 what can help break it down: Do you think it would
9 be during this stint at Ethyl, during this late
10 '70s period, or do you believe it would have been
11 before or after?

12 A. I think it would have been after.

13 Q. Okay. So you believe that after Teddy
14 finished up this job with Yeargin at Ethyl, is it
15 your belief that he came back and did work after
16 that?

17 A. Yes.

18 Q. Do you happen to know either around
19 when that was or who he would have been possibly
20 working for?

21 A. Oh, lord.

22 Q. Just if you can recall.

23 A. I can't recall years.

24 Q. Okay. That's fine. Do you believe
25 that -- do you know anybody else that would have

1 been working with Teddy when he was working at the
2 boiler house?

3 DEFENSE COUNSEL: Object to form.

4 THE WITNESS: No.

5 BY MR. HOLDER:

6 Q. Okay. Now, did you continue on in the
7 same job that you were working on at -- on
8 maintenance into the '80s and through the '80s?

9 A. Yes.

10 Q. And I believe you said that you were
11 continuing to operate the crane for maintenance?

12 A. (Witness moves head up and down.)

13 Q. In addition to operating the crane, did
14 you continue to do the work on the equipment such
15 as pumps and valves?

16 A. I did. I worked in the valve shop for
17 probably -- when I didn't have to operate the
18 crane, I worked in the valve shop testing relief
19 valves and rebuilding and other valves that come
20 in.

21 Q. Do you know if the valves y'all were
22 working on at Ethyl Corp used gaskets that had
23 asbestos in them?

24 DEFENSE COUNSEL: Object to form.

25 THE WITNESS: Yes.

1 BY MR. HOLDER:

2 Q. Do you know when that stopped being the
3 case?

4 A. No. I can't remember years.

5 Q. Okay. Do you think it would have been
6 later on in the late '80s to '90s?

7 A. Yes.

8 Q. Okay.

9 DEFENSE COUNSEL: Objection. Objection
10 to form.

11 BY MR. HOLDER:

12 Q. Now, do you recall during your time out
13 there at Ethyl ever at some point being warned
14 about the hazards associated with asbestos?

15 DEFENSE COUNSEL: Object to form.

16 THE WITNESS: I remember -- I don't
17 remember a year, but I remember us having a meeting
18 with the maintenance supervisor, and he went
19 through the Ethyl guidelines about us not touching
20 anything with asbestos in it. We had to let the
21 insulators remove it.

22 BY MR. HOLDER:

23 Q. Do you recall even a decade, if this
24 was in the '90s or was this in the 2000s, or do you
25 know when this would have been?

1 A. It was probably in the mid-'80s.

2 DEFENSE COUNSEL: Object to form.

3 BY MR. HOLDER:

4 Q. Okay. Mid-'80s. Do you know at this
5 meeting who the maintenance supervisor was that
6 told y'all?

7 A. Ed Ball.

8 Q. Ed Ball.

9 MR. TRAYLOR: Sorry?

10 MR. HOLDER: Ed Ball.

11 MR. TRAYLOR: Thank you.

12 BY MR. HOLDER:

13 Q. Do you recall if -- this was an Ethyl
14 meeting or did y'all have --

15 A. Yes.

16 Q. Okay. Were there contractors from --
17 employed by other people there or was this only
18 Ethyl people there?

19 A. This was only Ethyl people.

20 Q. To your knowledge, did they share this
21 information and have the same meetings with all the
22 contractors, workers on site?

23 DEFENSE COUNSEL: Object to the form.

24 DEFENSE COUNSEL: Object to the form.

25 THE WITNESS: I don't remember any

1 meetings, but I feel sure that they had the same
2 information that we had.

3 BY MR. HOLDER:

4 Q. Okay. Did they ever -- did there come
5 a time at Ethyl when they started doing what they
6 call abatement where they remove asbestos and have
7 people come in like moon suits, stuff like that?

8 A. Yeah.

9 Q. Do you remember around when that was?

10 A. Not long after we had the meeting.

11 Q. Okay. I got you. And did that
12 continue on throughout the time that you worked
13 there off and on?

14 DEFENSE COUNSEL: Object to the form.

15 BY MR. HOLDER:

16 Q. Abatement projects, I mean.

17 A. Only when there was asbestos.

18 Q. Right.

19 A. Yeah.

20 Q. Right. One second. I'm going to hand
21 you what I'm marking as Exhibit 7.

22 (PLF. EXHIBIT 7, Recent Resumé of Teddy
23 Knight, was marked for identification.)

24 BY MR. HOLDER:

25 Q. And this is a later or more recent

1 resumé of your brother that starts with the first
2 entry in the work experience with McIntosh
3 Mechanical from '93 to '95. Oh, and Bates labelled
4 from the Knight, SC, EX, dot, 1, Production,
5 underscore, 000027 and 28. There you go.

6 Now, there's an entry for an employer
7 Prime South, Inc., out of Columbia, South Carolina,
8 from '91 to '93 on the first page of this Exhibit 7
9 resumé. Do you see that?

10 A. Yes.

11 Q. Do you happen to know any of the
12 locations where -- where Teddy worked while he was
13 working for Prime South?

14 A. No.

15 Q. Okay. You can set that to the side.

16 Do you know anybody else that worked
17 for Prime South?

18 A. I probably did, but I don't remember
19 names.

20 Q. Okay. That's fine. Now, after that,
21 you recall at some point seeing Mr. -- I mean, your
22 brother Teddy working in the boiler house at Ethyl,
23 you described. Do you recall that?

24 DEFENSE COUNSEL: Object to the form.

25 THE WITNESS: Yeah. They had to

1 replace some piping.

2 BY MR. HOLDER:

3 Q. Okay. And they have to remove the old
4 piping and put in new piping?

5 A. Yes.

6 DEFENSE COUNSEL: Object to form.

7 BY MR. HOLDER:

8 Q. Do you know approximately how long he
9 would have been working in the power house during
10 that point?

11 DEFENSE COUNSEL: Same objection.

12 THE WITNESS: Maybe a week, two weeks.

13 BY MR. HOLDER:

14 Q. To be clear, you were working for Ethyl
15 at this time?

16 A. Yes.

17 Q. Was Teddy working as a direct employee
18 for Ethyl at this time or was he for a contractor?

19 A. Contractor.

20 Q. Okay. After that -- do you recall
21 Teddy ever having to come back to do any work at
22 the Ethyl chemical plant after that?

23 A. I can't recall.

24 Q. Okay. Now, were you ever in a union?

25 A. No.

1 Q. Was Teddy, to your knowledge, in a
2 union?

3 A. I think so. Yes.

4 Q. Would you be the person that knew,
5 like, the local number or any of the stuff like
6 that about his union membership?

7 A. Not for Teddy.

8 Q. Now, do you believe that asbestos was
9 used over at Ethyl in all nine of the plants,
10 plants 1 through 9?

11 DEFENSE COUNSEL: Object to the form.

12 DEFENSE COUNSEL: Object to form.

13 THE WITNESS: I feel sure there was
14 some in all the plants.

15 BY MR. HOLDER:

16 Q. Okay.

17 A. Except Plant 9, now. I'm not sure
18 about it.

19 Q. Okay. Now, do you believe that Teddy's
20 work throughout the years at different times at
21 Ethyl more likely than not exposed him to asbestos
22 at Ethyl?

23 DEFENSE COUNSEL: Object to the form.

24 THE WITNESS: Yes.

25 DEFENSE COUNSEL: Foundation.

1 BY MR. HOLDER:

2 Q. And do you think that would have
3 happened multiple times on a regular basis when he
4 was there?

5 DEFENSE COUNSEL: Object to form.

6 THE WITNESS: Probably at multiple
7 times.

8 BY MR. HOLDER:

9 Q. All righty. Do you recall the first
10 symptoms or complaints that Teddy had prior to his
11 diagnosis of mesothelioma?

12 A. He complained about his -- his right
13 shoulder hurting him for, I guess, probably eight
14 months. And as our father, he was hard-headed and
15 wouldn't go to the doctor until it hurt so bad he
16 had to go. And then that's when he found out.

17 Q. You mentioned your father. Where did
18 y'all's father work?

19 A. He worked in the cotton mill.

20 Q. Do you remember the name of it?

21 A. No, I don't.

22 Q. Okay. Is your father still living?

23 A. No.

24 Q. When did he pass away? I know you're
25 not good with years, but if you could just

1 approximate.

2 A. He's been dead now probably about seven
3 years.

4 Q. Do you know what he died of?

5 A. Stroke.

6 Q. Now, did y'all's mama work outside the
7 house growing up?

8 A. She did. She was a waitress.

9 Q. Do you know where she waitressed?

10 A. Jack Nolan's restaurant.

11 Q. Did y'all always live here in
12 Orangeburg County growing up?

13 A. We lived in the city.

14 Q. Okay. Did Teddy go to high school
15 around here?

16 A. He went to Orangeburg High.

17 Q. And did he leave school early or did he
18 graduate?

19 A. He graduated.

20 Q. Do you know what year?

21 A. '63, I think.

22 Q. Okay. Even after y'all grew and moved
23 into your own houses with your own families, did
24 you and Teddy stay close?

25 A. We called and talked to each other at

1 least once every couple of weeks.

2 MR. HOLDER: Well, thank you so much
3 for answering our questions here today. Defense
4 Counsel will have questions that they want to ask
5 you. I may have some follow-up after that, but I
6 just appreciate your time here today, and I thank
7 you a lot. Okay.

8 We can go off the record.

9 (Off-the-record conference.)

10 MR. HOLDER: Back on the record. I'm
11 not sure who is going to take lead for Defense
12 Counsel. But all yours.

13 EXAMINATION

14 BY MR. PHILLIPS:

15 Q. Mr. Knight, my name is Mark Phillips,
16 and I'm going to ask the first set of questions
17 this morning of you as by way of follow-up.

18 The lawsuit that was brought on behalf
19 of your late brother is brought by personal
20 representative Richard L. Knight. Who is that?

21 A. That's his son.

22 Q. That's his son. Okay. And it's
23 brought on behalf of Teddy L. Knight, Sr. That was
24 your brother, correct?

25 A. Right.

1 Q. Ten years older, I think?

2 A. Right.

3 Q. Yes. And Linda Knight?

4 A. Right.

5 Q. So you don't have an interest in the
6 lawsuit, do you?

7 A. No, sir.

8 Q. Okay. Tell me when you met most
9 recently with Mr. Holder to prepare for today.

10 MR. HOLDER: Just when you met. He's
11 not asking what we talked about.

12 THE WITNESS: Yesterday.

13 BY MR. PHILLIPS:

14 Q. How long did y'all meet yesterday?

15 A. Probably an hour.

16 Q. Okay. How many times have y'all gotten
17 together to talk about this lawsuit?

18 A. Twice.

19 Q. Okay. That was yesterday, one of them?

20 A. One of them was yesterday.

21 Q. Okay. When else was that?

22 A. Last month.

23 Q. Did Jonathan come over here to
24 Orangeburg?

25 A. Yes, sir -- no, North.

1 Q. I know where North is. Okay. We were
2 going to come see you about a month ago on a -- I
3 think it was going to be on a Monday. Do you know
4 why that was canceled?

5 A. I have no idea.

6 Q. Did you know that you were supposed to
7 give testimony about a month ago in late February?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: Late February...

10 BY MR. PHILLIPS:

11 Q. Yes, sir.

12 A. Let's see. It's March now.

13 Q. Yes. It's about March now.

14 A. March -- I think so. Yes.

15 Q. Okay. And do you know why you -- why
16 the decision was made not to put your testimony up
17 then?

18 A. I do not.

19 Q. Do you know what day of the week y'all
20 met --

21 A. No.

22 Q. -- a month ago?

23 A. No, I don't.

24 Q. Okay. And how many times have y'all
25 discussed the case on the telephone?

1 A. None.

2 Q. Okay. So just met yesterday and met at
3 some point about a month ago?

4 A. Right.

5 Q. Tell me what documents you've taken a
6 look at.

7 A. I don't think I've looked at any
8 documents.

9 Q. Well, you --

10 MR. HOLDER: Objection to form.

11 BY MR. PHILLIPS:

12 Q. You looked at a couple this morning
13 with Mr. Holder.

14 A. Oh.

15 Q. Had you seen those documents before?

16 A. No.

17 Q. Okay. So that handwritten note of your
18 brother you'd never seen before?

19 MR. HOLDER: Object to the form.

20 THE WITNESS: No.

21 BY MR. PHILLIPS:

22 Q. You don't know when he prepared it?

23 A. I have no idea.

24 Q. Okay. And he wasn't in touch with you
25 when he prepared that document?

1 A. He probably prepared that document
2 as -- as he went along.

3 Q. He may have, but you don't know?

4 A. But I don't know.

5 Q. Okay. And so you don't know how that
6 document was created, when it was created, where it
7 was created, correct?

8 A. I do not.

9 MR. HOLDER: Objection to form.

10 BY MR. PHILLIPS:

11 Q. You do not. All right. Thank you.

12 Now, how many employees did your
13 brother and your uncle have at Masters Company when
14 they operated that business?

15 A. No set amount.

16 Q. Right.

17 A. Just whenever they needed help they
18 could...

19 Q. So you don't know how many employees
20 they had at any given time?

21 A. No.

22 Q. Do you know who was in charge of
23 complying with things like OSHA requirements at
24 Masters Company?

25 MR. HOLDER: Object to form.

1 THE WITNESS: Bobby Kraft.

2 BY MR. PHILLIPS:

3 Q. And that was your uncle?

4 A. That was my uncle.

5 Q. Okay. And what did your uncle do to
6 satisfy the OSHA requirements, as best you
7 remember?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: He would get us the
10 safety equipment we needed and instruct us on how
11 to go about doing things.

12 BY MR. PHILLIPS:

13 Q. Okay. What kind of safety equipment
14 did he get for you all?

15 A. Safety belts, masks, the dust masks --

16 Q. All right, sir.

17 A. -- when we were painting the tanks, and
18 gloves.

19 Q. What else?

20 A. He furnished the hard -- they furnished
21 hardhats.

22 Q. And then what other kind of equipment
23 did you use?

24 MR. HOLDER: Objection to form.

25 THE WITNESS: Safety -- safety glasses.

1 BY MR. PHILLIPS:

2 Q. Safety glasses. And I'm sorry, but we
3 just got to hear your testimony really for the
4 first time this morning.

5 MR. HOLDER: Objection to form.

6 BY MR. PHILLIPS:

7 Q. You worked how long for Masters? I
8 think it was --

9 A. Probably a year.

10 Q. In 1973; is that right?

11 A. (Witness moves head up and down.)

12 MR. HOLDER: Objection to form.

13 THE WITNESS: I'm sorry. I'm sorry.

14 BY MR. PHILLIPS:

15 Q. Yes or no for the folks on this cell
16 phone right here.

17 A. What year?

18 Q. Actually, you got to tell me.

19 A. Oh. Oh, I'm sorry.

20 MR. HOLDER: Objection to form. Asked
21 and answered.

22 BY MR. PHILLIPS:

23 Q. We're trying to make things clear here.

24 MR. HOLDER: Objection. Asked and
25 answered.

1 THE WITNESS: Gracious. Probably '72,
2 I think.

3 BY MR. PHILLIPS:

4 Q. And your full-time work at Ethyl
5 started around '73?

6 A. No. It started before then because I
7 had worked there four years --

8 Q. Okay.

9 A. -- prior.

10 MR. HOLDER: Objection to form.
11 Where?

12 BY MR. PHILLIPS:

13 Q. You talking about at Ethyl?

14 A. Right.

15 Q. Before you went to Masters for how
16 long? A year?

17 A. A year.

18 Q. Okay. And then how many more years did
19 you work at Ethyl after that?

20 MR. HOLDER: Objection to form. Asked
21 and answered.

22 BY MR. PHILLIPS:

23 Q. Help me out, but you didn't tell us
24 when you retired from Ethyl, did you?

25 A. No, sir. I did not.

1 Q. Okay. I didn't think so.

2 All right. Now, go ahead. I'm sorry.

3 Now you can tell me. How long did you work for
4 Ethyl?

5 MR. HOLDER: Objection to form.

6 THE WITNESS: Altogether about 35
7 years.

8 BY MR. PHILLIPS:

9 Q. When did you retire?

10 MR. HOLDER: Objection to form.

11 THE WITNESS: 2009.

12 BY MR. PHILLIPS:

13 Q. And why did you retire?

14 A. I had enough.

15 Q. And you had enough years in?

16 A. Yes, sir.

17 Q. Okay. Does Ethyl pay your pension
18 check now?

19 A. They do.

20 Q. Okay. And I'm presuming you draw
21 Social Security as well?

22 A. Right.

23 MR. HOLDER: Objection to form.

24 BY MR. PHILLIPS:

25 Q. Are those the two sources of income,

1 the only two?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: Yes, sir.

4 MR. PHILLIPS:

5 Q. Okay. I'm particularly interested in
6 when you came back to work at Ethyl after roughly a
7 year at Masters Company.

8 A. Right.

9 Q. Your brother and your uncle's company,
10 right?

11 A. Right.

12 Q. Who was the Bobby Kraft of Ethyl, that
13 is who was your safety superintendant at Ethyl
14 Corporation when you went back to work there?

15 A. It would have been my foreman.

16 Q. Who was that?

17 A. Thomas J. Morris.

18 Q. And you -- I think you testified you
19 spent most of your time at Ethyl operating a crane,
20 correct?

21 A. Off and on.

22 Q. Yes. Was that your predominant task?

23 A. At one time it was, for about ten
24 years.

25 Q. Okay. What ten-year period was it that

1 you were most often working with -- operating a
2 crane? Was that the early part of your Ethyl
3 career?

4 MR. HOLDER: Objection to form. Asked
5 and answered.

6 THE WITNESS: No, sir. Probably in the
7 middle.

8 BY MR. PHILLIPS:

9 Q. What is the middle?

10 A. Probably from --

11 MR. HOLDER: Objection to form.

12 THE WITNESS: -- '85 to '95.

13 BY MR. PHILLIPS:

14 Q. And I think you told us, but I'm going
15 to make sure because I'm not real clear, that you
16 primarily worked at --

17 MR. HOLDER: Objection to form.

18 BY MR. PHILLIPS:

19 Q. -- while at Ethyl at plants or
20 buildings -- Plants 5, 8, and 4; is that right?

21 MR. HOLDER: Objection.

22 THE WITNESS: Right.

23 MR. PHILLIPS:

24 Q. Tell me what Plant 5 was.

25 A. Plant 5 made 728 and 701. And I think

1 the 728 -- I think, I'm not positive, that it went
2 into plastics. I know the 701 was for plastics.

3 Q. All right. Tell me about Plant 8.

4 A. Plant 8 finished up the product of 701.

5 MR. RHENEY: I'm sorry. What did you
6 say?

7 MR. HOLDER: Finished up the 701
8 product.

9 BY MR. PHILLIPS:

10 Q. And how about Plant 4?

11 A. Plant 4 was alkyls -- alkyl --

12 Q. Like alkaline?

13 A. No, it's liquid fire.

14 Q. Can you spell it?

15 A. No, I can't.

16 Q. What was that process used for?

17 A. They used a lot of it for computer
18 chips, different things.

19 Q. Okay. I'm going a little bit around,
20 and I'm sorry to do that. But you said your
21 brother when he was there with Yeargin Construction
22 in the late 1970s, at some point between 1977 and
23 1980, he worked at Building 9 or Plant 9; is that
24 right?

25 A. Right.

1 Q. That was new construction?

2 A. To my knowledge, it was new
3 construction.

4 Q. Okay. And so you were not in that
5 building when your brother was in that building?

6 A. No.

7 Q. Okay. You were in the other three that
8 you discussed for me, right?

9 A. Yeah.

10 MR. HOLDER: Objection to form.

11 BY MR. PHILLIPS:

12 Q. And you don't know then whether this
13 new construction of -- if piping systems were
14 installed, do you?

15 MR. HOLDER: Objection to form.

16 THE WITNESS: I knew that -- I know
17 that piping had to be installed in the plant.

18 BY MR. PHILLIPS:

19 Q. But you didn't physically see your
20 brother installing piping systems at Plant Number
21 9?

22 MR. HOLDER: Objection to form.

23 BY MR. PHILLIPS:

24 Q. For those three years, excuse me.

25 MR. HOLDER: Objection to form.

1 THE WITNESS: I don't recall.

2 BY MR. PHILLIPS:

3 Q. Okay. And you don't have any
4 knowledge -- I just want to make certain of this --
5 that from this 1977 to 1980 period when your
6 brother was working for Yeargin Construction at
7 Plant Number 9, that any of the new steam pipe
8 insulation that may have been put in there
9 contained asbestos, do you?

10 MR. HOLDER: Objection to form.

11 THE WITNESS: I don't know.

12 BY MR. PHILLIPS:

13 Q. Okay. And same thing with any other
14 high temperature insulation that was installed at
15 Building 9 when your brother was there for those
16 three years, you just don't know whether or not
17 anything that he handled or installed contained
18 asbestos because you weren't there?

19 A. Right.

20 MR. HOLDER: Objection to form.

21 BY MR. PHILLIPS:

22 Q. Now, you told us that you saw your
23 brother -- I'm going to make certain of this -- at
24 the boiler house for a single day; is that right?

25 MR. HOLDER: Objection to form.

1 BY MR. PHILLIPS:

2 Q. You said you saw him one day there?

3 A. Oh, yes.

4 MR. HOLDER: He said one time.

5 Misstates testimony.

6 BY MR. PHILLIPS:

7 Q. One time there; is that right?

8 A. That's right.

9 Q. So basically one day you saw your
10 brother was at the boiler house?

11 A. Right.

12 MR. HOLDER: Objection to form.

13 BY MR. PHILLIPS:

14 Q. But you don't know what his task was,
15 you don't know what he was doing, because you
16 weren't inside of there, you just saw him
17 working -- you saw him there?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: Right.

20 BY MR. PHILLIPS:

21 Q. So you don't know whether or not he
22 worked with or around any asbestos the day that you
23 saw him at the boiler house?

24 MR. HOLDER: Objection to form.

25 THE WITNESS: I do not.

1 BY MR. PHILLIPS:

2 Q. Okay. And you don't know what your
3 brother was doing at Ethyl in the -- I'm sorry --
4 I'm going to a third period now.

5 A. Go ahead.

6 Q. In, I believe you said, 1968 for a week
7 or so in August, you don't know what plant he was
8 working at and what he was doing for that two-week
9 period, you just know he was there; is that right?

10 A. Right. I knew he was there but...

11 Q. Yes. And somewhere on the Ethyl
12 campus?

13 A. Right.

14 Q. But you don't know what he was doing
15 and you didn't see him working there?

16 A. I did not see him working.

17 Q. Okay. Now, you mentioned that
18 Mr. Thomas J. Morris was your foreman at Ethyl for
19 safety purposes, right?

20 A. Well, he was my general foreman.

21 Q. Okay. And what part of your work at
22 Ethyl was he your general foreman?

23 MR. HOLDER: Objection to form.

24 THE WITNESS: I don't remember how many
25 years I worked for Tommy.

1 BY MR. PHILLIPS:

2 Q. Okay.

3 A. Until he retired.

4 Q. Tell me this, what kind of safety
5 equipment -- personal safety equipment were you
6 issued when you worked at Ethyl Corporation for all
7 these years?

8 A. Rain suit, rain boots, hardhat, safety
9 glasses, respirator, gloves.

10 Q. What else?

11 A. Paper suits. I think that's it.

12 Q. Okay. And were these items of
13 equipment issued during your whole time that you
14 worked at Ethyl?

15 MR. HOLDER: Objection to form.

16 THE WITNESS: Yes.

17 BY MR. PHILLIPS:

18 Q. Okay. Did you know of any of the
19 persons besides your foreman that were in the
20 safety department at Ethyl?

21 A. Yes.

22 Q. Okay. Who do you remember from the
23 safety department?

24 A. Mike -- golly, I can't remember his
25 last name. I knew all them people at one time.

1 When I left, I forgot everything.

2 Q. There was a safety department --

3 A. It was.

4 Q. -- at Ethyl?

5 Did they have one at every one of the
6 plants?

7 A. No.

8 Q. Where was the safety department?

9 A. Safety department was down at the new
10 complex.

11 Q. Is that like an office building?

12 A. It was a shop -- a workshop and
13 offices.

14 Q. Where did you have your safety
15 meetings?

16 A. Mostly we'd have them in our -- our
17 little office.

18 Q. Would that be on site at whatever plant
19 you were assigned to?

20 A. Right.

21 Q. And you were maintenance department at
22 one when you first started -- I don't know what
23 department a crane operator would be in. What was
24 that?

25 A. Maintenance.

1 Q. That was maintenance, also?

2 A. Yes, sir.

3 Q. So were you maintenance the entire --

4 A. The whole time.

5 Q. -- time?

6 And that was off and on 35 years?

7 A. Right.

8 Q. And didn't you say 28 years you had
9 operated that crane?

10 A. I did.

11 Q. I'm going backward a little bit. If
12 you finished in 2008, was the crane the last 28
13 years of your work?

14 A. No, sir. I had to give up my license
15 probably two years before. I walked in one day and
16 throwed them on the table. They wanted me to train
17 other crane operators --

18 Q. Yes, sir.

19 A. -- and I told them I wasn't going to
20 jail for nobody.

21 Q. What was that supposed to mean?

22 A. I didn't -- I was not qualified.

23 Q. Oh, I see. To provide that training?

24 A. To provide that training.

25 Q. So did they have to -- they found

1 somebody who was qualified to do that?

2 A. No.

3 Q. Okay.

4 A. They did not.

5 Q. Okay. So in any of your earliest
6 years, did you operate a crane also?

7 A. I did.

8 Q. So it was off and on for 28 years of
9 your --

10 A. Right.

11 Q. -- 35?

12 A. Right.

13 Q. Okay. And that was, I guess,
14 therefore -- and you tell me if I'm wrong, now.
15 You correct me if I'm wrong. Your predominant task
16 was being a crane operator --

17 MR. HOLDER: Objection to form.

18 BY MR. PHILLIPS:

19 Q. -- at the Ethyl chemical when you were
20 there?

21 A. Probably for about ten years.

22 Q. Now, I think we had -- you had
23 mentioned and we talked about you said about 28
24 years total that you were a crane operator?

25 A. Right. Right.

1 Q. I see. And then what was the thing you
2 just referred to about ten years?

3 A. Oh, the ten years --

4 MR. HOLDER: Objection to form.

5 THE WITNESS: -- is that's all I done.

6 BY MR. PHILLIPS:

7 Q. Oh, just nothing by crane?

8 A. Nothing but crane.

9 Q. I see. And what years were those?

10 MR. HOLDER: Objection to form. Asked
11 and answered.

12 THE WITNESS: Probably around -- I
13 guess between '85 and '95.

14 BY MR. PHILLIPS:

15 Q. Okay. You don't have -- have you ever
16 had access to any of your personnel file from Ethyl
17 Corporation?

18 A. No, sir.

19 Q. Okay. Where are the Ethyl plants in
20 Orangeburg County?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: Cannon Bridge Road.
23 Cannon Bridge Road.

24 BY MR. PHILLIPS:

25 Q. Are they all there in one area?

1 A. Yes, sir.

2 Q. All right. I had not followed up on
3 something with you, and I'm sorry I didn't. On
4 this safety department, you mentioned a fellow
5 named Mike was at one time somebody that headed
6 this up?

7 A. Right. He was over the safety
8 department.

9 Q. And the safety department was -- it was
10 its own complex with a shop and workshop and
11 offices?

12 MR. HOLDER: Objection to form.

13 THE WITNESS: No. It was a separate
14 building.

15 BY MR. PHILLIPS:

16 Q. It was a separate building --

17 A. Right.

18 Q. -- at Ethyl.

19 Okay. And that was all along you were
20 there?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: No, sir. They built that
23 probably in -- probably the early '90s.

24 BY MR. PHILLIPS:

25 Q. Okay. And before that, who was it that

1 provided you your safety equipment, before they had
2 their own building?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: We'd go to the stockroom,
5 and we would sign our own safety equipment out.

6 BY MR. PHILLIPS:

7 Q. And in each of the -- was it nine
8 plants did you tell me?

9 A. Right.

10 Q. Each of those have a stockroom with
11 safety equipment?

12 A. No, sir. Main stockroom.

13 Q. Oh, it was a main stockroom?

14 A. (Witness moves head up and down.)

15 Q. Excuse me?

16 A. Yes, sir.

17 Q. And who was it that headed up the
18 safety department at that time?

19 A. Mike still had the safety department.

20 Q. Okay. He just didn't have his own
21 building and operation; is that right?

22 A. He had his own building and operations,
23 but they kept all of the safety equipment and
24 everything in the stockroom, and you had to sign it
25 out of the stockroom.

1 Q. Okay. And you were going to tell me
2 earlier, the maintenance department, when did y'all
3 have your safety meetings?

4 MR. HOLDER: Objection to form.

5 THE WITNESS: In Tommy's office.

6 BY MR. PHILLIPS:

7 Q. Tommy being your old --

8 A. My old boss.

9 Q. Your old boss. And do you remember
10 when Tommy left Ethyl?

11 A. No, sir. I don't remember what years.

12 Q. Okay. And that was Tommy J. Morris,
13 correct?

14 A. Right.

15 Q. When you were operating the crane, was
16 that an indoor machine or just outdoor?

17 MR. HOLDER: Objection.

18 THE WITNESS: Outdoor.

19 BY MR. PHILLIPS:

20 Q. All outdoor?

21 A. (Witness moves head up and down.)

22 Q. Is that right?

23 A. Yes, sir.

24 Q. Okay. Sorry. You got to say yes or
25 no.

1 A. I'm sorry.

2 Q. No, that's all right. You're doing
3 pretty good. I've seen people not do so good.

4 What kind of work were y'all doing with
5 the crane when you were working outside with it?

6 A. Anything from lifting reboilers to
7 columns, taking columns apart, lifting pumps.

8 Q. What was that first thing you said?
9 Did you say reboilers?

10 A. Reboilers.

11 Q. Okay. Is there -- anything you do with
12 a crane for 28 of your years there, right?

13 A. Yes, sir. Quite often.

14 Q. Quite often. Yes. How many crane
15 operators were there at Ethyl during that time
16 period?

17 A. There was -- when I first started,
18 there was three. And two of the fellows was old
19 enough to retire. And they retired, so it left me.

20 Q. And how many cranes did they have
21 there, sir?

22 A. One.

23 Q. Okay. What kind of machine was it?

24 A. The first one was a 15-ton PNH. The
25 second --

1 Q. About what years was the 15-ton PNH
2 there? I think you said you started around
3 nineteen sixty --

4 MR. HOLDER: Objection to form.

5 BY MR. PHILLIPS:

6 Q. -- eight --

7 A. Eight.

8 Q. -- if I'm not mistaken.

9 A. Right.

10 Q. You help me now.

11 A. It was there when I got there.

12 Q. All right, sir. You know when it was
13 replaced?

14 A. I should know, I helped them pick it
15 out, but I don't.

16 Q. And for 28 of your 35 years roughly at
17 Ethyl, there was enough crane work to do to keep
18 you busy?

19 A. At times.

20 Q. Yes, sir.

21 A. And at times I didn't even get in it
22 for maybe four or five days.

23 Q. And that's --

24 A. So I would work with the crew --

25 Q. The maintenance crew?

1 A. -- in the plant.

2 Q. All right, sir. In whatever place they
3 assigned you?

4 A. Wherever they put me.

5 Q. Otherwise, where was the -- was the
6 maintenance department in one of the nine plants?

7 A. They had satellite shops. And our area
8 had Plant 4, Plant 5 -- Plant 4, Plant 5, and we
9 had Plant 7.

10 Q. And let's see. We've talked a little
11 bit about Plants 4 and 5. Tell me about Plant 7.

12 A. Plant 7 was the alkyl plant. That's
13 where they packaged the cylinders for shipments for
14 oversees or going to Houston.

15 Q. And where was -- what was the
16 destination in Houston?

17 MR. HOLDER: Objection to form.

18 THE WITNESS: I don't -- Ethyl had a --
19 it's got a plant -- a couple of plants down that
20 way. I think they got one in Magnolia, Arkansas,
21 and down in Houston and...

22 BY MR. PHILLIPS:

23 Q. So besides -- excuse me for jumping
24 around a little bit. We mentioned Mike at the
25 safety department, remember?

1 A. Yeah. I've been sitting here trying to
2 think of what his last name is.

3 Q. And I don't think you told me, but I'm
4 not certain, when it was that the safety department
5 had its own building and its own sort of set up,
6 its own -- all the equipment, offices, everything
7 like that?

8 A. Not only did the safety department have
9 their own building --

10 Q. Yes.

11 A. -- they had folks in the plant that
12 would -- was on the fire brigade. They had their
13 own fire truck.

14 Q. All right. You said at some point the
15 safety department had its own building, and before
16 that, you all got safety equipment with instruction
17 from your foreman from shops that were at the
18 individual plants?

19 A. Right.

20 Q. Okay. And at some point, safety
21 department had its own building and it had its own
22 fire trucks?

23 A. Right.

24 Q. And how regular were the safety
25 meetings that you all had with your supervisors or

1 with the safety department?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: We'd have one every week.

4 BY MR. PHILLIPS:

5 Q. One every week. What generally -- what
6 kind of stuff would you discuss?

7 MR. HOLDER: Objection to form.

8 THE WITNESS: We'd talk about wearing
9 our PPE.

10 BY MR. PHILLIPS:

11 Q. That's personal protective equipment?

12 A. Right. Talk about how to do the jobs
13 and what difficulties somebody might have run in on
14 this -- on a particular job, and what was coming up
15 that week that we knew about so we could prepare
16 for it.

17 Q. Trying to anticipate problems, if you
18 will?

19 A. Right.

20 Q. Yes. So you'd recognize and sort of
21 anticipate and try to solve a potential hazard?

22 A. Right.

23 Q. And did you find that Ethyl Corporation
24 was pretty safety-conscious?

25 A. At times.

1 MR. HOLDER: Objection to form.

2 BY MR. PHILLIPS:

3 Q. Okay. But you had a person that you
4 could always ask safety-related questions, and that
5 was either your foreman or whoever it was at the
6 safety department; is that right?

7 MR. HOLDER: Objection to form.

8 THE WITNESS: Right.

9 BY MR. PHILLIPS:

10 Q. And you were comfortable with that --

11 MR. HOLDER: Objection.

12 BY MR. PHILLIPS:

13 Q. -- if I gleaned that?

14 A. Yes.

15 Q. That you had somebody that's sort of
16 watching your back as far as your personal
17 protective safety?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: Right.

20 BY MR. PHILLIPS:

21 Q. That's correct?

22 A. Yes, sir.

23 Q. And you feel like the other employees
24 had that opportunity if they used it?

25 MR. HOLDER: Objection to form.

1 THE WITNESS: They did.

2 BY MR. PHILLIPS:

3 Q. Okay. Whoever their own foreman was
4 and with the safety department itself?

5 A. Yes, sir.

6 Q. And then they could protect themselves
7 that way, correct?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: Yes, sir.

10 BY MR. PHILLIPS:

11 Q. They could learn things that they
12 needed to learn, right?

13 MR. HOLDER: Objection to form.

14 THE WITNESS: Right.

15 MR. PHILLIPS:

16 Q. And that they could get personal
17 protective equipment as they needed it is?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: Yes, sir.

20 BY MR. PHILLIPS:

21 Q. And you said that included protective
22 clothing?

23 A. Right.

24 Q. Protective shoes?

25 A. Yes, sir.

1 Q. Protective glasses?

2 A. Right.

3 Q. Hardhats?

4 A. Yes, sir.

5 Q. Respirators?

6 MR. HOLDER: Object to form.

7 THE WITNESS: Right.

8 BY MR. PHILLIPS:

9 Q. What else?

10 A. Row boots.

11 Q. Row -- yes, sir.

12 A. Gloves.

13 Q. Gloves. Forgot about the gloves.

14 A. Safety glasses.

15 Q. Safety glasses?

16 A. Anything we needed in safety to keep us
17 away from the chemicals --

18 Q. Yes, sir.

19 A. -- we -- we could get.

20 Q. Right. And it would -- because this
21 was -- these were chemical production facilities,
22 correct?

23 A. Yes, sir.

24 Q. So the respiration equipment was
25 probably an important and primary part of what you

1 would get help with --

2 MR. HOLDER: Objection to form.

3 BY MR. PHILLIPS:

4 Q. -- is that right?

5 A. Yes, sir.

6 Q. Okay. Do you remember -- I guess it
7 was about before you came back to Ethyl Chemical,
8 the OSHA regulations, Occupational Safety and
9 Health Administration regulations?

10 MR. HOLDER: Objection to form. Is
11 there a question?

12 MR. PHILLIPS: Yes. Did you remember.

13 MR. HOLDER: Oh, did you remember.

14 THE WITNESS: I don't remember exactly
15 when.

16 BY MR. PHILLIPS:

17 Q. So as far as you knew, were the OSHA
18 regulations and environmental -- work environment
19 regulations sort of always in place as best you
20 remember?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: The best I remember.

23 BY MR. PHILLIPS:

24 Q. Yes. You don't remember when it didn't
25 exist, how's that?

1 MR. HOLDER: Objection to form.

2 THE WITNESS: No.

3 BY MR. PHILLIPS:

4 Q. Okay. You do not remember when --

5 A. I do not --

6 Q. -- OSHA --

7 A. -- remember.

8 Q. -- when OSHA did not exist, correct?

9 A. When it did not exist.

10 MR. HOLDER: Objection to form.

11 BY MR. PHILLIPS:

12 Q. So we're on the same page, right?

13 A. Yeah.

14 (Court reporter clarification.)

15 MR. HOLDER: Terrorizing the Court
16 Reporter over there.

17 BY MR. PHILLIPS:

18 Q. You were shown in some of these
19 exhibits some resumés of your brother. You didn't
20 help him write any of those up, did you?

21 A. I did not.

22 Q. Okay. Had you seen them before
23 yesterday?

24 A. No, sir.

25 MR. HOLDER: Objection to form. Asked

1 and answered. He said he did not see them
2 yesterday.

3 BY MR. PHILLIPS:

4 Q. He just now told me he didn't see
5 them -- you just said you didn't see them before
6 yesterday, correct?

7 A. Right.

8 MR. HOLDER: All right.

9 BY MR. PHILLIPS:

10 Q. And so whatever you were shown this
11 morning, was that the first time you'd seen that
12 stuff?

13 A. First time I'd seen it.

14 Q. And were you shown a resumé of your
15 brother which indicated that he had had OSHA
16 safety, excavation, and first aid training in
17 continuing education on his own, that he had
18 received that -- by way of continuing education?
19 I'm sorry.

20 MR. HOLDER: Objection to form.

21 THE WITNESS: I don't remember seeing
22 it.

23 BY MR. PHILLIPS:

24 Q. Okay. I've got a paper I'm looking at,
25 Mr. Knight, that was provided by your late

1 brother's lawyers.

2 MR. HOLDER: Objection to form. If
3 you're going to ask him about a document, I request
4 that the witness get to see the document.

5 MR. PHILLIPS: I'm going to ask the
6 question first, then I'll ask -- then if you need
7 to see it, I'll let you see it, if you want to.

8 MR. HOLDER: Objection to form.

9 BY MR. PHILLIPS:

10 Q. But it indicated that this Yeargin
11 Construction Company work by your brother at Ethyl
12 was the year 1979 versus '77 through '79. This was
13 prepared by the lawyers, not as part of a resumé.
14 Could that be more accurate?

15 MR. HOLDER: Objection to form.

16 BY MR. PHILLIPS:

17 Q. You tell me.

18 A. I don't know. I can't --

19 Q. You just can't say for sure whether it
20 was --

21 A. I can't --

22 Q. -- one --

23 A. Right.

24 Q. -- year or three years.

25 I'll slow down. You cannot say for

1 sure whether your brother worked for Yeargin at
2 Ethyl from '77 to '80 or for just the year 1979; is
3 that correct?

4 MR. HOLDER: Objection to form.

5 THE WITNESS: I cannot say.

6 BY MR. PHILLIPS:

7 Q. Okay. You don't remember?

8 A. I do not remember.

9 Q. Okay. But what we do know is he was
10 working at Building 9, which you understand was new
11 construction?

12 A. It was.

13 Q. Okay. And that was, of course,
14 separate from the buildings you were working in?

15 A. Yes.

16 Q. All right. Teddy's wife, your
17 sister-in-law, is a nurse, right?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: She is.

20 BY MR. PHILLIPS:

21 Q. That's Linda; is that right?

22 A. Yes, sir.

23 Q. Does she still work at the hospital?

24 A. No, sir.

25 Q. Was she working at Regional Hospital?

1 I don't even know.

2 A. No, sir. She was teaching nursing.

3 Q. Where?

4 A. Here at Orangeburg Tech.

5 Q. Got it. And do you remember when she
6 was a practicing nurse?

7 A. I do, but I can't remember what year.

8 Q. Okay. We've gotten -- some of the --
9 how old are you right now, by the way?

10 A. 67.

11 Q. 67 so Teddy would be about 77; is that
12 right?

13 MR. HOLDER: Objection to form.

14 THE WITNESS: Yes, sir.

15 BY MR. PHILLIPS:

16 Q. That's okay. We're getting there. I
17 know that when he passed he was at a hospice
18 facility upstate; is that right?

19 A. He was in Charlotte.

20 Q. Yes. I had maybe Rock Hill, but that
21 sounds about right.

22 A. Yeah.

23 Q. And Teddy had stomach cancer, did he
24 not?

25 MR. HOLDER: Objection to form.

1 THE WITNESS: I'm not sure.

2 BY MR. PHILLIPS:

3 Q. Yes. You knew he was sick. I know --

4 A. I knew he was sick --

5 Q. Right.

6 A. -- because he had went to Duke.

7 Q. To get tested?

8 A. To get tested for his shoulder.

9 Q. Yes.

10 A. And I think they told him that -- for
11 him to go home and they would call him back.

12 Q. And did you get that through Linda?

13 A. I did. And he never made it home.

14 Q. So do you know how long he was in that
15 hospice care?

16 A. Probably two to three weeks.

17 Q. Okay. And that was September probably
18 of 1990 -- I mean, excuse me, 2016?

19 A. Yes, sir.

20 Q. All right. So you don't know -- and
21 I'm sorry to go through this, but that's why we're
22 here.

23 A. Right.

24 Q. You don't know whether your brother
25 had -- whether or not your brother had stomach

1 cancer at the end --

2 MR. HOLDER: Objection to form.

3 BY MR. PHILLIPS:

4 Q. -- that was listed as his cause of
5 death?

6 MR. HOLDER: Asked and answered.

7 THE WITNESS: I do not know about
8 stomach cancer. All I know is -- all I know about
9 is his shoulder.

10 BY MR. PHILLIPS:

11 Q. His shoulder. And do you know when
12 anybody discovered that Teddy might have had
13 mesothelioma, which is what this lawsuit is about?

14 MR. HOLDER: Objection to form.

15 THE WITNESS: Nobody said anything to
16 me about mesothelioma.

17 BY MR. PHILLIPS:

18 Q. Right. And so, I mean, at any time
19 before Teddy passed, nobody told you that he had
20 mesothelioma, right?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: Katie told me when he was
23 in the hospital either at Rock Hill or Charlotte.

24 BY MR. PHILLIPS:

25 Q. So you went to see him when he was in

1 hospice?

2 A. I went to see him, and I got to see him
3 one time.

4 Q. And did he ever tell you about the
5 stomach cancer as well?

6 A. No, sir. He talked to me about his
7 shoulder a little bit and told me what went on.
8 And then he preached to me.

9 Q. Good.

10 A. And that's the way he left us.

11 Q. That's the way -- yes. Good. Some
12 comfort, I suppose.

13 A. Very much.

14 MR. HOLDER: Objection to form.

15 MR. PHILLIPS: All right. I tell you
16 what. We're going to have some more questions.
17 I'm not the only one, I'm afraid. But that's all I
18 got for right this minute. All right?

19 THE WITNESS: Yes, sir.

20 MR. PHILLIPS: Thanks.

21 MR. HOLDER: Do you mind if we go off
22 the record?

23 Let's go off the record.

24 (Off-the-record conference.)

25 MR. HOLDER: Back on everyone.

1 EXAMINATION

2 BY MR. GLENN:

3 Q. Hi, Mr. Knight. My name is Jase Glenn.
4 It's good to meet you, sir.

5 A. Nice to meet you.

6 Q. And I'm sorry for your loss with your
7 brother.

8 A. Thank you.

9 Q. I'm going to jump around a little bit,
10 but as I told you during the break, I hope I'll be
11 very, very quick.

12 I know you were ten years younger --
13 you were ten years younger than your brother. But
14 are you aware your brother served in the Navy, I'm
15 guessing?

16 A. I am.

17 Q. Okay. What do you know about his Navy
18 career? What do you remember about that?

19 A. I remember that he was on a submarine.

20 Q. Do you know the name of the ship -- of
21 the submarine?

22 A. It was the Thornback.

23 Q. Do you know how long he was on the
24 Thornback?

25 A. Probably three years, then he went to

1 another one.

2 Q. Do you know or do you remember where he
3 would have boarded the Thornback? Would it have
4 been down in Charleston or somewhere else?

5 A. Charleston.

6 Q. Charleston. Do you know where he went
7 on the Thornback or on the other ship? Like
8 where -- did he go to Vietnam, for example?

9 MR. HOLDER: Objection to form.

10 THE WITNESS: I don't know where he
11 went. I know he would be out six months at a time.

12 BY MR. GLENN:

13 Q. Okay. Do you remember how long
14 approximately he was in the Navy?

15 A. Four years, I think.

16 Q. Okay. Do you know what his duties were
17 or what his title was while he was in the Navy?

18 A. He was a torpedo man, and he also drew
19 maps for the captain.

20 Q. Do you know any of the names of the men
21 who served with your brother in the Navy?

22 A. I do not.

23 Q. Okay. Do you remember ever meeting
24 anyone who he served with in the Navy over the
25 years?

1 A. Yes, sir. He -- he brought home a
2 gentleman with him that was fixing to get his own
3 ship -- his own sub in California, and he tried to
4 get Teddy to go with him. And I only remember his
5 name was Kip. But I do not remember his last name.

6 Q. Kip, K-I-P?

7 A. Right.

8 Q. Would this have been when you were in
9 high school or junior high thereabouts?

10 A. I might have been in junior high.

11 Q. Okay. So mid-'60s maybe?

12 A. Right.

13 Q. Okay. And most of the information you
14 know about Teddy serving in the Navy, is that from
15 what Teddy told you -- you and Teddy talked about
16 it?

17 MR. HOLDER: Objection to form.

18 THE WITNESS: Yes, sir.

19 BY MR. GLENN:

20 Q. Okay. Did he ever talk about being
21 exposed to asbestos in the Navy? Did he ever
22 mention anything like that?

23 A. We never talked about anything like
24 that.

25 Q. Okay. That's fine. I'm looking at --

1 I can't remember which exhibit it is. It's the
2 first printed -- he doesn't need to look at it, but
3 he can if he wants to. It's the first printed
4 resumé, so it's 5 maybe --

5 MR. HERNS: 6.

6 BY MR. GLENN:

7 Q. 6. Okay. Not the handwritten thing
8 but the thing after that. Or the -- it's three
9 pages.

10 MR. HOLDER: Could everyone check their
11 stuff? Maybe I have it.

12 (Off-the-record conference.)

13 MR. HOLDER: Mr. Rheney had Exhibits 5,
14 6, and 7 reviewing them, but now we have them.

15 BY MR. GLENN:

16 Q. Well, just before I get to that, do you
17 know what your brother did between the time that he
18 served in the Navy and the time that he began the
19 Masters Company with your uncle? And if you don't,
20 that's fine. I'm just trying --

21 A. I do not.

22 Q. That's fine. I'm going to read you --
23 and, again, you're welcome to look at it. But I'm
24 just going to read you on the third page of that
25 resumé that we talked about earlier, your brother

1 expands a little bit on what he did at the Masters
2 Company.

3 And it says: Was half owner and vice
4 president in this company, which was primarily
5 involved in mechanical contracting, was involved in
6 all phases of the construction business; however,
7 my primary job was supervision on the site.

8 Does that sound right to you?

9 A. Pretty much, yes.

10 Q. Your brother was primarily a supervisor
11 at the Masters Company?

12 MR. HOLDER: Objection to form.

13 THE WITNESS: Right.

14 BY MR. GLENN:

15 Q. Okay. And then it says: Sold my stock
16 to partner in order to spend more time with family.

17 That would have been your uncle Bobby
18 Kraft?

19 A. Yes, sir.

20 Q. Okay. And then it says: Most of the
21 time company's work was out-of-town on military
22 bases.

23 Does that ring a bell with you? And
24 I'm just asking because you didn't mention military
25 bases when you were talking about the Masters

1 Company. So I'm just wondering if that helps ring
2 a bell.

3 A. I know they worked on military bases.

4 Q. Okay.

5 A. Okay.

6 Q. Do you know any of the bases?

7 A. Fort Stewart.

8 Q. Where is Fort Stewart?

9 A. Georgia.

10 MR. HOLDER: Objection to form.

11 BY MR. GLENN:

12 Q. But you didn't personally go to Fort
13 Stewart, did you?

14 A. I did.

15 Q. Oh, you did. Okay. What did y'all do
16 at Fort Stewart?

17 A. Oh, lord. I really -- I know it was
18 underground piping, but I don't remember what it --
19 because I wasn't down there for but about a week.

20 Q. Was your brother there longer than
21 that?

22 A. He probably was, yes.

23 Q. So that would have been installing
24 underground piping at Fort Stewart?

25 A. Right. Yes, sir.

1 Q. Do you believe that your brother was
2 exposed to asbestos doing that?

3 A. They could have been when they went
4 in -- when they took the piping inside the
5 buildings because they -- I know they had to remove
6 some piping.

7 Q. All right. So you said that inside the
8 buildings at Fort Stewart, they had to remove some
9 piping?

10 A. Right.

11 Q. Did you do that yourself during that
12 week when you went down there?

13 A. No. I was in the ditch.

14 Q. He put little brother in the ditch?

15 A. Hey. It's all money.

16 Q. That's right. Okay. Do you believe
17 that that piping that your brother was -- helped
18 remove was insulated at Fort Stewart?

19 A. Yes, sir.

20 Q. Okay. Do you believe that insulation
21 contained asbestos or do you know?

22 A. I don't know. But it had been there a
23 long time.

24 Q. Okay. Understood. Do you know how
25 long -- I mean, you said you were there a week. Do

1 you know approximately how long your brother was
2 there at Fort Stewart?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: No, I don't.

5 BY MR. GLENN:

6 Q. Okay. That's fine. Would it be more
7 than a month do you think?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: Yes.

10 BY MR. GLENN:

11 Q. Okay. More than six months?

12 MR. HOLDER: Objection to form.

13 THE WITNESS: No.

14 BY MR. GLENN:

15 Q. Okay. Other than Fort Stewart, any
16 other military bases that you can remember that you
17 think your brother worked at at the Masters
18 Company?

19 A. Hunter Air Force Base.

20 Q. Where is Hunter Air Force Base?

21 A. Not too far from Fort Stewart.

22 Q. Also in Georgia?

23 A. Yes, sir.

24 Q. Did you go to Hunter?

25 A. I did not. Fort Gordon in Georgia.

1 Q. Did you go to Fort Gordon?

2 A. Yes, sir.

3 Q. How long were you there?

4 A. Probably three weeks.

5 Q. Was your brother there three weeks or
6 longer?

7 A. He didn't go to that job.

8 Q. Okay. Brother didn't go to Fort
9 Gordon. Did your brother go to Hunter?

10 A. Yes.

11 Q. Do you know how long he was at Hunter?

12 A. I do not.

13 Q. Do you know what he did at Hunter?

14 MR. HOLDER: Objection to form.

15 THE WITNESS: No, sir. I don't.

16 BY MR. GLENN:

17 Q. Any other military bases as you sit
18 here that you remember that your brother would have
19 worked at at the Masters Company? I know you knew
20 what I was asking.

21 A. No. I don't remember any other.

22 Q. That's fine. Sir, I've seen some
23 reference in some of the discovery in this case to
24 a company called AlliedSignal or Allied. Do I
25 understand correctly your testimony, you never

1 worked at an Allied or an AlliedSignal facility; is
2 that true?

3 A. That's true.

4 Q. Okay. And you don't know whether your
5 brother ever worked at an Allied or an AlliedSignal
6 facility; is that true?

7 A. That's true.

8 Q. And so you can't testify what your
9 brother might have done at an Allied or an
10 AlliedSignal facility, true?

11 A. I cannot.

12 Q. You cannot. And so you don't know one
13 way or the other whether your brother might have
14 been exposed to asbestos in connection with an
15 Allied or an AlliedSignal facility, true?

16 A. True.

17 MR. GLENN: Those are all the questions
18 I have. Thank you, sir.

19 EXAMINATION

20 BY MR. TRAYLOR:

21 Q. Good morning, Mr. Knight.

22 A. Good morning.

23 Q. My name is David Traylor.

24 MR. HOLDER: Mr. Traylor, be sure to
25 speak up into the phone for everyone on the phone.

1 MR. TRAYLOR: Thank you.

2 MR. HOLDER: Great. Thank you.

3 BY MR. TRAYLOR:

4 Q. Okay. Let me get situated. I want to
5 ask you just a little bit of background
6 information, if I could.

7 Do you have your own asbestos lawsuit?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: No, sir.

10 BY MR. TRAYLOR:

11 Q. Okay. I just have to ask because I
12 don't know you.

13 And you've told us about what you did
14 to prepare for this deposition with meeting --

15 A. Yes, sir.

16 Q. -- with Mr. Holder?

17 A. Yes, sir.

18 Q. Did you look at any pictures or any
19 lists of companies or products?

20 A. No, sir.

21 Q. Okay. What is your address?

22 A. 127 Roland Road.

23 Q. As in R-O-L-L-I-N-G?

24 A. R-O-L-A-N-D.

25 Q. Oh, okay.

1 A. -- Road, North, South Carolina.

2 Q. And can you give us the last four
3 digits of your Social Security number?

4 A. 7909.

5 Q. Okay. And you're retired?

6 A. I am.

7 Q. Okay. Now, tell me -- help me with the
8 connection between Bobby Kraft and your family.

9 A. He was my mother's brother.

10 Q. Okay. Now, I think you said this, but
11 I can't remember. I apologize. Both your parents
12 are deceased?

13 A. Yes, sir.

14 Q. Okay. And other than Bobby Kraft, who
15 all -- were there other Kraft family members?

16 A. Yes, sir.

17 Q. Can you just give me their names?

18 A. Kenneth Kraft.

19 Q. And who is he?

20 A. He was Bobby's brother.

21 Q. Okay. I'm sorry. Is he still alive?

22 A. No, sir.

23 Q. Okay. So it was Kenneth and then...

24 A. Kenneth, Bobby, and Teddy.

25 Q. Katie?

1 A. Teddy.

2 Q. Teddy. Okay. I apologize. I have a
3 hearing problem.

4 A. Okay.

5 Q. And Bobby is deceased?

6 A. Yes, sir.

7 Q. Okay. Now, I think maybe Mr. Glenn
8 asked you about a document that your brother had.
9 And I -- again, I can -- I'm trying to find it. It
10 may be marked as an exhibit. Let's see.

11 MR. HOLDER: Which one is it?

12 MR. TRAYLOR: It's 31 and 32.

13 MR. HOLDER: I don't believe that was
14 marked.

15 MR. TRAYLOR: Okay. Well I've got --
16 I've got an attachment.

17 MR. HOLDER: I may have an extra copy,
18 if you want to mark it.

19 MR. TRAYLOR: Well, let's see. I got
20 one.

21 BY MR. TRAYLOR:

22 Q. Let me show you a document and we can
23 mark it as the next exhibit.

24 MR. HOLDER: I think it's Exhibit 8.

25 MR. TRAYLOR: That, I don't know.

1 MR. HOLDER: Yes. No, I'm saying
2 that's next one --

3 MR. TRAYLOR: Oh, okay.

4 MR. HOLDER: -- is Exhibit 8. There's
5 a sticker. I can mark it -- put it on there.

6 MR. TRAYLOR: Thank you.

7 (DFT. EXHIBIT 8, Document Entitled
8 Precision Manpower Resources, was marked for
9 identification.)

10 MR. HOLDER: And just for the record, I
11 am marking through Plaintiff's on the exhibit
12 sticker and writing a triangle for Defendant.

13 BY MR. TRAYLOR:

14 Q. And you've got that document with you.
15 I highlighted some things. And I guess I want to
16 just ask you on the second page, it says OSHA --
17 continuing education, it says: OSHA safety,
18 excavation, first aid.

19 Was it your understanding that your
20 brother had some training in the OSHA
21 regulations --

22 MR. HOLDER: Objection to form.

23 BY MR. TRAYLOR:

24 Q. -- or do you know?

25 A. I do not know.

1 Q. Okay. As an owner of the Masters
2 Company, would you expect that we would have had
3 some understanding of OSHA when it was in effect?

4 MR. HOLDER: Objection to form.

5 THE WITNESS: Yes, sir.

6 BY MR. TRAYLOR:

7 Q. Now, I want to go into a little bit
8 more about the Masters Company. Some of the
9 documents we have -- and I'll just represent to you
10 that in what are called answers to interrogatories,
11 they're just answers to questions that were
12 provided by your brother's lawyers, that he worked
13 for the Masters Company in August of '73, and then
14 again December 1973 through approximately 1978.

15 Does the date 1973 kind of ring a bell
16 as when he and Mr. Kraft -- or he and your uncle
17 may have started the company?

18 A. I don't remember when they started.

19 Q. Okay. If there are records that show
20 either when the company was started or if we have
21 Social Security printout, would you say those --
22 you would rely on those rather than your memory?

23 MR. HOLDER: Objection to form.

24 THE WITNESS: Yes.

25 BY MR. TRAYLOR:

1 Q. Okay. Now, your brother stopped
2 working at about 1978 for the Masters Company?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: I think so.

5 BY MR. TRAYLOR:

6 Q. Okay. And I think you were asked
7 earlier about how many employees. Did that number
8 fluctuate? Did it change?

9 A. Every day.

10 Q. Okay. Depending on what jobs and that
11 kind of thing?

12 A. Yes, sir.

13 Q. Okay. Was your brother -- your brother
14 and Mr. Kraft were the two owners -- or I keep
15 calling him Mr. Kraft, but your uncle, were the two
16 owners?

17 A. Yes, sir.

18 Q. And were there any other supervisors --
19 would you consider your brother a supervisor?

20 MR. HOLDER: Objection to form.

21 THE WITNESS: Yes, sir.

22 BY MR. TRAYLOR:

23 Q. Other than Bobby Kraft and your
24 brother, were there any other supervisors that you
25 recall?

1 A. Well, when Kenneth Kraft was in it, he
2 was a supervisor.

3 Q. Okay. So there would have been --

4 A. Three.

5 Q. -- three?

6 Okay. Do you know how big any of the
7 crews would have been? Would there have been crews
8 as many as ten men sometimes?

9 A. At times.

10 Q. Okay. Were you ever involved in
11 getting jobs?

12 A. No, sir.

13 Q. Was that your brother's duty and Bobby
14 Kraft's duty?

15 MR. HOLDER: Objection to form.

16 THE WITNESS: Yes, sir.

17 BY MR. TRAYLOR:

18 Q. Okay. Now, I think you said earlier
19 that Bobby Kraft would be the person you would
20 consider the safety person at the Masters Company.
21 Would you also consider your brother to have been
22 involved in the safety at the Masters Company?

23 A. Yes, sir.

24 Q. Okay. Would you believe that -- did
25 they have a safety department?

1 A. No, sir.

2 Q. Who was -- the safety man would have
3 been the supervisor?

4 A. Yes, sir.

5 Q. Okay. And you believe they would have
6 followed or complied with OSHA regulations?

7 A. I do.

8 Q. Okay. And you mentioned, I think -- on
9 the job, were masks or respirators provided by the
10 Masters Company?

11 A. If we needed them, yes.

12 MR. HOLDER: Objection to form.

13 BY MR. TRAYLOR:

14 Q. Okay. And when would they have been
15 needed?

16 MR. HOLDER: Objection to form.

17 THE WITNESS: When we were removing
18 lines or...

19 BY MR. TRAYLOR:

20 Q. You talking about pipelines?

21 A. Pipelines.

22 Q. Right. Okay. I think you said if you
23 had to do some painting?

24 A. Yes, sir.

25 Q. Was there ever any specific discussion

1 at the Masters Company, at least while you were
2 there, about potential hazards of asbestos?

3 A. No, sir.

4 Q. Okay. I want to ask you also about --
5 you mentioned, I think, places where you install
6 propane tanks?

7 A. Yes, sir.

8 Q. You said the Greenwood Mills was a
9 one-day job?

10 A. It was for me.

11 Q. I got you. Do you know how long that
12 job lasted for others or do you have any idea?

13 A. Probably three days.

14 Q. I see. And was Teddy there?

15 A. Yes, sir.

16 Q. Okay. Do you remember what he did
17 there?

18 A. He was a welder.

19 Q. Okay. And that was a new installation
20 only?

21 A. Yes, sir.

22 Q. Outside?

23 A. Outside.

24 Q. Not near any -- not near the plant -- I
25 mean, in other words, it was away from the plant?

1 A. Yes, sir.

2 Q. Okay. Do you have any reason to
3 believe that there was any asbestos exposure at
4 that job?

5 A. Not on the new piping.

6 Q. Okay. The Union Carbide job was a
7 six-week job, I think you said, in Tennessee?

8 A. Yes, sir.

9 Q. That was -- was Teddy there?

10 A. He was.

11 Q. Okay. That was a new job, installation
12 only?

13 A. Yes, sir.

14 Q. Outside?

15 A. Outside.

16 Q. Okay. And it wasn't connected to the
17 plant, was it?

18 A. No, sir.

19 Q. Okay. Do you have any reason to
20 believe that Teddy could have had any asbestos
21 exposure at that job?

22 A. I can't say. I do not know.

23 Q. Okay. The job at Hueytown, Alabama --

24 A. Right.

25 Q. -- that was an installation only?

1 A. Yes, sir.

2 Q. Was Teddy there?

3 A. He was.

4 Q. Okay. Outside?

5 A. Outside.

6 Q. Do you know how long that lasted?

7 MR. HOLDER: Objection to form.

8 BY MR. TRAYLOR:

9 Q. I know we're going back --

10 MR. HOLDER: Asked and answered.

11 BY MR. TRAYLOR:

12 Q. -- a long way. And if you don't know,
13 that's fine.

14 A. Probably six to eight weeks.

15 Q. And it wasn't -- it was a stand-alone?

16 A. Yes, sir.

17 Q. Okay. Do you have any reason to
18 believe --

19 MR. HOLDER: I'm sorry. Which facility
20 was that again?

21 MR. TRAYLOR: Hueytown.

22 MR. HOLDER: Hueytown. The Alabama.
23 Got you. Sorry.

24 BY MR. TRAYLOR:

25 Q. Do you have any reason to believe that

1 Teddy may have had asbestos exposure on that job?

2 A. No, sir.

3 Q. And I want to ask you about the Ole
4 Miss -- was it -- you said Oxford, Mississippi.
5 Was it at the --

6 A. It was at the college.

7 Q. Was Teddy there?

8 A. He was.

9 Q. And how long did that job last?

10 A. Let's see. Twice -- probably eight
11 weeks.

12 Q. Okay. It was installation only?

13 A. Yes, sir.

14 Q. Outside?

15 A. Outside.

16 Q. Not connected to a plant or other -- a
17 facility?

18 A. Only when they made the last tie-ins.

19 Q. And where would that have been?

20 A. Beside the railroad tracks.

21 Q. I mean, what did they tie it into?

22 A. They tied it into existing lines.

23 Q. I see. Do you have any reason to
24 believe there was -- that Teddy may have had
25 asbestos exposure at that job?

1 A. No, sir.

2 Q. Okay.

3 MR. HOLDER: Was that still Hueytown?

4 MR. TRAYLOR: What?

5 MR. HOLDER: Was that still Hueytown?

6 MR. TRAYLOR: No, that was Ole Miss.

7 MR. HOLDER: Ole Miss. Got you.

8 BY MR. TRAYLOR:

9 Q. Bear with me. I'm going to just check
10 my notes. Okay?

11 A. Go ahead.

12 Q. Was Teddy a welder at all these jobs?

13 A. Yes, sir.

14 MR. TRAYLOR: Okay. I think those are
15 all the questions I have. Thank you, sir.

16 THE WITNESS: You're quite welcome.

17 EXAMINATION

18 BY MR. RHENEY:

19 Q. Hey, Mr. Knight. My name is David
20 Rheney. I got just a few questions for you.

21 You mentioned a while ago when
22 Mr. Holder was asking you questions that in 1973
23 toward the end of your time with Masters, y'all
24 worked at Greenwood Mills one day putting in a
25 propane tank; is that --

1 A. Right.

2 Q. That was one day?

3 A. One day was all I worked.

4 Q. And you said it was out at a field
5 somewhere?

6 A. Behind the plant about 100 yards.

7 Q. Sounds a whole lot like the jobs y'all
8 were doing in Tennessee and Alabama and
9 Mississippi, right?

10 A. Same thing.

11 Q. And was Teddy doing welding for that?

12 A. He was.

13 Q. Do you have any reason to expect he was
14 exposed to asbestos there?

15 A. None that I'm aware of.

16 Q. And in 1980 to '82, you were working
17 full-time as an employee of Ethyl, right?

18 A. Yes, sir.

19 Q. And you were doing some crane and then
20 maintenance work, whatever it was they needed you
21 to do I think you said?

22 A. Yes, sir.

23 Q. And do you have any understanding -- do
24 you have any personal recollection of where Teddy
25 was working at that time?

1 A. Wherever they had projects going on.
2 It could have been most anywhere in the plant.

3 Q. There's a resumé and then this other
4 document that indicates that he was working for
5 Daniel Construction from '80 to '82 at the
6 Greenwood Mill plant in Orangeburg.

7 Do you have any personal recollection
8 of that?

9 A. I do not.

10 Q. So you don't have any knowledge of what
11 he was doing for Daniel Construction at Greenwood
12 Mills in Orangeburg?

13 A. I do not.

14 Q. You don't know anything about any
15 exposure he may have had to asbestos?

16 A. None.

17 Q. And do you have any knowledge at all
18 about any steps that Daniel Construction took with
19 its employees to protect them from exposure to
20 asbestos?

21 A. I do not.

22 MR. RHENEY: Thank you, sir. That's
23 all the questions I've got.

24 EXAMINATION

25 BY MR. HERNS:

1 Q. Okay. Mr. Knight, my name is Lewis
2 Herns. How are you doing? Okay?

3 A. Yes, sir.

4 Q. Great. I'll hopefully be brief. What
5 years was your brother Teddy in the United States
6 Navy?

7 MR. HOLDER: Objection to form.

8 THE WITNESS: He went in after high
9 school, and I think '62, '63, somewhere along in
10 there.

11 BY MR. HERNS:

12 Q. And you said he was in for four years?

13 A. For four years.

14 Q. Okay. What was Teddy's rank when he
15 joined the Navy and his rank when he left the Navy,
16 if you know?

17 MR. HOLDER: Objection to form.

18 THE WITNESS: I do not know.

19 BY MR. HERNS:

20 Q. Now, you were shown Exhibit 5 earlier
21 in your deposition, and I'm going to hand it to you
22 now and ask you to take a look at it. Let me get
23 my pen. Have you familiarized yourself with it?

24 A. Yes, sir.

25 Q. To your knowledge, did your brother

1 Teddy work at any paper mills when he was employed
2 by any company set forth on Exhibit 5?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: I know he worked at the
5 Eastover plant at Eastover. I think it's the
6 International Paper.

7 BY MR. HERNS:

8 Q. And where is that located?

9 A. In Eastover, South Carolina.

10 Q. And do you know who owned or operated
11 the paper mill in Eastover, South Carolina?

12 A. I do not.

13 Q. Do you know when he worked at the paper
14 mill in Eastover, South Carolina?

15 A. I can only remember them talking about
16 it.

17 Q. Okay. Who was talking about it?

18 A. Teddy was talking to -- he could have
19 been talking to Mom or Dad about it.

20 Q. And when did that take place?

21 A. I have no idea.

22 Q. Do you know when you worked at the
23 Eastover paper mill?

24 A. I remember him working there, but I was
25 young.

1 Q. Okay. Do you know how long he worked
2 at the Eastover paper mill?

3 A. I do not.

4 Q. Do you know what he was doing at the
5 Eastover paper mill?

6 MR. HOLDER: Objection to form.

7 THE WITNESS: I would say he would be
8 welding.

9 BY MR. HERNS:

10 Q. Do you have any personal knowledge that
11 he was welding?

12 A. I do not.

13 Q. So that was just an assumption on your
14 part?

15 A. Yes, sir.

16 Q. Do you know who he was employed by when
17 he was working at the Eastover, South Carolina,
18 paper mill?

19 A. I do not.

20 Q. Okay. Do you know how long he worked
21 at the Eastover, South Carolina, paper mill?

22 A. No, sir. I do not.

23 Q. Okay. So getting back to Exhibit 5,
24 you don't know if he was employed by any of those
25 companies that are listed on Exhibit 5 when he

1 worked at the Eastover paper mill?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I do not know.

4 BY MR. HERNS:

5 Q. Okay. I'm handing you Exhibit 6, and
6 would ask you to take a look at that, please.

7 Exhibit 6 does not indicate that your
8 brother Teddy worked at any paper mills. Would you
9 agree with that statement?

10 MR. HOLDER: Objection to form.

11 THE WITNESS: No, sir.

12 BY MR. HERNS:

13 Q. Now, back to Eastover real quick. You
14 said you only heard your brother, you believe,
15 talking to your parents about his job at the
16 Eastover paper mill?

17 A. Right.

18 Q. Okay. And you never worked at the
19 Eastover paper mill?

20 A. No, sir.

21 Q. Okay. And do you recall anything that
22 was said about the Eastover paper mill when you
23 overheard these conversations between your brother
24 and your parents?

25 MR. HOLDER: Objection to form.

1 THE WITNESS: No, sir.

2 BY MR. HERNS:

3 Q. I'm handing you Exhibit 7, which is a
4 resumé of your brother Teddy and ask you to take a
5 look at it, please.

6 Does Exhibit 7 indicate that your
7 brother Teddy worked at any paper mill?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: No, sir.

10 BY MR. HERNS:

11 Q. Okay. You said your middle initial is
12 R. What does the R stand for?

13 A. Randall.

14 Q. Randall. Thank you, sir.

15 What was the name of the sign company
16 that you began working at when you were 11 years
17 old?

18 A. Bozard Sign Company.

19 Q. Bozard?

20 A. (Witness moves head up and down.)

21 Q. Okay. And you worked there through the
22 11th grade of high school?

23 A. Yes, sir.

24 Q. Okay. Can you tell me what year you
25 left the sign company?

1 MR. HOLDER: Objection to form.

2 THE WITNESS: Probably the first part
3 of '72.

4 BY MR. HERNS:

5 Q. Okay. And where did you start working
6 after the first part of '72?

7 A. I went to Albemarle or Ethyl.

8 Q. Okay. Now, you've indicated that there
9 were nine plants out at Ethyl Corporation, correct?

10 A. Yes, sir.

11 Q. Okay. Were any of those nine plants
12 paper mills?

13 A. No, sir.

14 MR. HOLDER: Objection to form.

15 BY MR. HERNS:

16 Q. Did you ever work for Ethyl Corporation
17 at any paper mill?

18 A. No, sir.

19 Q. Did Teddy work at any Ethyl Corporation
20 paper mill?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: No, sir.

23 BY MR. HERNS:

24 Q. Now, the Ethyl plant in Arkansas, was
25 that a paper mill?

1 A. No, sir.

2 MR. HOLDER: Objection to form.

3 BY MR. HERNS:

4 Q. The Ethyl plant in Houston, was that a
5 paper mill?

6 A. No, sir.

7 Q. Now, the Masters Company, did you work
8 at any paper mills when you were with the Masters
9 Company?

10 A. No, sir.

11 Q. Did Teddy work at any paper mills when
12 he was employed by the Masters Company?

13 A. No, sir.

14 Q. Okay. Now, when you were in Alabama, I
15 believe Hueytown --

16 A. Right.

17 Q. Okay. Did you work at any paper mills
18 when you and your brother Teddy were in Hueytown,
19 Alabama?

20 A. No, sir.

21 Q. Okay. Did you and your brother Teddy
22 work at any paper mills when you were at Ole Miss
23 in Mississippi?

24 A. No, sir.

25 Q. Okay. Was the Greenwood Mills a paper

1 mill?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I don't know what they've
4 done.

5 BY MR. HERNS:

6 Q. Okay. Did it have the nasty smell that
7 paper mills typically make?

8 A. No.

9 MR. HOLDER: Objection to form.

10 BY MR. HERNS:

11 Q. Do you know if they were making paper
12 at the Greenwood Mill?

13 MR. HOLDER: Objection to form.

14 THE WITNESS: No, sir. I really don't.

15 BY MR. HERNS:

16 Q. Okay. Did Teddy work in any paper
17 mills in Orangeburg County?

18 A. No, sir.

19 Q. Did Teddy work at any paper mills in
20 Charleston County, South Carolina?

21 A. I don't know.

22 Q. Okay. Did Teddy work at any papers
23 mills in the city of Charleston?

24 A. I don't know.

25 MR. HOLDER: Objection to form.

1 BY MR. HERNS:

2 Q. Did Teddy work at any paper mills in
3 the city of North Charleston?

4 MR. HOLDER: Objection to form.

5 THE WITNESS: I don't know.

6 BY MR. HERNS:

7 Q. Other than the Eastover, South
8 Carolina, paper mill that you heard Teddy talking
9 about with his -- with your parents, did he work at
10 any other paper mill in the state of South
11 Carolina?

12 A. Not that I'm aware of.

13 Q. Okay. Union Carbide, Columbia,
14 Tennessee, was that a paper mill?

15 A. No, sir.

16 Q. Okay. When Teddy was employed by
17 Yeargin Construction, I would like you to identify
18 for me all of the papers mills that he worked at.

19 MR. HOLDER: Objection to form.

20 THE WITNESS: None that I know of other
21 than the Eastover plant.

22 BY MR. HERNS:

23 Q. But you don't know who he was employed
24 with --

25 A. Oh --

1 Q. -- when he worked at the Eastover
2 plant?

3 A. -- no, sir.

4 Q. So you can't tell me that when he was
5 employed with Yeargin Construction that he worked
6 at a paper mill?

7 A. I cannot.

8 MR. HOLDER: Objection to form.

9 BY MR. HERNS:

10 Q. Now, did you ever work in the city of
11 Charleston or North Charleston?

12 A. No, sir.

13 Q. Did you ever work at any job in
14 Charleston County, South Carolina?

15 A. No, sir.

16 MR. HOLDER: Objection to form.

17 BY MR. HERNS:

18 Q. Have you ever worked at any paper mill
19 in Charleston?

20 A. No, sir.

21 Q. Have you ever worked at any paper mill
22 in Charleston County?

23 A. No, sir.

24 Q. And you can't tell me that your brother
25 Teddy ever worked at any paper mill in Charleston

1 or Charleston County?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I cannot.

4 BY MR. HERNS:

5 Q. Okay. Now, have you ever heard of a
6 company called Verso Corporation?

7 A. No, sir.

8 Q. Have you ever been employed by a
9 company called Verso Corporation?

10 A. No, sir.

11 Q. To your knowledge, has your brother
12 Teddy, was he ever employed by a company called
13 Verso Corporation?

14 A. I do not know.

15 Q. Have you identified for us today all of
16 the companies that you believe your brother was
17 employed by?

18 A. Yes, sir.

19 Q. Okay. And Verso Corporation was not
20 identified, correct?

21 A. It was not.

22 Q. Okay. Have you ever worked for a
23 company called NewPage?

24 A. No, sir.

25 Q. To your knowledge, did Teddy ever work

1 for a company called NewPage?

2 A. I do not know.

3 Q. Have you identified NewPage as a
4 facility or company that Teddy worked for during
5 the course of his life?

6 A. I do not know.

7 Q. Okay. You haven't mentioned NewPage
8 until I just mentioned it, correct?

9 A. Yes, sir.

10 Q. And so to your knowledge, your brother
11 Teddy never worked for a company called NewPage?

12 MR. HOLDER: Objection to form.

13 THE WITNESS: To my knowledge, he has
14 not.

15 BY MR. HERNS:

16 Q. Okay. To your knowledge, have you ever
17 worked in a Verso Corporation facility?

18 A. No, sir.

19 Q. To your knowledge, has Teddy ever
20 worked in a Verso Corporation facility?

21 A. No, sir.

22 Q. Have you ever worked in a NewPage
23 facility?

24 A. No, I haven't.

25 Q. To your knowledge, did Teddy ever work

1 in a NewPage facility?

2 A. No, sir.

3 Q. Okay. And you never worked with your
4 brother Teddy Knight at a Verso Corporation
5 facility?

6 A. I have not.

7 Q. And you never worked with your brother
8 Teddy at a NewPage facility?

9 A. I have not.

10 Q. Have you ever worked with your brother
11 Teddy at a paper mill anywhere in the state of
12 South Carolina?

13 A. No, I haven't.

14 Q. Okay. Have you identified for me all
15 of the paper mills that you believe your brother
16 Teddy worked at?

17 A. Yes, sir.

18 Q. And that was the facility at Eastover,
19 South Carolina?

20 A. Yes, sir.

21 Q. And you don't know who owned that
22 facility at any time?

23 A. I do not.

24 Q. And you don't know when Teddy worked at
25 that facility?

1 A. When it was new construction, that's
2 all I know.

3 Q. Okay. So the paper mill was not up and
4 running?

5 A. No, sir.

6 Q. Okay. So what would have been his job
7 at this new construction facility?

8 A. I do not know.

9 Q. Thank you, sir. That's all I have.

10 MR. HOLDER: Next in the room? Anyone
11 else?

12 DEFENSE COUNSEL: That's it.

13 MR. HOLDER: On the phone?

14 MR. FELIX: Yes. This is Nick Felix.
15 If nobody else is ready to go, I'm on the phone,
16 and I'd like to ask a few questions, if that's
17 okay.

18 MR. HOLDER: Yes. Go ahead. I think
19 we're done in the room for right now until we go
20 back around for follow-ups.

21 Mr. Page, did you say?

22 MR. FELIX: Nick Felix.

23 MR. HOLDER: Nick Felix.

24 MR. FELIX: This is Nick Felix. I
25 apologize. Yes, sir.

1 EXAMINATION

2 BY MR. FELIX:

3 Q. Mr. Knight, can you hear me okay?

4 A. I can.

5 Q. Great. Thank you very much. I can
6 hear you real good, too. You're on the phone. I
7 appreciate it.

8 A couple of quick questions for you
9 similar to the last series of questions you
10 received from the other lawyers, and I hope to be
11 as equally brief.

12 You ever work for a company called
13 Ashland?

14 A. No, sir.

15 Q. You ever worked for a company called
16 APAC-Atlantic?

17 A. No, sir.

18 Q. And I note on the resumés and the work
19 history of your brother, I didn't see either one of
20 those names mentioned. Do you know whether or not
21 your brother ever worked for a company called
22 Ashland?

23 A. I do not.

24 Q. Do you know if your brother ever worked
25 for a company called APAC-Atlantic?

1 A. I do not.

2 Q. And did you have occasion to see either
3 one of those companies' names on the work history
4 that he produced, either himself or purported to
5 have been produced by him personally or produced by
6 his lawyers?

7 MR. HOLDER: Objection to form.

8 THE WITNESS: No, sir.

9 BY MR. FELIX:

10 Q. You have a look at them. They're
11 exhibits that they've put in front of you.

12 MR. HOLDER: He was --

13 MR. FELIX: I'm sorry. I'm not
14 there --

15 MR. HOLDER: -- looking at them.

16 MR. FELIX: -- otherwise I can't --

17 THE WITNESS: I was looking at them,
18 but I don't see it.

19 BY MR. FELIX:

20 Q. Okay. It's my understanding -- let me
21 ask you this: Have you ever worked in the asphalt
22 or paving business?

23 A. No, sir.

24 Q. You're not -- did your brother ever
25 work in the asphalt/paving business?

1 A. No, sir.

2 Q. Okay. Did you ever work for a company
3 called Harrison Construction?

4 A. I have not.

5 Q. To your knowledge, did your brother
6 ever work for a company called Harrison
7 Construction?

8 A. I do not know.

9 Q. Okay. It's indicated on those
10 documents that your brother worked for a company
11 called Harrison Construction between 1982 and 1983
12 at the Eastman plant in Columbia, South Carolina.
13 Do you see where that's reflected on that list of
14 jobs that he had?

15 MR. HOLDER: I think that's Exhibit 6.

16 MR. FELIX: I apologize. Thank you
17 very much for making the reference.

18 MR. HOLDER: Sure. No. It's okay.
19 And I believe -- which entry was it you said again?
20 Mr. Felix --

21 BY MR. FELIX:

22 Q. Between 1982 and 1983 that Teddy worked
23 for a company called Harrison Construction.

24 A. At Eastman Carolina...

25 MR. HOLDER: Do you see that?

1 THE WITNESS: I do.

2 MR. HOLDER: Okay. He sees it.

3 BY MR. FELIX:

4 Q. Thank you very much, sir. Mr. Knight,
5 do you know anything about a company called
6 Harrison Construction?

7 A. I do not.

8 Q. Do you have any idea what Teddy would
9 have done for the company called Harrison
10 Construction?

11 A. Only what it says on here, as a pipe
12 fitter.

13 Q. Okay. No indication on there that
14 company had anything to do with laying asphalt or
15 paving, does it?

16 A. No, sir.

17 Q. To your knowledge, Teddy never worked
18 in the paving or asphalt business, correct?

19 A. To my knowledge, no.

20 MR. FELIX: Okay. Thank you very much,
21 sir. I don't have any other questions.

22 MR. HOLDER: All right. Next on the
23 phone?

24 MR. MCDONALD: Jonathan, this is Mott.
25 I can ask just a tiny handful of questions, if

1 that's all right?

2 MR. HOLDER: Go ahead.

3 EXAMINATION

4 BY MR. MCDONALD:

5 Q. Mr. Knight, my name is Mott McDonald.
6 I'm sorry I'm not with you today. I'm over at
7 Greenville but -- trying to follow the rules here.
8 Let me just ask you a couple of questions.

9 MR. HOLDER: Objection to form.

10 BY MR. MCDONALD:

11 Q. When you were with the Masters, y'all
12 must have had an expertise in these propane tanks?

13 A. We done most of them for Applied
14 Engineering.

15 Q. But y'all knew what you were doing?

16 A. Yes, sir.

17 Q. All right. And Masters provided all
18 the supervision for that work?

19 A. Yes, sir.

20 Q. And Masters provided the tools for that
21 work?

22 A. Yes, sir.

23 Q. Okay. And of course, Masters -- the
24 money came out of Masters to pay both you and your
25 brother; is that right?

1 MR. HOLDER: Objection.

2 THE WITNESS: Yes, sir.

3 BY MR. MCDONALD:

4 Q. Okay. Let me just kind of ask you as a
5 catchall question: Have you told us all the ways
6 you could possibly be aware that your brother was
7 exposed to asbestos?

8 A. To my knowledge, I have.

9 MR. MCDONALD: Okay. Great. Thank
10 you, Mr. Knight. Thanks for your time today.

11 MR. HOLDER: All right.

12 EXAMINATION

13 BY MR. PIERCE:

14 Q. Mr. Knight?

15 A. Yes, sir.

16 Q. This is Carl Peters, and I'm down in
17 Charleston. You're getting questions from all over
18 the state.

19 Let me ask you: Did you ever know your
20 brother to work for Westvaco at any time?

21 A. Westvaco, I don't recall.

22 Q. Okay. And I think -- and with regard
23 to any paper mill facilities, I think Mr. Herns
24 covered it thoroughly, but other than what you
25 briefly told him about in conversation you had with

1 regard to an Eastover facility, you don't have any
2 information in any regard with regard to Westvaco
3 or MeadWestvaco or anything of that nature,
4 correct?

5 A. I do not know.

6 Q. So you don't know any involvement that
7 your brother would have had with any Westvaco or
8 MeadWestvaco paper mill facility; is that correct?

9 A. That's correct.

10 MR. PIERCE: All right. Thank you so
11 much and you have a good day.

12 MR. MUNSON: Jonathan, this is Keith
13 Munson. I just have a couple of questions on the
14 phone.

15 MR. HOLDER: Sure.

16 MR. MUNSON: Can you hear me?

17 MR. HOLDER: Yes. Go ahead.

18 EXAMINATION

19 BY MR. MUNSON:

20 Q. Mr. Knight, you, I believe, previously
21 testified that you're not aware of any other plants
22 in the Charleston or North Charleston area that
23 your brother worked for. I've got a slightly
24 different question.

25 Are you aware of any other plants in

1 Charleston County, North Charleston, Summerville,
2 Dorchester County, Berkeley County that your
3 brother Teddy worked at that you have not mentioned
4 today?

5 A. He work for the Bosch company.

6 Q. And what did he do there?

7 A. I don't know.

8 Q. And when was that?

9 A. I don't know that either.

10 Q. Okay. Did you ever work at the Bosch
11 company?

12 A. No, sir.

13 Q. Would that have been part of his work
14 with Masters Company?

15 A. No, sir.

16 Q. Was it after that?

17 A. It was after that.

18 Q. Okay. And by after that, would you say
19 that's after 1978?

20 A. Yes, sir.

21 Q. You mentioned earlier about being at
22 Fort Stewart for one project. Do you recall if the
23 24th infantry division was assigned to Fort Stewart
24 at the time you were there?

25 A. I don't remember.

1 Q. Okay. For what it's worth, it came in
2 1974.

3 At the Masters Company, did you get
4 paid -- how did you get paid?

5 A. Weekly.

6 Q. Were you paid in cash? Paid by check?

7 A. Check.

8 Q. Did you get a W-2 form to file with
9 your taxes?

10 A. I did.

11 MR. MUNSON: Okay. Those are all the
12 questions I have. Thank you very much.

13 MR. HOLDER: All right. Next on the
14 phone?

15 MR. ROGERS: This is Andy Rogers. Oh,
16 sorry.

17 MR. HOLDER: You can go, Andy.

18 MR. ROGERS: This is Andy. Should I go
19 ahead now?

20 MR. HOLDER: Yes. Go ahead. Sorry,
21 Andy. You're good.

22 MR. ROGERS: I wanted to make sure I
23 wasn't talking over someone.

24 MR. HOLDER: Thanks.

25 EXAMINATION

1 BY MR. ROGERS:

2 Q. Mr. Knight, can you hear me okay?

3 A. I can.

4 Q. Okay. My name is Andy Rogers. I just
5 have a few questions for you this morning. I've
6 been listening to your testimony carefully. I just
7 wanted to ask you about a couple of companies that
8 I represent and see if you're able to offer any
9 testimony about them.

10 Are you able to testify that your
11 brother Teddy ever worked on or around any product
12 made by a company called Westinghouse?

13 MR. HOLDER: Objection to form.

14 THE WITNESS: No. I don't recall
15 anything.

16 BY MR. ROGERS:

17 Q. Okay. Are you able to testify that
18 your brother Teddy ever worked with or around any
19 Westinghouse employees?

20 A. I don't know.

21 Q. Okay. I also want to ask you about a
22 company called Spirax Sarco. It's spelled S, as in
23 Sam; P, as in Paul; I-R-A-X, as in x-ray. The
24 second word is Sarco, S, as in Sam; A-R-C-O.

25 Are you familiar with that company?

1 A. No, I am not.

2 Q. Okay. So is it fair to say that you're
3 not able to offer any testimony that your brother
4 Teddy ever worked on or around any products made by
5 Spirax Sarco?

6 A. That's true.

7 MR. ROGERS: Okay. That's all the
8 questions I have. Thank you, sir.

9 MR. HOLDER: Next?

10 MR. SINGEWALD: Jonathan, Chris
11 Singewald. Just a couple of questions.

12 MR. HOLDER: Great. Go ahead, Chris.

13 EXAMINATION

14 BY MR. SINGEWALD:

15 Q. Mr. Knight, my name is Chris Singewald.
16 Can you hear me okay?

17 A. Yes, sir.

18 Q. Just a couple of questions for you. Do
19 you know if your brother ever worked for a company
20 by the name of Benjamin F. Shaw Company?

21 A. I know he worked for Shaw outfit, but I
22 don't know if it was Benjamin F.

23 Q. Your understanding that he worked for
24 the Shaw outfit, is that based upon conversations
25 that you had with your brother?

1 A. No, sir. Shaw --

2 Q. What is that based upon?

3 A. Shaw used to be at Albemarle for a good
4 while as a contractor.

5 Q. Do you know what years Shaw was at
6 Albemarle as a contractor?

7 A. No, sir. I do not remember.

8 Q. Did you ever work at Albemarle while
9 Shaw was a contractor there?

10 A. Yes, sir.

11 Q. And by Albemarle, are you referring to
12 the --

13 A. Ethyl plant.

14 Q. -- facility -- the Ethyl facility?
15 Okay. Do you know what Shaw did at
16 Albemarle?

17 A. Different projects. Whatever they
18 needed them to do.

19 Q. Did you personally ever work around any
20 Shaw employees?

21 A. Yes, sir.

22 Q. Do you recall ever seeing your brother
23 work around any Shaw employees?

24 A. I don't recall.

25 Q. Do you have -- strike that.

1 Do you know whether any Shaw employees
2 were present at Albemarle on the specific occasions
3 when your brother was present at Albemarle?

4 A. Yes, sir.

5 Q. How do you know that?

6 MR. HOLDER: Objection to form.

7 THE WITNESS: Because I was out there.

8 BY MR. SINGEWALD:

9 Q. All right. I understand you were
10 there, but I understand your brother was there for
11 a more limited period of time than when you were
12 there; is that correct?

13 A. Off and on he was out there.

14 Q. Sure. And I guess what I'm just trying
15 to find out is during the off and on periods when
16 your brother was there, do you know for a fact that
17 Shaw employees were there?

18 MR. HOLDER: Objection to form. Asked
19 and answered.

20 THE WITNESS: They were.

21 BY MR. SINGEWALD:

22 Q. Okay. You cannot tell me -- is it fair
23 to say that you cannot tell me specifically what
24 Shaw employees were doing on the days that they may
25 have been there when your brother was there; is

1 that correct?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I cannot tell you that.

4 BY MR. SINGEWALD:

5 Q. Now, the Shaw outfit that you referred
6 to earlier that you described as the Shaw outfit,
7 do you know the specific name of that Shaw outfit?

8 A. All I know is it was Shaw Construction
9 Company.

10 Q. Do you know what type of trades, if
11 any, the Shaw Construction Company employed?

12 MR. HOLDER: Objection to form.

13 THE WITNESS: Everything from iron work
14 to welding, insulating, whatever -- whatever Ethyl
15 needed them to do.

16 BY MR. SINGEWALD:

17 Q. Fair to say that you have no personal
18 knowledge as to whether any Shaw employees ever
19 worked with any asbestos-containing products at
20 Ethyl?

21 A. I don't know that.

22 Q. And do you know if your brother was
23 ever employed by Benjamin F. Shaw Company?

24 A. I don't know.

25 MR. SINGEWALD: Thank you, sir. I have

1 no further questions.

2 MR. HOLDER: All right. Anyone else on
3 the phone?

4 MR. STEIN: Yes. Hello, this is Andy
5 Stein here.

6 MR. HOLDER: Go ahead.

7 EXAMINATION

8 BY MR. STEIN:

9 Q. Mr. Knight, I just have two or three
10 questions, and these questions pertain to the time
11 that your employment at Ethyl Corporation
12 overlapped with your brother's employment. Okay?

13 A. Okay.

14 Q. Fair to say he worked in Plant 9,
15 correct?

16 MR. HOLDER: Objection to form.

17 THE WITNESS: Yes, sir.

18 BY MR. STEIN:

19 Q. All right. And you talked about one
20 time that he worked in the boiler house. You were
21 not in the boiler house with him then, were you?

22 A. No, sir.

23 MR. STEIN: Okay. Thank you. That's
24 all I have.

25 MR. HOLDER: All right. Anyone else?

1 MR. REID: Yes. Phil Reid here.

2 MR. HOLDER: Go ahead, Phil.

3 EXAMINATION

4 BY MR. REID:

5 Q. Good day to you, sir. Thanks for your
6 time. Sorry for not being able to be there. To
7 sum things up, my understanding of your testimony
8 is that you worked with your brother at Ethyl, and
9 you worked with him at various sites while employed
10 by the Masters, correct?

11 A. I worked with him directly at the
12 Masters Company but not directly at Albemarle or
13 Ethyl.

14 Q. Apart from that one employer, the
15 Masters and perhaps, you know, interacting with him
16 sometimes at Albemarle, did you ever work with him
17 for any other employer?

18 A. I did not.

19 Q. All right. And when did you start at
20 Ethyl? Was it 1969 or was it 1968 or earlier?

21 A. I'm thinking it was '69. That's a long
22 time ago.

23 Q. Understood. Well, let me approach
24 things this way: If your brother ever worked with
25 valves at -- while he was employed by the Masters,

1 you don't have any personal knowledge of what brand
2 of valve he may have worked with, fair?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: No. Well, I know what --
5 I can't remember the name, but I...

6 DEFENSE COUNSEL: Mute buttons, please.
7 Thank you.

8 MR. HOLDER: He said he couldn't
9 remember the name. I don't know if you heard it.

10 BY MR. REID:

11 Q. All right. And what site are you
12 thinking of?

13 A. Any of -- any of the sites that we put
14 in propane tanks.

15 Q. And as to Ethyl, did you ever witness
16 your brother either working with or working around
17 somebody else working with valves?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: Not specifically, no.

20 BY MR. REID:

21 Q. All right. And to the best of your
22 knowledge, he did not have any asbestos exposure at
23 Plant 9, correct?

24 MR. HOLDER: Objection to form.

25 THE WITNESS: To my knowledge, no.

1 BY MR. REID:

2 Q. All right. How big were the Ethyl
3 facilities? Are we talking about facilities that
4 cover land the size of a football field or several
5 football fields or how would you best describe it?

6 A. Probably a football field and a half.

7 Q. Are you aware of any other family
8 member, perhaps Teddy's son Richard or his daughter
9 or any other family member who ever worked with
10 him?

11 A. Neither one of them.

12 Q. Anybody else? Cousins, uncles,
13 brothers who might still be alive?

14 A. A cousin.

15 Q. Who was that?

16 A. Michael Kraft.

17 Q. And do you happen to know where Michael
18 worked with Teddy at?

19 A. He worked with him at the Masters
20 Company.

21 Q. All right. And apart from Michael,
22 anybody else?

23 A. No, sir.

24 Q. Just looking at the medical records, it
25 looked like Teddy had a heart attack in 2009. Do

1 you have a recollection of such an event?

2 A. I don't remember no heart attacks.

3 Q. All right. Do you happen to know if
4 Teddy kept literature from either products he
5 worked with or sites he worked at?

6 A. I do not. He was very private.

7 Q. Did you ever see him interact with any
8 employees or representatives of valve or pump
9 companies?

10 MR. HOLDER: Objection to form.

11 THE WITNESS: No, sir.

12 MR. REID: Mr. Knight, that's all I
13 have for you. Thank you for your time. I
14 appreciate it.

15 MR. HOLDER: Anyone else on the phone?

16 MR. SINGEWALD: Jonathan, Chris
17 Singewald just with a couple of quick follow-ups.

18 MR. HOLDER: Sure.

19 EXAMINATION

20 BY MR. SINGEWALD:

21 Q. Mr. Knight, Chris Singewald again.
22 Just a quick follow-up question for you: When you
23 were at Ethyl, was that a union plant or non-union?

24 A. It was a union plant.

25 Q. Was that true the entire time you were

1 there or was there a period of time when it was
2 union and then became non-union?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: It was non-union when I
5 first went out there, and then several years after,
6 it became union.

7 BY MR. SINGEWALD:

8 Q. Do you recall approximately -- you said
9 several years after. Do you recall approximately
10 when it became non-union?

11 A. Probably from '69 to probably '73, '74.

12 Q. Just clarify for me: From '69 to '73
13 or '74, it was union or it was non-union?

14 A. It was non-union.

15 Q. And then after '74 is when it became
16 union?

17 A. Yes, sir.

18 MR. SINGEWALD: Okay. Thank you, sir.
19 No further questions.

20 MR. HOLDER: Anyone else on the phone?

21 MS. MCCOOL: Jonathan, I have two. I'm
22 sorry. If everybody on the phone is finished, I
23 just have two before you come back around.

24 MR. HOLDER: Okay. Go ahead.

25 EXAMINATION

1 BY MS. MCCOOL:

2 Q. Mr. Knight, I'm Deirdre McCool. I just
3 have a couple of questions.

4 To the best of your knowledge, did your
5 brother Teddy ever work at a plant or a facility
6 owned by a company by the name of Fabric Services?

7 A. I do not know.

8 Q. And to the best of your knowledge, did
9 your brother Teddy ever work at a plant or facility
10 owned by Monsanto or a company that you believe to
11 have been a subsidiary or an affiliate of Monsanto?

12 A. I do not know.

13 MS. MCCOOL: That's all I have. Thank
14 you.

15 MR. HERNS: Couple of quick follow-ups.

16 EXAMINATION

17 BY MR. HERNS:

18 Q. Mr. Knight, Lewis Herns again.
19 Eastover, South Carolina, is not far from Columbia,
20 South Carolina?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: Not too far.

23 BY MR. HERNS:

24 Q. It's in the midlands of the state of
25 South Carolina, correct?

1 A. Yes, sir.

2 Q. It's not down at the Lowcountry by the
3 coast?

4 A. No, sir.

5 Q. And it's not far from where you live in
6 North, South Carolina, correct?

7 MR. HOLDER: Objection to form.

8 THE WITNESS: Probably 60 miles.

9 BY MR. HERNS:

10 Q. Okay. Now, if Verso Corporation has
11 never owned any paper mills in the state of South
12 Carolina, your brother Teddy would not have worked
13 in any paper mill owned by Verso in South Carolina?

14 MR. HOLDER: Objection. Improper
15 hypothetical.

16 THE WITNESS: To my knowledge, no.

17 BY MR. HERNS:

18 Q. Okay. I'll be -- I've given an
19 affidavit to Mr. Holder which says the Verso
20 Corporation has never owned a paper mill in the
21 state of South Carolina. If it never owned a paper
22 mill in the state of South Carolina, your brother
23 never worked in a Verso facility in South Carolina?

24 MR. HOLDER: Objection to form.

25 If you're going to ask him about a

1 document, you can show him the document and mark it
2 as an exhibit; otherwise, I'm going to direct you
3 not to answer the question because you have no idea
4 what that document says or if what he's saying is
5 true.

6 BY MR. HERNS:

7 Q. You can answer the question.

8 MR. HOLDER: You don't have to answer
9 that question unless he shows you the document.

10 THE WITNESS: Do you have the document?

11 BY MR. HERNS:

12 Q. I don't have the document with me.
13 He's got the document. He's seen it, and he knows
14 that Verso Corporation has given sworn testimony in
15 an affidavit that Verso Corporation has never owned
16 a paper mill facility in the state of South
17 Carolina. If it has never owned a paper mill in
18 the state of South Carolina, your brother would not
19 have worked in a Verso facility in South Carolina;
20 is that correct?

21 MR. HOLDER: Objection. Improper
22 hypothetical. You don't have to answer that
23 question. This is harassment.

24 MR. RHENEY: What's the rule for that,
25 Jonathan?

1 MR. HOLDER: It's harassment at this
2 point.

3 MR. RHENEY: I don't think you can
4 instruct him not to answer.

5 MR. HERNS: You can't instruct him not
6 to answer. That's --

7 MR. HOLDER: I can file a motion within
8 five days, and we can have it decided. But you're
9 trying to test him on an affidavit which you are
10 saying says some things but you are refusing to
11 show him.

12 So I want to make the record clear: If
13 you ask normal questions and not misleading
14 questions, I'm happy to let him answer. But you're
15 trying to ask him about a document which you refuse
16 to show him.

17 I just needed to make my record. Thank
18 you.

19 BY MR. HERNS:

20 Q. If Verso Corporation has never owned a
21 paper mill in South Carolina, your brother could
22 not have worked in a Verso paper mill in South
23 Carolina. Do you agree with me?

24 MR. HOLDER: Objection to form.

25 THE WITNESS: I don't know who Verso

1 is.

2 BY MR. HERNS:

3 Q. Okay. That aside, if they never owned
4 a paper mill facility in South Carolina, he could
5 not have worked in a Verso facility -- paper mill
6 facility in South Carolina. Will you agree with
7 that?

8 MR. HOLDER: Objection to form.

9 THE WITNESS: I would have to agree.

10 BY MR. HERNS:

11 Q. Okay. If NewPage never owned a paper
12 mill facility in the state of South Carolina, he
13 could have never worked in a NewPage paper mill
14 facility in South Carolina.

15 MR. HOLDER: Objection to --

16 BY MR. HERNS:

17 Q. Do you agree with that?

18 MR. HOLDER: -- form. Improper
19 hypothetical.

20 You can answer.

21 THE WITNESS: That's true. I -- I
22 would not know.

23 BY MR. HERNS:

24 Q. No. If they didn't own it in South
25 Carolina --

1 A. Right.

2 Q. -- he couldn't have worked in it in
3 South Carolina --

4 MR. HOLDER: Improper hypothetical.

5 BY MR. HERNS:

6 Q. -- correct?

7 A. Right.

8 MR. HOLDER: Objection.

9 BY MR. HERNS:

10 Q. So let me ask the question again. If
11 NewPage Corporation has never --

12 MR. HOLDER: Objection.

13 BY MR. HERNS:

14 Q. -- owned --

15 COURT REPORTER: One at a time.

16 MR. HOLDER: I need to get that on
17 there because this is harassment. But go ahead.

18 BY MR. HERNS:

19 Q. If NewPage Corporation has never owned
20 a paper mill facility in the state of South
21 Carolina, your brother could not have worked in a
22 NewPage paper mill facility in South Carolina.
23 Would you agree with that?

24 MR. HOLDER: Objection to form.
25 Completely improper hypothetical.

1 THE WITNESS: I would agree.

2 MR. HERNS: Thank you, sir. I
3 appreciate your time.

4 MR. HOLDER: Thank you. I'll have some
5 follow-up. Well, now that everyone has had a
6 chance to go, let's go off the record. I'm going
7 to run through my notes and try to streamline
8 everything. And I'll probably have about five
9 minutes of follow-up questions.

10 Off the record.

11 (Off-the-record conference.)

12 MR. HOLDER: Back on the record. This
13 is Jonathan Holder on behalf of Knight family. I'm
14 going to ask you a few follow-up questions from the
15 questions you've been asked. Okay?

16 THE WITNESS: Okay.

17 EXAMINATION

18 BY MR. HOLDER:

19 Q. First off, back at Ethyl Corp, one of
20 the fellows that asked you about contractors being
21 around at Ethyl Corp, I was going to ask you about
22 a couple of others.

23 Do you remember a contractor -- an
24 insulation contractor called Covil ever being
25 around there at Ethyl?

1 A. Yes.

2 DEFENSE COUNSEL: Objection.

3 BY MR. HOLDER:

4 Q. And do you recall them having a crew of
5 insulators that were doing work around Ethyl?

6 A. I don't know about the crew of
7 insulators, but I know that they used to sell
8 insulation to the company.

9 Q. Okay. And do you even have any idea
10 when this would have started?

11 A. I do not.

12 Q. Okay. Another insulation contractor,
13 Starr Davis, do you recall any workers for Starr
14 Davis ever being at Ethyl?

15 A. No.

16 DEFENSE COUNSEL: Object to form.

17 BY MR. HOLDER:

18 Q. Now, I think you've been asked about
19 specific ones, but are there any valves at Ethyl
20 that you recall the manufacturer of that would have
21 been in place back in the '70s, '80s?

22 A. Nordstrom, Jamesbury, I know there was
23 a good many more, but names I can't recall right
24 now.

25 Q. That's fine. Do you recall any Fisher

1 valves?

2 A. Yes.

3 Q. Okay. Do you recall any valves made by
4 a company called DeZURIK?

5 A. Yes.

6 Q. Okay.

7 DEFENSE COUNSEL: Object to the form.

8 BY MR. HOLDER:

9 Q. Do you recall any -- do you recall any
10 Ingersoll-Rand pumps?

11 DEFENSE COUNSEL: Object to the form.

12 DEFENSE COUNSEL: Object to the form.

13 THE WITNESS: Who?

14 BY MR. HOLDER:

15 Q. At Ethyl?

16 A. At Ethyl.

17 Q. Okay. Do you happen to know
18 specifically where the Ingersoll-Rand pumps would
19 have been at Ethyl?

20 DEFENSE COUNSEL: Object to the form.

21 THE WITNESS: I do not.

22 BY MR. HOLDER:

23 Q. Okay. Did y'all have any furnaces at
24 Ethyl?

25 A. A little more definition on the

1 furnaces.

2 Q. Was there any of the plants that had to
3 cook chemical compounds or anything like that that
4 would have to do a baking or like a kiln type of
5 work?

6 A. No.

7 Q. Okay. How about in the power house, do
8 you recall if there would be a furnace for
9 anything?

10 A. Nothing but the boilers.

11 Q. Okay. Do you recall the manufacturer
12 of any of the boilers at Ethyl?

13 A. Cleaver-Brooks.

14 Q. Any others?

15 A. That's all they had.

16 Q. Do you recall any workers from Daniel
17 ever being at Ethyl?

18 A. I can't recall.

19 Q. Okay.

20 DEFENSE COUNSEL: Object to the form.

21 BY MR. HOLDER:

22 Q. How about Fluor, F-L-U-O-R?

23 DEFENSE COUNSEL: Object to the form.

24 THE WITNESS: Fluor Daniel, no.

25 DEFENSE COUNSEL: Jonathan, did he say

1 no to Daniel?

2 MR. HOLDER: He said no to Daniel and
3 no to Fluor Daniel.

4 DEFENSE COUNSEL: Right. Okay.

5 BY MR. HOLDER:

6 Q. Now, you were being asked about some of
7 the personal protective equipment that they
8 provided out at Ethyl. Do you recall that?

9 A. Yes.

10 Q. And you were asked generally about
11 several pieces of the personal protective equipment
12 and if they were available the whole time. Do you
13 recall that?

14 A. Yes.

15 Q. Okay. Let me break that down and just
16 go by each one and nail down. You had talked
17 about, for instance, a rain suit?

18 A. Yes.

19 Q. Now, when you started there that first
20 time in the late '60s and did that first four-year
21 stint before the Masters, were they already giving
22 you a rain suit at that point?

23 A. Yes.

24 Q. Okay. And at that point, were they
25 already giving you gloves?

1 A. Yes.

2 Q. Okay. What about the paper suits? Did
3 those come around at that time -- at the earliest
4 time?

5 A. I don't know about the paper suits.

6 Q. Okay. When is your best recollection
7 of when you first remember getting paper suits?

8 A. My second -- my second --

9 Q. Stint?

10 A. -- involvement.

11 Q. And that's when you started back around
12 '73, '74 time frame?

13 A. Yes.

14 Q. And it was sometime during that second
15 stint that you recall having available to you paper
16 suits?

17 A. Yes.

18 Q. Do you know specifically what work
19 would be going on when they would say you need a
20 paper suit during this work?

21 A. They didn't tell us we needed a paper
22 suit until they started allowing the foreman and
23 production to say just wear our paper suit.

24 Q. And do you recall when that was?

25 A. I do not.

1 Q. Okay. It wasn't -- it was never told
2 to you: Here, these paper suits are to protect you
3 from asbestos being released from different work in
4 the plants?

5 A. No, because most of the time we'd just
6 get them in the mornings to keep our clothes clean.

7 Q. Okay. Were they disposable, the paper
8 suits?

9 A. They were.

10 Q. And would you -- once you did begin
11 wearing them, would you just put them on in the
12 mornings and then throw them away as you left at
13 night?

14 A. Yes.

15 Q. Or for whatever your shift was?

16 A. Uh-huh.

17 Q. And that's a good question. Did you
18 always work the day shift?

19 A. Not always. I worked the night shift
20 if they had special projects.

21 Q. Okay. Did y'all ever do a swing thing
22 where you did first shift --

23 A. Yes.

24 Q. -- for a couple of weeks?

25 A. We tried that, too.

1 Q. Okay. Primarily, though, for the most
2 part, were you a day shift worker?

3 A. Yes.

4 Q. Okay. Now, for the respirators, when
5 you were there for that first stint in '68, were
6 those being given to you by Ethyl at that point?

7 A. Yes.

8 Q. Okay. And what for?

9 A. For some of the chemicals when we would
10 change gaskets or replace lines, the ammonia.

11 Q. So it was to protect from the fumes?

12 A. Yes.

13 Q. Do you recall if there were certain
14 buildings or certain plants where you would be
15 instructed to wear a respirator for the fumes?

16 A. Plant 8. Plant 1, you had to wear a
17 full face mask.

18 Q. And did that begin in -- you know, the
19 first time you were there?

20 A. Yeah. When I was first there, when I
21 first started.

22 Q. Okay. Now, at any other times when --
23 well, hold on before we leave that. The
24 respirators that you're describing, are these the
25 type of respirators that suction to your face and

1 have the two cans?

2 A. I used those and we use full -- full
3 face air mask.

4 Q. Okay. Did you go through training on
5 how to get those fitted on and how to correctly put
6 those on and fit them?

7 A. We did.

8 Q. Okay. Did you have to shave for it?

9 A. Yes.

10 Q. Do you recall at any other times when
11 you would see your brother there throughout the
12 years during his work, do you recall ever seeing
13 him with one of those respirators that -- from
14 Ethyl?

15 A. No.

16 Q. Okay. Do you recall ever seeing him or
17 do you recall ever hearing Teddy being told that
18 they should wear respirators or face masks?

19 DEFENSE COUNSEL: Object to form.

20 THE WITNESS: No.

21 BY MR. HOLDER:

22 Q. Okay. And did you ever hear or know of
23 any warnings that Ethyl provided to Teddy or his
24 workers or his employers while they were on site at
25 Ethyl regarding asbestos?

1 DEFENSE COUNSEL: Object to the form.

2 THE WITNESS: I don't know about
3 specifics. But I know at one time before you
4 could -- you could go in the gate as a -- as a new
5 contractor, you had to go through a training film
6 in the guard shack, which was about 30 minutes.

7 BY MR. HOLDER:

8 Q. Okay. And did that training film --
9 did you ever see it?

10 A. I never seen it.

11 Q. Okay. So do you know one way or the
12 other whether that training film explained the
13 hazards of working around asbestos at the plant?

14 A. I do not.

15 Q. Okay. Do you specifically recall
16 talking to Teddy if he's watched that film?

17 A. No, I haven't.

18 Q. Okay. You just know of the film, and
19 understanding that policy that they had, you
20 assumed that at some point in time whenever that
21 was put in place, that after that if Teddy came
22 back as a contractor, he would have had to have
23 watched that film to come on site?

24 A. Yes.

25 Q. Okay. Now, you talked about prior to

1 1990 when the safety department offices were built
2 at Ethyl that you had to go down to the stockroom
3 and the workers had to rent out the safety
4 equipment and had to sign it out?

5 A. Right.

6 Q. Does that include the respirators?

7 A. Respirators, face masks, face shields.

8 Q. Paper suits?

9 A. Paper suits. Everything.

10 Q. Okay. And so would a respirator have a
11 certain number assigned to it?

12 A. No.

13 Q. Okay. So when you would check it out
14 or sign it out, would you just put your name and
15 then one respirator or whatever the piece of
16 equipment was?

17 A. Yes. We had to fill out a sheet of
18 paper.

19 Q. Okay.

20 A. And we'd put the stock number on it and
21 how many.

22 Q. And after 1990, did that change or did
23 y'all start going to the safety offices to get it
24 or did y'all still just have to go by the stockroom
25 and sign it out?

1 A. All that stuff come out the stockroom.

2 Q. Okay. So Ethyl has record, at least at
3 one time they did, of every time a worker or any
4 person rented out or signed out a respirator from
5 Ethyl, correct?

6 A. Yes.

7 DEFENSE COUNSEL: Object to the form.

8 BY MR. HOLDER:

9 Q. There was some talk looking at the
10 resums about the years -- the resumé that we had
11 looked at of Mr. Knight's, he had described working
12 at Ethyl from '77 to '80. Do you recall that?

13 DEFENSE COUNSEL: Object to the form.

14 THE WITNESS: I do recall it.

15 BY MR. HOLDER:

16 Q. And then counsel for Ethyl was asking
17 you that if he only worked for Yeargin in the 1979
18 year, you know, is Yeargin the employer or would
19 that have been the employment that he had with
20 Yeargin at Ethyl. Do you recall that?

21 A. Yes.

22 Q. Now, was there another employer that
23 Teddy was working for out at Ethyl that went by the
24 name Joe Bare?

25 A. I don't know if Joe Bare was the -- was

1 the owner of a company, but I do know he worked for
2 Joe Bare.

3 Q. Okay. At Ethyl?

4 A. Yes.

5 Q. Okay. So if Joe Bare -- if he was
6 working for Joe Bare who was the employer, is it
7 possible that could have been in the time before
8 '79 when Teddy thought he was at Ethyl the
9 beginning of '77?

10 DEFENSE COUNSEL: Object to the form.

11 THE WITNESS: I don't know.

12 BY MR. HOLDER:

13 Q. Okay. And do you know Joe Bare?

14 A. I've met him one time.

15 Q. Okay. And did he kind of head up a
16 construction outfit?

17 A. Yes.

18 Q. Okay. Did they do any specific
19 mechanical work or just anything general that
20 needed to be done?

21 A. I don't know.

22 Q. Okay. The Greenwood Mills job, I know
23 you said you only went one day. But you had
24 mentioned for another Masters job a tie-in to
25 preexisting piping?

1 A. Yes.

2 Q. Did Masters and specifically Teddy have
3 to perform any tie-in to preexisting lines at
4 Greenwood Mills?

5 A. Yes. That's the day I went to work out
6 there.

7 Q. They were tying in to old preexisting
8 lines; is that correct?

9 A. Yes.

10 Q. And that was in approximately 1973?

11 A. Yes.

12 Q. Now, you were being asked a bunch of
13 questions by counsel about paper mills and
14 Charleston County and things like that. Do you
15 recall that?

16 A. I do.

17 Q. Let me clarify because it seemed like
18 some of the questions were a little misleading. So
19 I want to give you the opportunity to see if we can
20 clarify.

21 DEFENSE COUNSEL: Object to the form.

22 BY MR. HOLDER:

23 Q. We've been looking at these exhibits,
24 and all the counsel have been using them to
25 reference different work sites and different

1 employers.

2 You were asked if you recalled from
3 this -- from Exhibit 5 if anywhere on here showed
4 any work for a paper mill or at a paper mill. And
5 you said you remembered him working at Eastover at
6 a paper mill when you were younger?

7 A. Right.

8 Q. Do you recall that generally?

9 A. (Witness moves head up and down.)

10 Q. Okay. I'm going to highlight another
11 entry on Exhibit 5 -- two entries. I'll show it to
12 you. That entry right there says Grinnell Corp.
13 Do you see that?

14 A. Yeah.

15 Q. And then it says Eastover?

16 DEFENSE COUNSEL: Object to the form.

17 THE WITNESS: Yes.

18 BY MR. HOLDER:

19 Q. Do you see that?

20 A. Yes.

21 Q. And the time frame, I believe, starts
22 in -- what is it? '68 or '69 and then goes to '72;
23 is that correct?

24 A. No.

25 Q. Read off the range.

1 A. It says 11/17/68 to 12/24/69.

2 Q. Okay.

3 A. That's what I think.

4 Q. Sure. And then in the entry
5 immediately below where it says Grinnell Corp and
6 Eastover, does it have quotation marks?

7 A. It does.

8 Q. Okay. And does it appear to you the
9 quotation marks indicate that it's repeated, the
10 same -- the same employer or the same work?

11 A. Yes.

12 Q. Okay. And then what is the date range
13 for that entry?

14 A. 1/70 and 4/25/71.

15 Q. Okay. Now, for that first entry from
16 '68 to December of '69 at Eastover, would that late
17 '60s time frame be when you were still living at
18 home?

19 DEFENSE COUNSEL: Object to the form.

20 THE WITNESS: Yes.

21 BY MR. HOLDER:

22 Q. Do you think that it's more likely than
23 not that that indication of an Eastover work in '68
24 and '69 is the Eastover paper mill you recall your
25 brother talking about?

1 DEFENSE COUNSEL: Object to the form.

2 THE WITNESS: Yes.

3 BY MR. HOLDER:

4 Q. Okay. You can set that down. Now --
5 you can set it down just right there.

6 He then -- the counsel that was asking
7 you about the paper mills then handed you Exhibit 6
8 and said that nowhere on there does it show any
9 work at a paper mill for Teddy. Do you remember
10 him asking you that?

11 A. I do.

12 DEFENSE COUNSEL: Object to the form.
13 Misstates the question.

14 BY MR. HOLDER:

15 Q. The record will speak for itself. And
16 then if you'll look for me right here, there's an
17 entry that says 1966 to 1971. And what does it say
18 there across from that 1966?

19 A. Miscellaneous and varied employments as
20 pipe fitter and welder, all in construction work.

21 Q. Okay. And does that date range line up
22 with the dates on Exhibit 5 for when he said he was
23 at Eastover?

24 DEFENSE COUNSEL: Object to the form.

25 THE WITNESS: Yes.

1 BY MR. HOLDER:

2 Q. Okay. Thank you. Do you believe that
3 during this '66 to '71 time period that is shown on
4 Exhibit 6 that at least some of the work he
5 performed during that time frame would have been at
6 the Eastover paper mill as indicated on Exhibit 5?

7 A. Yes.

8 DEFENSE COUNSEL: Object to the form.

9 BY MR. HOLDER:

10 Q. Okay. So, in fact, Exhibit 6 did
11 reference some work that you had previously
12 described at a paper mill just where it says
13 miscellaneous --

14 DEFENSE COUNSEL: Object to the form.

15 BY MR. HOLDER:

16 Q. -- is that fair?

17 A. Yes.

18 DEFENSE COUNSEL: Misstates testimony
19 and misquotes the document.

20 BY MR. HOLDER:

21 Q. Thank you.

22 And just one clarification, I think
23 that was a little blip on the dates: When you were
24 asked how long you worked at the sign company by
25 counsel, you said that you thought you finished

1 working at the sign company around '72.

2 You had described earlier starting at
3 Ethyl in the late '60s. Do you believe your work
4 at the sign company ended before you started your
5 first stint at Ethyl?

6 A. Yes.

7 Q. Okay.

8 A. Like I say, that was a long time ago.

9 Q. Oh, no, I completely understand.

10 You've told us you weren't great with years. But
11 you've been a real trooper to tax your memory as
12 well as you can.

13 In the Masters work generally,
14 especially in the propane tanks, did Teddy have to
15 perform valve work?

16 DEFENSE COUNSEL: Objection. Form.

17 THE WITNESS: Other than installing new
18 valves, no.

19 BY MR. HOLDER:

20 Q. No overhauls of old valves?

21 A. No.

22 Q. Okay. Do you believe he did that type
23 of work outside of the Masters when he was working
24 as a fitter and welder in other places?

25 A. No.

1 Q. Okay.

2 DEFENSE COUNSEL: Form.

3 BY MR. HOLDER:

4 Q. You've talked about a lot of safety
5 meetings that y'all had every week, and y'all would
6 go through different hazards and different
7 equipment that you were supposed to wear. At any
8 of those safety meetings prior to the one you
9 described happening in the mid-'80s where they
10 mentioned asbestos, did any of those previous
11 safety meetings ever warn y'all about the hazards
12 of asbestos that you come into contact with there
13 at Ethyl when working?

14 A. They told us that -- after they started
15 doing some of the abatement, they told us that if
16 we run across any asbestos just to stop what we was
17 doing and get the insulators to remove it.

18 Q. And they were assuming that you guys
19 could tell what the asbestos insulation looked like
20 just from looking at it, correct?

21 A. Yes, sir.

22 DEFENSE COUNSEL: Object to the form.

23 MR. HOLDER: Okay. I think that is all
24 the follow-up questions that I have for you at the
25 moment. There may be a few more follow-up, but

1 thank you so much for your time.

2 Any more follow-up?

3 MR. RHENEY: I've got one.

4 MR. SMOOT: Jonathan, I've got a few
5 follow-ups.

6 MR. HOLDER: Go ahead.

7 EXAMINATION

8 BY MR. SMOOT:

9 Q. Mr. Knight, can you hear me all right?

10 A. Yes, sir.

11 Q. My name is Ben Smoot. I represent
12 Starr Davis Company. You were asked by Mr. Holder
13 if you recall seeing Starr Davis at Ethyl.

14 Do you recall what your response was?

15 MR. HOLDER: He said no.

16 THE WITNESS: I said no.

17 MR. HOLDER: Yes. Sorry.

18 MR. SMOOT: Okay. Very good. I didn't
19 hear it.

20 Thank you. That's all the questions I
21 have.

22 MR. HOLDER: No problem, Ben. I'm
23 sorry about that.

24 All right. We got Stephanie Flynn --

25 MS. O'NEILL: I have some questions.

1 MR. HOLDER: Okay. You can go next.

2 EXAMINATION

3 BY MS. O'NEILL:

4 Q. Good afternoon, Mr. Knight. My name is
5 Elizabeth O'Neill, and I have a few follow-up
6 questions for you as well.

7 Is it correct that you never saw your
8 brother working on a Cleaver-Brooks boiler?

9 MR. HOLDER: Objection to form.

10 THE WITNESS: I don't recall.

11 BY MS. O'NEILL:

12 Q. You don't recall seeing him doing that;
13 is that correct?

14 A. I don't -- I don't remember seeing him
15 ever work on one directly.

16 Q. Thank you, sir. That is what I was
17 asking you.

18 When you said that he worked in the
19 power house at Ethyl, did you ever go visit him
20 there when he was doing that work or did you have
21 your own work you had to do?

22 MR. HOLDER: Objection to form.

23 THE WITNESS: Well, I was probably
24 fueling the crane at the time because it was right
25 there on the pad where he was working.

1 BY MS. O'NEILL:

2 Q. I'm sorry, sir. Can you repeat that?

3 It cut out a minute.

4 A. I was probably fueling the crane at the
5 time he was at the boiler. And that would have
6 been the only time I would have had contact with
7 him.

8 Q. And how long did it take to fuel that
9 crane?

10 A. About 30 minutes.

11 MS. O'NEILL: Thank you very much, sir.
12 Those are all my questions.

13 MR. HOLDER: Stephanie Flynn in the
14 room has some. Go ahead, Stephanie.

15 EXAMINATION

16 BY MS. FLYNN:

17 Q. Mr. Knight, I'm going to have the
18 chance to talk to you after all today. I just have
19 a couple of quick questions for you.

20 Do you recall seeing your brother Teddy
21 ever work on any pumps at Ethyl?

22 A. No.

23 Q. Okay. And did you ever see him working
24 around somebody else who was working on a pump?

25 A. Yes.

1 Q. Okay. And tell me about that. Where
2 was that?

3 A. It was at Plant 1.

4 Q. Okay. Do you know what kind of pump
5 that was?

6 A. Dean Brothers.

7 Q. And what were the circumstances that
8 brought him there to be around that work?

9 A. They were -- they were replacing the
10 pump with a different style pump.

11 Q. Okay. Was it just that one time or did
12 you see him at other times?

13 A. Just that one time is all I recall.

14 Q. Do you know when that was
15 approximately?

16 A. I have no idea.

17 Q. You were asked about Ingersoll-Rand
18 pumps specifically, and I think I understood you to
19 say that you did not know where they were
20 installed. And I inferred from that that you can
21 not confirm that there were any located in Building
22 Number 9; is that correct?

23 A. I cannot confirm that.

24 Q. Okay. And can you say that your
25 brother Teddy ever worked on or around an

1 Ingersoll-Rand pump at Ethyl?

2 A. I don't know that.

3 Q. Okay. And can you testify sitting here
4 today whether your brother Teddy was ever exposed
5 to any asbestos from an Ingersoll-Rand pump?

6 A. I don't know.

7 Q. Okay. And can you say when any
8 Ingersoll-Rand pump was installed at the site?

9 MR. HOLDER: Objection to form.

10 THE WITNESS: No.

11 MS. FLYNN: Thank you, Mr. Knight.

12 Those are all the question I have. I appreciate
13 it.

14 EXAMINATION

15 BY MS. LEE:

16 Q. Mr. Knight, this is Scottie Lee. I
17 have just a couple of questions.

18 MR. HOLDER: Go ahead.

19 BY MS. LEE:

20 Q. You were specifically asked,
21 Mr. Knight, about a company called Covil
22 Corporation. And I think you said that Covil sold
23 materials to Ethyl. Do you recall saying that?

24 A. I do.

25 Q. What is your basis for saying that?

1 A. Only by the trucks coming in and
2 unloading at the insulation building.

3 Q. Okay. And what did those trucks look
4 like?

5 MR. HOLDER: Objection to form.

6 THE WITNESS: Just trucks with an
7 enclosed back end on it.

8 BY MS. LEE:

9 Q. What color?

10 A. Oh, I can't remember that far back.

11 Q. You said those trucks went to the
12 insulation building. What building was that at
13 Ethyl?

14 A. That was behind the old stockroom.

15 Q. Okay. And where did those materials
16 go? I mean, would those materials have been used
17 in Plant 9?

18 A. They could have been used anywhere in
19 the plant.

20 Q. Do you know for a fact that they were?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: If they needed insulation
23 and they had it in that -- in that building, yeah.
24 They could have used it anywhere in the plant.

25 BY MS. LEE:

1 Q. And who is they, just to be clear?

2 A. We had our own insulators.

3 Q. Thank you. We, as in Ethyl?

4 A. Yes, ma'am.

5 Q. Okay. Do you know the brands or
6 manufacturers of the products that you think Covil
7 sold?

8 A. I do not.

9 Q. Did you ever see any of the packaging
10 of those products?

11 A. I probably did, but I don't remember.

12 Q. So you don't know what they looked
13 like?

14 A. I do not.

15 Q. Do you know whether the products
16 contained asbestos?

17 A. I don't know that either.

18 Q. During the time that you were working
19 at Ethyl, Mr. Knight, did you have any
20 responsibility for purchasing insulation products?

21 A. No, ma'am.

22 Q. Did you have any responsibility for
23 warehousing those products?

24 A. No, ma'am.

25 Q. Is it fair to say that you don't know

1 who actually supplied insulation products at Ethyl?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I know these folks and
4 North Brothers did.

5 BY MS. LEE:

6 Q. I'm sorry. Who is these folks?

7 A. See there --

8 MR. HOLDER: Covil. The one --

9 THE WITNESS: Covil and North Brothers.

10 BY MS. LEE:

11 Q. And that's based on just seeing a truck
12 that you think was a Covil truck?

13 A. Yes, ma'am.

14 MS. LEE: Okay. No further questions.

15 MR. STEIN: Hello. Andy Stein here. I
16 have a few follow-ups.

17 MR. HOLDER: Go ahead, Andy.

18 EXAMINATION

19 BY MR. STEIN:

20 Q. Mr. Knight, you just mentioned -- and I
21 want to make sure I heard it right -- but you saw
22 your brother working with another person on a Dean
23 pump. Is that what you said?

24 A. He was the foreman, and they had to
25 remove --

1 Q. I'm sorry?

2 A. He was -- he was a foreman at the time.
3 And they had -- they had a project to replace a
4 pump at Plant 1.

5 Q. Okay. Was that a one-day project? Do
6 you know anymore about that or what?

7 A. No, sir. I think it took them two days
8 because they had to pour concrete.

9 Q. All right. How did they go about
10 replacing the pump?

11 A. We pulled it out with the crane.

12 Q. Were you operating the crane then?

13 A. Yes, sir.

14 Q. All right. Do you know what kind of
15 pump it was?

16 A. Yes, sir. It was an old-style Dean
17 Brothers.

18 Q. I mean, do you know if it was a
19 centrifugal or reciprocating pump or do you know?

20 A. Oh, it was a centrifugal.

21 Q. Okay. When you pulled it out, I'm
22 assuming you mean they pulled it off-line of the
23 pipe; is that right?

24 A. Yes, sir.

25 Q. What did they do with it then?

1 A. I took it to the -- I loaded it on the
2 back of a pickup truck and followed it down to the
3 dump and dropped it in the bin -- in the trash --
4 in the metal bin.

5 Q. Okay. Is that all the interaction that
6 you and your brother and the foreman had with that
7 pump?

8 A. No, sir. I had to go back to set the
9 new one.

10 Q. Okay. I'm sorry. But the one you took
11 off-line, is that the only interaction you had with
12 it?

13 A. Yes, sir.

14 Q. Okay. And then you put a new one back
15 on-line, do you know what kind of pump that was?

16 A. That was also a Dean Brothers.

17 Q. Okay. How did you go about putting it
18 on -- back on-line.

19 A. Well, after -- after they poured the
20 concrete the next day, we set the pump and had to
21 tie the lines back into it.

22 Q. Okay. During this process, at any time
23 were any of the valves or gaskets replaced?

24 A. Yes, sir. Because the -- one of the
25 valves was leaking.

1 Q. Do you know how that was done?

2 A. Yes, sir. I do. It was on a brine
3 tank, and we got a new valve before we pulled the
4 old one off. And we just -- they just dropped the
5 valve to the ground and put the new -- after they
6 spent a few minutes getting that gasket off, it had
7 been there for 40 years, they put a new gasket and
8 new bolts and a new valve on it.

9 Q. Okay. And was that the only time, that
10 two-day, I guess, period of time you saw your
11 brother work with a Dean pump?

12 A. Yes, sir.

13 Q. All right. Do you know whether that
14 pump contained asbestos or not?

15 MR. HOLDER: Objection to form.

16 THE WITNESS: Yes, I do. That whole
17 section -- that whole tank and everything had
18 asbestos on it.

19 BY MR. STEIN:

20 Q. Why do you believe that?

21 MR. HOLDER: Objection to form.

22 THE WITNESS: Because I saw it. And
23 that pump hadn't -- that pump hadn't been moved in
24 over 20 years.

25 BY MR. STEIN:

1 Q. How do you know that it was a Dean
2 Brothers pump?

3 A. Because it had Dean Brothers on the
4 side of it.

5 Q. Can you describe that?

6 A. What you need me to describe?

7 Q. Well, just the -- what you saw as far
8 as the emblem or how do you know it said Dean
9 Brothers pump?

10 A. I can read.

11 Q. I don't mean to make light of that.

12 A. No, no.

13 Q. I'm just asking you --

14 A. I understand.

15 Q. -- to describe what you saw.

16 Is that all you remember, just the
17 name?

18 A. Yes, sir.

19 MR. STEIN: All right. That's all I
20 have. Thank you.

21 MR. HOLDER: Any other follow-up?

22 MR. HERNS: Yes.

23 EXAMINATION

24 BY MR. REID:

25 Q. Just a couple. Mr. Knight, you don't

1 happen to remember the brand of the valve on that
2 brine tank, do you?

3 COURT REPORTER: Who --

4 MR. HOLDER: That's Philip Reid.

5 Sorry.

6 THE WITNESS: The type -- the name
7 brand on the valve?

8 BY MR. REID:

9 Q. Right.

10 A. No, I don't.

11 Q. All right. Mr. Holder was asking you
12 some questions, and you mentioned Fisher valves
13 were present at Ethyl. What building were Fisher
14 valves in -- or I should say what plant?

15 A. They was all over the place. They was
16 in probably every plant.

17 Q. But you're not sure if they were in
18 Plant 9, true?

19 MR. HOLDER: Objection to form.

20 THE WITNESS: Yes, they were in Plant
21 9, too.

22 BY MR. REID:

23 Q. You're not aware of Teddy ever working
24 on any valves himself at Ethyl, right?

25 A. Yes, sir. I do not remember him --

1 Q. My statement is correct?

2 A. I do not remember him working on any
3 valves.

4 MR. REID: All right. Thank you.
5 Appreciate it. That's all.

6 MR. HOLDER: We have Lewis HERNs in the
7 room with a couple of follow-up.

8 EXAMINATION

9 BY MR. HERNs:

10 Q. Mr. Knight, Lewis HERNs again.
11 Appreciate your time.

12 I'm going to hand you Exhibit 5 and
13 point your attention to the Grinnell highlights on
14 that exhibit. And I believe there are two Grinnell
15 entries, one 11/17/68 to 12/24/69; and the second,
16 January of '70 to April 25th, '71. Do you see
17 those?

18 A. Yes, sir.

19 Q. You were not working with your brother
20 Teddy at any of those job sites or for Grinnell?

21 A. No, sir.

22 Q. And you don't know what he was doing
23 when he was employed with Grinnell; is that
24 correct?

25 MR. HOLDER: Objection to form.

1 THE WITNESS: I do not.

2 BY MR. HERNS:

3 Q. And that document does not say what
4 type of facilities he was working in, does it?

5 A. It does not.

6 Q. And Exhibit 5 also does not say that he
7 worked at a paper mill, does it?

8 A. It does not.

9 Q. And it also, Exhibit 5, does not say
10 that while employed with Grinnell that he worked at
11 a paper mill in Eastover, South Carolina?

12 A. It does not.

13 Q. Okay. Now, I believe you testified
14 that you overheard a conversation between your
15 parents and your brother Teddy about a paper mill
16 job?

17 A. Yes.

18 Q. Okay. And I believe you stated that
19 that was in Eastover, South Carolina?

20 A. Yes, sir.

21 Q. Now, you never spoke with Teddy about
22 any Eastover job -- South Carolina job that he did
23 at a paper mill?

24 A. Did not.

25 Q. Okay. And so you don't know anything

1 concerning what he did at any Eastover, South
2 Carolina, paper mill while employed with Grinnell?

3 MR. HOLDER: Objection to form.

4 THE WITNESS: No, sir. I do not.

5 BY MR. HERNS:

6 Q. Okay. You weren't there, were you?

7 A. No, sir.

8 Q. Okay. You don't know if he was exposed
9 to asbestos while he was employed at any Eastover
10 paper mill while he was employed with Grinnell?

11 MR. HOLDER: Objection to form.

12 THE WITNESS: I don't know.

13 MR. HOLDER: Asked and answered.

14 BY MR. HERNS:

15 Q. And you have no personal knowledge
16 concerning any work that he did for Grinnell in an
17 Eastover facility -- any Eastover facility?

18 MR. HOLDER: Objection to form.

19 THE WITNESS: No, sir.

20 BY MR. HERNS:

21 Q. Okay. Now, handing you Exhibit 6,
22 which Mr. Holder highlighted the -- I think '66 to
23 '71 years on that document. Do you see that?

24 A. Yes, sir.

25 Q. Okay. It just says miscellaneous

1 employment, correct?

2 A. Yes, sir.

3 Q. It doesn't mention Grinnell?

4 A. Does not.

5 Q. It doesn't mention who employed him
6 anywhere, correct?

7 A. No, sir.

8 Q. And it doesn't say he worked at a paper
9 mill?

10 A. It does not.

11 Q. And it doesn't say that he worked at a
12 paper mill in Eastover, South Carolina?

13 A. It does not.

14 Q. And you did not work with him during
15 that time period, 1966 to 1971, correct?

16 A. No, sir.

17 Q. And so you would have no personal
18 knowledge as to where he worked and what he was
19 doing?

20 A. None.

21 MR. HOLDER: Objection to form.

22 Misstatements testimony.

23 BY MR. HERNS:

24 Q. And you do not know if he was exposed
25 to asbestos at any miscellaneous job sites as noted

1 on Exhibit 6?

2 MR. HOLDER: Objection to form.

3 THE WITNESS: I do not know.

4 BY MR. HERNS:

5 Q. Okay. And you have no personal
6 knowledge as to what Teddy was doing at the
7 miscellaneous jobs noted on Exhibit 6?

8 A. I do not.

9 MR. HOLDER: Objection to form. Asked
10 and answered.

11 MR. HERNS: Thank you, sir.

12 DEFENSE COUNSEL: Hey, while y'all are
13 swapping up --

14 MR. HOLDER: I need --

15 DEFENSE COUNSEL: -- is David Traylor
16 in the room?

17 MR. HOLDER: We're going off the
18 record.

19 (Off-the-record conference.)

20 EXAMINATION

21 BY MR. RHENEY:

22 Q. David Rheney again. I just had a quick
23 question for you.

24 We were talking about it, and you were
25 asked by me and Mr. Holder a little while ago about

1 the one day at Greenwood Mills when y'all were
2 putting in a propane tank behind the plant
3 somewhere?

4 A. Right.

5 Q. And Mr. Holder asked you about tying in
6 to old lines or something like that. Do you
7 remember that?

8 A. Yes, sir.

9 Q. When I was asking you -- when I
10 questioned you a while ago, I asked if you had any
11 reason to suspect that Teddy was exposed to
12 asbestos doing that work; and you said you had no
13 reason to believe that.

14 A. Right.

15 Q. Is that still correct?

16 A. Yes, sir.

17 Q. So tying in to old lines doesn't mean
18 he was exposed to asbestos, does it?

19 MR. HOLDER: Objection to form.

20 THE WITNESS: No, it does not.

21 MR. RHENEY: Okay. Thank you, sir.

22 MR. HOLDER: I only have about two
23 follow-up questions. Let me knock those out.

24 EXAMINATION

25 BY MR. HOLDER:

1 Q. Jonathan Holder again for the
2 Plaintiff. Just a few follow-ups.

3 At least just speaking directly to
4 Greenwood Mills that you were just being asked
5 about, do you recall when you were there those
6 lines that were being tied in to, had the
7 preexisting lines been insulated?

8 DEFENSE COUNSEL: Object to the form.

9 THE WITNESS: No.

10 BY MR. HOLDER:

11 Q. Okay. You were also asked when you
12 were being asked about the Dean Brothers pump at
13 Ethyl. And you were asked if you thought Teddy was
14 exposed to asbestos during that work, and you said
15 probably because of -- it had asbestos all over it.
16 Or --

17 DEFENSE COUNSEL: Object to form.

18 BY MR. HOLDER:

19 Q. Do you recall that? Sorry. Do you
20 recall that?

21 DEFENSE COUNSEL: Same objection.

22 THE WITNESS: I do.

23 BY MR. HOLDER:

24 Q. Okay. When you said asbestos all over
25 it, did you mean asbestos insulation?

1 DEFENSE COUNSEL: Same objection.

2 THE WITNESS: Yes.

3 BY MR. HOLDER:

4 Q. And that insulation would have been
5 obviously disturbed during the removal; is that
6 correct?

7 DEFENSE COUNSEL: Object to form.

8 THE WITNESS: Yes.

9 BY MR. HOLDER:

10 Q. Okay. And that would be the asbestos
11 source that you believe would have exposed your
12 brother from the Dean pump, correct?

13 DEFENSE COUNSEL: Object to form.

14 THE WITNESS: Yes.

15 MR. HOLDER: Okay. That's the only
16 follow-ups that I had.

17 MR. PHILLIPS: I've got a few more now.

18 MR. HOLDER: We're getting close.

19 THE WITNESS: I'm getting antsy.

20 EXAMINATION

21 BY MR. PHILLIPS:

22 Q. Mark Phillips again. We talked at
23 length, you and I, after you had spoken with
24 Jonathan Holder about your brother's work at Ethyl
25 Chemical. Do you remember that?

1 A. Yes, sir.

2 Q. And the first part of that was a couple
3 of weeks in -- about early to middle August of
4 1968, and you said for that period, you don't know
5 what he was doing there?

6 A. Right.

7 Q. And you said you saw him a single time,
8 a single day at the power plant, and you don't know
9 what kind of work he was doing there as we
10 discussed?

11 A. All I know is they were -- they were
12 replacing lines.

13 Q. Okay. And you worked when you were in
14 maintenance at Plant 5, Plant 8 and Plant 4?

15 MR. HOLDER: Objection to form.

16 THE WITNESS: Right.

17 BY MR. PHILLIPS:

18 Q. And then during the late 1970s when
19 your brother was working for Yeargin Construction,
20 to the extent he was there, you said he was at
21 Plant 9 doing new construction, right?

22 A. To my knowledge, yes.

23 Q. Okay. So when did you see him ever at
24 Plant 1 when you were working a crane to remove a
25 pump?

1 A. It would have been after that. After
2 Plant 9.

3 Q. I see. So sometime subsequent to that?

4 A. Yes, sir.

5 Q. All right. Let's see. So is it fair
6 to say it would be probably in the 1980s?

7 A. Yes, sir.

8 MR. PHILLIPS: All right. I think
9 that's all I got. Thank you.

10 MR. HOLDER: Anyone else? Going once,
11 going twice.

12 Off the record.

13 (The witness, after having been advised
14 of his right to read and sign this transcript, does
15 not waive that right.)

16 (This deposition was concluded at 1:11
17 PM.)

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CERTIFICATE OF REPORTER

I, Marie McCollum, Court Reporter and
Notary Public for the State of South Carolina at
Large, do hereby certify that the foregoing
transcript is a true, accurate, and complete
record.

I further certify that I am neither
related to nor counsel for any party to the cause
pending or interested in the events thereof.

Witness my hand, I have hereunto
affixed my official seal this 24th day of March,
2020 at Charleston County, South Carolina.



Marie McCollum,
Court Reporter
My Commission expires
November 8, 2027

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1 I have read the foregoing transcript of my deposition,
2 and find it to be true and accurate to the best
3 of my knowledge and belief.

4
5 _____
6 KENNETH R. KNIGHT

7 Sworn and subscribed to before me on
8 this _____ day
9 of _____ 2020

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13 Notary_____

14 My Commission Expires_____
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ERRATA SHEET
Priority-One Court Reporting/Veritext
718-983-1234
ASSIGNMENT NO. P1-4004945
CASE NAME: Knight v. Asbestos
DATE OF DEPOSITION: 3/19/2020
WITNESS' NAME: Kenneth R Knight

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Kenneth R Knight
(Notary not required in California)
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BEFORE ME THIS ____ DAY
OF _____, 2020.

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MY COMMISSION EXPIRES _____

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South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND) FOR THE FIFTH JUDICIAL CIRCUIT

EDWARD R. MORGAN, SR. and) C/A NO. 2020-CP-40-_____
DOROTHY A. MORGAN,)

Plaintiffs,)

v.)

In Re:
Asbestos Personal Injury Litigation
Coordinated Docket

ARMSTRONG INTERNATIONAL, INC.)

3M COMPANY)

4520 CORP., INC.)

SUMMONS

A.W. CHESTERTON COMPANY)

AECOM ENERGY & CONSTRUCTION, INC.)

AIR & LIQUID SYSTEMS CORPORATION)

AURORA PUMP COMPANY)

AWT AIR COMPANY, INC.)

BAHNSON, INC.)

BONITZ, INC.)

THE BROCK GROUP INC.)

BROCK SERVICES, LLC)

CARBOLINE COMPANY)

CELANESE CORPORATION)

CNA HOLDINGS LLC)

COPE-S-VULCAN, INC.)

COVIL CORPORATION)

CRANE CO.)

PLAINTIFF'S
EXHIBIT

24A

CRANE INSTRUMENTATION & SAMPLING, INC.	)
	)
CROSBY VALVE, LLC	)
	)
DANA COMPANIES, LLC	)
	)
DANIEL INTERNATIONAL CORPORATION	)
	)
DAVIS-STANDARD, LLC	)
	)
ECODYNE CORPORATION	)
	)
EMERSON ELECTRIC CO.	)
	)
ENGIE NORTH AMERICA INC.	)
	)
ENSTAR (US) INC.	)
	)
ERICSSON INC.	)
	)
FISHER CONTROLS INTERNATIONAL, LLC	)
	)
FLOWSERVE CORPORATION	)
	)
FLOWSERVE US INC.	)
	)
FLUOR CONSTRUCTORS INTERNATIONAL	)
	)
FLUOR CONSTRUCTORS INTERNATIONAL, INC.	)
	)
FLUOR DANIEL SERVICES CORPORATION	)
	)
FLUOR ENTERPRISES, INC.	)
	)
FMC CORPORATION	)
	)
FOSTER WHEELER ENERGY CORPORATION	)
	)
GARDNER DENVER NASH, LLC	)
	)
GDF SUEZ ENERGY DEVELOPMENT NA, LLC	)
	)

GENERAL CABLE CORPORATION)
GENERAL CABLE INDUSTRIES, INC.)
GENERAL ELECTRIC COMPANY)
GENUINE PARTS COMPANY)
GG OF FLORIDA, INC.)
GREAT BARRIER INSULATION CO.)
GREENE, TWEED & CO., INC.)
HAMON RESEARCH-COTTRELL, INC.)
HOLLINGSWORTH & VOSE COMPANY)
HONEYWELL INTERNATIONAL, INC.)
IMO INDUSTRIES INC.)
ITT LLC)
JACOBS ENGINEERING GROUP INC.)
JOHN CRANE INC.)
KADANT BLACK CLAWSON, LLC)
METROPOLITAN LIFE INSURANCE)
COMPANY)
MORSE TEC LLC)
NEW-INDY CATAWBA LLC)
NEW-INDY CONTAINERBOARD LLC)
OCCIDENTAL CHEMICAL CORPORATION)
PLASTICS ENGINEERING COMPANY)
PNEUMO ABEX LLC)
PPG INDUSTRIES, INC.)

RESOLUTE FP US INC.)
)
RILEY POWER INC.)
)
ROCKWELL AUTOMOATION, INC.)
)
ROGERS CORPORATION)
)
RUST ENGINEERING & CONSTRUCTION,)
INC.)
)
RUST INTERNATIONAL INC.)
)
SCHNEIDER ELECTRIC USA, INC.)
)
SOUTHERN INSULATION, INC.)
)
SPI LLC)
)
SPIRAX SARCO, INC.)
)
SPRINGS INDUSTRIES, INC.)
)
SPX COOLING TECHNOLOGIES, INC.)
)
STARR DAVIS COMPANY, INC.)
)
STARR DAVIS COMPANY OF S.C., INC.)
)
STERLING FLUID SYSTEMS (USA), LLC)
)
THE OKONITE COMPANY, INC.)
)
THE WILLIAM POWELL COMPANY)
)
TUTOR PERINI CORPORATION)
)
UNION CARBIDE CORPORATION)
)
UNIROYAL HOLDING INC.)
)
UNITED CONVEYOR CORPORATION)
)
UNITED STATES FIDELITY AND)
GUARANTY COMPANY)
)

UNITED STATES STEEL CORPORATION	)
	)
VALMET INC.	)
	)
VIACOMCBS INC.	)
	)
WARREN PUMPS LLC	)
	)
WESTERN AUTO SUPPLY COMPANY	)
	)
XYLEM, INC.	)
	)
ZURICH AMERICAN INSURANCE	)
COMPANY	)
	)
ZURN INDUSTRIES, LLC	)
	)
Defendants.	)
_____	)

SUMMONS

TO DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the Plaintiffs' counsel, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service. If you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Respectfully submitted,

s/Theile B. McVey

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Dallas, TX 75202

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jdean@dobslegal.com

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ATTORNEYS FOR PLAINTIFFS

December 4, 2020

Columbia, South Carolina.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

EDWARD R. MORGAN, SR. and
DOROTHY A. MORGAN,

Plaintiffs,

v.

ARMSTRONG INTERNATIONAL, INC.

3M COMPANY
f/k/a MINNESOTA MINING AND
MANUFACTURING COMPANY

4520 CORP., INC.
as successor-in-interest to BENJAMIN F.
SHAW COMPANY

A.W. CHESTERTON COMPANY

AECOM ENERGY & CONSTRUCTION,
INC., individually, and as successor-in-interest
to YEARGIN CONSTRUCTION COMPANY,
INC.

AIR & LIQUID SYSTEMS CORPORATION
individually and as successor-in-interest to
BUFFALO PUMPS, INC.

AURORA PUMP COMPANY

AWT AIR COMPANY, INC.
f/k/a RESEARCH-COTTRELL, INC.

BAHNSON, INC.

BONITZ, INC.
individually and as successor-in-interest to
BONITZ INSULATION CO. OF SOUTH
CAROLINA

THE BROCK GROUP INC.
individually and as successor-in-interest to

C/A NO. 2020-CP-40-_____

In Re:
Asbestos Personal Injury Litigation
Coordinated Docket

Living Lung Cancer and Asbestosis

COMPLAINT

(Jury Trial Demanded)

BASIC INDUSTRIES, INC. f/k/a BASIC)
INSULATION, INC.)
)
BROCK SERVICES, LLC)
individually and as successor-in-interest to)
BASIC INDUSTRIES, INC. f/k/a BASIC)
INSULATION, INC.)
)
CARBOLINE COMPANY)
)
CELANESE CORPORATION)
)
CNA HOLDINGS LLC)
f/k/a CELANESE CORPORATION f/k/a)
HOECHST CELANESE CORPORATION,)
individually and as successor in-interest-to)
FIBER INDUSTRIES, INC.)
)
COPE-S-VULCAN, INC.)
)
COVIL CORPORATION)
)
CRANE CO.)
)
CRANE INSTRUMENTATION &)
SAMPLING, INC.)
f/k/a CIRCOR INSTRUMENTATION)
TECHNOLOGIES, INC. f/k/a HOKE INC.)
)
CROSBY VALVE, LLC)
)
DANA COMPANIES, LLC)
individually, and as successor-by-merger to)
DANA CORPORATION)
)
DANIEL INTERNATIONAL)
CORPORATION)
)
DAVIS-STANDARD, LLC)
)
ECODYNE CORPORATION)
)
EMERSON ELECTRIC CO.)
)
ENGIE NORTH AMERICA INC.)
individually and as successor-in-interest to)
)

GDF SUEZ ENERGY DEVELOPMENT NA,)
LLC successor-in-interest to CRSS INC.)
)
ENSTAR (US) INC.)
individually, and as successor-in-interest to)
ZURICH AMERICAN INSURANCE)
COMPANY and as the alter ego to COVIL)
CORPORATION)
)
ERICSSON INC.)
individually, and as successor-in-interest to)
ANACONDA WIRE & CABLE COMPANY)
)
FISHER CONTROLS INTERNATIONAL,)
LLC)
)
FLOWERVE CORPORATION)
f/k/a THE DURIRON COMPANY INC.)
)
FLOWERVE US INC.)
individually, and as successor-in-interest to)
EDWARD VALVES, INC., as successor-in-)
interest to LAWRENCE PUMPS, INC., and as)
successor-in-interest to ROCKWELL)
MANUFACTURING COMPANY)
)
FLUOR CONSTRUCTORS)
INTERNATIONAL)
f/k/a FLUOR CORPORATION)
)
FLUOR CONSTRUCTORS)
INTERNATIONAL, INC.)
)
FLUOR DANIEL SERVICES)
CORPORATION)
)
FLUOR ENTERPRISES, INC.)
)
FMC CORPORATION)
on behalf of its former Peerless Pump busines)
)
FOSTER WHEELER ENERGY)
CORPORATION)
)
GARDNER DENVER NASH, LLC)
individually and as successor-in-interest to THE)
NASH ENGINEERING COMPANY)

GDF SUEZ ENERGY DEVELOPMENT NA, LLC, individually and as successor-in-interest to CRSS INC.

GENERAL CABLE CORPORATION

GENERAL CABLE INDUSTRIES, INC.
f/k/a GENERAL CABLE CORPORATION

GENERAL ELECTRIC COMPANY

GENUINE PARTS COMPANY
d/b/a NAPA

GG OF FLORIDA, INC.
f/k/a HIGBEE, INC.

GREAT BARRIER INSULATION CO.

GREENE, TWEED & CO., INC.

HAMON RESEARCH-COTTRELL, INC.

HOLLINGSWORTH & VOSE COMPANY

HONEYWELL INTERNATIONAL, INC.
individually, and as successor-in-interest to ALLIED SIGNAL, INC., as successor to BENDIX CORPORATION

IMO INDUSTRIES INC.

ITT LLC
f/k/a ITT CORPORATION, ITT INDUSTRIES INC., ITT FLUID PRODUCTS CORP., HOFFMAN SPECIALTY MFG. CORP., BELL and GOSSETT COMPANY, and ITT MARLOW

JACOBS ENGINEERING GROUP INC.
individually and as successor-in-interest to J.E. SIRRINE COMPANY

JOHN CRANE INC.

KADANT BLACK CLAWSON, LLC

individually and as successor-in-interest to)
THERMO FIBERTECK INC.)
)
METROPOLITAN LIFE INSURANCE)
COMPANY, a wholly-owned subsidiary of)
METLIFE INC.)
)
MORSE TEC LLC)
f/k/a BORGWARNER MORSE TEC LLC, and)
successor-by-merger to BORG-WARNER)
CORPORATION)
)
NEW-INDY CATAWBA LLC)
)
NEW-INDY CONTAINERBOARD LLC)
individually, and as successor-in-interest to)
RESOLUTE FP US, INC.)
)
OCCIDENTAL CHEMICAL)
CORPORATION)
as successor to DUREZ CORPORATION)
)
PLASTICS ENGINEERING COMPANY)
d/b/a PLENCO)
)
PNEUMO ABEX LLC)
successor-in-interest to ABEX CORPORATION)
)
PPG INDUSTRIES, INC.)
)
RESOLUTE FP US INC.)
f/k/a BOWATER, INCORPORATED)
)
RILEY POWER INC.)
f/k/a BABCOCK BORSIG POWER INC.,)
f/k/a DB RILEY, INC., f/k/a RILEY STOKER)
CORPORATION)
)
ROCKWELL AUTOMATION, INC.)
individually and as successor-in-interest to)
ALLEN-BRADLEY COMPANY LLC f/k/a)
ROCKWELL INTERNATIONAL)
CORPORATION)
)
ROGERS CORPORATION)
)
)

RUST ENGINEERING & CONSTRUCTION, INC.)
individually and as successor-in-interest to)
SIRRINE ENVIRONMENTAL CONSULTANTS, INC.)
)
RUST INTERNATIONAL INC.)
individually and as successor-in-interest to)
SIRRINE ENVIRONMENTAL CONSULTANTS, INC.)
)
SCHNEIDER ELECTRIC USA, INC.)
f/k/a SQUARE D COMPANY)
)
SOUTHERN INSULATION, INC.)
)
SPI LLC)
a/k/a SPECIALTY PRODUCTS AND)
INSULATION LLC, individually and as)
successor-in-interest to PRESNELL)
INSULATION CO., INC.)
)
SPIRAX SARCO, INC.)
)
SPRINGS INDUSTRIES, INC.)
)
SPX COOLING TECHNOLOGIES, INC.)
individually and successor-in-interest to)
MARLEY COOLING TOWERS CO.)
)
STARR DAVIS COMPANY, INC.)
)
STARR DAVIS COMPANY OF S.C., INC.)
)
STERLING FLUID SYSTEMS (USA), LLC)
)
THE OKONITE COMPANY, INC.)
)
THE WILLIAM POWELL COMPANY)
)
TUTOR PERINI CORPORATION)
individually, and as successor-in-interest to)
YEARGIN CONSTRUCTION COMPANY,)
INC.)
)
UNION CARBIDE CORPORATION)
)

UNIROYAL HOLDING INC.)
f/k/a UNITED STATES RUBBER COMPANY,)
INC.)
)
UNITED CONVEYOR CORPORATION)
)
UNITED STATES FIDELITY AND)
GUARANTY COMPANY)
individually, and as the alter ego to COVIL)
CORPORATION)
)
UNITED STATES STEEL CORPORATION)
)
VALMET INC.)
individually and as successor-in-interest to)
GL&V PAPER MACHINE GROUP, INC.)
)
VIACOMCBS INC.)
f/k/a CBS CORPORATION, a Delaware)
corporation f/k/a VIACOM, INC., successor-by-)
merger to CBS CORPORATION, a)
Pennsylvania corporation, f/k/a)
WESTINGHOUSE ELECTRIC)
CORPORATION)
)
WARREN PUMPS LLC)
)
WESTERN AUTO SUPPLY COMPANY)
d/b/a ADVANCE AUTO PARTS)
)
XYLEM, INC.)
on behalf of its Standard Xchange division f/k/a)
ITT STANDARD successor-in-interest to ROSS)
HEATER MANUFACTURING COMPANY)
INC.)
)
ZURICH AMERICAN INSURANCE)
COMPANY, a/k/a ZURICH NORTH)
AMERICA, INC. individually, and as the alter)
ego to COVIL CORPORATION)
)
ZURN INDUSTRIES, LLC)
individually and as successor-in-interest to)
ZURN INDUSTRIES, INC.)
)
)
Defendants.)
)

PLAINTIFFS' ORIGINAL COMPLAINT

Plaintiffs, EDWARD R. MORGAN, SR. and DOROTHY A. MORGAN (hereinafter "Plaintiffs"), sue the named Defendants for compensatory and punitive damages, by and through their attorneys, and come before this court and allege as follows:

GENERAL ALLEGATIONS

1. Plaintiff Edward R. Morgan, Sr. has been diagnosed with lung cancer.
2. This Court has personal jurisdiction over Defendants because Plaintiffs' claims arise from Defendants' conduct in:
 - (a) Transacting business in this State, including the sale, supply, purchase, and/or use of asbestos and/or asbestos-containing products, within this State;
 - (b) Contracting to supply services or things in the State;
 - (c) Commission of a tortious act in whole or in part in this State;
 - (d) Having an interest in, using, or possessing real property in this State; and/or
 - (e) Entering into a contract to be performed in whole or in part by either party in this State.
3. Each Defendant, or its predecessors in interest, that manufactured, sold, and/or distributed asbestos-containing products or raw asbestos materials for use in South Carolina and other states at times relevant to this action are referred to herein as "Product Defendants." At all times relevant to this action, the Product Defendants and the predecessors of the Product Defendants for whose actions the Product Defendants are legally responsible, were engaged in the manufacture, sale and distribution of asbestos-containing products and raw materials.
4. Each Defendant, or its predecessors in interest, that owned and/or controlled the work sites where Plaintiff Edward R. Morgan, Sr. experienced occupational exposure as a result

of working with and around others working with asbestos and/or asbestos-containing products, materials, or equipment in his immediate vicinity are referred to herein as the “Premises Defendants.” At all times relevant to this action:

- (a) the Premises Defendants owned the property and approved the use of asbestos-containing materials on its premises.
- (b) the Premises Defendants invited the Plaintiff Edward R. Morgan, Sr., as a worker, on to Defendant’s premises to perform work for Defendant’s benefit. Plaintiff was an invitee who had express permission to enter Defendant’s premises for the purpose of benefitting the owner (Defendant).
- (c) the Premises Defendants owed a duty of due care to discover risks and take safety precautions to warn of and eliminate unreasonable risks.
- (d) the Premises Defendants’ failure to warn of or eliminate the unreasonable risks associated with working on or around asbestos-containing materials on Defendants’ premises was a substantial factor contributing to cause Plaintiff Edward R. Morgan, Sr.’s lung cancer.

5. Plaintiffs’ claims against the Product Defendants, as defined herein, arise out of Defendants’ purposeful efforts to serve directly or indirectly the market for their asbestos and/or asbestos-containing products in this State, either through direct sales or through utilizing an established distribution channel with the expectation that their products would be purchased and/or used within South Carolina.

6. Plaintiffs’ claims against the Premises Defendants, as defined herein, arise out of Defendants’ ownership and/or control of real property located in South Carolina and/or North Carolina, and the purchase and use of asbestos-containing products on their premises located in South Carolina and/or North Carolina, and/or contracting with the employer of Plaintiff Edward R. Morgan, Sr. in South Carolina and/or North Carolina for Plaintiff and others to cross state lines to work on Defendant’s premises.

7. All of the named Defendants are corporations who purposefully availed themselves of the privilege of doing business in this State, and whose substantial and/or systematic business

in South Carolina exposed Plaintiff Edward R. Morgan, Sr. to asbestos in this State, subjecting them to the jurisdiction of the South Carolina courts pursuant to the South Carolina Long-Arm Statute and the United States Constitution.

8. Plaintiff Edward R. Morgan, Sr.'s cumulative exposure to asbestos as a result of acts and omissions of Defendants and their defective products, individually and together, was a substantial factor in causing Plaintiff Edward R. Morgan, Sr.'s lung cancer and other related injuries and therefore under South Carolina law, is the legal cause of Plaintiff's injuries and damages.

9. Plaintiffs were not aware at the time of exposure that asbestos or asbestos-containing products presented any risk of injury and/or disease.

10. Plaintiff Edward R. Morgan, Sr. worked with, or in close proximity to others who worked with, asbestos-containing materials including but not limited to asbestos-containing products and other asbestos-containing materials manufactured and/or sold by Defendants identified above.

11. Each of the named Defendants is liable for damages stemming from its own tortious conduct or the tortious conduct of an "alternate entity" as hereinafter defined. Defendants are liable for the acts of their "alternate entity" and each of them, in that there has been a corporate name change, Defendant is the successor by merger, by successor in interest, or by other acquisition resulting in a virtual destruction of Plaintiffs' remedy against each such "alternate entity"; Defendants, each of them, have acquired the assets, product line, or a portion thereof, of each such "alternate entity"; such "alternate entities" have acquired the assets, product line, or a portion thereof of each such Defendant; Defendants, and each of them, caused the destruction of Plaintiffs' remedy against each such "alternate entity"; each such Defendant has the ability to

assume the risk-spreading role of each such “alternate entity;” and that each such defendant enjoys the goodwill originally attached to each “alternate entity.”

DEFENDANT	ALTERNATE ENTITY
3M COMPANY	MINNESOTA MINING AND MANUFACTURING COMPANY
4520 CORP., INC.	BENJAMIN F. SHAW COMPANY
AECOM ENERGY & CONSTRUCTION, INC.	YEARGIN CONSTRUCTION COMPANY, INC.
AIR & LIQUID SYSTEMS CORPORATION	BUFFALO PUMPS, INC.
AWT AIR COMPANY, INC.	RESEARCH-COTTRELL, INC.
BONITZ, INC.	BONITZ INSULATION CO. OF SOUTH CAROLINA
THE BROCK GROUP INC.	BASIC INDUSTRIES, INC., BASIC INSULATION, INC.
BROCK SERVICES, LLC.	BASIC INDUSTRIES, INC., BASIC INSULATION, INC.
CNA HOLDINGS LLC	CELANESE CORPORATION, HOECHST CELANESE CORPORATION, FIBER INDUSTRIES, INC.
CRANE INSTRUMENTATION & SAMPLING, INC.	CIRCOR INSTRUMENTATION TECHNOLOGIES, INC. and HOKE INC.
DANA COMPANIES, LLC	DANA CORPORATION
ENGIE NORTH AMERICA INC.	GDF SUEZ ENERGY DEVELOPMENT NA, LLC and CRSS INC.
ENSTAR (US) INC.	ZURICH AMERICAN INSURANCE COMPANY and COVIL CORPORATION
ERICSSON INC.	ANACONDA WIRE & CABLE COMPANY

DEFENDANT	ALTERNATE ENTITY
FLOWERVE CORPORATION	THE DURIRON COMPANY INC.
FLOWERVE US INC.	EDWARD VALVES, INC., LAWRENCE PUMPS, INC., ROCKWELL MANUFACTURING COMPANY
FLUOR CONSTRUCTORS INTERNATIONAL	FLUOR CORPORATION
FMC CORPORATION	on behalf of its former Peerless Pump business
GARDNER DENVER NASH, LLC	THE NASH ENGINEERING COMPANY
GDF SUEZ ENERGY DEVELOPMENT NA, LLC	CRSS INC.
GENERAL CABLE INDUSTRIES, INC.	GENERAL CABLE CORPORATION
GENUINE PARTS COMPANY	NAPA
GG OF FLORIDA, INC.	HIGBEE, INC.
HONEYWELL INTERNATIONAL, INC.	ALLIED SIGNAL, INC., BENDIX CORPORATION
ITT LLC	ITT CORPORATION, ITT INDUSTRIES, INC., ITT FLUID PRODUCTS CORP., HOFFMAN SPECIALTY MFG. CORP., BELL and GOSSETT COMPANY, and ITT MARLOW
JACOBS ENGINEERING GROUP INC.	J.E. SIRRINE COMPANY
KADANT BLACK CLAWSON, LLC	THERMO FIBERTECK INC.
METROPOLITAN LIFE INSURANCE COMPANY	METLIFE INC.
MORSE TEC LLC	BORGWARNER MORSE TEC LLC and BORG-WARNER CORPORATION

DEFENDANT	ALTERNATE ENTITY
NEW-INDY CONTAINERBOARD LLC	RESOLUTE FP US, INC.
OCCIDENTAL CHEMICAL CORPORATION	DUREZ CORPORATION
PLASTICS ENGINEERING COMPANY	PLENCO
PNEUMO ABEX LLC	ABEX CORORATION
RESOLUTE FP US INC.	BOWATER, INCORPORATED
RILEY POWER INC.	BABCOCK BORSIG POWER INC., DB RILEY INC., RILEY STOKER CORPORATION
ROCKWELL AUTOMATION, INC.	ALLEN-BRADLEY COMPANY LLC, ROCKWELL INTERNATIONAL CORPORATION
RUST ENGINEERING & CONSTRUCTION, INC.	SIRRINE ENVIRONMENTAL CONSULTANTS, INC.
RUST INTERNATIONAL INC.	SIRRINE ENVIRONMENTAL CONSULTANTS, INC.
SCHNEIDER ELECTRIC USA, INC.	SQUARE D COMPANY
SPI LLC	SPECIALTY PRODUCTS AND INSULATION LLC, PRESNELL INSULATION CO., INC.
SPX COOLING TECHNOLOGIES, INC.	MARLEY COOLING TOWERS CO.
TUTOR PERINI CORPORATION	YEARGIN CONSTRUCTION COMPANY, INC.
UNIROYAL HOLDING INC.	UNITED STATES RUBBER COMPANY, INC.

DEFENDANT	ALTERNATE ENTITY
UNITED STATES FIDELITY AND GUARANTY COMPANY	as the alter ego to COVIL CORPORATION
VALMET INC.	GL&V PAPER MACHINE GROUP, INC.
VIACOMCBS INC.	CBS CORPORATION, a Delaware corporation f/k/a VIACOM, INC., successor-by-merger to CBS CORPORATION, a Pennsylvania corporation, f/k/a WESTINGHOUSE ELECTRIC CORPORATION
WESTERN AUTO SUPPLY COMPANY	ADVANCE AUTO PARTS
XYLEM, INC.	on behalf of its Standard Xchange division, ITT STANDARD and ROSS HEATER MANUFACTURING COMPANY INC.
ZURICH AMERICAN INSURANCE COMPANY	ZURICH NORTH AMERICA, INC. and as the alter ego to COVIL CORPORATION
ZURN INDUSTRIES, LLC	ZURN INDUSTRIES, INC.

12. Plaintiffs have been informed and believe, and thereon allege, that at all times herein mentioned, Defendants or their “alternate entities” were or are corporations, partnerships, unincorporated associations, sole proprietorships and/or other business entities organized and existing under and by virtue of the laws of the State of South Carolina, or the laws of some other state or foreign jurisdiction, and that said Defendants were and/or are authorized to do business in the State of South Carolina, and that said Defendants have regularly conducted business in the State of South Carolina.

13. Plaintiffs have been informed and believe, and thereon allege, that progressive lung disease, lung cancer and other serious diseases are caused by inhalation of asbestos fibers without

perceptible trauma and that said disease results from exposure to asbestos and asbestos-containing products over a period of time.

14. As a direct and proximate result of the conduct as alleged within, Plaintiff Edward R. Morgan, Sr. suffered permanent injuries, including, but not limited to, lung cancer and other lung damage, as well as the mental and emotional distress attendant thereto, from the effect of exposure to asbestos fibers, all to his damage in the sum of the amount as the trier of fact determines is proper.

15. As a direct and proximate result of the conduct as hereinafter alleged, Plaintiff Edward R. Morgan, Sr. incurred liability for physicians, surgeons, nurses, hospital care, medicine, hospices, x-rays and other medical treatment, the true and exact amount thereof being unknown to Plaintiffs at this time. Plaintiffs request leave to supplement this Court and all parties accordingly when the true and exact cost of Plaintiff Edward R. Morgan, Sr.'s medical treatment is ascertained.

16. As a further direct and proximate result of the conduct as hereinafter alleged, Plaintiff Edward R. Morgan, Sr. incurred, and will incur, loss of profits and commissions, a diminishment of earning potential, and other pecuniary losses, the full nature and extent of which are not yet known to Plaintiffs. Plaintiffs pray leave to supplement this Court and all parties accordingly to conform to proof at the time of trial.

THE PARTIES

17. Plaintiff Edward R. Morgan, Sr. and Dorothy A. Morgan are currently residents of the State of South Carolina. Plaintiff Edward R. Morgan, Sr. was exposed to asbestos during the course of his career at various job sites, including but not limited to, locations in South Carolina and North Carolina.

18. Defendant, **ARMSTRONG INTERNATIONAL, INC.**, was and is a Michigan corporation with its principal place of business in Michigan. At all times material hereto,

ARMSTRONG INTERNATIONAL, INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, asbestos-containing Armstrong steam traps. ARMSTRONG INTERNATIONAL, INC. is sued as a Product Defendant. Plaintiffs' claims against ARMSTRONG INTERNATIONAL, INC. arise out of this Defendant's business activities in the State of South Carolina.

19. Defendant, **3M COMPANY**, f/k/a MINNESOTA MINING AND MANUFACTURING COMPANY, was and is a Delaware corporation with its principal place of business in Minnesota. At all times material hereto, 3M COMPANY mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, or products fraudulently marketed to prevent asbestos exposure including, but not limited to, 3M masks and other asbestos-containing products. 3M COMPANY is sued as a Product Defendant. Plaintiffs' claims against 3M COMPANY arise out of this Defendant's business activities in the State of South Carolina.

20. Defendant, **4520 CORP., INC.**, as successor-in-interest to BENJAMIN F. SHAW COMPANY, was and is a Delaware corporation with its principal place of business in Oregon. At all times material hereto, 4520 CORP., INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials, at numerous jobsites throughout the southeastern United States. 4520 CORP., INC. is sued as a Product Defendant. 4520 CORP., INC. is also sued for the work it did at the various industrial sites in the southeastern United States which exposed tens of thousands of people, including the Plaintiff

Edward R. Morgan, Sr., to lethal doses of asbestos. Plaintiffs' claims against 4520 CORP., INC. arise out of this Defendant's business activities in the State of South Carolina.

21. Defendant, **A.W. CHESTERTON COMPANY**, was and is a Massachusetts corporation with its principal place of business in Massachusetts. At all times material hereto, A.W. CHESTERTON COMPANY mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, asbestos-containing gaskets, packing and rope packing. A.W. CHESTERTON COMPANY is sued as a Product Defendant. Plaintiffs' claims against A.W. CHESTERTON COMPANY arise out of this Defendant's business activities in the State of South Carolina.

22. Defendant, **AECOM ENERGY & CONSTRUCTION, INC.**, individually and as successor-in-interest to YEARGIN CONSTRUCTION COMPANY, INC., was and is an Ohio corporation with its principal place of business in California. At all times material hereto, AECOM ENERGY & CONSTRUCTION, INC., individually and as successor-in-interest to YEARGIN CONSTRUCTION COMPANY, INC., mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials at numerous jobsites throughout the southeastern United States. AECOM ENERGY & CONSTRUCTION, INC. is sued as a Product Defendant. AECOM ENERGY & CONSTRUCTION, INC. is also sued for the work it did at the various industrial sites in the southeastern United States which exposed tens of thousands of people, including the Plaintiff Edward R. Morgan, Sr., to lethal doses of asbestos. Plaintiffs' claims against AECOM ENERGY

& CONSTRUCTION, INC. arise out of this Defendant's business activities in the State of South Carolina.

23. Defendant, **AIR & LIQUID SYSTEMS CORPORATION**, individually and as successor-in-interest to BUFFALO PUMPS, INC., was and is a Pennsylvania corporation with its principal place of business in Pennsylvania. At all times material hereto, AIR & LIQUID SYSTEMS CORPORATION mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, asbestos-containing Buffalo pumps. AIR & LIQUID SYSTEMS CORPORATION is sued as a Product Defendant. Plaintiffs' claims against AIR & LIQUID SYSTEMS CORPORATION arise out of this Defendant's business activities in the State of South Carolina.

24. Defendant, **AURORA PUMP COMPANY**, was and is a Delaware corporation with its principal place of business in Illinois. At all times material hereto, AURORA PUMP COMPANY mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, asbestos-containing Aurora pumps. AURORA PUMP COMPANY is sued as a Product Defendant. Plaintiffs' claims against AURORA PUMP COMPANY arise out of this Defendant's business activities in the State of South Carolina.

25. Defendant, **AWT AIR COMPANY, INC. f/k/a RESEARCH-COTTRELL, INC.**, was and is a New Jersey corporation with its principal place of business in Massachusetts. At all times material hereto, AWT AIR COMPANY, INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but

not limited to, asbestos-containing precipitators, Buell precipitators and Research-Cottrell dust collectors. AWT AIR COMPANY, INC. is sued as a Product Defendant. Plaintiffs' claims against AWT AIR COMPANY, INC. arise out of this Defendant's business activities in the State of South Carolina.

26. Defendant, **BAHNSON, INC.**, was and is a North Carolina corporation with its principal place of business in North Carolina. At all times material hereto, BAHNSON, INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials at numerous jobsites throughout the southeastern United States. BAHNSON, INC. is sued as a Product Defendant. BAHNSON, INC. is also sued for the work it did at the various industrial sites in the southeastern United States which exposed tens of thousands of people, including the Plaintiff Edward R. Morgan, Sr., to lethal doses of asbestos. Plaintiffs' claims against BAHNSON, INC. arise out of this Defendant's business activities in the State of South Carolina.

27. Defendant, **BONITZ, INC.**, individually and as successor-in-interest to BONITZ INSULATION CO. OF SOUTH CAROLINA, was and is a South Carolina corporation with its principal place of business in South Carolina. At all times material hereto, BONITZ, INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials at numerous jobsites throughout the southeastern United States. BONITZ, INC. is sued as a Product Defendant. BONITZ, INC. is also sued for the work it did at the various industrial sites in the southeastern United States which

exposed tens of thousands of people, including the Plaintiff Edward R. Morgan, Sr., to lethal doses of asbestos. Plaintiffs' claims against BONITZ, INC. arise out of this Defendant's business activities in the State of South Carolina.

28. Defendant, **THE BROCK GROUP INC.**, individually and as successor-in-interest to BASIC INDUSTRIES INC., f/k/a BASIC INSULATION INC., was and is a Delaware corporation with its principal place of business in Texas. At all times material hereto, THE BROCK GROUP INC. mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials at numerous jobsites throughout the southeastern United States. THE BROCK GROUP INC. is sued as a Product Defendant. THE BROCK GROUP INC. is also sued for the work it did at the various industrial sites in the southeastern United States which exposed tens of thousands of people, including the Plaintiff Edward R. Morgan, Sr., to lethal doses of asbestos. Plaintiffs' claims against THE BROCK GROUP INC. arise out of this Defendant's business activities in the State of South Carolina.

29. Defendant, **BROCK SERVICES, LLC**, individually and as successor-in-interest to BASIC INDUSTRIES INC., f/k/a BASIC INSULATION INC., was and is a Texas limited liability company with its principal place of business in Texas. At all times material hereto, BROCK SERVICES, LLC mined, manufactured, processed, imported, converted, compounded, supplied, installed, replaced, repaired, used, and/or retailed substantial amounts of asbestos and/or asbestos-containing products, materials, or equipment, including, but not limited to, the installation and removal of asbestos-containing thermal insulation and materials at numerous jobsites throughout the southeastern United States. BROCK SERVICES, LLC is sued as a Product Defendant. BROCK SERVICES, LLC is also sued for the work it did at the various industrial sites in the