

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Jean H. Toal, Circuit Court Judge

Appellate Case No. 2019-002126

Jerry Howard Crawford, individually and as Personal Representative of the Estate of Evelyn Kay Crawford, Respondent,

v.

Celanese Corporation; Aurora Pump Company; Carrier Corporation; CNA Holdings, LLC f/k/a Hoechst Celanese Corporation; Covil Corporation; Crane Co.; Daniel International Corporation f/k/a/ Daniel Construction Company, Inc.; Flowserve Corporation, individually and as successor-in-interest to Anchor/Darling Valve Company, and individually as successor-in-interest to Durco Pumps; Flowserve, US Inc.; Fluor Constructors International, f/k/a Fluor Corporation; Fluor Constructors, International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; Ford Motor Company; Genuine Parts Company, d/b/a Rayloc (a/k/a NAPA); The Goodyear Tire & Rubber Company; Goulds Pumps, Inc.; Grinnell, LLC f/k/a Grinnell Corp., f/k/a ITT Grinnell Corp.; Honeywell International, Inc., f/k/a Allied-Products Liability Signal, Inc., sued as successor-in-interest to Bendix Corporation; Ingersoll-Rand Company; John Crane, Inc.; Metropolitan Life Insurance Company, a wholly owned subsidiary of MetLife Inc.; National Automotive Parts Association (NAPA); Parker-Hannifin Corporation; Pneumo Abex, LLC, successor-in-interest to Abex Corporation; Spirax Sarco, Inc.; SPX Cooling Technologies, Inc., individually and as successor-in-interest to Marley Cooling Towers, Co.; Standard Motor Products, Inc., sued as successor-in-interest to EIS Automotive; United States Fidelity & Guaranty Company; and The William Powell Company, Defendants,

Of which, Covil Corporation is the Appellant.

RECORD ON APPEAL

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Theile B. McVey
John D. Kassel
KASSEL McVEY ATTORNEYS AT LAW
1330 Laurel Street
Columbia, South Carolina 29202
(803) 256-4242
tmcvey@kassellaw.com
jkassel@kassellaw.com

Jonathan M. Holder
Ka'Leya Hardin
DEAN OMAR BRANHAM SHIRLEY, LLP
302 N. Market Street, Ste. 300
Dallas, Texas 75202
(214) 722-5990
jholder@dobslegal.com
khardin@dobslegal.com

**Attorneys for Respondent Jerry Howard
Crawford, individually and as Personal
Representative of the Estate of Evelyn
Kay Crawford**

Elbert Lin*
Counsel of Record
Hunton Andrews Kurth LLP
951 East Byrd Street, East Tower
Richmond, Virginia 23219
(804) 788-8200
Erica N. Peterson**
2200 Pennsylvania Avenue, NW, Suite 900
Washington, D.C. 20037
(202) 955-1500
elin@HuntonAK.com
epeterson@HuntonAK.com

*Admitted pro hac vice
**Not admitted in DC. Work supervised by
members of the DC bar. Admitted pro hac vice

Ashley K. Brathwaite
Ellis & Winters LLP
4131 Parklake Avenue, Suite 400
Raleigh, North Carolina 29612
(919) 573-1297
ashley.brathwaite@elliswinters.com

Counsel for Appellant Covil Corporation

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1 A. Something like G-o-d-s-h-a-l-l.

2 Something like that.

3 Q. Okay. Got it. Last set for today.

4 You've -- how far did you get in school?

5 A. Well, 8th grade. And I went to night
6 school but I couldn't keep up with it because I was
7 working the swing shift at the same time.

8 Q. Oh, Lord.

9 A. But I did take a test and -- for
10 English and math, so I got in 9th grade. I got
11 credit for 9th grade, English and math.

12 Q. Okay. By going to school while you
13 were working a shift?

14 A. Yeah, yeah. That was swing shift.
15 Swing shift. I was working.

16 Q. Is that --

17 A. -- like first, second, and third. That
18 was -- working at the -- I was working at Magnolia
19 then, but I worked at Magnolia two different times.

20 Q. I see. I was going to ask you about it
21 -- is it Magnolia or Hamrick that you might have
22 been working at when you're still taking some
23 school?

24 A. I remember it was Magnolia. It was the
25 second time -- I think it was the second time I was

1 working at Magnolia. I had to drop out because I
2 just couldn't go. I missed too much time 'cause I
3 take too much at one time, and see every three
4 weeks I had to be off because every three weeks I
5 was on second shift, and every three weeks I was on
6 the third shift, and every three weeks I was on the
7 first shift and every and -- yeah, that was in the
8 '70s.

9 Q. In the '70s?

10 A. Because -- the reason I know it was in
11 '70s because it was Lee -- the Gaffney Strangler
12 was LeRoy Martin was on the loose.

13 Q. Oh, I didn't know that.

14 A. Yeah, right before they caught him
15 'cause I remember when I was on the line -- wait a
16 minute.

17 Q. Wonder if that was the middle '60s
18 instead of '70s?

19 A. No -- wait a minute. Oh yeah, it was
20 in '70s when I had that car wreck.

21 Q. All right. Good --

22 A. I was on 14th Street.

23 Q. -- we're talking about -- I'm confused
24 because you're talking about car wrecks and I'm
25 talking about school and we're talking about the

1 Gaffney Strangler, so...

2 A. The reason the Gaffney -- I put the
3 Gaffney Strangler in there, that was a set of time
4 -- the same time.

5 Q. That marked your time for you?

6 A. Yeah, that marked the time.

7 Q. And that was -- the Gaffney Strangler
8 was the time you had your car wreck or when you
9 finished school?

10 A. Wow. Wow, wow.

11 Q. Tell you what, that might give you
12 something to think about tonight.

13 A. Okay. Okay. I know I had that car
14 wreck in the '70s.

15 Q. Yes, sir.

16 A. I was living on 14th Street.

17 Q. Okay.

18 A. As a matter of fact, I remember it was
19 one of my son-in-law's car. I bought it from my
20 son-in-law.

21 Q. Yes, sir.

22 A. So I bought it for my son-in-law.

23 Q. So it was probably even later than that
24 if -- since your girls were born in the early '70s
25 and your son -- don't you think? Yeah, maybe.

1 A. Well, I know right when I had that car
2 wreck I was working at Magnolia.

3 Q. Okay.

4 A. I was working at Magnolia. 'Cause I
5 was coming home from Magnolia and it was on the
6 Furnace Road when that car just jumped right out in
7 front of me. I didn't have no choice. You know,
8 it was right in front of me.

9 Q. Well, the reason I was thinking it
10 might be in the '60s because that's about when you
11 finished school and about when you went in the
12 Navy.

13 A. No, it wasn't then 'cause I went to
14 Gaffney night school after that.

15 Q. I see.

16 A. I was working. I was married and I was
17 working. I was working.

18 Q. Okay. Well, I know it's hard to
19 remember all those -- that's a long time ago.

20 A. Yeah, yeah.

21 Q. All right. I think we are going to
22 take a break for the day --

23 A. Okay.

24 Q. -- since we've been going really right
25 on -- about seven hours today.

1 A. Okay.

2 MR. HENDERSON: You know, during the
3 last break, Mr. Crawford actually asked me to have
4 y'all go as long as you can today.

5 MR. PHILLIPS: Okay.

6 MR. HENDERSON: It may not seem like it
7 -- he's having a good day today. He's tried to
8 hang tight for us --

9 MR. PHILLIPS: Let's hang tight for
10 him.

11 MR. HENDERSON: Unless you change your
12 mind, Mr. Crawford?

13 MR. PHILLIPS: You want to keep going,
14 my friend?

15 THE WITNESS: Huh?

16 MR. PHILLIPS: You want to keep going?

17 THE WITNESS: Yeah. Yeah.

18 MR. PHILLIPS: Sure. That's fine. All
19 right. I'll tell you --

20 MR. HENDERSON: He told me after the
21 last time we talked.

22 MR. PHILLIPS: That's fine. That's
23 fine. No, no, no, that's fine.

24 BY MR. PHILLIPS:

25 Q. Let's -- let's talk about a couple of

1 more things with me, and maybe one of these other
2 lawyers will get a chance to talk to you today.

3 A. Okay.

4 Q. Mr. Crawford, you --

5 MR. HENDERSON: How did you get more
6 questions once I said he wants to go longer?

7 MR. PHILLIPS: I'll tell you what --
8 I'll finish eloquently, and then we'll stop -- I'll
9 stop.

10 BY MR. PHILLIPS:

11 Q. This is easy. You finished -- I was
12 really wanting to chase this anyway. You were born
13 in 1945, July 20.

14 A. Okay.

15 Q. I think you were about 15 years old
16 around July 20, 1960 -- about 15 years old. In
17 fact, you were exactly 15 years old.

18 A. Okay.

19 Q. Here's my question: Is that about when
20 you finished 8th grade about -- around 1960, give
21 or take?

22 A. Yeah, probably because I got behind.
23 The reason I got behind -- I'll tell you why.

24 Q. Yes, sir.

25 A. Okay. When I was in the third grade, I

1 made -- I was in the 3rd grade -- on my report card
2 I had Cs. Okay. And I was sure I was going to
3 pass. The teacher wrote down that she declined me
4 for 3rd grade because I could have done better.

5 I know I could have done better, but
6 she used that to decline me. So that was saying if
7 I could have done better she would have passed me
8 on.

9 Q. So she made you take it again?

10 A. Yes, because I could have done better.

11 Q. I see.

12 A. Okay. And then the next year, I was so
13 stubborn -- okay, I didn't even try the next year.
14 I made Ds on my report card.

15 Q. I see.

16 A. I made Ds on my report card. On Ds --
17 they passed me on Ds.

18 Q. Okay.

19 A. And that caused me to get behind. If
20 she hadn't never -- if she hadn't never -- I'm
21 still -- I'm still PO'ed about it now and that was
22 back in the 3rd grade.

23 Q. That was a long time ago.

24 A. Yes. Yes.

25 Q. That teacher was mean to you.

1 A. That's right. Well --

2 Q. What was her name?

3 A. Ms. Pruett.

4 Q. Ms. Pruett.

5 A. Her name was Ms. Pruett.

6 Q. I tell you what, I knew some --

7 A. I'll never forget that. I'll never
8 forget that.

9 Q. So did you have to go through the 3rd
10 grade a third time?

11 A. No, I just done it two times.

12 Q. Just two times.

13 A. But that caused me to get behind the
14 next year.

15 Q. Right.

16 A. And --

17 Q. Plus your friends were ahead of you
18 then?

19 A. Yeah, they was ahead of me. And then I
20 was under a teacher -- a bully teacher. A bully
21 teacher.

22 Q. A male or female?

23 A. Female. And her name was Mr. Ferris
24 and when I came in -- but since I was lived on a
25 mill village --

1 Q. Right.

2 A. -- the same mill village that the
3 school was on -- I mean, the same hill --

4 Q. Yeah.

5 A. -- same street. Well --

6 Q. Right down the street from where you
7 were living?

8 A. Yeah, just right on over. And then --

9 MR. HENDERSON: Is this critical?

10 MR. PHILLIPS: I took -

11 MR. HENDERSON: You can stop him.

12 THE WITNESS: They took a lunch --

13 MR. HENDERSON: Hey, Mr. Crawford?

14 THE WITNESS: Yeah?

15 MR. HENDERSON: These folks still have
16 a questions to ask you.

17 THE WITNESS: Okay. Okay.

18 MR. PHILLIPS: I'll politely cut you
19 off -- I wasn't going to cut you off; that was your
20 lawyer.

21 THE WITNESS: All right. No, I walk in
22 and the preacher was there. I take lunch and I go
23 on break.

24 MR. PHILLIPS: Yes, sir.

25 THE WITNESS: I could go home, went to

1 lunch to eat, and then come back. When I came back
2 that first year and she told me, I'm going to show
3 you that cow horn's hook right in my face. I'm
4 going to show you. And I hadn't even said nothing
5 to her.

6 BY MR. PHILLIPS:

7 Q. And that was Ms. Paris?

8 A. Miss Ferris.

9 Q. Ferris.

10 A. Ferris. And I couldn't do -- I just
11 couldn't do no good in her -- in her class. If I
12 could have moved somewhere else, I could have done
13 better. And I got behind another year, so --

14 Q. I see. So you were a little bit older
15 when you were in 8th grade?

16 Here's the last question today from me.

17 A. Okay. All right.

18 Q. You were in a mill village --

19 A. Yes.

20 Q. Where your father worked --

21 A. That's right.

22 Q. -- which mill owned the village where
23 y'all lived when you were growing you up?

24 A. There was different -- different ones
25 that owned it. One time it was Minnett -- not --

1 not Minnett.

2 Q. Not Minnett.

3 A. Oh, up there -- up north.

4 Q. Take your time.

5 A. Wait a minute. Take one more minute.

6 Of course, I was thinking that a while ago. I
7 mean, I can't think of that one. It's the same
8 town up north.

9 Q. Okay.

10 A. But Burlington bought it.

11 Q. I see.

12 A. Yeah. Yeah. Burlington bought it
13 over.

14 Q. Not like New Hampshire or something?

15 A. It was the last one.

16 Q. Yeah. Okay. So it was a -- ultimately
17 it was a Burlington mill town?

18 A. Yeah. Yeah. When they closed down it
19 was Burlington.

20 Q. I got you.

21 MR. PHILLIPS: All right. Let me let
22 another lawyer ask you questions because I've had
23 you all day, besides your man, Mr. Henderson.

24 THE WITNESS: Okay.

25 MR. PHILLIPS: Thanks very much.

1 THE WITNESS: Thank you.

2 MS. SHOFNER: Can we take a quick break
3 and regroup?

4 THE VIDEOGRAPHER: The time is
5 5:04 p.m. We are going off the video record.

6 (A recess transpired.)

7 THE VIDEOGRAPHER: The time is
8 5:10 p.m. We are back on the video record.

9 EXAMINATION

10 BY MS. SHOFNER:

11 Q. Mr. Crawford, are you doing okay?

12 A. I'm okay.

13 Q. Okay. Can you hear me all right?

14 A. I can hear you.

15 Q. My name is Elaine Shofner, and I
16 represent CNA Industries in this case.

17 A. Oh.

18 Q. So I want to ask you some questions
19 about your work at the Hoechst plant in
20 Spartanburg, South Carolina --

21 A. Okay.

22 Q. -- all right?

23 A. Okay.

24 Q. I have a tendency -- usually my volume
25 is fine, but sometimes I get to talking too --

1 really fast, so if you need me to slow down just
2 let me know, okay?

3 A. Okay.

4 Q. I'm just going to try to get through
5 this as quick as I can.

6 A. Okay.

7 Q. I believe you testified earlier today
8 that you were employed at the -- by Hoechst
9 Celeanese or Hoechst in Spartanburg, South
10 Carolina, in 1970, correct?

11 A. Oh wow. I think so. I'm pretty sure.

12 Q. Okay. Are you -- you just can't
13 remember what years you were employed --

14 A. Wait a minute. Wait a minute.

15 Q. -- by Hoechst at this point?

16 A. At Hoechst.

17 Q. At Hoechst, yep.

18 A. Okay. 1970 -- 1974.

19 Q. Okay. That's great. Do you recall
20 what month you first started working at Hoechst in
21 1970 or what season -- what time of year it was?

22 A. I'm sure it was summer because I was --
23 I hadn't been working there but for a few months
24 because it was cold -- cold weather.

25 Q. Okay.

1 A. Because I remember I rode to work with
2 a friend that I worked with. Wayne worked at
3 Magnolia and he had trouble getting his car up --
4 heated up. Me and some of -- somebody else came by
5 and picked me up and took me over to -- the
6 friend's name was Boyd Humphreys. And I remember
7 the car was cold all the way -- all the way to
8 Hoechst and it got warmer when we got over there --

9 Q. Okay.

10 A. -- by the time we got there. It was
11 cold weather. It was before cold weather came.

12 Q. Okay. So you believe you started
13 working there sometime maybe in the late
14 summertime --

15 A. Yeah. Yeah.

16 Q. -- right before it got cold?

17 A. I think so, yes.

18 Q. All right. So it was a little bit cold
19 in the morning but then it warmed up by the time it
20 you got to the -- to the plant?

21 A. Yeah, it was real cold and the -- I'd
22 been living -- working there a few months and it
23 was real cold weather.

24 Q. Okay. And you carpooled with a person
25 named Boyd Humphreys --

1 A. That's right. Boyd Humphreys.

2 Q. -- to Hoechst? All right. Do you know
3 if Boyd Humphreys is still living?

4 A. No, he -- he passed away.

5 Q. Okay. How did you get the job at
6 Hoechst?

7 A. Through -- first, my brother was
8 working there. My older brother was working there,
9 Joe Dean Crawford, and he told me he was going to
10 recommend me to work. He recommended me and then I
11 went to the personnel, and then I put my oldest
12 brother's name down -- Joe Dean Crawford -- and so
13 then I got the job.

14 Q. Okay. And so while you were working at
15 Hoechst, was Joe Dean also working there?

16 A. Yes, for a while he was.

17 Q. Okay. Do you recall for how long were
18 you working the same time Joe Dean was working
19 there?

20 A. But Joe Dean was working in a different
21 department, but --

22 Q. Okay. Which department did Joe Dean
23 work for?

24 A. I'm really -- I'm really not sure.

25 Q. Okay. So you didn't see Joe Dean while

1 you were working?

2 A. Oh no, no.

3 Q. Okay. And I'm sorry. I know we talked
4 about your family, but -- is Joe Dean still living?

5 A. Yes, he is.

6 Q. Okay. And how is his health?

7 A. His health has been poor.

8 Q. It's poor health?

9 A. Yes, it's poor health.

10 Q. What's wrong with him?

11 A. He's got -- well he's got problems with
12 his mind.

13 Q. Okay. Okay. Is it anything related to
14 breathing issues or lung problems?

15 A. He can't get around good. He just
16 can't -- he can't see. He can't hear good, and he
17 can't -- he can't hear good, and he just can't --
18 can't move around good.

19 Q. Okay. Thank you. Did you work with
20 any of your other family members ever at Hoechst?

21 A. No.

22 Q. Oh, I think you also said you worked
23 with your wife at some point?

24 A. Oh yes, that's right.

25 Q. That's right. Okay. Sorry about that.

1 A. I didn't work with her, though; she
2 worked in a different part.

3 Q. All right.

4 A. That's right. She worked in a
5 different -- for a while, she worked in a different
6 part --

7 Q. Okay. We'll talk about that in just a
8 minute.

9 A. -- she sure did.

10 Q. But you didn't ride to work with
11 Joe Dean or home with Joe Dean at any time?

12 A. Oh no, no, no, I didn't.

13 Q. Okay. And the plant -- the Hoechst
14 plant that you worked in was in Spartanburg, South
15 Carolina; correct?

16 A. Yes.

17 Q. Do you recall the exact address or
18 where it was located in Spartanburg?

19 A. Okay. It was right off of -- right
20 off -- it was close -- right off of 85.

21 Q. Okay. And the plant was operational,
22 correct?

23 A. Yes.

24 Q. Okay. Do you know -- do you know how
25 long the plant had been in operation when you

1 started working there in 1970?

2 A. No, I don't. I really don't.

3 Q. And I think that you said that you
4 worked there from 1970 to 1974 -- do you know what
5 month you left in 1974? Or what season was it?

6 Cold? Hot?

7 A. It was hot. It was hot.

8 Q. So some time probably in the summer you
9 left?

10 A. Oh yeah.

11 Q. Summer of 1974?

12 A. Oh yeah. Uh-huh.

13 Q. All right. And why did you leave
14 Hoechst?

15 A. Wow.

16 Q. Just got a better job someplace else
17 or...

18 A. Oh, I moved down -- I was -- I was -- I
19 moved to -- to a -- to Florida with my -- my cousin
20 that was living in the Florida, and I moved down
21 there.

22 Q. All right. So were you married at the
23 time?

24 A. Yes, I was married.

25 Q. All right.

1 A. I went down there looking for --

2 Q. How long did you live in Florida?

3 A. Huh?

4 Q. How long did you live in Florida?

5 A. Oh, I stayed down there about -- about
6 a few weeks, but when I came back -- when I came
7 back thought I got a job at the -- I came right
8 back and I got a job at the Hills -- Terry
9 Construction Company.

10 Q. I'm --

11 A. Terry Construction Company when I come
12 back, 'cause I didn't work long --

13 Q. Okay. All right.

14 A. They was working up there at the filter
15 plant. I was living on the filter plant at that
16 time, and I got a job down there at the hills --
17 Terry Construction Company on filter plant.

18 Q. Okay. Let me go back and just -- so in
19 1974 -- in the summer of 1974, you decided that you
20 and your family were going to go down to Florida --

21 A. Yeah, I was thinking -- I was thinking
22 about it.

23 Q. -- to stay and that you had a cousin
24 that lived down there, correct?

25 A. Yeah, I was thinking about it.

1 Q. What part of Florida?

2 A. Tampa. Tampa.

3 Q. Tampa, Florida. Okay. And you just
4 stayed there a for about a couple of weeks and
5 decided it was not for you --

6 A. Yeah. Yeah.

7 Q. -- and came back to South Carolina?

8 A. Yeah, and then I got the job at Terry
9 Construction Company.

10 Q. All right. And we haven't talked about
11 your job at Terry Construction Company.

12 A. Okay.

13 Q. So you worked at Terry Construction
14 Company -- and where were you working -- what job
15 site were you working for Terry Construction
16 Company?

17 A. They was up there at the filter plant.

18 Q. Fielder plant?

19 A. Yeah, you know, the filter plant in
20 Gaffney.

21 Q. Okay.

22 A. The water filter plant.

23 Q. Oh, the water fill -- water filter --

24 A. Yeah, yeah, the water -- it was for
25 public works.

1 Q. Okay. Was this being built at the time
2 or was --

3 A. No. No. They was changing the
4 filters.

5 Q. All right.

6 A. Like they had about seven different
7 kind of sand and it goes in in this great big ol'
8 pits.

9 Q. Okay.

10 A. And it had balls in the bottom of it
11 and rocks. And when they go to filter it, it would
12 -- it would go up and it would go everywhere. And
13 then when it would come down, everything would fit
14 right in place. And when it come out, it would be
15 clean.

16 Q. How long did this job last with Terry
17 Construction?

18 A. Oh wow. I don't know how many -- I
19 really don't know how many months.

20 Q. Was it -- so it was less than a year?

21 A. I'm thinking it was probably was.

22 Q. Okay.

23 A. It probably was.

24 Q. Was the water -- water filter plant the
25 only place where you worked --

1 A. No.

2 Q. -- when you were working for Terry
3 Construction?

4 A. Oh yes, yes.

5 Q. Okay. All right. So getting back to
6 the Hoechst plant -- did the plant go by any other
7 name when you were working there from 1970 to 1974,
8 or was it always just called the Hoechst plant?

9 A. I think it was Hoechst Celanese.

10 Q. Hoechst Celanese?

11 A. I'm think now.

12 Q. Okay.

13 A. I know the Hoechst part.

14 Q. All right.

15 A. I know that for sure.

16 Q. And you just called it the Hoechst
17 facility or Hoechst plant?

18 A. Yeah. Yeah.

19 Q. All right. And you were -- you
20 received a wage when you worked at the Hoechst
21 plant, correct?

22 A. I'm sorry?

23 Q. You were paid to work at the Hoechst
24 plant?

25 A. Oh yes. Yes, I was.

1 Q. And you were paid by Hoechst Celanese
2 to work at the Hoechst plant, correct?

3 A. Oh yeah, yeah. Yes, I was.

4 Q. They gave you a paycheck, correct?

5 A. They did, yeah.

6 Q. Did you work hourly or did you have a
7 salary position?

8 A. Hourly.

9 Q. How -- do you recall how much you were
10 making per hour when you started there in 1974?

11 A. Oh man, I really don't know.

12 MR. HENDERSON: Object to the form.
13 Mischaracterizes his testimony.

14 BY MS. SHOFNER:

15 Q. Okay. Oh, I'm sorry. Sorry.

16 When you were working there in 1970, do
17 you recall how much you were first being paid?

18 A. No.

19 Q. Okay. Do you know how much you were
20 paid when you left in 1974 per hour?

21 A. No, but I knowed it was a lot more
22 money than I made at Magnolia.

23 Q. Okay.

24 A. I know that for sure.

25 Q. Do you remember how much you made at

1 Magnolia?

2 A. I really don't. I really don't.

3 Q. Okay. You just know that it was a
4 better job, so...

5 A. It was. It was more pay from what I
6 remember.

7 Q. How often did you get paid? Did you
8 get paid weekly or every month, every two times a
9 month?

10 A. Weekly.

11 Q. Weekly. And your paycheck when you got
12 it -- Hoechst Celanese had taken out the taxes
13 that they were required to take out, correct?

14 A. Correct.

15 Q. During this time period from 1974 -- or
16 1970 to 1974 when you were working for Hoechst, did
17 work for -- Fat any other jobs?

18 A. No.

19 Q. Did you work at any other Hoechst
20 facilities at any other time during your working
21 career other than the Spartanburg plant?

22 A. No. No more than the Spartanburg
23 plant.

24 Q. Okay. So you were only -- you only
25 worked for Hoechst at the Spartanburg plant?

1 A. That's true.

2 Q. And the Spartanburg plant -- the
3 Hoechst Spartanburg plant manufactured poly fiber,
4 correct?

5 A. Yes, but I worked in the part where
6 they made the poly itself.

7 Q. All right.

8 A. I didn't have nothing else to do with
9 after it left -- after it left there.

10 Q. Okay. So they actually made the
11 polyester or they had made the poly fiber and then
12 somewhere else in the facility they were doing
13 something with the polyester fiber that was being
14 made, correct?

15 MR. HENDERSON: Object to the form.

16 THE WITNESS: Okay. The poly itself
17 came out of chemicals.

18 BY MS. SHOFNER:

19 Q. Uh-huh.

20 A. And then it was like -- and it changed
21 then to like a hot paste. And then I changed it
22 over to cool it and changed it over and run it
23 through a grinder and it grinds it up in blocks --
24 little chunks.

25 Q. All right.

1 A. And then from there it was blowed over
2 to the big silos. And then it was -- took it
3 somewhere else -- To tell you the truth, I don't
4 know what happened to it after that because it
5 really wasn't my concern.

6 Q. All right. So -- so the process that
7 you were involved in was the manufacture from the
8 chemicals to blocks of poly?

9 A. Little chunks. Yeah, like little
10 dices.

11 Q. Okay.

12 A. It was like little dices.

13 Q. And then somewhere -- somebody else did
14 something with the little dice pieces of the poly
15 and they took it to someplace else to do something
16 else with it?

17 A. It would blow through pipes and put in
18 great big tall silos.

19 Q. Okay.

20 A. It was just blowed in there.

21 Q. And after it got to the silos, you know
22 what happened --

23 A. I knowed it was blowed out to other
24 parts, just everywhere they needed it.

25 Q. Okay. But you didn't have anything to

1 do with any other part --

2 A. No.

3 Q. -- after the manufacturing after the
4 silos?

5 A. I know they nailed it down, so I know
6 that. Nailed it down to make fiber out of it.

7 Q. Okay.

8 A. Yeah, that's right.

9 Q. But that wasn't your job to do to make
10 the fiber?

11 A. No, no, no.

12 Q. Okay. You were just making the actual
13 poly?

14 MR. HENDERSON: Object to form.

15 THE WITNESS: Yes, yes, it would change
16 it over to the liquid and to the hard little dices
17 so it could be blowed over -- transferring it by
18 blowing it over to the big silo.

19 BY MS. SHOFNER:

20 Q. How big was the Hoechst facility in
21 Spartanburg?

22 A. Oh --

23 Q. Can you give me an estimate of how many
24 -- how many acres it was?

25 A. I don't know exactly how many acres,

1 but it was big. It was big. It was real big.

2 Q. Okay. Do you know how many buildings
3 were actually on the Spartanburg site?

4 A. Okay. First, it was one long building
5 right at the -- over there at the top of the
6 guardhouse and there was a personnel part there and
7 there was a manufacturing parts in it and there
8 was -- there was like a canteen in it and there was
9 a -- matter of fact, there was a restaurant in it
10 too --

11 Q. Okay.

12 A. -- where they cooked the food. But
13 when I worked down at the poly building, it was so
14 far away, I didn't get to use that. I didn't use
15 that because I had to take my food with -- and
16 bring it from home --

17 Q. Okay.

18 A. -- or either go into the canteen and
19 get it -- something out of a machine, you see.

20 Q. So the poly building was separate from
21 this long building?

22 A. Oh yes, it was.

23 Q. Okay.

24 A. It was right across the road from it.
25 And there was another building where they -- it's

1 where my wife worked -- over in another one off
2 from it, by itself. And that was -- and she took
3 -- she -- she worked on the machine where they --
4 they spin the thread --

5 Q. Uh-huh.

6 A. -- and made thread out of it, and then
7 she doffed it off -- took it off and doffed it.

8 Q. Okay. So she worked in a building you
9 said that was sort of towards the back of the
10 facility?

11 A. Oh, yeah, yeah. It was back and over
12 to the side.

13 Q. And this was part of the spinning area?

14 A. Yes, that's right. That's right.

15 Q. Okay. Do you know if her title -- do
16 you know what her job title was?

17 A. I know she -- she -- I guess, I want to
18 say doffer. Doffer.

19 Q. Okay. I was about to ask if that was a
20 title.

21 A. Uh-huh. Yeah.

22 Q. A doffer. All right. You said that
23 your wife -- earlier -- that she worked there in
24 1974. Do you know exactly how long she worked at
25 the Ceeleanese or the Hoechst plant?

1 A. I'd say at least two years. And the
2 reason she quit because her -- her -- her mother
3 was keeping our child. Well, Patty was small then.
4 And she was keeping her -- her mother was -- and
5 they had a disagreement about -- over the
6 discipline, you know. Yep, that's right.

7 Q. Okay.

8 A. She went over there and said something.
9 She quit because she didn't have a babysitter.

10 Q. So she quit to take care of the kids?

11 A. That's right. 'Cause she didn't have a
12 babysitter.

13 Q. Did she stay working there after you
14 left in the summer of 1974?

15 A. No, she left first.

16 Q. She left first. Okay.

17 A. Oh yeah, yeah.

18 Q. And was she always a doffer when she
19 was working?

20 A. Oh yes, yes.

21 Q. And you never saw her do her work --

22 A. No, I didn't.

23 Q. -- because you were in the poly
24 building, correct?

25 A. That's correct.

1 Q. And she was in the spinning building,
2 correct?

3 A. Correct.

4 Q. So -- so you would come to work and you
5 would park and go your separate ways to whatever
6 building or area you needed to be in and then you
7 would meet up and drive back home?

8 A. That's right. I had to park in the
9 back parking lot because, you know -- right.
10 Right.

11 Q. Because it was closest to the poly
12 building?

13 A. Yes. See I had to walk across and she
14 worked -- she walked right in where she worked.

15 Q. Okay.

16 A. And I had to walk across.

17 Q. Okay.

18 A. To the poly building.

19 Q. So you parked closer to the spinning
20 building for her?

21 A. That's right.

22 Q. All right. How many employees were at
23 Hoechst in 1970 when you first started working
24 there?

25 A. Wow. I don't know. I just know there

1 was a lot.

2 Q. Okay.

3 A. I know there was a lot.

4 Q. A lot.

5 A. 'Cause I know the parking lot was a big
6 parking lot.

7 Q. Are we talking about hundreds of
8 employees or thousands of employees?

9 A. I'd say hundreds. Hundreds.

10 Q. Hundreds.

11 A. Because at the end of the shift, there
12 would be a lot. I mean, like a big bunch of
13 people.

14 Q. And how many shifts did Hoechst have
15 going in 1970?

16 A. They had three shifts, but they had --
17 okay. Actually, they had four shifts, but they
18 worked three hours -- three -- eight hours a piece
19 and there was three shifts day. And it was
20 actually because they swing between four shifts.

21 Q. Okay. So they had four shifts and one
22 of those shifts was a swing shift?

23 A. Yeah, all of them were swing shift.
24 They swing from third, second, and first.

25 Q. Okay.

1 A. I think it went backwards.

2 Q. What shift did you work on?

3 A. Swing shift, but I worked on -- oh. I
4 worked on D. They had D shift -- A, B, C, and D.

5 Q. Okay.

6 A. And I worked on D.

7 Q. All right. And what were the hours of
8 the D shift?

9 A. Oh okay.

10 Q. Or is this the swing shift?

11 A. Okay. It was -- okay. Let me see.
12 When I was on the third shift, I believe it was
13 from eleven o'clock at night to seven o'clock in
14 the morning. And -- and yeah. Then when it was on
15 the second shift it was from 3:00 p.m. in the
16 evening to eleven o'clock at night.

17 Q. Okay. And what was the first shift?

18 A. And on the first shift, it was 7:00 in
19 the morning to three o'clock in the evening.

20 Q. All right.

21 A. 3:00 p.m.

22 Q. And the swing shift would change,
23 correct?

24 A. It would change --

25 Q. It's why they call it a swing shift.

1 A. It would change every seven days.

2 Q. Okay.

3 A. Every seven days, you get a day off or
4 so many days off, and then you'd start on the next
5 shift.

6 Q. All right. Did your wife work swing
7 shift or did she work A, B, or C shift?

8 A. Yeah, she worked on the swing shift
9 too.

10 Q. Okay. Did -- so you-all's schedule was
11 always the same?

12 A. That's right.

13 Q. All right. So the swing shift -- seven
14 days on one of the A, B, or C shifts and then a
15 couple of days off and then you'd go back to
16 whatever the next shift was?

17 A. Well, it was -- it was always the D
18 shift. And it was always A shift, B shift --

19 Q. Right. Okay. I guess -- I guess that
20 was a bad question.

21 So was the -- A shift was considered
22 the first shift and worked 7:00 a.m. to 3:00 p.m.,
23 correct?

24 A. No, no, that's not right.

25 Q. All right. What did A shift work?

1 A. Work the same hours A, B, C, and D.

2 Okay. The name of the shift didn't have anything
3 to do --

4 Q. With the hours?

5 A. That's right. They didn't. All of the
6 shifts worked -- worked -- okay. I think they --
7 the third shift worked Tuesday night at
8 eleven o'clock -- they worked seven days. And then
9 it was take a day off at least one or two or three
10 days off.

11 Oh, but when you got off of the -- when
12 I got off the first shift, I took a long break. It
13 was a long weekend. All A, B, C, and D were all
14 the same. They just work different days, you see.

15 Q. Okay. So did -- so did all of the
16 shifts, whether it was A, B, C, or D -- did they
17 all rotate --

18 A. Oh, yes.

19 Q. -- when they worked?

20 A. That's true. That's true.

21 Q. Okay.

22 A. They worked different days, but it was
23 different days of the month.

24 Q. Oh, did they all rotate different times
25 or was that only the D shift?

1 A. Oh, they worked -- all of them was
2 seven days a apart. Okay. Okay.

3 At all times one -- at all times one
4 shift would been on the first shift and one shift
5 would be been on the second shift and one shift
6 would be on the third shift and one shift would be
7 off.

8 Q. Okay.

9 A. All through the week.

10 Q. All right. And I guess what I'm asking
11 is if there was one shift -- like so did the people
12 that were on A -- 'cause you were the D shift,
13 right.

14 A. Right. Right.

15 Q. If people were on the A shift, did they
16 always work a certain time, they just changed
17 days --

18 A. Yes.

19 Q. -- from when they would report?

20 A. Yes. Okay. If -- I'm thinking in four
21 weeks' time, it would go all the way through and
22 start back over.

23 Q. Uh-huh.

24 A. And in four weeks' time you would be on
25 first shift seven days, you would be on second

1 shift for seven days, and you'd be on the third
2 shift for seven days, and you'd be off for seven
3 days and it would be spaced up.

4 Q. All right. That makes sense. All
5 right. Thank you. Sorry, I didn't -- I didn't
6 understand how that works, so...

7 A. Okay.

8 Q. So on any given day, there were -- they
9 ran three shifts with one of the A, B, C, or D
10 being off?

11 A. Yeah, 24-hours a day, seven days a
12 week.

13 Q. You got it. Okay. All right.

14 Okay. Now, I think you talked to us
15 about that you had three different jobs during the
16 time that you worked at Hoechst, correct?

17 MR. HENDERSON: Object to form.

18 THE WITNESS: Well, I always was
19 working in the poly building, but at the same time
20 I worked in -- oh, I started off working there was
21 I -- I worked in the part that runs off -- it runs
22 the poly off in batches.

23 BY MS. SHOFNER:

24 Q. Okay. And I just want to make sure
25 that -- that I'm clear is because when you earlier

1 testified you said that you worked -- that you had
2 -- that you worked in the poly building --

3 A. Uh-huh.

4 Q. -- on the batch line, that you worked
5 in the warehouse --

6 A. Uh-huh.

7 Q. -- and that you worked on the
8 continuous line --

9 A. Right.

10 Q. -- during 19 -- from 1974 to 19 -- to
11 1970 to 1974?

12 A. At that same time, the supervisor was
13 the same supervisor. When I worked -- I worked out
14 in the poly building, I had to box up some -- I
15 believe it was to box up some chips. And I had to
16 what you call a Hyster forklift, and we put -- put
17 the pallet down and put a great big box down and we
18 run some chips on top of it, and then we would box
19 it up.

20 And it was going in a tractor
21 trailer -- there was a trailer sitting there, but I
22 don't know where it went to. They sold it to
23 somebody.

24 Q. Okay. So when you -- you were first
25 hired at Hoechst in the summer of 1970, what was

1 your job title? Were you a laborer? Were you
2 production? Were you --

3 A. Well, I just worked in -- on the poly
4 building.

5 Q. Okay.

6 A. In the poly building.

7 Q. All right. In the poly building, this
8 was the batch line?

9 A. Right.

10 Q. Okay.

11 A. Well, both of them was poly building --
12 poly one, and when they built the new continuous
13 line, they called that poly two.

14 Q. Okay.

15 A. Poly one and poly two -- what they call
16 it back then.

17 Q. All right. So the batch line was --
18 was poly one?

19 A. Yeah.

20 Q. And then when they finished the
21 continuous line, that was considered poly two?

22 A. Right.

23 Q. Is that right?

24 A. Right.

25 Q. Okay.

1 A. But they did -- they did -- both of
2 them did the same thing. The continuous line run
3 continuously, you see.

4 Q. Okay. That makes sense. And the batch
5 line you had to stop each section for it to
6 complete whatever that run was doing, correct? It
7 wasn't continuous, so...

8 A. The first poly wasn't, yeah.

9 Q. Right. So the first -- so poly one --
10 you had certain things that that line did and you
11 would stop after each of those, I guess, sections
12 were completed and then move to the next section to
13 complete whatever happened next?

14 A. No, that's not true.

15 Q. Okay. How did the batch line work?

16 A. What happened was, they would -- when
17 it got ready, they'd call it down from upstairs.
18 When it got ready to come off -- they come off at
19 different times -- like about --

20 Q. What came off?

21 A. The poly got ready -- ready to run. A
22 big batch of it -- got ready to come out. It would
23 take about -- about an hour to run out. And then
24 after -- after it run out or so many hours later,
25 it would come off again, and all the lines was

1 doing that at different times.

2 Q. Okay. Got you.

3 A. There was a lot of -- there was six
4 guys working there and whoever was close to it, you
5 know, we would all work together to keep it going.

6 Q. All right. And that was going to be my
7 next question. Was -- how big was your crew during
8 your shift at the poly building?

9 A. Yeah.

10 Q. Six people?

11 A. Yeah, it was six people.

12 Q. Okay. And this was for the batch line
13 for poly number one?

14 A. That's right.

15 Q. All right. How long did you stay
16 working at -- on poly number one until you went to
17 the warehouse?

18 A. Well, at the warehouse it was just
19 temporary because they had to be something --
20 something blocked -- they had to be blocked --
21 these boxes -- boxes had to be filled up with poly.
22 And they would just put the -- it was -- oh, okay.

23 I worked in the warehouse. It was not
24 very long. Just had a job to do -- a week or two.
25 About a week or two. I remember that. About a

1 week or two.

2 Q. So for one to two weeks you worked in
3 the warehouse?

4 A. Yes, that's true.

5 Q. And that was just to help box up some
6 of the poly material to ship off some place?

7 A. Yeah, yeah. Yeah, that's right.

8 Q. Okay. And was this only time you had
9 to work in the warehouse was this one to two-week
10 period, or did you go whenever they needed extra
11 help in the warehouse?

12 A. It was one to two times.

13 Q. Do you recall when the first time you
14 would have gone to the warehouse would have been?

15 Would it have been -- do you recall a
16 year or a time? And if you can't remember, that's
17 fine?

18 A. I can't remember. I think it was in
19 the first year. I remember working there, but you
20 know.

21 Q. Okay. Now, do you recall when the
22 first time that you would have switched from the
23 poly number one to poly number two?

24 A. Okay. I think it was at least a year
25 before -- it was before I quit working there.

1 Q. Okay. So sometime in 1975, you began
2 doing work at the poly number two, correct?

3 MR. MAJOR: Object to the form.

4 THE WITNESS: No, before that.

5 BY MR. PHILLIPS:

6 Q. I'm sorry. Sorry. 1971. Sorry. I'm
7 getting my dates confused. Let me go back and
8 start that all over again.

9 So sometime in 1971 you may have
10 started working on poly number two?

11 A. No, it was after that. It was after
12 that.

13 Q. Okay. So sometime in the 1972?

14 A. I think it was after that. It was
15 after that. It was around '73.

16 Q. Okay. And other than these few times
17 that you would have had to go to the warehouse from
18 1970 to 1973, you spent on the batch line on poly
19 one in the poly building, correct?

20 MR. HENDERSON: Object to form.

21 BY MS. SHOFNER:

22 Q. Does that sound right?

23 A. Yeah, yeah.

24 Q. Okay. And who was your supervisor when
25 you were working on poly number one -- the policy

1 number one line?

2 A. I'm thinking it was Don Moe.

3 Q. And how do you spell his last name, if
4 you know?

5 A. Moe. Moe. Don Moe, M-O-E. M-O-E.

6 Q. Do you know where -- is Don Moe still
7 living, if you know?

8 A. I don't know. He lived in -- I know he
9 lived in Shelby.

10 Q. He lived in Shelby?

11 A. Yeah, he lived in Shelby. I think his
12 name was Don, now, but I know his last name was
13 Moe.

14 Q. Okay.

15 A. Oh, man.

16 Q. Was he your supervisor the entire time
17 you were in the poly building?

18 A. Oh yes. Yes, it was the entire time.

19 Q. All right. Did you always work with
20 the same six-man crew or did the crew change
21 depending on days or times or shifts?

22 A. Oh, yeah it did -- it did change some
23 -- a little bit.

24 Q. Some. Okay.

25 A. It did change some.

1 Q. Do you recall any of your coworkers who
2 were on your crew with you?

3 A. Well, there was -- there was a last
4 name, Coker.

5 Q. I'm sorry, Coker?

6 A. Yeah, C-o-k-e-r. Yeah.

7 Q. Okay. Anybody else?

8 A. It was one they called Buddy. I think
9 his last name was Smiley.

10 Q. Smiley?

11 A. I'm not sure. I think his last name
12 was Smiley. I think, but I'm not even sure about
13 that.

14 Oh, I do remember another one that
15 worked there. He lived in Gaffney. I worked at
16 Magnolia with him. Herman Humphreys -- because I
17 went to school with him too.

18 Q. Herman?

19 A. Herman Humphreys.

20 Q. Okay. How do you spell his last name,
21 if you can?

22 A. Let's see. Humphreys.

23 Q. Oh, Humphreys?

24 A. Yeah, Humphreys. Humphreys.
25 Humphreys.

1 Q. H-u-m-p --

2 A. H-u-m-

3 Q. -- p-h-r-e-y, something like that?

4 A. Yeah, that sounds right.

5 Q. Okay. And you also went to school with
6 him?

7 A. Oh yeah, yeah.

8 Q. Okay. And he was also working in the
9 poly building, correct?

10 A. Oh, yeah. Yeah. He started working
11 over there on the continuous line.

12 Q. Okay.

13 A. It might -- yeah.

14 Q. The person who gave you the ride into
15 work at the very -- Boyd Humphreys -- did you work
16 with him or was he in a different department?

17 A. He was in a different department.

18 Q. Okay. Was he -- was he
19 Herman Humphry's -- any relation?

20 A. No, no, no. They was different. They
21 was different.

22 Q. Okay. Just checking. Do you know if
23 Mr. Humphreys -- Mr. Herman Humphreys is still
24 living?

25 A. I really don't. But I've seen him

1 lately -- I mean, well, I seen him in the past, but
2 it's been a while since I saw him. I ran into him
3 uptown a few times.

4 Q. Was he still -- did you see him in the
5 Gaffney area?

6 A. I haven't seen him in a long time.

7 Q. Okay. But when you saw -- was the last
8 time you saw him -- was it in Gaffney?

9 A. Oh, yes. Yes.

10 Q. How about Coker -- do you know if he's
11 still living or do you know anything about him?

12 A. No, he passed away.

13 Q. Okay. All right.

14 A. I saw it in the paper. I hated to hear
15 about that.

16 Q. And this Buddy Smiley -- do you know if
17 he's still living?

18 A. No, I really don't. I haven't had no
19 contact with him since I left.

20 Q. All right.

21 A. I've run into Coker -- I run into him
22 before he passed away.

23 Q. Okay.

24 A. At the Big Lots.

25 Q. All right.

1 THE VIDEOGRAPHER: We've got about two
2 minutes that's left --

3 MS. SHOFNER: You want to go ahead --
4 we can take -- I'm going to switch gears so we can
5 take a break and change the tapes.

6 THE VIDEOGRAPHER: Here ends Media Unit
7 Number 3 in today's videotaped deposition of
8 Mr. Crawford. The time is 5:51 p.m. We are going
9 off the record.

10 (A recess transpired.)

11 THE VIDEOGRAPHER: Here begins Media
12 Unit Number 4 in today's deposition of
13 Mr. Crawford. The time is 5:56 p.m. We are back
14 on the record.

15 BY MS. SHOFNER:

16 Q. Can you describe the poly building for
17 me. How big was it? And let's describe it in 1970
18 when you first started working there.

19 A. It was -- it was at least three or four
20 floors.

21 Q. Okay. So three or four stories high?

22 A. Yeah.

23 Q. All right. How long was it? Can you
24 give me an estimate?

25 (Pausing)

1 (Sneeze)

2 MR. HENDERSON: Bless you.

3 THE WITNESS: I'm sorry. I'm trying to
4 visualize in my head how many car lengths it was.

5 BY MS. SHOFNER:

6 Q. It's okay.

7 A. It was like about -- I would say about
8 15 or 20 car lengths.

9 Q. Okay. How about the width of it?

10 A. Okay. Okay. About I'd say -- about
11 30 yards.

12 Q. And you said there was like three or
13 four floors -- were there actual, I guess, levels
14 that you went to with stairs, or how did you get --
15 or was it all open?

16 A. Oh no, it was -- when I got to it, I
17 had to go up the stairs and circle around to get to
18 it.

19 Q. Okay. So were there --

20 A. And --

21 Q. So were there three or four levels?

22 A. Yes.

23 Q. Was there an elevator in the building
24 or was just access through -- by stairs?

25 A. Oh wow.

1 Q. If you don't remember, that's fine.

2 A. I can't -- I can't remember 'cause I
3 always went up the stairs.

4 Q. All right.

5 A. You see, everybody always used the
6 stairs.

7 Q. All right. That's fine. On the
8 different levels, were there different, I guess,
9 equipment, and --

10 A. Oh, yeah.

11 Q. -- did each of the levels -- did they
12 do a certain task or function?

13 A. That's correct.

14 Q. Okay. Did you work -- were you mainly
15 assigned to one level, or did you -- were you
16 assigned to all of the different levels in the poly
17 building?

18 A. At different times I worked on
19 different levels, but it was mostly on the second
20 shift -- I mean, the second level --

21 Q. Okay.

22 A. -- second floor mostly.

23 Q. All right.

24 A. Mostly.

25 Q. And if you were on the second floor,

1 could you see what was going on the third level or
2 the first level?

3 A. Oh wow.

4 MR. HENDERSON: Object to form.

5 THE WITNESS: I remember -- I -- okay.
6 I know -- I know -- okay. All I can say -- I know
7 some of the floors had grates, because I remember
8 walking over the grates.

9 BY MS. SHOFNER:

10 Q. Okay. So if it had a grating -- if it
11 had -- the walkways were made out of grates, you
12 could look down and at least see part of the next
13 level, correct?

14 A. Correct.

15 Q. But you couldn't see the entire next
16 level. You could only see the part that was right
17 underneath the grate, correct?

18 It wasn't like it -- it was a balcony
19 or a loft --

20 A. No.

21 Q. -- that you could look over and see
22 down below?

23 A. Wait a minute. When I think back, I
24 know the fourth -- at least the fourth layer -- I'm
25 not sure, it might have had more than four, but the

1 fourth layer -- it had all grates.

2 Q. Okay.

3 A. Yeah.

4 Q. So possibly the fourth level or the top
5 level -- the whole floor was just a big grate --

6 A. Oh yeah, yeah.

7 Q. -- that you could look down --

8 A. Yeah, yeah.

9 Q. -- and see at least the third level?

10 A. Oh yeah, yeah.

11 Q. Okay. And then on the first, second,
12 and third level some of the walkways may have been
13 grates, but it wasn't -- you didn't have access to
14 see --

15 A. No, no.

16 Q. -- everything that was --

17 A. No.

18 Q. -- going on different levels if you
19 were on the first, second, or third level?

20 MR. HENDERSON: Object to form.

21 THE WITNESS: Well, on the first floor,
22 it had grates because it had a ditch there where
23 the pipes went in to where they had to change it.

24 It was like about as deep as this table
25 and about -- and about half as this -- half as wide

1 and as long as this table and it went all the way
2 down. And that's where the pipes run out and it
3 was -- you could -- they had to change it to go
4 where they wanted it to go.

5 And also they was in the control room,
6 they had plugs in where they -- they could direct
7 which silo went -- to something went outside -- the
8 big tall one outside.

9 BY MS. SHOFNER:

10 Q. All right. So -- and I understand that
11 on various levels there were grates?

12 A. Uh-huh.

13 Q. -- that you could see to the next
14 level, correct?

15 A. Yeah, yeah.

16 Q. But it wasn't like the fourth level
17 where you -- where it was completely open that you
18 could see everything that was happening on the
19 level above or level below, correct?

20 MR. HENDERSON: Object to form.

21 THE WITNESS: Oh yeah, yeah.

22 BY MS. SHOFNER:

23 Q. Okay. So you might be able to see down
24 below for a small area --

25 A. Yeah, yeah.

1 Q. -- but you really couldn't see what
2 everybody else was doing on the level below or
3 above you, correct?

4 MR. HENDERSON: Form.

5 THE WITNESS: Most of the time there
6 wasn't anybody up there.

7 BY MS. SHOFNER:

8 Q. Okay.

9 A. Most of the time, yeah.

10 Q. Was most of the work being done on the
11 second level?

12 A. Yeah, most of it was being done on the
13 second.

14 Q. All right.

15 A. The second and the third. And the
16 third -- back over to the backside they had what
17 they call the control room where they mash the
18 button and the different chemicals would go into or
19 mix together some way and it would cause the -- it
20 would make that liquid poly -- the hot poly --
21 that's where it was made right there.

22 Q. Okay. And that was on the third level?

23 A. And it had -- yes, on the third level
24 and it had on top of the ceiling, it had a big -- a
25 big tank and that's where all of that went in to.

1 Q. Okay.

2 A. You got time for it to come off until
3 it was ready.

4 Q. And in the second level, what was on
5 the -- what was going on the second level?

6 A. Oh, that's where the -- where the hot
7 liquid came -- it was white-looking. It was white
8 hot liquid. It was -- when it come out -- when it
9 got ready, somebody had opened up. It had a little
10 wheel on it and opened it up and let it come out
11 and then fall down on the drum. And that's where
12 it got cooled down and then it run through -- it
13 run through a trough with hot water in it.

14 Q. Okay.

15 A. And that's where the steam pipes went
16 in to the side of the trough where the hot water
17 was.

18 Q. Uh-huh.

19 A. 'Cause if it got too cool -- if the
20 poly got too cool when it was going through, it
21 would break up all the pieces. It had to keep it a
22 certain temperature -- had to keep it warm.

23 Q. All right. So you said that on the
24 third level was mostly the mixing of the chemicals
25 that would make sort of paste -- poly material, and

1 then that would be in a tank that would then come
2 down to the second level --

3 A. Right.

4 Q. -- where it would cool and you would
5 make it into the, I guess, the strands to where you
6 could slice it and dice it into the dice, correct?

7 A. Uh-huh. Uh-huh.

8 Q. And where was the slicing and dicing
9 occurring? Was that on second level as well?

10 A. Oh yes, yes.

11 Q. Okay.

12 A. It was behind -- it was behind the
13 door. There was a wall there and doors and little
14 window there -- there was a little window there
15 that the -- the -- okay the -- the poly ribbon went
16 through the hot water and it come out -- okay. The
17 trough that the water went through was about as
18 long as about here -- here to the wall.

19 Q. Okay. And do you -- the water
20 temperature -- do you know what the water trough
21 temperature needed to be?

22 A. No, I don't. I know it was hot.

23 Q. Okay. It was hot, but it wasn't steam,
24 correct?

25 A. No, no it wasn't.

1 Q. Is that fair?

2 A. The steam pipe run to it to keep it
3 hot.

4 Q. Okay. All right.

5 A. Okay. Then it runs through up over --
6 it runs up -- where it comes out the top it --

7 MR. HENDERSON: Wait for her to ask you
8 a question, Mr. Crawford. She hasn't asked you a
9 question yet.

10 MS. SHOFNER: Yeah.

11 THE WITNESS: Oh, okay.

12 MS. SHOFNER: Yeah, let me -- let me
13 just...

14 BY MS. SHOFNER:

15 Q. So the paste then was converted into a
16 poly ribbon that would then go to the slicing and
17 dicing place to where they cut it into the cubes,
18 correct?

19 A. Yeah, we had to sort it there. The end
20 of the machine to the wall was a little space where
21 you stand and you just push it in --

22 Q. Okay.

23 A. -- and then it would go over the top.
24 And about -- on the other side of the wall, it was
25 what they call the slicer-dicer and it run down and

1 runs a little piece off of the top. And this --
2 and then it was -- when it went in there it just
3 cut it up. First, it sliced it and then it diced
4 it.

5 Q. Okay. And then those would be then
6 sent some place through another -- how would the
7 sliced and diced little cubes get to the silo?

8 A. They would just fall down in it.

9 Q. Okay. So --

10 A. It would fall down to the first floor.

11 Q. All right. So how many people
12 typically worked on the second level during a
13 shift?

14 A. On the batch side, it was what you call
15 poly one after they built the new line, was six
16 people.

17 Q. Okay.

18 A. Six at one time.

19 Q. Okay. And would they all be on the
20 second level at the same time or would there be
21 some on the third and then some on the second?

22 A. Oh, no, no. It was six right there.
23 There was six right there.

24 Q. At the second level?

25 A. Yeah.

1 Q. And then how many would be -- would
2 anybody need to be at the third level?

3 A. Oh, the third level was the control
4 room.

5 Q. Right. So how many people needed to be
6 in the control room?

7 A. Oh wow. I'm not sure, about --

8 Q. Did you ever work in the control room?

9 A. No. No, I didn't.

10 Q. Okay. If you had to go to the third
11 level, what would you do at the third level?

12 A. Over there to mix chemicals.

13 Q. Okay.

14 A. To weigh them up -- to weigh up
15 chemicals.

16 Q. All right.

17 A. In a little bag, and then --

18 Q. Did the poly building have windows?

19 A. Windows?

20 Q. Yes.

21 A. Oh, it had windows all the way down the
22 back -- all the way down the back. It was windows
23 all the way down.

24 Q. All right. Did it have -- was it
25 air-conditioned?

1 A. No. No.

2 Q. Okay. Was there a ventilation system
3 in place in the poly building?

4 A. Well, it had windows all the way down
5 the back -- all the way down the backside.

6 Q. Okay. So in the summertime and spring
7 they would be open?

8 A. Oh yes, they could open them and close
9 them.

10 Q. Would they stay open all year?

11 A. I think we probably closed in the
12 wintertime.

13 Q. Okay. When the -- when the poly ribbon
14 would come out through the trough, was the poly
15 ribbon exposed to the outside -- just the outside
16 air?

17 A. No, no.

18 Q. Or was it contained in a pipe or
19 something?

20 MR. HENDERSON: Object to the form.

21 THE WITNESS: Oh, before it went to the
22 slicer-dicer?

23 BY MS. SHOFNER:

24 Q. Yes.

25 A. It was also inside.

1 Q. It was all inside the building,
2 correct?

3 A. Yeah, yeah.

4 Q. But when it come out, would it be
5 something you could walk up and touch the poly
6 ribbon?

7 A. Oh, yeah. Yeah.

8 MR. HENDERSON: Form. And
9 mischaracterizes prior testimony.

10 BY MS. SHOFNER:

11 Q. So during the time when it would be
12 cooled down, would you be able to touch and
13 manipulate the poly ribbon during the cooling down
14 process?

15 MR. HENDERSON: Form.

16 THE WITNESS: Oh, yeah.

17 BY MS. SHOFNER:

18 Q. Okay. And would you need to do that
19 to -- I think you said you that you took the poly
20 ribbon and sometimes wound it around a drum or
21 something to get it started; is that right?

22 A. Oh, yeah --

23 MR. HENDERSON: Object to the form.

24 THE WITNESS: It started off running
25 around the drum and around the bottom of it and up

1 over the -- out the other side -- up under the
2 other side. At the same time it had -- packs with
3 the sprink -- with the water sprinkler on it.

4 BY MS. SHOFNER:

5 Q. Okay. And would you be able to touch
6 that or would you have to touch it to get it
7 started through the drum machine?

8 A. Oh, yes, yes. You just -- you just --
9 first, you roll it up -- it come out hot. You got
10 to roll it up to get a roll -- get a good roll.
11 And take a piece of it and you just lay it down and
12 then you take your hand run it around -- hold it
13 all down -- (Indicating)

14 Q. And that would get it started, correct?

15 A. Yeah, to keep it going and then through
16 the trough, and then you let the flaps down on it
17 on the way -- on the way.

18 Q. Okay. All right. Was this area needed
19 to be kept fairly clean so you didn't okay. The
20 polyester ribbon or the materials as it was coming
21 from the machine cooling down?

22 A. It stayed wet because it was so much
23 water.

24 Q. Right.

25 A. It stayed wet.

1 Q. Right. But the -- but the environment
2 around it when it was going through the drums and
3 cooling down, before it went to the slicer-dicer,
4 did it have -- did the area and environment need to
5 be kept fairly clean so you --

6 A. Oh.

7 Q. -- so that you didn't okay. The poly
8 ribbon?

9 MR. HENDERSON: Form.

10 THE WITNESS: It never did -- it never
11 did touch the floor.

12 BY MS. SHOFNER:

13 Q. Okay.

14 A. It never did. It never did.

15 Q. Okay. But you couldn't -- you couldn't
16 have a whole lot of dust in the area because you
17 didn't want the dust to get in the poly ribbon,
18 correct?

19 MR. HENDERSON: Object to form.

20 Counsel's testifying. It's not a question.

21 MS. SHOFNER: It's a question. And I
22 can ask a direct and leading question if I choose.

23 MR. HENDERSON: You cannot testify in
24 cross-examination --

25 MS. SHOFNER: I'm not testifying --

1 MR. HENDERSON: -- you can lead.

2 MS. SHOFNER: -- I'm asking him a
3 direct question.

4 THE WITNESS: Okay.

5 BY MS. SHOFNER:

6 Q. Would the environment have to be kept
7 clean and not dusty so that you -- so that the poly
8 ribbon would not be contaminated during the cooling
9 down process?

10 MR. HENDERSON: Form.

11 THE WITNESS: It didn't matter what was
12 on the floor because the poly never did reach the
13 floor.

14 BY MS. SHOFNER:

15 Q. Right. And I'm not asking about the
16 floor; I'm asking about the dust in the air.

17 A. Oh, okay.

18 Q. That the -- that the area where the
19 poly on the second floor -- did that need to stay
20 clean or -- like this room today and not have a lot
21 of dust in the area so it did not contaminate the
22 poly ribbon as it was being cooled down?

23 MR. HENDERSON: Form.

24 THE WITNESS: Oh, I know what you're
25 saying. Okay. On the poly one, it was clean

1 'cause everything was already put together.

2 BY MS. SHOFNER:

3 Q. And that's what I'm asking: Is that
4 you couldn't have dust flying around in the area
5 because the poly ribbon needed to stay clean,
6 correct?

7 MR. HENDERSON: Form.

8 THE WITNESS: Yeah, okay. But the
9 other side --

10 BY MS. SHOFNER:

11 Q. And I'm just asking about poly one
12 right now?

13 A. Okay. Yes. Yes.

14 Q. Yes. Okay. Because if dust got into
15 the poly ribbon that may affect the overall
16 product, correct?

17 A. Yeah, probably so.

18 MR. HENDERSON: Form and foundation.

19 BY MS. SHOFNER:

20 Q. And the polyester and the poly product
21 had to go through inspections and testing to make
22 sure it met certain specifications, correct?

23 MR. HENDERSON: Form and foundation.

24 THE WITNESS: Yeah, it was -- they was
25 sent to the lab to check the what -- to see if it

1 was made right.

2 BY MS. SHOFNER:

3 Q. Right. Right. And if it had a whole
4 bunch of dust in it or other contaminants, it may
5 not have passed those inspections, correct?

6 MR. HENDERSON: Form and foundation.

7 THE WITNESS: Oh, yeah. Yeah.

8 BY MS. SHOFNER:

9 Q. Okay. Thank you. Now, I think that
10 you said that when you first started in 1970 --

11 A. Uh-huh.

12 Q. -- at Hoechst --

13 A. Uh-huh.

14 Q. -- poly number two, the continuous
15 line, was not built yet, correct?

16 A. No, no it wasn't.

17 Q. Was it in construction when you first
18 started there, or did the construction start on the
19 continuous line after you began there?

20 A. It was right after -- right after -- it
21 was right after I started.

22 Q. Okay. So sometime in the late summer,
23 mid-fall, the continuous line started to be
24 constructed, correct?

25 A. It was like about a year or two, so --

1 Q. Oh, okay.

2 A. First, it started off with the building
3 from the ground floor. And first they built a
4 building. And they put the building up pretty
5 fast. And it was right -- right close -- right
6 next to the poly building, but they had -- they had
7 to break the wall out -- bust the wall out to make
8 a door there so you could walk in between it.

9 Q. Okay. Let me ask you a little bit
10 about that. So you think they started the
11 construction of the building for the continuous
12 line poly number two about a year after you started
13 at Hoechst, correct?

14 A. I can't remember exactly when, but it
15 was after I started. It was a while after I
16 started.

17 Q. Okay. You're not sure when, but it
18 could have been?

19 A. Sometime in that time frame.

20 Q. Okay. Between 1970 and 1971?

21 A. No, between '70 and '74. I can't
22 remember the exact time frame.

23 Q. Okay. All right. And the first thing
24 they did was they built another entire building?

25 A. That's right.

1 Q. Right next to the poly one building --

2 A. That's right.

3 Q. -- correct? Okay. How -- what was the
4 -- how far away was the second building that they
5 built?

6 A. It was right next to it. It was
7 connected to it.

8 Q. Okay. Did that share a wall?

9 A. Well, they had -- the end of it had a
10 wall, but it had a -- it had a great big wide space
11 there that you could walk through.

12 Q. Well, obviously the space wasn't there
13 when they first started building the building,
14 correct? Let me go back.

15 Did they build the building first
16 before they made the -- connected the two
17 buildings?

18 MR. HENDERSON: Form.

19 THE WITNESS: Oh, well, at the same
20 time they was building it, they was connected at
21 the same time, see. And that's they way they build
22 it -- connected it at the same --

23 BY MS. SHOFNER:

24 Q. Okay. Where was the second building
25 being built in relationship to the poly building

1 number one? Was it at the end? Was it on the
2 side?

3 A. Yeah, it was on the long side. It was
4 like -- yeah.

5 Q. Was it exactly -- did it look exactly
6 the same as the building number one -- four levels?

7 A. Oh yes, yes.

8 Q. Okay. So the dimensions were pretty
9 much the same as the poly building number one?

10 A. Yeah, the width.

11 Q. Uh-huh.

12 A. Yeah, the width was the same.

13 Q. And the length?

14 A. It was shorter.

15 Q. Okay. How about the level -- floor
16 levels -- height? Was that the same?

17 A. I'm saying -- yeah, it was the same
18 because they had another control room too, for the
19 continuous line.

20 Q. So the only difference between the poly
21 number two building with the continuous line was
22 that it was a little bit shorter?

23 MR. HENDERSON: Object to the form.

24 THE WITNESS: Yeah. Oh, yeah. Yeah.

25

1 BY MS. SHOFNER:

2 Q. And then while they were building this
3 building was there any space between the building
4 number one and the building number two before it
5 was connected?

6 MR. HENDERSON: Form.

7 BY MS. SHOFNER:

8 Q. So could you walk between the two
9 buildings?

10 A. Oh, yeah. Yes, you could. It --

11 MR. HENDERSON: Form.

12 THE WITNESS: -- was just like -- like
13 the poly building was outside the door.

14 BY MS. SHOFNER:

15 Q. Okay. So --

16 A. Yeah. Yeah.

17 Q. So there was an outdoor space that you
18 could walk between the two buildings, correct?

19 MR. HENDERSON: Form.

20 THE WITNESS: No.

21 BY MS. SHOFNER:

22 Q. No?

23 A. No, you just walk from one floor to --
24 just like you were going in that hall.

25 Q. All right. So they shared a wall?

1 A. Well, they -- on the lower end of it
2 they shared a wall.

3 Q. Okay.

4 A. But they had a big wide space at the
5 top of the machine where the -- where it was open.

6 Q. All right. Well, that's going to be my
7 next question is the -- for poly number two, the
8 continuous line and the poly number one building,
9 where were they open to one another? Was it along
10 the long wall?

11 MR. HENDERSON: Form.

12 THE WITNESS: Yeah, it was the end of
13 the long wall because all -- what they call the
14 lines -- they ran the same way. You know, they ran
15 the same way.

16 BY MS. SHOFNER:

17 Q. Okay. So end of the long wall, you
18 could walk from one -- from the poly building
19 number one or the -- to the poly building number
20 two, correct?

21 MR. HENDERSON: Form:

22 THE WITNESS: Yeah, you'd just step
23 right over.

24 BY MS. SHOFNER:

25 Q. Okay.

1 A. You just walk right into it.

2 Q. How big was this opening?

3 MR. HENDERSON: Form.

4 THE WITNESS: Oh man. Okay. It was
5 like a -- about 8 or 10 yards.

6 BY MS. SHOFNER:

7 Q. Okay. Did the opening -- was it only
8 on one level or was it on all four levels?

9 A. Yeah, it had to be all levels.

10 Q. All four levels?

11 A. Yeah.

12 Q. All right. Was there any doors or
13 anything that separated it, or was it just a big
14 open space that you could just walk through?

15 A. Yeah, it was a big open space.

16 Q. Okay. The rest of the -- other than
17 this 8 to 10 yard opening at back end of the long
18 wall --

19 A. Uh-huh.

20 Q. -- everything else was separate from
21 the poly -- from poly one to poly two?

22 MR. HENDERSON: Form.

23 BY MS. SHOFNER:

24 Q. There was a wall separating the two
25 lines --

1 A. Okay.

2 MR. HENDERSON: Form.

3 THE WITNESS: Over on -- on two --

4 okay. On the second floor they had a wall to the
5 end -- to the end instead of separating it, and the
6 rest of it was just opened -- yeah, the rest of it
7 was just open. They was connected together. The
8 third floor and the one after that.

9 BY MS. SHOFNER:

10 Q. Okay. So on level number two, there
11 was this 8 to 10 yard opening at the back end,
12 correct?

13 A. Yeah, yeah.

14 Q. But then there was a wall for the rest
15 of the length of the building that separated level
16 two?

17 MR. HENDERSON: Form.

18 THE WITNESS: Yeah. From that way
19 toward the front and that way toward the back
20 (Indicating).

21 BY MS. SHOFNER:

22 Q. There was a wall?

23 A. Yeah.

24 Q. Okay. And then on level one, was it
25 completely open between the two buildings or was

1 there just a space?

2 MR. HENDERSON: Form.

3 THE WITNESS: It was open. They had
4 big -- they had great big beams there to hold it.

5 BY MS. SHOFNER:

6 Q. Okay.

7 A. 'Cause I remember that.

8 Q. So there were beams --

9 A. Yeah, yeah.

10 Q. -- in between where the wall would have
11 been but it was completely open that you could
12 see --

13 A. Yeah, yeah, on the first floor 'cause
14 it didn't need to be closed up.

15 Q. Okay. And then level three with the
16 control room in it, was there a wall or was it
17 completely open?

18 A. It was open. I remember it was open.
19 It was open.

20 Q. Did they have two control rooms?

21 A. Oh yes --

22 Q. Okay.

23 A. They had one for the batch line; had
24 one for the continuous line.

25 Q. And were the control rooms separate

1 buildings within the building area that housed all
2 of the instrumentation?

3 A. Well, actually, by that time it was
4 when they built the other building, it was the same
5 building, except it was a different part of it.

6 Q. Okay.

7 A. The other half of it -- the other
8 half --

9 Q. Level -- fourth level, was it
10 completely open?

11 MR. HENDERSON: Form.

12 THE WITNESS: Oh yeah, yeah.

13 BY MS. SHOFNER:

14 Q. How -- how long did it take to, if you
15 know, from start to finish, to build poly number
16 two?

17 A. Wow.

18 MR. HENDERSON: Object to form. Asked
19 and answered.

20 THE WITNESS: I can't -- I can't put no
21 time frame on it. I know it went up fast.

22 BY MS. SHOFNER:

23 Q. Okay.

24 A. I know they build it fast.

25 Q. All right. And when did they knock

1 down the walls in between the two buildings? Did
2 they wait until most of the poly two was already
3 built before they started knocking down the walls
4 in between the two buildings?

5 MR. HENDERSON: Form.

6 THE WITNESS: Okay. They put the
7 framework --

8 BY MS. SHOFNER:

9 Q. I'm assuming you wouldn't want the --
10 you wouldn't want --

11 MR. HENDERSON: Please let him finish
12 his answer. Were you finished with your answer?

13 MS. SHOFNER: You can go ahead and
14 finish your answer. I was just trying to help.

15 THE WITNESS: Oh, it was the same time
16 when they started putting the beams up. Yeah, they
17 knocked the wall out and they put something there
18 to hold -- like a big sheet -- like a canvas to
19 hold it.

20 BY MS. SHOFNER:

21 Q. So while they were constructing the
22 second building, they had a sheet barrier?

23 A. Oh, yeah. Yeah.

24 Q. To prevent the dust from the
25 construction from building number two to come into

1 the building number one?

2 MR. HENDERSON: Form.

3 THE WITNESS: Until they build it up,
4 you know, until they build it up and they got a
5 cover over the top.

6 First, they build all of that first
7 and then the cover over the top. And then they put
8 a -- they also build a new restroom and -- and --
9 and a new locker room and restroom. And they also
10 put some -- put some control room in there. That
11 was on poly number two.

12 BY MS. SHOFNER:

13 Q. Okay.

14 A. And they had great big controls where
15 they had -- that controlled the powers, you know?

16 Q. Uh-huh.

17 A. And they had a lot of them in there.

18 Q. And was that on level three?

19 A. No, level two. That was on level two.

20 Q. Okay.

21 A. It was right behind the continuous line
22 that was over there on the right. And the new
23 restroom was up there on the end.

24 Q. And this was all part of the new
25 construction?

1 A. Oh, yeah. Yeah, yeah.

2 Q. Okay. While this new construction was
3 going on, did they have barriers in between the new
4 construction and the poly continuing -- poly line
5 number one to prevent dust from coming into your
6 work space?

7 MR. HENDERSON: Form.

8 THE WITNESS: I'd say no, no.

9 BY MS. SHOFNER:

10 Q. Okay. Well, you already told me they
11 needed to keep the dust controlled so that it
12 didn't contaminate the poly ribbon coming through.

13 MR. HENDERSON: Object to the form.
14 Mischaracterizes his testimony.

15 BY MS. SHOFNER:

16 Q. So would they have allowed the
17 construction dust to come in while you were working
18 there and contaminate the poly ribbon on poly
19 number one?

20 MR. HENDERSON: Object to form.

21 THE WITNESS: They stayed over there in
22 their part, you see. They stayed over their in
23 their part.

24 BY MS. SHOFNER:

25 Q. And how did they keep the dust over on

1 their part?

2 MR. HENDERSON: Object to form and
3 foundation.

4 THE WITNESS: There wasn't any wind
5 blowing. It just fell straight down.

6 BY MS. SHOFNER:

7 Q. Okay.

8 A. It just fell straight down.

9 Q. So the construction didn't create a lot
10 of dust?

11 MR. HENDERSON: Object to form.

12 THE WITNESS: Yeah, it did, but it
13 stayed confined over there in poly number one,
14 where they was building -- where they was
15 building the --

16 BY MS. SHOFNER:

17 Q. I'm sorry. It stayed confined in poly
18 number two --

19 A. Yeah.

20 Q. -- correct?

21 A. Yeah --

22 MR. HENDERSON: Object to the form.

23 THE WITNESS: -- yeah. First, they had
24 to put -- before they started running it though,
25 they had to put -- had to build everything. Put

1 the hot water lines up and put the insulation on
2 those steam pipes, and it was all over on that
3 side.

4 BY MS. SHOFNER:

5 Q. And I understand what you are saying.
6 What I'm trying to understand is: If they were
7 having construction being done on the poly number
8 two area --

9 A. Uh-huh.

10 Q. -- and there nothing prevent -- no
11 barriers up, how did they prevent the dust from
12 coming over to poly number one and contaminating
13 the product that you were manufacturing at that
14 time?

15 MR. HENDERSON: Object to form. It's
16 the last time he's going to answer this question.

17 BY MS. SHOFNER:

18 Q. If they didn't --

19 A. They had a wall on the -- they left a
20 wall from the end of the machine back that way
21 (Indicating) towards the front. And there wasn't
22 no wind blowing to blow it over there.

23 Q. Okay.

24 A. It was just all over on that side.

25 Q. And at least on level two there was

1 still that wall there, correct?

2 MR. HENDERSON: Object to form.

3 THE WITNESS: Yeah, over on the end of
4 it, except where that big --

5 BY MS. SHOFNER:

6 Q. The big entryway?

7 A. Yeah, where we can go back and forth
8 and across.

9 Q. Okay.

10 A. I didn't think they -- it wasn't a
11 problem --

12 Q. Okay.

13 A. -- to go -- for it to go over to the
14 other side. It stayed over there in poly number
15 two; that's where it stayed.

16 Q. All right. And it's -- and then I
17 think you said that you went over to the poly
18 number two continuous line and started working as a
19 production person sometime in 1973; is that
20 correct? Is that fair? I think that's what you
21 said.

22 A. It was about around that time.

23 Q. And by the time you went over there the
24 construction was finished, correct -- completed?

25 MR. HENDERSON: Object to form.

1 Mischaracterizes his testimony.

2 BY MS. SHOFNER:

3 Q. The continuous line had to be
4 operational before you went over there and actually
5 worked on it, correct?

6 MR. HENDERSON: Object to the form. I
7 think he was trying to answer your last question.

8 THE WITNESS: Okay. First, the first
9 line was finished and then they started working on
10 it. And then they started building the second line
11 and the first line started running.

12 BY MS. SHOFNER:

13 Q. Right. The first line has always been
14 running, correct? Poly one has always been
15 operational --

16 A. No, no, no, no. I mean, over in poly
17 two continuous line.

18 Q. Okay. How many continuous lines did
19 they have in poly two?

20 A. Well, first, they started off with just
21 one. They started off with just one, and after a
22 while I think they built another one.

23 Q. When did they build the second
24 continuous line?

25 A. I think -- it was right before I left.

1 It was right before I left.

2 Q. Did they have to do any additions or
3 changes to the building or structure of the poly
4 building at all during -- when they started
5 building the continuous line number two?

6 A. Oh, I don't understand.

7 Q. Okay. You described the poly number
8 one building, correct?

9 A. Uh-huh.

10 Q. You said that they actually added on
11 and -- and added on width to the poly number one
12 when they built poly number two with the continuous
13 line, correct?

14 MR. HENDERSON: Objection. Form.

15 BY MS. SHOFNER:

16 Q. So the building changed? They added --
17 they made it wider, correct?

18 A. They made it longer.

19 Q. Made it longer, okay.

20 A. Yeah, made it longer.

21 Q. All right. For number two did they
22 have to add any length or width to the existing
23 poly building when they started building number two
24 continuous line?

25 MR. HENDERSON: Form.

1 THE WITNESS: Oh, are you asking me,
2 did they add on poly number one?

3 BY MS. SHOFNER:

4 Q. I don't -- I don't -- I think -- I
5 think -- we're miss -- we're getting confused here,
6 so --

7 A. Okay.

8 Q. -- let me see if I can fix this.

9 A. Okay.

10 Q. Okay. When you came in 1970, there was
11 only poly number one with one line that was a brake
12 line -- a batch line; is that fair?

13 A. There was a lot of lines there.

14 MR. HENDERSON: Object to the form.

15 THE WITNESS: A lot of them. A lot of
16 them.

17 BY MS. SHOFNER:

18 Q. Okay. But they were all batch lines,
19 correct? In 1970?

20 A. They run all the way through. They
21 started -- all of them started from the -- from the
22 drum up there where it come out of the wall --

23 Q. Okay.

24 A. -- and it run all the way to the back.
25 I don't know how many there was. It was in the

1 teens.

2 Q. Okay. But these were already in
3 existence and already in the poly building,
4 correct?

5 A. Oh, yeah. Yeah.

6 Q. And then when they came and built the
7 continuous line, which was a brand new separate
8 line, correct?

9 A. Uh-huh.

10 Q. They added on to the building -- on to
11 the length of the building?

12 A. Uh-huh. That's true.

13 Q. So they altered the building; they made
14 it longer, correct? They added walls and knocked
15 down walls, correct?

16 A. Well, the wall was already there, but
17 they just -- up there on the end -- it just made it
18 where you could walk across one to the other.

19 Q. Right.

20 A. It was up on the end of the machine.

21 Q. But where the continuous line was was a
22 brand new building?

23 A. That's right.

24 Q. All right. So when they built
25 continuous line number two did they have to add on

1 or change the building?

2 MR. HENDERSON: Object to form.

3 THE WITNESS: No, no, they built the --
4 they built the building as long as they needed
5 before they start off with, you see.

6 BY MS. SHOFNER:

7 Q. Okay. So then continuous line number
8 two was just -- they just added more equipment --

9 A. Oh, yeah.

10 Q. -- into the existing building?

11 A. True.

12 Q. And this was the new part of the
13 building that they had already added in 1973?

14 MR. HENDERSON: Form.

15 THE WITNESS: It was --

16 BY MS. SHOFNER:

17 Q. Or whenever they built continuous line
18 number two?

19 A. Yeah. Yeah.

20 Q. Okay. That's what I was asking. Thank
21 you.

22 A. Okay.

23 Q. All right. For the continuous line --
24 I know that you said the only difference was that
25 it was a continuous process, correct?

1 A. True.

2 Q. It was not the --

3 MR. HENDERSON: Object to form.

4 Mischaracterizes his prior testimony. When she
5 asks you a question, give me a second because I may
6 have some objections to some of the questions that
7 are asked --

8 A. THE WITNESS: Oh, okay.

9 MR. HENDERSON: -- So just give me a
10 second. I'll object and you can go ahead and
11 answer, okay?

12 THE WITNESS: Okay. Okay.

13 MR. HENDERSON: Same as before.

14 BY MS. SHOFNER:

15 Q. Continuous line -- Continuous line
16 number two or the continuous line -- the new
17 line -- was -- you were making the same type of
18 product, correct?

19 A. True.

20 Q. It was just not made in batches, it was
21 just made continuously, correct?

22 A. True.

23 Q. Okay. So it would go through the same
24 process including the cool-down process, correct?

25 A. True.

1 Q. Was the cool-down process similar to
2 what was the cool-down process in the -- the poly
3 number one?

4 A. True.

5 Q. When they added the continuous line for
6 poly two, did they increase the crew? Or did you
7 have a new crew do the continuous line?

8 MR. HENDERSON: Form.

9 THE WITNESS: It was -- it was one
10 operator on each line.

11 BY MS. SHOFNER:

12 Q. Okay.

13 A. I think it was one out on each line.

14 Q. Okay.

15 A. But I did work up there on the -- for a
16 while on the continuous line when they put it in.

17 Q. Were you ever an operator? Was that
18 ever your job title?

19 A. Oh, yes. Yes.

20 Q. Okay.

21 A. But what you did though, you just
22 watched it and kept it running. If it broke, you
23 had to push the drum out of the way. And if
24 something, you know -- and you had to do whatever
25 -- whatever you need to do -- whatever it took to

1 keep it running.

2 Q. Okay. You never worked in maintenance
3 at Hoechst plant?

4 A. Oh, no, no, no.

5 Q. Okay. If there was ever any repairs to
6 any of the machines or equipment, you would call a
7 maintenance person to come and do that, correct?

8 A. Oh, that's true. That's true.

9 Q. For poly number two on the continuous
10 line -- how many members -- how many members would
11 need to be in that crew per shift? Same?

12 A. No, there was one for each line. I
13 worked -- when I was first there -- when they first
14 build it, I worked over there a while until they
15 found somebody to run it, and then I went back over
16 -- then I went back over on the poly one.

17 Q. Okay.

18 A. But I had to go across there to go to
19 the restroom -- the new restroom they built -- and
20 the new locker room.

21 Q. Okay.

22 A. That's where my locker was.

23 Q. So what did they do with the old
24 restrooms that were in the poly one?

25 A. I'm thinking back -- I think it was --

1 they had the locker rooms over -- over in other
2 building.

3 Q. All right. So you had restrooms in
4 poly one and restrooms in poly two area?

5 A. Yeah, but I didn't -- we didn't use it
6 after they built the other side. We didn't use
7 them.

8 Q. Okay. But then they put the new locker
9 room over on poly two or in the poly two building,
10 correct?

11 A. Correct.

12 Q. Okay. So at the end of the day or at
13 the beginning of the day you would go to the locker
14 room, leave your stuff, and then go report to your
15 shift, correct?

16 A. That's right. That's true.

17 Q. And that what was in the poly two area?

18 A. That's right. That's right.

19 Q. How far away was the locker room to the
20 poly one area?

21 A. It was over there on the far corner --
22 all the way over to the corner. That was -- let's
23 see -- wow. Wow. Oh man, it's hard -- it's hard
24 to put a --

25 Q. If you don't know, that's fine.

1 A. Yeah.

2 Q. Okay. So at least twice a day you
3 would go into the poly two area to go to the locker
4 room? Once in the morning and once after your
5 shift ended?

6 A. That's true.

7 Q. Okay and --

8 A. And then when you had -- when you went
9 to -- took a break -- I mean, when --

10 Q. Was --

11 A. -- when you went to the restroom -- you
12 had to go use the restroom -- when you needed to
13 use the restroom over there.

14 Q. Why didn't you use the restroom that
15 was closer to you in the poly one building?

16 MR. HENDERSON: Object to form.

17 Assumes facts not in evidence.

18 BY MS. SHOFNER:

19 Q. I mean, you might have; did you? Did
20 you use the restroom in the poly one building when
21 you were working there?

22 A. At first, I was using -- let me see.
23 Wait a minute. Wait a minute. Wait a minute.

24 I believe they closed it down. I
25 believe they put something else in there.

1 Q. Okay.

2 A. I think they rebuilt the whole thing.

3 Q. All right. And the new restrooms in
4 the poly two area -- they would not have been, I
5 guess, operational until the rest of the building
6 was completed?

7 A. First they built --

8 MR. HENDERSON: Object to the form.

9 THE WITNESS: -- they built the whole
10 building and then they put the -- they put that --

11 MR. HENDERSON: Actually, Mr. Crawford,
12 that wasn't a question. Madam court reporter, will
13 you read back the last statement for opposing
14 counsel, please.

15 MS. SHOFNER: I can add correct to the
16 end of it if you would like me to.

17 MR. HENDERSON: Maybe so. Let's hear
18 it.

19 (Requested portion was read.)

20 MS. SHOFNER: Correct?

21 MR. HENDERSON: Object to form.

22 Assumes facts not in evidence.

23 THE WITNESS: All right. Okay. I
24 remember when they built -- when the first line was
25 starting to be completed, the other restroom and

1 the new locker room was operational, you know, it
2 was operational.

3 Well, it had to be because the ones
4 working on the -- on line one had to use the
5 restroom there. They had to have somewhere for the
6 locker room and the restroom.

7 BY MS. SHOFNER:

8 Q. But the construction was -- wasn't
9 completed in the poly two area by the time you were
10 allowed to go and use those locker room and the
11 restroom?

12 MR. HENDERSON: That's not a question.
13 Mr. Crawford, that's not a question. Wait for her
14 to ask you a question.

15 MS. SHOFNER: Correct?

16 MR. HENDERSON: Still not a question.
17 I can't tell what you are asking. How many times
18 does he have to say he --

19 MS. SHOFNER: If he doesn't know --
20 okay.

21 THE WITNESS: Okay.

22 MR. SHOFNER: You don't understand the
23 question -- is that what you are saying?

24 MR. HENDERSON: He's been asked the
25 same thing multiple times now.

1 MS. SHOFNER: Because I'm asking him to
2 get clarification. I don't think he's ever
3 answered the question, but I'm happy to ask it
4 again if you're not clear about what I'm asking.

5 MR. HENDERSON: I just don't know how
6 many times you got to repeat the same ground.

7 MS. SHOFNER: I'm -- I'm --

8 MR. HENDERSON: I'm trying to give you
9 room, I just -- literally, I think he's explained
10 this several times now.

11 MS. SHOFNER: I don't think he's
12 explained anything, but I'm happy to try to ask him
13 again if he can figure this out.

14 BY MS. SHOFNER:

15 Q. I'm trying to figure out when the new
16 locker room -- when you were able to go to the new
17 locker room.

18 In what state was the construction of
19 the poly two area -- what state was it in? Was it
20 brand new? Was it just started -- the building
21 starting to being built? Was it toward the end of
22 construction? Was the poly two continuous line --
23 was it operational by the time you were -- when you
24 had to go to the restrooms and use the new locker
25 rooms?

1 MR. HENDERSON: Counselor, I'm sorry.
2 You asked him several questions. Is your question
3 whether or not the line was operational when he
4 went to use the bathroom in poly two -- 'cause I
5 can follow that -- and I don't have an objection to
6 that. Is that your question to him?

7 BY MS. SHOFNER:

8 Q. When was the bathroom operational and
9 locker room operational during the time of the
10 construction of the poly two building?

11 MR. HENDERSON: Objection to form to
12 that question.

13 THE WITNESS: Oh, you can use the
14 restroom before the line started because they
15 completely finished the bathroom -- that part first
16 -- the bathroom and that control room with all of
17 those buttons was -- the control room where the --
18 the breakers -- I guess, it was breakers in there.

19 BY MS. SHOFNER:

20 Q. Okay. What -- where was the bathroom?
21 What level?

22 A. The second -- second level.

23 Q. Well, where was the locker room?

24 A. Second level, too. And same with the
25 restroom.

1 Q. Okay. When you would -- how often did
2 you have to go over to the continuous line to work
3 there?

4 MR. HENDERSON: Object to form.

5 THE WITNESS: Yeah, when it first
6 started. When it first started. Okay. I know
7 when it was first started up, I started working on
8 it and -- oh me. It was a whole shift. I mean, it
9 was -- it was -- it was like a about a few weeks.

10 BY MS. SHOFNER:

11 Q. Okay.

12 A. A couple -- about -- it was like about
13 two or three weeks.

14 Q. Did you only work at the continuous
15 line after it was first started for this two or
16 three-week period, or did you go over there
17 after -- at other times?

18 MR. HENDERSON: Object to form.

19 THE WITNESS: After two or three weeks,
20 then I went back to poly one -- poly number one.

21 BY MS. SHOFNER:

22 Q. Okay. All right. So the majority of
23 your time at Hoechst Celanese was in the poly --
24 on the poly one area?

25 A. Oh yeah, yeah.

1 Q. Okay. The warehouse -- was that in the
2 same area -- was that in the poly building or was
3 that in a different building when you would go to
4 work at the warehouse?

5 A. Oh, it was -- I was in poly building
6 one.

7 Q. Okay.

8 A. It was when I was on the first shift.

9 Q. So they had a warehouse at the poly
10 building number one?

11 A. It was right off from it.

12 Q. Okay.

13 A. It was right -- it was right built next
14 it to.

15 Q. Okay.

16 A. It was like across the big road --
17 right across the from the big road there.

18 Q. So the warehouse was in a separate
19 building than poly one?

20 A. Oh, yes. Yes, it was.

21 Q. Okay. That's what I was asking.

22 A. Yeah. Okay.

23 Q. To do your job in the poly building,
24 did you receive training from Hoechst or did they
25 just turn you loose and say here's the machine?

1 A. Oh yeah, yeah, I had training, yeah.

2 Q. All right. Do you recall how long that
3 training took?

4 A. Oh, I really know. I really don't. I
5 really don't. It wasn't hard to learn. It wasn't
6 hard to learn.

7 Q. Was it on-the-job training or classroom
8 or both?

9 A. No, no classroom.

10 Q. Do you recall who you learned from --
11 who gave you the training?

12 A. Oh, man.

13 Q. Would it be your supervisor, Moe --
14 Mr. Moe?

15 A. It was the -- it was the coworkers I
16 worked with, you see.

17 Q. Did you have to wear any safety
18 equipment?

19 A. Oh, yes, I did.

20 Q. What kind of safety equipment?

21 A. Okay. I had to wear -- I had to wear
22 leather gloves and -- and a hard hat. I remember I
23 had to wear a hard hat.

24 Q. Did you have to wear any ear plugs?

25 A. Oh, yeah. Yeah.

1 Q. How about safety goggles?

2 A. Oh wow. I can't -- I can't remember
3 that part now. I knowed I wore the hard hat.

4 Q. Did Hoechst provide you with the ear
5 plugs and hard hat?

6 A. Oh yeah, oh yeah. That's true.

7 Q. And the leather gloves?

8 A. That's right. Yeah, yeah.

9 Q. And did --

10 A. And boots, too.

11 Q. Steel-toed boots?

12 A. Yeah, I had high boots because there
13 was so much water; it was wet.

14 Q. So it wasn't necessarily steel-toed,
15 but they had to be a certain height?

16 A. I believe it was steel-toed. I believe
17 they was now.

18 Q. Okay. All right. And you said the
19 area was wet where you were working?

20 A. Oh, yes. Yes, because of --

21 Q. Because of the cool-down -- the water
22 that was needed to cool it down?

23 A. Well, they had all those drums -- big
24 drums had water hooked to it and it had a little
25 spout out from it, and it was all the way around

1 the drums.

2 Q. Okay.

3 A. It was all the way around.

4 Q. And was this part of the cool-down
5 process of trying to cool down the poly material?

6 A. Yes, it got cool -- the drum -- kept
7 the drum cool.

8 Q. Okay. Was operating the machines --
9 were there any hazards associated with the actual
10 operation of any of the machines that made the poly
11 material?

12 A. Oh, I'm not sure about that question.

13 Q. I mean, like, could you get your hands
14 caught or fingers mashed or was there any issues
15 with maybe getting hit with steam or any hot water
16 that could cause problems or injuries?

17 MR. HENDERSON: Form.

18 THE WITNESS: Yeah, there was injuries
19 there. You had to be careful. When I was working
20 there, there was one guy that got -- okay.

21 When that -- when that ribbon came off
22 the end of the trough and it before it went into
23 the slicer-dicer, it had to go under -- under a
24 roller --

25

1 BY MS. SHOFNER:

2 Q. Uh-huh.

3 A. -- you see, like on the door -- the
4 door was open right here (Indicating) and there was
5 a roller right there. And there was one guy
6 working there. He was -- (Someone sneezed.)

7 MR. HENDERSON: Bless you.

8 THE WITNESS: -- and he got his hand
9 caught up under -- up under that roller.

10 BY MS. SHOFNER:

11 Q. Okay.

12 A. And I had to call maintenance, 'cause I
13 couldn't get it out. Then I had to call
14 maintenance to come and take the -- take them
15 loose.

16 And after that they said -- after that
17 because that had happened, they was going to get a
18 roller there that would just pop off.

19 Q. Did they do that?

20 A. No, I never did see them get around to
21 it while I was there.

22 Q. These -- the hazards that were
23 associated with operating the machines -- you were
24 told about these hazards during your training; is
25 that correct?

1 A. No, I just saw them.

2 Q. Were they obvious that you don't want
3 to put your hand in the middle of the roller
4 because it could get smashed?

5 MR. HENDERSON: Object to form.

6 THE WITNESS: Well, I thought it was,
7 but you know, so...

8 MS. SHOFNER: Okay.

9 A. It was -- but the -- the person that
10 got it caught just didn't realize it, you see. I
11 always kept my hands out of it -- out of the way.
12 And most of the other workers did too, but...

13 BY MS. SHOFNER:

14 Q. Other than this accident that you
15 recall happening with the roller and your coworker,
16 were there other accidents that you can remember
17 happening?

18 A. Oh, yes. Yes.

19 Q. Okay.

20 A. There was one guy that was there got
21 burnt -- the whole chest. The whole chest. It was
22 caused when one guy was rolling the hot wax -- the
23 hot -- when you roll it off -- when it starts --
24 open it up on the tumbler's moving -- when you open
25 it up, some will fall out and you take it and just

1 roll it up with your hands to get it started and
2 then break it off. And you are supposed to lay it
3 down.

4 And one guy was -- when he rolled it
5 off, he got it and just slung it and there was
6 somebody behind him. And that hot -- the hot poly
7 hit him in the chest and just burnt the chest up --
8 burned the chest -- a big red spot on his chest.
9 They had to take him to the -- they had to take him
10 to the hospital.

11 Q. Okay.

12 A. Yeah.

13 Q. Were there safety procedures that
14 Hoechst Celanese required you to follow during
15 while you were working?

16 A. Okay. When you roll the poly off, you
17 are supposed to take it and just lay it down.

18 Q. Right.

19 A. That was the procedure -- lay it down.

20 Q. Right.

21 A. You wasn't supposed to throw it, you
22 see.

23 Q. Right. Right. So obviously there was
24 policies and protocols in the place in how to
25 handle the materials and operate the machines

1 safely, correct?

2 MR. HENDERSON: Object to form.

3 THE WITNESS: Oh, yeah. Yeah.

4 BY MS. SHOFNER:

5 Q. Okay. And that -- and you were -- you
6 knew about these policies and procedures and how to
7 operate and handle the material safely, correct?

8 A. Oh yeah.

9 Q. How were these safety procedures
10 communicated to you?

11 A. Oh, when it first started off, I
12 learned you're supposed to roll it off and lay it
13 down, you know?

14 Q. Because somebody taught you?

15 A. It was like a no-brainer. I mean, you
16 had to take it off and lay it down.

17 Q. Okay.

18 A. I knowed not to sling it, you know. I
19 mean, that was just common sense.

20 Q. And not just the throwing the poly, but
21 any other kind of safety precautions or procedures
22 that you were supposed to do, including wearing ear
23 protection and wearing a hard hat, how to handle
24 the product without hurting yourself or causing
25 injury -- these all things were things that you

1 were either taught or told by Hoechst how to do
2 properly, correct?

3 A. The only thing I was told when you just
4 rolled -- rolled it when it first starts off to lay
5 it down --

6 Q. Okay.

7 A. -- you see --

8 Q. All right.

9 A. -- don't just sling it.

10 Q. Okay. If you were caught not wearing
11 safety equipment, could you get in trouble for
12 that?

13 A. Oh yeah, you had to wear a hard hat
14 there.

15 Q. If you were caught doing something that
16 was dangerous, could you get in trouble for that?

17 MR. HENDERSON: Form.

18 BY MS. SHOFNER:

19 Q. I'm assuming the guy that through the
20 poly --

21 A. Oh, yeah, yeah.

22 Q. -- he got in trouble for that, right?

23 A. Oh, yeah. Yeah.

24 BY MS. SHOFNER:

25 Q. Okay. So your supervisor was there to

1 make sure that -- one of his jobs was to make sure
2 that you all were operating and working in a safety
3 environment, correct?

4 A. Well, he came down ever so often.

5 Q. Okay.

6 A. He'd come down and check the floor.

7 Q. If you saw anything that you felt was
8 unsafe, could you report that to somebody?

9 A. That never was an issue. I'm sorry,
10 but it never was.

11 Q. Okay. So you never saw anything that
12 you felt you needed to report that was a safety
13 issue?

14 A. No, at the time, I didn't know. I
15 didn't it was. I just didn't know.

16 Q. And just so I understand, the only --
17 the only exposure to asbestos that you believe you
18 had while you were at Hoechst was when Daniels was
19 constructing the continuous line -- poly line,
20 correct?

21 MR. MAJOR: Object to the form.

22 A. Correct. And then after that too
23 because see, after that, there was dust left there.
24 I had to clean up. I had to sweep all the time,
25 you know?

1 Q. Okay. Well, was this right after the
2 construction was completed?

3 A. Yeah, it was all day long I kept -- I
4 kept -- because there was dust accumulating back
5 there. I remember there was dust back there on the
6 end, and --

7 Q. And they had you all clean up this
8 dust?

9 A. Well, it was just part of my job.

10 Q. Okay.

11 A. Yeah, because to keep the area clean
12 was part of my job. To keep it swept -- swept up.

13 Q. How often did you have to dust the poly
14 two building area or clean up?

15 A. Well, when I wasn't on break, I just --
16 I just -- didn't have nothing to do, always keeping
17 the floor swept -- swept up.

18 Q. Are you just talking about just general
19 cleaning after every shift that you would have to,
20 whether you were --

21 A. No, no, no. I always kept it clean
22 because -- yeah, I kept it clean, you know.

23 Q. Okay. And would you have to keep this
24 clean after every -- after your shift every --
25 every time that -- every day? Were you responsible

1 for cleaning and sweeping after every shift?

2 A. Yeah, I knew to keep it clean, yeah. I
3 just knew to keep it clean.

4 Q. Okay. And my question is: Did you
5 sweep up after every shift?

6 A. It was all during the day. At the end
7 of the shift it was already clean. I made sure it
8 was already clean.

9 Q. Okay. How often did you sweep up
10 during a shift?

11 A. Oh man. Just every time I got a chance
12 all during the day --

13 Q. Okay.

14 A. -- just, you know?

15 Q. And the others were responsible for
16 also sweeping up during their shift -- the six crew
17 members?

18 A. Okay. When I was in poly one, there
19 was just one machine running at that time -- back
20 at that time --

21 Q. Okay.

22 A. -- when I was there. And then so like
23 I said --

24 Q. So who was responsible for cleaning up
25 after poly one or during the shift? Was it

1 everybody, or just one person assigned to it?

2 A. Oh, no. No. It was everybody because
3 there was ribbon got on the floor, sometime the
4 dicer wouldn't work and have to call maintenance to
5 work on it. And when it came off, we'd have to do
6 something with it. And you just stand there and
7 just roll it up -- rolled it up in big rolls -- in
8 big rolls.

9 Q. Okay.

10 A. And that -- oh, it had a -- yeah. Let
11 me see. I believe it had a little color on the end
12 of it to start another row. Yeah. We just kept it
13 rolled up, rolled up, and in rolls.

14 Q. Was it ever your responsibility to go
15 sweep up after the construction crew when they were
16 in building poly two?

17 A. If I understand your question right, I
18 don't -- no, no.

19 Q. And the only time that you would go and
20 sweep up in poly two was when you were working on
21 the continuous line in poly two, correct?

22 A. No, no, I didn't -- I didn't go from
23 one side to the other at the same time. When I
24 worked in poly one, I worked in poly one.

25 Q. Right.

1 A. When I worked in poly two, I worked in
2 poly two.

3 Q. And that was my question. Is that the
4 only time that you would sweep up in poly two is
5 when you were working in poly two during your
6 shift?

7 A. Oh yeah, yeah. That's fine.

8 Q. Okay. Do you know where that dust came
9 from that you were sweeping up during your shift?

10 A. No, it was -- the dust was over there
11 in poly two; that's where the dust was. And poly
12 one -- it stayed wet over there. And oh, poly
13 one -- no poly one stayed wet and it was
14 operates -- it was running -- and all of the stuff
15 that was on the floor was pieces of -- pieces of
16 that ribbon -- pieces of that ribbon on the floor.

17 Q. Okay. The ribbon was on the floor in
18 poly one or poly two?

19 A. Poly one.

20 Q. Okay.

21 A. Because sometimes when you rolled it up
22 it would fall in the floor. Had to get it up --
23 keep it picked up and throwed in the Dumpster.

24 Q. Okay.

25 A. And -- yeah, yeah.

1 Q. And so that debris was caused by the
2 slicer and dicer cutting the ribbon?

3 A. No, it was -- okay. Sometime if the
4 tumbler -- like if a big wheel start rolling, you
5 had to push it the tumbler out of the way. They
6 were on tracks. We could push them one to the
7 other, you see?

8 Each machine had a dicer -- I mean, had
9 a big -- big drum --

10 Q. And I'm just trying to ask where the
11 dust came from that you would sweep up during your
12 shift. And you are saying that there wasn't any
13 dust in poly one except for this -- during the
14 slicer where the ribbon parts would fall down; is
15 that right?

16 MR. HENDERSON: Object to the form.
17 Mischaracterizes his testimony.

18 MS. SHOFNER: And I'm just trying to
19 figure it out.

20 MR. HENDERSON: And I'm just trying to
21 object to your question because it's objectionable.

22 THE WITNESS: It's -- there wasn't
23 nothing to sweep -- nothing to sweep.

24 BY MS. SHOFNER:

25 Q. Okay. And then in poly two, do you

1 know where the dust came from when you were in poly
2 two that you would have to sweep up?

3 A. Oh, see -- yeah, some of it came from
4 when they was putting the lines in -- the
5 insulation on the steam pipes and I believe some of
6 it was coming from out there on the back -- back of
7 the -- I believe it was coming from the back of the
8 -- where it went in the slicer-dicer.

9 Q. But I think you just told me it was
10 never your job to clean up after the construction
11 crew when they were building poly two or doing any
12 work in poly two? That you only swept up when you
13 were on shift in poly two -- when you were
14 operating the poly two continuous line; is that
15 right?

16 A. Yeah, when I was running the line, I
17 kept the floor swept.

18 Q. Right.

19 A. Yeah, I kept the floor swept.

20 Q. Now, in the continuous line -- when
21 that was happening, was that -- did that -- did
22 they use the water to help cool down and the drums
23 to cool the poly ribbon down as well?

24 A. Oh yeah, yeah.

25 Q. So when the --

1 A. It had a smaller drum. It had a
2 smaller drum over there.

3 Q. So it wasn't as wet over in poly two?

4 A. No, it really wasn't. It was just that
5 one little area right there.

6 Q. Okay.

7 A. It was just that one area. And it
8 was -- and the -- it was -- that ribbon didn't go
9 through a window. It went under the door back
10 there. It just went right to the dicer back in the
11 back.

12 MS. SHOFNER: Okay. I think those are
13 all of the questions I have for you, sir. Thank
14 you.

15 THE WITNESS: Okay. Thank you.

16 MR. HENDERSON: Do you have a sense of
17 how much you got -- how long you might need -- I'm
18 sorry. Let's go off the record first.

19 THE VIDEOGRAPHER: The time is
20 7:09 p.m. We are going off the video record.

21 (A recess transpired.)

22 THE VIDEOGRAPHER: The time is
23 7:29 p.m. We are back on the video record.

24 EXAMINATION

25 BY MR. MAJOR:

1 Q. Mr. Crawford, my name is Denny Major.
2 I am from up the road in Greenville, and I've got
3 just a few questions. Luckily, Ms. Shofner, here
4 did most of my heavy lifting for me, but I've got a
5 few things.

6 The first thing that I want to ask
7 about -- and I'm going to go back to Hoechst
8 Ceeleaneese, Spartanburg. And the first thing I want
9 to ask about is the construction of the second line
10 on poly two?

11 A. Uh-huh.

12 Q. I think you mentioned that the
13 construction on the second line on poly F.

14 Two began shortly after you left
15 Hoechst Ceeleaneese; is that correct? I mean,
16 shortly before you left Hoechst Ceeleaneese?

17 A. Yeah, I think so.

18 Q. Do you know how long before you left
19 the construction of that second line in poly two
20 started?

21 A. I'd say roughly about a month.

22 Q. Okay. All right. So that would have
23 been after your two-to-three week stint that you
24 worked in poly two; is that correct?

25 A. Yeah, probably about around that, yeah.

1 Q. Okay. Let me ask it this way: You
2 never worked in poly two during the time of the
3 construction of that second line, did you?

4 A. Oh yes, because -- yeah, because it was
5 -- yeah, yeah. Right when it started, I was there
6 right when it started.

7 Q. Okay. You left about the time it
8 started; is that right? You left to go back to
9 poly one about the time the construction of the
10 second line started?

11 A. Yeah, I worked there a while before it
12 -- yeah, I worked there for a while before -- when
13 -- after it started.

14 Q. Okay. And you worked in poly two for
15 only two to three weeks total, correct?

16 A. No, I worked there for -- in poly
17 two -- it was -- it was at least -- I believe it
18 was at least two years before -- well, first when I
19 started there, it was right after -- right after I
20 moved there -- they -- started working there, they
21 started building the building first -- the whole
22 building.

23 First, they -- they built the whole --
24 put the beam work in and then they come back and
25 put the floor in and then the sides in. And then

1 the -- and then the locker rooms and the -- the
2 restrooms over there on the end. And let me see --
3 and then before -- when they built line one, I had
4 to move over there -- I just filled in.

5 I just filled in until they got
6 somebody to run it. Herman Humphreys was the one
7 that took over after I left -- let me see. 'Cause,
8 yeah, it was hard after that because -- because I
9 was working back there on two, and I saw
10 Herman Humphreys working over there.

11 Yeah, it was -- but I was already
12 working over there in poly two for a while. And
13 then -- yeah, I was -- I started working there and
14 -- after they started building it. It was like --
15 seems like it was about a week.

16 Q. Okay. Let me ask you this.

17 A. Okay.

18 Q. How far was the locker room in poly
19 two? How far was that from the second line in poly
20 two? Do you remember?

21 A. Oh. You said how far was the second
22 line in poly two?

23 Q. Yeah. How far was that from the new
24 locker room that was in poly two?

25 A. Yeah, yeah. Okay. Man, it's hard to

1 put it in distance, but I remember it was -- it was
2 about as far from here to that second door
3 (Indicating).

4 Q. Okay.

5 A. Yeah -- well, that's a mirror -- wait a
6 minute. Okay. About there to -- wait a minute.
7 Wait a minute. That's a mirror there. That's a
8 mirror. Oh my goodness, oh my goodness. I thought
9 it was another door. It looks just like another
10 door. Oh my goodness.

11 MR. HENDERSON: It's reflecting.

12 THE WITNESS: They do that in grocery
13 stores a lot to make it look like they got more
14 produce. Okay.

15 BY MR. MAJOR:

16 Q. Is it that about 20 feet or so?
17 I'm...

18 A. Okay. Okay. One step is a yard, so
19 roughly -- a good ten yards.

20 Q. Okay.

21 A. About ten yards.

22 Q. Okay. Was the restroom by the locker
23 room -- the new restroom?

24 A. Oh yes. When you walk in -- let me
25 see.

1 Q. Same area, right?

2 A. Oh yeah, same area.

3 Q. Okay. Good enough. I'm going to
4 switch gears on you real quick and ask you about --
5 you were never an insulator as I understand it? We
6 haven't talked about that?

7 A. Oh, no. No. I worked for Hoechst in
8 the '70s.

9 Q. Okay. And you would agree with me that
10 there are different types of insulation -- there's
11 fiberglass insulation, rubber insulation, different
12 kinds of insulation -- or do you know?

13 A. I really don't know anything about the
14 insulation. I don't know.

15 Q. All right. And so you are not able to
16 tell whether or not insulation contains asbestos,
17 are you?

18 A. At the time, I didn't know it was a
19 problem, see, so I didn't know 'cause I just didn't
20 know it was a problem.

21 Q. Okay. And at the time you weren't able
22 to tell whether it was asbestos or nonasbestos
23 containing insulation, were you?

24 A. I know it's insulation.

25 Q. Okay. But you don't know whether it

1 had asbestos in it, do you?

2 A. Tell you the truth, I didn't know what
3 it was.

4 Q. Okay.

5 A. I know it was insulation.

6 Q. Okay. Do you remember the names -- did
7 you ever know any of the Daniel employees that you
8 may have seen at the Hoechst facilities?

9 A. There was one of them I saw in the
10 locker room a lot; I know him by face. I know him
11 when he walked out -- you know, I had -- I had
12 conversation with him in the -- in the locker room.

13 Q. Do you --

14 A. And I had conversation with him when I
15 was going to the -- when I was going on -- after
16 the shift going towards the -- going towards my car
17 in the parking lot.

18 Q. Do you know his name or --

19 A. But I just didn't know his name.

20 Q. Okay. Do you know the names of any
21 Daniel employees at the facility?

22 A. Oh, I didn't know any of their names.

23 Q. Do you remember what color hard hats
24 they wore?

25 A. White hard hats --

1 Q. Okay. Did they -- go ahead. I'm
2 sorry.

3 A. I was going to say the Hoechst
4 employees wore yellow hats -- yellow hard hats.

5 Q. Okay. Did Hoechst have their own
6 maintenance workers?

7 A. What?

8 Q. Did Hoechst employ maintenance workers?

9 A. I didn't see any, so...

10 Q. Okay. A minute ago, when I asked you
11 about whether or not you know if any of the
12 insulation that you encountered contained asbestos,
13 you said that you didn't know what it was --

14 A. Uh-huh.

15 Q. -- and you used past tense. Do you
16 know what it is now for any reason?

17 MR. HENDERSON: Object to form.

18 BY MR. MAJOR:

19 Q. Yeah, let me re-ask that. As we sit
20 here today, do you know whether or not any of the
21 insulation that you encountered at Hoechst
22 Celeanese contained asbestos?

23 A. Yeah, I'm sure it did because that's
24 what the -- the -- had the -- that's what they made
25 it out of because it was a good insulation because,

1 you know...

2 Q. Did anybody ever tell you that it
3 contained asbestos?

4 A. Nobody ever told me anything about it.
5 I didn't -- I wouldn't even -- know enough to be
6 concerned at that time.

7 Q. And why do you think now that the
8 insulation back then contained asbestos? Have you
9 done research or something?

10 A. Oh yeah, yeah, yeah.

11 Q. Okay.

12 A. I understand that's what it was made
13 out of.

14 Q. But you don't actually know, do you?

15 MR. HENDERSON: Object to form.

16 THE WITNESS: Huh?

17 MR. HENDERSON: No, I'm objecting to
18 him. I'm objecting to his question, but you can
19 answer it if you can.

20 THE WITNESS: I'm certain they told me
21 that that's what it's made out of.

22 BY MR. MAJOR:

23 Q. Do you know who told you that?

24 A. I read about it. I read about it.

25 Q. Do you remember where you read it?

1 A. It's in a medical book. I got it at
2 home. It's a medical book. It's a medical book.

3 Q. Okay. I'm going to ask you to keep
4 that and provide it to your counsel. Do you still
5 have this book?

6 A. Yeah, I still got it. I sure do.

7 Q. Do you know the name of it?

8 A. No, I really don't. I really don't.

9 Q. Is it a generic book or is it something
10 specific to Hoechst Celanese?

11 A. It's -- it's a about -- it's a health
12 book about -- it's -- it's written by doctors.

13 Q. Okay.

14 A. It was written by doctors.

15 Q. So it doesn't say anything about what
16 the insulation at Hoechst Celanese contained, does
17 it?

18 MR. HENDERSON: Object to form.

19 THE WITNESS: Oh no, it doesn't say
20 anything about -- it's not written about any
21 particular plant, but it was -- it said back up to
22 that time period -- up in the '70s, they made it --
23 asbestos -- let me see.

24 It was made out some kind of rock and
25 it made strands -- best I can remember -- and they

1 made fiber strands out of it because it was a good
2 insulation, and they used it widely for insulation.
3 So I don't know why it would be something
4 different, so...

5 BY MR. MAJOR:

6 Q. And is that the only reason that you
7 think that the insulation at Hoechst Celanese
8 contained asbestos is this book?

9 A. Let me see. Yeah, I got two medical
10 books. I got another one -- it has a whole --
11 about all kinds of diseases.

12 Q. Okay. Other than these medical books,
13 is there any other basis that you have for
14 believing that insulation at Hoechst Celanese in
15 Spartanburg may have contained asbestos?

16 MR. HENDERSON: Object to form. I'm
17 objecting to his question.

18 THE WITNESS: Okay.

19 MR. HENDERSON: You can answer it if
20 you can.

21 THE WITNESS: No, I can't. No.

22 BY MR. MAJOR:

23 Q. Okay. Where did you get these two
24 books? Do you remember who gave them to you?

25 A. Let me see. Up here at the Goodwill.

1 Q. Okay.

2 A. Goodwill. You can buy them real cheap.

3 Q. Okay. Did you buy both of them at the
4 Goodwill?

5 A. I bought one of them at Goodwill and
6 one of them came -- and one of them came through
7 the mail. One came through the mail.

8 Q. Okay. Do you remember who sent it to
9 you?

10 A. It was some kind of law firm that my
11 daughter went online and got in contact with.
12 Yeah, I had it for a good while.

13 Q. Was it -- I assume it was after you
14 were diagnosed with Mesothelioma.

15 A. Yeah, yeah, yeah, 'cause I was trying
16 to find out where it came from.

17 Q. And you still have both of these books
18 at home?

19 A. Oh yeah, I do. I do.

20 Q. I'm going to ask you that hold on to
21 them. Make sure you don't throw them away or
22 anything.

23 A. Okay. I won't.

24 Q. Did you do anything to prepare for your
25 deposition today?

1 A. No, no.

2 Q. Did you meet with your attorney at all
3 in preparation for your deposition?

4 A. No, what he told me --

5 Q. I don't want to know what he told you.
6 But I mean, did you meet with him in preparation
7 for the deposition?

8 A. No, no, not for this meeting, 'cause --

9 Q. Did you talk on the phone with him in
10 preparation for the deposition?

11 A. No, just to find out was that a meeting
12 was coming up, you know.

13 Q. Okay.

14 A. Okay.

15 MR. MAJOR: All right. And I'm going
16 to look at my notes, but I think that's all the
17 questions I have for you now, Mr. Crawford.

18 THE WITNESS: Okay.

19 MR. MAJOR: I appreciate it.

20 THE WITNESS: Okay. Thank you.

21 MR. HENDERSON: Counselor, I just want
22 to make sure -- I think the way you were phrasing
23 your question may be confusing him and I don't want
24 to mislead you about the fact that he and I talked
25 before the deposition. You see what I'm saying.

1 MR. MAJOR: Yeah, okay. I understand.

2 MR. HENDERSON: Okay. I just want to
3 make sure that you were clear.

4 MR. MAJOR: Yeah. That's fine. Thank
5 you.

6 MR. HENDERSON: Sure.

7 EXAMINATION

8 BY MR. STARR:

9 Q. Mr. Crawford, I'm going to go next.

10 A. Okay.

11 Q. If I do this right, this is going to
12 take about three or four minutes, okay?

13 A. Okay.

14 Q. Sir, you spoke with the Daniel attorney
15 before speaking with me. Do you have any personal
16 knowledge or information about who the insurance
17 carrier for Daniel was during the time you worked
18 for Ceeleanese?

19 A. No, I really didn't.

20 Q. Okay. And sir, to your knowledge did
21 you ever communicate with anyone from Daniel's
22 insurance carrier during that time when you worked
23 at Ceeleanese '70 to '74?

24 A. No.

25 Q. Okay. Sir, to your knowledge, when you

1 worked at Celeanese from '70 to '74, do you recall
2 ever seeing, meeting with, talking to anyone from
3 United States Fidelity and Guaranteed Company?

4 A. No. No, sir.

5 Q. And sir, to your knowledge, did you
6 ever see or receive any information about any
7 activity that may or may not have been performed by
8 USF&G at Celeanese from '70 to '74?

9 A. No.

10 Q. All right. Let me shift gears to
11 something else. And this is for all the places
12 that you worked that we've talked about during
13 today?

14 A. Uh-huh. Uh-huh.

15 Q. Was it ever your job to work or
16 maintain any water cooling equipment?

17 A. Water cooling?

18 Q. Yes, sir. Was it ever your job to
19 maintain, repair, or service any water cooling
20 equipment?

21 A. Oh, no. No.

22 Q. Okay. And sir, was it ever your job to
23 ever service, repair, or maintain any water
24 recycling equipment?

25 A. Oh no, not the equipment, no.

1 Q. Okay. And sir, was it ever your job to
2 ever work on any HVAC equipment during your
3 employment at any of the places we've talked about
4 today?

5 A. I'm sorry. I don't know what that is.

6 Q. I'm sorry. When I say HVAC, I mean,
7 like heating and cooling -- like, you know, air
8 conditioners, something like that.

9 Did you ever have responsibility for
10 servicing, maintaining, or repairing those kinds of
11 pieces of equipment?

12 A. No.

13 Q. Okay. And to your knowledge, sir, were
14 you ever around anybody else that might have been
15 servicing any type of water cooling equipment?

16 A. No, not water cooling.

17 Q. Okay. And you weren't around anybody
18 else servicing any water recycling equipment?

19 A. Oh, when I went worked -- when I went
20 down to Terry Construction Company, I helped them
21 change the filter in -- which was -- it was a lot
22 of sand. So many layers of sand and rocks.

23 Q. Sure. And that's for water filtration?

24 A. Yeah, yeah, that's right.

25 Q. And that's what they were doing at that

1 plant -- they were filtering water?

2 A. Yes, that's right. They was -- yeah,
3 that's right.

4 Q. And that was going in to like a
5 municipal water supply?

6 A. Yeah. And then I helped change -- take
7 the oil out put new in.

8 Q. Sure. Okay. But other than that, any
9 work in your entire career on water recycling or
10 water purifying equipment, or was that it?

11 A. No, nowhere else.

12 MR. STARR: Okay. Sir, I think I got
13 through my three or four minutes as forecasted.
14 Thank you so much.

15 THE WITNESS: Thank you.

16 MR. HENDERSON: Anybody else?

17 MS. RIES: I've got some questions on
18 the phone.

19 MR. HENDERSON: Okay. Fire away.

20 THE VIDEOGRAPHER: Okay. Wait just a
21 moment. Let me put a mic on that, if you don't
22 mind.

23 MR. HENDERSON: Okay.

24 MR. STARR: Would you like for me to
25 move this over?

1 THE VIDEOGRAPHER: Yes, if you could
2 just sit it right next the phone.

3 MR. STARR: Is it okay to walk in your
4 shot?

5 THE VIDEOGRAPHER: Absolutely. Go
6 ahead.

7 THE WITNESS: Oh, I can hear.

8 MR. STARR: Is that cranked up all the
9 way to the bone?

10 COURT REPORTER: Yes.

11 MR. STARR: Do you want that to the
12 side or standing up?

13 THE VIDEOGRAPHER: Standing up is fine.
14 Sir, you don't need to get any closer to that.

15 MS. RIES: Mr. Crawford, can you hear
16 me okay now?

17 THE WITNESS: Oh, I can hardly hear you
18 right now.

19 MS. RIES: I'm sorry. You said you can
20 hear me now?

21 THE WITNESS: I can right now.

22 MR. HENDERSON: Okay. I'm going to
23 have to move this because you see his shadow when
24 he leans over the phone. Mr. Crawford, try not to
25 lean over the phone --

1 THE VIDEOGRAPHER: Please do.

2 BY MS. RIES:

3 Q. Mr. Crawford, my name is Addie Ries,
4 and if you bear with me -- hopefully, we'll get
5 through this pretty quickly.

6 THE WITNESS: Okay.

7 MR. HENDERSON: Hey, Mr. Crawford --

8 THE VIDEOGRAPHER: Actually, maybe we
9 could just go off the record for just a second and
10 try to organize this.

11 MS. RIES: Okay.

12 MR. HENDERSON: Yeah, that sounds good.

13 THE VIDEOGRAPHER: The time is
14 7:51 p.m. We are going off of the record.

15 (A recess transpired.)

16 THE VIDEOGRAPHER: The time is
17 7:53 p.m. We are back on the video record.

18 EXAMINATION

19 BY MS. RIES:

20 Q. Hi Mr. Crawford. My name is
21 Addie Ries, and I'm just going to try to work
22 quickly through my questions if you'll bear with
23 me. And definitely let me know if you can't hear
24 or don't understand any questions that I ask; is
25 that fair?

1 A. Yes, okay.

2 Q. Okay. We have talked today at length
3 about the insulation at Hoechst that you saw there,
4 so I don't want to talk about that right now.

5 I'm want to talk about other jobs other
6 than at Hoechst. So my question is: For your
7 other jobs, did you ever see insulated pipes at the
8 other manufacturing facilities -- the other
9 manufacturing plants where you worked?

10 A. Oh, yes. Yes.

11 Q. Okay. Can you tell me which plants had
12 those insulated steam pipes?

13 A. It was -- wait a minute. It was --
14 wait a minute. No, no, I can't.

15 Q. Sir, let me ask you this: Would it
16 make it easier if I ask you -- do you recall
17 working at any manufacturing plants which did not
18 have insulated steam pipes?

19 A. Well, I know -- I remember CNA had
20 insulated pipes because I walked over the top of
21 them when I was cleaning -- when I was doing -- the
22 4th of July, when the plant was down, and I was
23 doing cleaning. I was doing painting to --
24 painting and cleaning. I was cleaning overhead,
25 and I know they had insulated pipes 'cause -- I

1 don't know where they went to. I don't know where
2 they went to.

3 Q. Okay. So when you were -- when
4 described at CNA that you were walking on top of
5 insulated pipes to clean and paint?

6 A. Yeah, the cleaning and painting.

7 Q. What were you cleaning?

8 A. Oh, okay. I was cleaning the -- the
9 lights up above -- the whole light fixture. I had
10 to clean them off and clean them. Yep. The
11 air-conditioning -- the whole top of it -- the
12 whole thing. Yeah. Yeah.

13 Q. Okay. And how long did you do this
14 cleaning work at CNA?

15 A. It was all week. It was around -- when
16 they had the plant closed down on the 4th of July.

17 Q. Okay. Was it just for one week or were
18 there other repetitions of that one week?

19 A. Yeah, yeah, it was -- I cleaned and
20 painted all week. Yeah, for a whole week long.

21 Q. Okay. Just one week or more than one
22 week?

23 A. It was one week.

24 Q. Okay. So when you were cleaning the
25 lights above the insulated steam pipes in the

1 air-conditioning above the insulated steam pipes,
2 did you --

3 A. Uh-huh.

4 Q. -- did you get dust from the insulated
5 steam pipe on your clothing?

6 A. Oh, yeah. I got covered up. I got it
7 all over me. Yeah. Yes, I did.

8 Q. Did you get the dust -- did you get the
9 dust from the insulated steam pipes in your hair?

10 A. Well, it's got dust over -- I blowed
11 the whole top down -- everything on top. Yeah,
12 everything.

13 Q. Okay. Did you breathe the dust from
14 the insulated steam pipes?

15 A. Yeah, I breathed the air, but I didn't
16 know it was --

17 Q. Okay. So you --

18 A. I didn't know it was the insulation --

19 Q. You said also you were painting --

20 A. Yes?

21 Q. I understood. You said you were
22 painting as well at CNA and were around the
23 insulated steam pipes then?

24 What were you painting?

25 A. Oh, I painted a whole room and the

1 front of the door -- the whole room.

2 Q. Okay.

3 A. It was the whole --

4 Q. Did you ever have to clean the pipe?

5 A. Pipes? Well, yeah. Okay. Okay. I
6 painted the -- I painted pipes at Hoechst now, I
7 did. I did. I painted pipes there at Hoechst and
8 I painted pipes --

9 Q. Okay.

10 A. -- and the pumps. But I didn't know
11 what was in it. I just knowed it had to be painted
12 and I painted it.

13 Q. Okay. When you painted the pipes, were
14 those insulated steam pipes?

15 A. It was insulated, but I don't know what
16 was in it. It was some kind of chemical --
17 chemical in it -- run through it.

18 Q. Okay. You're saying you don't know
19 what ran through the pipe, right?

20 A. That's right. I know it was some kind
21 of chemical, yeah.

22 Q. Okay. So it was an insulated pipe but
23 you don't know what ran through the pipe?

24 A. That's right. I really don't know.

25 Q. Is that correct?

1 A. Correct.

2 Q. Okay. When you painted the pipe -- the
3 insulated pipe at Hoechst -- did you have to sand
4 or shift the insulation at all?

5 MS. SHOFNER: Object to the form.

6 THE WITNESS: Oh, I don't understand.

7 BY MS. RIES:

8 Q. When you painted the pipe -- when you
9 painted the insulated pipes, did you have to sand
10 or chip the insulation surrounding the pipes in
11 order to paint them?

12 A. Oh, I just painted over -- over the top
13 of everything because -- I just painted because it
14 was old.

15 Q. Did you get dust -- okay. When you
16 were painting the insulated pipes, did you get dust
17 on you from the insulated pipes?

18 MS. SHOFNER: Object to the form.

19 THE WITNESS: Wow. Well, I'm not sure.
20 I'm not sure how to answer that.

21 BY MS. RIES:

22 Q. Okay. That's fair enough. That's fair
23 enough. Okay. So we've talked about CNA and
24 Hoechst now. Any other manufacturing plants where
25 you were around insulated steam pipes or insulated

1 pipes of any kind?

2 A. Oh yes, I had -- okay. I was. Over
3 there on the cook stand, they had.

4 Q. On the?

5 A. On the cook stand. On the cook stand.
6 Up underneath it had hot water pipes that run
7 through the kettle and that's how it was -- the
8 kettle was heated. And also it run through the --
9 where it runs -- where the sauce was cooked --
10 where the sauce was cooked. It run through the
11 pipes and that cooked the sauce. Yeah.

12 Q. Okay. Was that when you were at Wise
13 or at Stouffer's?

14 A. Yeah, that was at Stouffer's. That was
15 the Stouffer's. And --

16 Q. Stouffer's. Okay.

17 A. I saw the pipes. It -- they would kept
18 -- they would kept the gas -- the steam would build
19 up and spew out. It would spew out.

20 Q. Okay. Those insulated pipes at
21 Stouffer's -- were those overhead?

22 A. They was -- they was up under the cook
23 stand, but the cook stand was up on a platform. It
24 was on a platform, and the steam pipe was --

25 Q. Okay.

1 A. -- under the bottom under your feet --
2 on top of the floor.

3 Q. Okay. Okay. Do you believe you were
4 ever exposed to dust from those insulated steam
5 pipes?

6 A. Well --

7 Q. If you can't answer, that's fine.

8 A. Okay. All right.

9 Q. Okay. Is that -- I take it you don't
10 know the answer? Was that a yes?

11 MR. HENDERSON: He's thinking.

12 MS. RIES: I'm sorry.

13 MR. HENDERSON: I'm sorry. Just
14 letting her know. He's thinking.

15 MS. RIES: Thank you.

16 MR. HENDERSON: No problem.

17 THE WITNESS: Yes, I believe I was
18 because when they built line ten -- a new line, I
19 started working over there. I was the first one
20 working on it. I was a cook over there on it --
21 line ten.

22 BY MS. RIES:

23 Q. Okay. Were you there when they built
24 the new line?

25 A. Yeah, I was.

1 Q. Okay. Were you present when they were
2 installing the insulated steam pipes at Stouffer's
3 that we were just talking about?

4 A. Yeah. Yeah, okay. I was over on --
5 let me see.

6 Q. Okay. The --

7 A. I was over on the line right next to it
8 -- on the cook stand right next to it when they was
9 building that line.

10 Q. Okay. So you -- is that -- is that an
11 answer yes to my question of whether you were
12 exposed to the insulation that -- when those steam
13 pipes were installed at Stouffer's?

14 A. Yes, I think so. I'm sure. I think so
15 because --

16 Q. Okay.

17 A. -- because they were -- yeah.

18 Q. Okay. Were you ever present -- other
19 than what we just talked about -- were you ever
20 present at any other manufacturing plant when
21 insulated pipes were being -- or insulation on
22 pipes was being repaired or installed?

23 MR. HENDERSON: Object to form.

24 THE WITNESS: Huh?

25 MR. HENDERSON: Just objecting to her

1 question, that's all. Are you okay?

2 THE WITNESS: Yeah, I'm okay.

3 MR. HENDERSON: All right. Do you
4 understand her question?

5 THE WITNESS: It -- yes, I think so. I
6 think so.

7 MR. HENDERSON: Okay.

8 THE WITNESS: Oh, that's a -- Hoechst.
9 I was exposed to it at Hoechst.

10 BY MS. RIES:

11 Q. What happened at Hoechst?

12 A. When I was -- when putting a line in,
13 it was -- they had asbestos. Well, I'm not sure it
14 was asbestos -- okay.

15 It was -- they put -- they put
16 insulation -- they were putting insulation in.
17 They were making some dust when they was -- a good
18 bit of dust when they was -- when they were
19 building that line. And then -- yes.

20 Q. Was that while you were working on the
21 second floor of the poly building?

22 A. Oh yeah, yeah.

23 MR. MAJOR: Object to form.

24 THE WITNESS: Yeah, second floor.

25 BY MS. RIES:

1 Q. Okay. Any other times that you have
2 been present where insulation was either installed
3 or repaired on pipes?

4 A. I just -- right now -- I just can't
5 think of any more right now -- right now. I just
6 can't think of any more.

7 Q. Okay. Okay. Were any of the
8 manufacturing plants where you worked located near
9 train tracks?

10 A. Oh, you said train track?

11 Q. Yes. Were any of the manufacturing
12 plants where you worked located near train tracks?

13 A. Okay. Oh, no not real close.

14 Q. Okay. Other than Hoechst, which we
15 talked about, were you ever present when
16 construction was performed at any of the other
17 manufacturing plants where you worked?

18 A. I just say Hoechst and Timken is --
19 that's all I can think of right now.

20 Q. And what did they do -- what did they
21 do at Timken when you were present?

22 A. Oh, that's when they built -- put new
23 lines in over there -- over there on -- you know,
24 they put line -- eight, nine, and ten.

25 Q. Okay.

1 A. And when they was building line ten, I
2 was working on line eight. I was on the line right
3 close to it.

4 THE VIDEOGRAPHER: Five minutes left on
5 this tape.

6 MS. RIES: Okay.

7 BY MS. RIES:

8 Q. And how long -- how long did that
9 construction last?

10 A. Oh man, that's hard to put a time
11 frames on it. It was like -- it was for months and
12 months from the start to the finish.

13 Q. Okay.

14 A. It was -- maybe it was months.

15 Q. Did you -- were you exposed to dust
16 from that construction?

17 MR. MAJOR: Object to the form.

18 THE WITNESS: Yeah, I feel like I was.

19 BY MS. RIES:

20 Q. And did that construction involve
21 insulation?

22 A. Oh, yes, it did. Yes, it did.

23 Q. And what was the insulation being used
24 for?

25 A. To cool those steam pipes that went

1 down to -- down to the cook. And they went down to
2 the -- the kettles that cooked the food. And also,
3 it was for milk. It was over --

4 Q. Did you say for milk?

5 A. Yes. They had to pump --

6 Q. Okay.

7 A. -- from back to the milk room all the
8 way across to line ten. They had to pump milk to
9 help make the ingredients. And then --

10 Q. Okay. Was that milk hot or cold?

11 A. Yeah, it was -- it was cold. It was
12 cold.

13 Q. Okay. Okay. But there were some steam
14 pipes that they were covering at Timken as part of
15 that construction?

16 MR. MAJOR: Object to form.

17 MS. RIES:

18 Q. With insulation, they were covering
19 steam pipes with insulation at Timken when you were
20 present?

21 MR. MAJOR: Object to the form.

22 THE WITNESS: At Timken?

23 BY MS. RIES:

24 Q. Yes.

25 A. Oh, at Timken. Wait a minute. Wait a

1 minute. Yes, I can -- I don't remember any steam
2 pipes being covered when I was working there.

3 BY MS. RIES:

4 Q. Okay. I was talking about the
5 construction that you said lasted a month.

6 A. Okay.

7 Q. During that construction was insulation
8 being installed on steam pipes or only on the milk
9 pipes?

10 A. Oh, okay. That was at Stouffer's,
11 right?

12 Q. Okay.

13 A. It was both.

14 Q. Was the --

15 A. -- it was both.

16 Q. -- insulation being -- okay. Great.

17 MS. RIES: This is probably a good time
18 to stop and switch tape.

19 THE VIDEOGRAPHER: Okay. Here ends
20 Media Unit Number 4 in today's deposition of
21 Mr. Crawford. The time is 8:15. We are going off
22 of the video record.

23 (A recess transpired.)

24 THE VIDEOGRAPHER: Here begins
25 Media Unit Number 5 in today's videotaped

1 deposition of Mr. Crawford. The time is 8:18 p.m.

2 We are back on the record.

3 MR. HENDERSON: Counselor, based on how
4 Mr. Crawford --

5 BY MS. RIES:

6 Q. Mr. Crawford --

7 MR. HENDERSON: Based on what I'm
8 seeing from Mr. Crawford, I'm going to give you
9 another 15 minutes. If we can't wrap it up, we may
10 have to look at coming back tomorrow, okay?

11 MS. RIES: Okay.

12 BY MS. RIES:

13 Q. Mr. Crawford, you testified earlier
14 about working at Terry Construction in Florida. Do
15 you recall that testimony, sir?

16 A. No, no, no. The Terry Construction was
17 in Gaffney on Fuller Plant Road.

18 Q. Gaffney. I'm sorry. Okay. What was
19 your -- what was the construction project?

20 A. It was to change the filter -- to
21 change the filters.

22 Q. Okay.

23 A. And the filters were great big -- a lot
24 of --

25 Q. Okay. Okay. We can move from that. I

1 think I got two parts crossed in my notes.

2 A. Okay.

3 Q. Okay. Mr. Crawford, did you ever live
4 or work in a shipyard or around a shipyard at any
5 time when you've been living in South Carolina or
6 when you were in the California with the Navy?

7 A. Oh, no. No, no.

8 Q. Have you filed any claims against
9 entities that are now bankrupt? Sometimes they are
10 called bankruptcy trust claims. Do you know if
11 you've filed any of those type of claims?

12 A. Well, actually, I really don't.

13 Q. Okay. Okay. I want to talk a little
14 bit about your brother-in-law, now -- Eddie Gene.

15 A. Yes.

16 Q. And specifically -- I guess this
17 morning when your counsel was asking you about you
18 going over to Eddie Gene's shop -- his garage --
19 when you lived next door -- when you were living
20 with your parents.

21 You gave the date of 1960 to 1970 when
22 you would have walked over there and visited him on
23 those Saturdays, but based on your testimony since
24 that time it sounds like that you recall that Eddie
25 Gene did not move into the house and build the

1 garage until 1966. So is it fair to just assume
2 that we are talking about a period of a time from
3 1966 to 1970?

4 MR. HENDERSON: Object to form.
5 Mischaracterizes his prior testimony.

6 BY MS. RIES:

7 Q. Well, let me ask it a different way.
8 Mr. Crawford, so are we now talking about 1966 to
9 1970 as the period of time in which you lived next
10 door to Eddie Gene while he had his garage at the
11 house on Dill Street?

12 MR. HENDERSON: Object to the form.

13 BY MS. RIES:

14 Q. Mr. Crawford, I'm not meaning this to
15 be a trick question. I'm just trying to confirm
16 obviously you weren't visiting Eddie Gene at his
17 garage until the garage was built, correct?

18 A. Yes, after it was built.

19 Q. Okay. And to the best of your
20 knowledge, Eddie Gene and Faye acquired the
21 property and built the garage in 1966; is that
22 correct?

23 MR. HENDERSON: Object to the form.
24 Mischaracterizes his prior testimony.

25

1 BY MS. RIES:

2 Q. Mr. Crawford?

3 A. Yes.

4 MR. HENDERSON: He's thinking.

5 THE WITNESS: I'm thinking.

6 BY MS. RIES:

7 Q. Okay. I'm sorry.

8 MR. HENDERSON: I just want to confirm,
9 Counselor, you're asking him a question that you're
10 acknowledging he's already answered? Am I
11 understanding you correctly?

12 MS. RIES: I just want to make sure
13 that what I understand is correct. So I thought
14 that was established, but I just want to confirm
15 that we are all on the same page with that.

16 MR. HENDERSON: If it's established at
17 this point, I don't know why we are going over the
18 same questions again.

19 BY MS. RIES:

20 Q. Sir, am I correct that to the best of
21 your knowledge Eddie Gene and Faye bought the
22 property and built the garage in 1966?

23 MR. HENDERSON: Object to the form.

24 BY MS. RIES:

25 Q. Okay. Sir, can you answer my question.

1 MR. HENDERSON: He's trying to.

2 MS. RIES: Okay. Thank you.

3 THE WITNESS: Okay. What I do know,
4 that garage there was there for years. And I --
5 I'm not sure how to put it down in an exact year,
6 but it was up to 1970. It was -- okay.

7 BY MS. RIES:

8 Q. Okay. Okay. That's fair enough.

9 A. It was a lot of years.

10 Q. Okay. So during the time that you
11 testified that you were living with your parents
12 and you would walk over to Eddie Gene's garage --

13 A. Uh-huh.

14 Q. -- on Saturdays -- how many Saturdays
15 per month would you visit Eddie Gene at his garage?

16 A. About -- well, sometimes three out of
17 four, sometimes four times. Oh, it was mostly in
18 the summertime --

19 Q. Okay.

20 A. It was mostly in the summer. It was
21 about the whole month during the summertime -- and
22 spring and summer.

23 Q. Okay. Okay. And when you would go,
24 how long would you stay?

25 A. Oh I'm sorry. I didn't hear that.

1 Q. When you visited Eddie Gene at his
2 garage when you were living next door, how long
3 would you stay when you visited him at his garage?

4 A. It was different times. It was
5 different days. It was different times. It was
6 like a few hours, like hours -- it just changes
7 ever -- I couldn't say exactly. Every day and
8 every week was different.

9 Q. Okay. Okay. Would it be correct to
10 think that sometimes you would stay a few minutes
11 and sometimes you would stay a few hours?

12 A. Oh, I always stayed a few hours.

13 Q. Okay. Did you have a place where you
14 sat and talked to him or were you kind of standing
15 up the whole time?

16 A. Most of the time it was over there next
17 to his workbench where he had --

18 Q. Okay.

19 A. -- he had a bench built where he had
20 the tools hung up and he had little seats over
21 there next to --

22 Q. Okay.

23 A. -- the right on the back end of it.

24 Q. Okay. And am I correct in
25 understanding that you yourself don't have any

1 mechanic training? You were just there watching
2 Eddie Gene, correct?

3 A. Oh, okay.

4 MR. HENDERSON: Object to form and
5 mischaracterizes his prior testimony. Sorry about
6 that, Mr. Crawford. You can go ahead and answer.

7 BY MS. RIES:

8 Q. Mr. Crawford, you yourself don't have
9 any mechanic training, correct?

10 MR. HENDERSON: Object to the form.

11 THE WITNESS: Oh, okay. I have changed
12 starters, changed a alternators, and I have changed
13 spark plugs, and I changed points. And I have
14 changed the wheels -- the wheel bearings, and --
15 yeah, on my own.

16 BY MS. RIES:

17 Q. Okay.

18 A. I mean...

19 Q. Was this work that you did at
20 Eddie Gene's garage or somewhere else?

21 A. It was mostly in my yard. Clear
22 weather, I could just jack it up and get under it
23 under -- under the car. And oh, on top of my yard
24 there was a high point and low point to where I
25 could get under it -- yeah, that's right -- to do

1 what I needed to do. There was a lot I need to do.

2 Q. Okay.

3 A. I couldn't take a motor apart, but
4 there was a lot I could do --

5 Q. Okay.

6 A. -- there was a lot I could do.

7 Q. And were these repairs that you made to
8 your personal vehicles?

9 A. Oh yes, yes, that's true. That's true.

10 Q. Okay. And what types of vehicles did
11 you own that you made repairs to?

12 A. A Ford, Chevrolet, and a -- and a --
13 and yeah, a Dodge too. A Dodge. It was a --

14 Q. Okay.

15 A. -- yeah.

16 Q. The Ford that you mentioned -- what
17 make was that, or model?

18 MR. HENDERSON: Counselor, let me ask
19 you this: After he goes through the make and
20 models, do you have a sense of how much more you're
21 going to have?

22 MS. RIES: Ten minutes. I would hope.

23 MR. HENDERSON: I'm going to -- if you
24 can't tell me how much more you got, I'm on the
25 verge of calling this for tonight and we'll come

1 back tomorrow. At some point I've got to cut it
2 off, and it doesn't seem like we're making much
3 progress beyond what he's already talked about.
4 That's my concern.

5 MS. RIES: Well, this -- what I've just
6 heard is new, so I'm not really sure why -- my
7 original estimate was 30 minutes, so I'm trying my
8 best.

9 MR. HENDERSON: I understand. I don't
10 hear what you're hearing that's new beyond what he
11 talked about earlier.

12 MS. RIES: Okay. Well --

13 MR. HENDERSON: I'm willing for him to
14 go another five tonight. If not, we'll just have
15 to come back and finish this tomorrow. The best I
16 can do is to try to get a sense of what you've got.
17 Like once he goes through the makes and models of
18 the cars, have you got much more than that that you
19 want to ask him about, I think we've got to call it
20 for tonight.

21 Mr. Crawford, unless you tell me I'm
22 wrong, I feel like your voice is starting to
23 change. You look like you're getting tired.

24 THE WITNESS: Well, I had so many -- so
25 many different models. So many.

1 MR. HENDERSON: Yeah. You tell me. Do
2 you want to try to finish or do you want to call it
3 for tonight. I just feel like I'm starting to hear
4 fatigue in your voice. It's making me a little
5 worried about you.

6 THE WITNESS: Okay. Whatever you
7 think.

8 MR. HENDERSON: No, no, it's -- I got
9 to go by how you feel, all right? Let's go off the
10 record for a minute.

11 MS. RIES: Sure.

12 THE VIDEOGRAPHER: The time is
13 8:32 p.m. We're going off the video record.

14 (A recess transpired.)

15 THE VIDEOGRAPHER: This will conclude
16 today's -- this will conclude today's portion of
17 the video tape deposition of Mr. Crawford taken on
18 February 6th, 2018, consisting of 5 Media Units.
19 The time is 8:35 p.m. We are going off the video
20 record.

21 (The deposition was concluded at 8:35
22 p.m.)

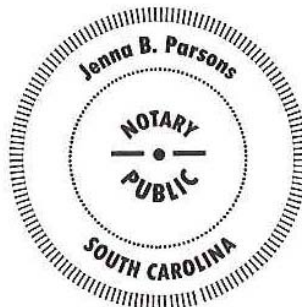
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CERTIFICATE OF REPORTER

I, Jenna B. Parsons, 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 12th day of February,
2018 at Greenville, Greenville County, South
Carolina.



A handwritten signature of Jenna Parsons in cursive script.

Jenna B. Parsons, Court Reporter
My Commission expires
September 29, 2026

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Medical books requested by Mr. Major.

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A. WILLIAM ROBERTS, JR., & ASSOCIATES (800) 743-DEPO

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STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG SEVENTH JUDICIAL CIRCUIT
JERRY HOWARD CRAWFORD and EVELYN KAY CRAWFORD,
Plaintiffs,
vs. CASE NO. 2017-CP-4204429
CELEANESE CORPORATION, et al.,
Defendants.

30(b)(6)

DEPOSITION OF: THEOPARIT MCDONALD BUCK, JR.

DATE: June 19, 2018

TIME: 11:05 a.m.

LOCATION: HAYNSWORTH SINKLER BOYD
One North Main St., 2nd Floor
Greenville, South Carolina

TAKEN BY: Counsel for the Plaintiff

REPORTED BY: JENNA B. PARSONS, Court Reporter

Page 2 1 APPEARANCES OF COUNSEL: 2 ATTORNEYS FOR PLAINTIFF 3 JERRY HOWARD CRAWFORD and EVELYN KAY 4 CRAWFORD: 5 DEAN OMAR BRANHAM 6 BY: AARON D. CHAPMAN 7 302 North Market Street 8 Suite 300 9 Dallas, Texas 75202 10 (214) 722-5990 11 achapman@dobllp.com 12 ATTORNEYS FOR DEFENDANTS 13 CNA HOLDINGS, INC: 14 HAWKINS PARNELL THACKSTON & YOUNG, LLP 15 BY: ASHLEY PRESSON 16 1717 West 6th Street 17 Suite 250 18 Austin, TX 78745 19 apresson@hptylaw.com 20 21 DANIEL INTERNATIONAL CORPORATION, FLUOR 22 CONSTRUCTORS INTERNATIONAL, INC., FLUOR 23 DANIEL SERVICES CORPORATION, and FLUOR 24 ENTERPRISES, INC.: 25 HAYNSWORTH SINKLER BOYD, P.A. BY: WILLIAM DAVID CONNER One North Main 2nd Floor Greenville, South Carolina 29601 (864) 240-3200 dconner@hsblawfirm.com HAYNSWORTH SINKLER BOYD, P.A. BY: MOFFATT G. MCDONALD One North Main 2nd Floor Greenville, South Carolina 29601 (864) 240-3200 mmcdonald@hsblawfirm.com	Page 4 1 APPEARANCES OF COUNSEL CONTINUED: 2 THE WILLIAM POWELL CO.: 3 RICHARDSON PLOWDEN & ROBINSON, P.A. 4 BY: MEGAN C. WHITE, via Telephone 5 171 Church Street, Suite 150 6 Charleston, South Carolina 29401 7 (843)805-6550 8 mwhite@richardsonplowden.com 9 10 ALSO PRESENT: 11 Jack Marks, Videographer 12 13 (INDEX AT REAR OF TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24 25
Page 3 1 APPEARANCES OF COUNSEL CONTINUED: 2 AURORA PUMP COMPANY AND CARRIER 3 CORPORATION: 4 NELSON MULLINS RILEY & SCARBOROUGH LLP 5 BY: NICHOLAS A. CHARLES 6 Meridian 17th Floor 7 1320 Main Street 8 Columbia, SC 29201 9 (803) 255-9663 10 nick.charles@nelsonmullins.com 11 ARMSTRONG INTERNATIONAL: 12 WALL TEMPLETON & HALDRUP, P.A. 13 BY: MARK H. WALL 14 145 King Street, Suite 300 15 Charleston, SC 29401 16 (843) 329-9500 17 Mark.Wall@wallTempleton.com 18 GOODYEAR RUBBER & TIRE: 19 WOMBLE BOND DICKINSON, LLP 20 BY: KEITH MUNSON 21 550 South Main Street 22 Suite 400 23 Greenville, South Carolina 29601 24 (864) 420-3426 25 Keith.Munson@wbd-us.com FLOWSERVE CORPORATION, f/k/a THE DURIRON COMPANY, INC.: GALLIVAN WHITE & BOYD, P.A. BY: RONALD G. TATE, JR. 55 Beattie Place Suite 1200 Greenville, South Carolina 29601 (864) 271-5361 rtate@GWBlawfirm.com FORD MOTOR COMPANY: SMITH LAW BY: KIRK WARNER, via Telephone 150 Fayetteville Street Suite 2300 Raleigh, NC 27601-2958 (919) 821-6710 kwarner@smithlaw.com	Page 5 1 (EXH. 1, 2, and 3, were premarked for 2 identification.) 3 THE VIDEOGRAPHER: We are now on the 4 record at approximately 11:05:45 a.m. for the 5 30(b)(6) deposition of Daniel International 6 Corporation, who they've put up Don Buck as their 7 representative in the matter of 8 Jerry Howard Crawford and Evelyn K. Crawford versus 9 Celeanese Corporation et al. 10 This case number is 2017-CP-42-04429. 11 This deposition is being held at the offices of 12 Haynsworth Sinkler Boyd in Greenville, South 13 Carolina. 14 Counsel has agreed that the 15 stenographic record will state the appearances, so 16 we can swear in the witness, please. 17 THEOPARIT MCDONALD BUCK, JR. 18 being first duly sworn, testified as follows: 19 THE WITNESS: I do. 20 MR. CHAPMAN: Before we begin, Mott, I 21 assume that normal stipulations, all except for 22 form of the question as stated in the rules, are 23 reserved? 24 MR. MCDONALD: Right. We can say 25 pursuant to the South Carolina rules which says

Page 6 1 that, but -- 2 MR. CHAPMAN: Fair enough. 3 MR. MCDONALD: -- everything reserved 4 anyway. 5 MR. CHAPMAN: All right. Before we got 6 going we premarked a few exhibits. Just to make 7 the record clear, Exhibit 1 is our notice in this 8 case -- Plaintiff's First Amended Notice. 9 Exhibit 2 is a letter from Haynsworth Sinkler Boyd 10 to Jonathan Holder in my office, which included 11 Exhibit 3 -- their objections to our notice in this 12 case. 13 BY MR. CHAPMAN: 14 Q. All right. How are you, sir? 15 A. I'm fine. How are you? 16 Q. Good. Good. What's your name? 17 A. I'm Don Buck. 18 Q. All right. Mr. Buck, have you been 19 deposed before, sir? 20 A. Yes. 21 Q. How many times? 22 A. A dozen, maybe. Somewhere in that 23 neighborhood. 24 Q. Approximately a dozen times? 25 A. Yes.	Page 8 1 testified that -- 2 MR. MCDONALD: It's not a huge deal. 3 Every now and then Wallace and Graham just set it 4 for Don Buck. 5 MR. CHAPMAN: I understand. 6 MR. MCDONALD: Everyone really wanted 7 Daniel -- 8 MR. CHAPMAN: I understand. 9 MR. MCDONALD: -- we just cooperated. 10 BY MR. CHAPMAN: 11 Q. Okay. Have you testified at trial 12 before, sir? 13 A. Yes. 14 Q. How many times have you testified at 15 trial? 16 A. Twice. 17 Q. Okay. And were both of those times as 18 a corporate representative for Daniel? 19 A. Yes. 20 Q. Do you recall the trial names? 21 A. The what? 22 Q. The case names. 23 A. Oh, gosh. I think it was Agner-Bost 24 was the first one, and I think the last one was 25 Seay, S-e-a-y.
Page 7 1 Q. And were all those times asbestos 2 litigation cases? 3 A. Yes. 4 Q. Okay. And were all those times as 5 corporate representative of Daniel? 6 A. Not -- not all; some were and I don't 7 know. Sometimes it was just me testifying on my 8 own; sometimes it was just as a corporate witness. 9 Q. Sometimes it was you personally? 10 A. Yes. 11 Q. Okay. 12 A. Yeah. 13 Q. Do you -- would you be able to estimate 14 for me how many times it was personally versus as a 15 corporation? 16 A. I would guess half and half. 17 Q. Okay. Those that you were testifying 18 personally -- were you represented by 19 Mr. McDonald's office, Haynsworth Sinkler Boyd? 20 A. Yes. 21 Q. Do you happen to know the case names in 22 which you testified personally? 23 A. No, I'd have to go back and look at my 24 notes. And even then I don't even know that I 25 could tell from my notes. I just note when I	Page 9 1 Q. Okay. And that was recently? 2 A. That was recently, yeah. 3 Q. All right. Sir, I know you you've 4 testified before, and I've read a lot of your prior 5 transcripts -- 6 A. Okay. 7 Q. -- but can you just give me a thumbnail 8 of your educational background and your work 9 history and a little bit about you. 10 A. I graduated from Vanderbilt with a 11 civil engineering degree in 1966. I went in the 12 army from '66 to '68. Served a tour in Vietnam; 13 came back from there. Went to work for Ebasco 14 Services out of New York City building power plants 15 and then worked for them for about two years -- I'm 16 sorry for my voice. I don't -- I don't know -- my 17 sinuses or what, but I apologize -- worked for them 18 for two years. 19 Then I was -- ended up in Kansas City 20 and worked for a small local firm there called 21 Aztech. Worked for them for a year and a half and 22 moved to Wilmington, North Carolina and went to 23 work for Algernon Blair until '74. 24 Then in '74 I went to work for Daniel 25 Construction Company. And I worked for them until

Page 10 1 2000 when I retired. 2 Q. All right. And you said you're not 3 feeling 100 percent today. If you need to take a 4 break for any reason, just let me know -- 5 A. Sure -- 6 Q. -- and we'll be happy to -- 7 A. -- I feel fine. I just seem to have 8 some drainage or something. 9 Q. Okay. Another thing -- I should have 10 said this before. Please let me finish my question 11 before you start your answer so the court reporter 12 doesn't throw pens at us the whole deposition. 13 A. Got you. 14 Q. All right. Okay, sir. Do you have any 15 training in industrial hygiene? 16 A. No. 17 Q. Any training in engineering controls? 18 A. What kind of engineering controls? 19 Q. Any -- any at all. 20 A. Yeah, from a construction standpoint 21 and a design standpoint, engineering control -- or 22 cost control; that type of the thing. 23 Q. All right. Anything related to 24 asbestos? 25 A. No.	Page 12 1 A. I guess a month ago, I guess. 2 Somewhere around that. 3 Q. Okay. And my next set of questions -- 4 I want to be clear. I do not want to know what 5 lawyers for Daniel said to you or what you said to 6 them. 7 Did you meet with lawyers for Daniel in 8 preparation for this deposition? 9 A. Yeah. 10 Q. Who did you meet with? 11 A. With Mott and David. 12 Q. Do you recall how long you met? 13 A. Well, over the course of the time I've 14 been researching here, we've probably met total 15 time probably an hour. Well, now I take that back. 16 'Cause of yesterday -- nine hours. I'd say nine 17 hours or so. 18 Q. Nine hours total? 19 A. Total. 20 Q. Okay. 21 A. Yeah. Okay. 22 Q. On this particular -- 23 A. On this particular case, yeah. 24 Q. Got it. All right. Did you review any 25 documents?
Page 11 1 Q. Any training in medicine? 2 A. No. 3 Q. All right. And why do you believe, 4 sir, in your own words that you have been 5 designated to talk to me today on behalf of Daniel? 6 A. Well, because I've testified before I 7 guess, and it has gone okay. 8 Q. Okay. All right. And what do you mean 9 by that, that it's gone okay? 10 A. Everybody seemed to be satisfied, okay? 11 Q. All right. Not a trick question -- 12 A. No, I just -- you'd have to ask them, 13 okay? 14 Q. All right. You do understand today 15 that you are the corporate representative for 16 Daniel? 17 A. Yes, I do. 18 Q. Are you being compensated to be here? 19 A. Yes. 20 Q. How are you being compensated? 21 A. I get paid by the hour. 22 Q. Okay. And what is that hourly rate? 23 A. It's about \$380. 24 Q. All right. Okay. When did you find 25 out that you would be giving this deposition, sir?	Page 13 1 A. Yes. 2 Q. What documents did you review? 3 A. I reviewed contracts. I reviewed the 4 depositions -- Mr. Crawford's deposition. I 5 reviewed correspondence, work orders, purchase 6 orders, engineering documents, drawings. 7 MR. CHAPMAN: Okay. All right. For 8 the record, cut all this part out of the video; 9 there's a break here. 10 BY MR. CHAPMAN: 11 Q. Okay. I want to go through some of 12 that list. When you say contracts, what contracts 13 do you mean? 14 A. The contracts between Hystron and 15 Hoechst and Daniel. 16 Q. Do you recall how many contracts there 17 were? 18 A. Oh, gosh, there's probably over a 19 dozen. 20 Q. And for members of the jury who may or 21 may not be watching this video, when you say 22 Hystron, is Hystron known as any other entity 23 that -- 24 A. Well, I -- yeah. Hystron was made up 25 of Hoechst Fibers, Uhde, and Hercules. They

Page 14 1 formed Hystron, okay? 2 Q. And when you say Hystron, are we 3 talking about the Celeanese Hoechst plant in 4 Spartanburg? 5 A. Yes, we are. 6 Q. Okay. 7 A. Same thing. 8 Q. All right. 9 MS. PRESSON: Belated objection to 10 form. 11 BY MR. CHAPMAN: 12 Q. Do you recall the years of the 13 contracts that you reviewed, sir? 14 A. Yeah. We started there in 1966, and I 15 think we were in there until 1997. 16 Q. The contracts in 1966 -- were those the 17 contracts for the original construction of the 18 Spartanburg facility? 19 A. I believe it was. 20 Q. Okay. Do you recall, sir, if any of 21 the other contracts were for construction at the 22 Spartanburg facility? 23 A. Oh, yeah. They were contracts that 24 were renewed every so often for construction. 25 Q. All right. Okay. We'll get into more	Page 16 1 right. 2 Q. Can you tell me what specifically 3 you're talking about? 4 A. Well, he talked about being around our 5 construction in -- that began in '71. And when I 6 went back and looked at the documents, it looked 7 like to me that construction he was talking about 8 was ending in '71, okay? But there's no question 9 that we were there. I mean, we were on the plant 10 site at that time. I'm just not sure that the 11 dates for certain construction projects are 12 entirely correct. 13 Q. Okay. So the one example that you can 14 recall right now is he said he thought a project 15 was beginning in '71 and you're saying that 16 particular project was ending in '71? 17 A. It looked like it was ending, yes. 18 Q. Was Celeanese -- I'm sorry. Let me 19 back that up. Strike that. 20 Was Daniel Construction at the 21 Spartanburg facility between 1970 and 1974? 22 A. Oh, yeah. 23 Q. Every year? 24 A. Every year. 25 Q. Okay. All right. Then we'll get into
Page 15 1 of that a little bit later. 2 The deposition transcripts of 3 Mr. Crawford -- you said you reviewed? 4 A. Yes. 5 Q. Any other deposition transcripts 6 besides Mr. Crawford? 7 A. I think that's it. 8 Q. Did you review any of your prior 9 deposition transcripts? 10 A. No. 11 Q. Okay. Did you read Mr. Crawford's 12 deposition transcripts in their entirety? 13 A. Yes. 14 Q. In going through Mr. Crawford's 15 deposition transcripts, did you find anything that 16 you thought he said to be wrong or incorrect? 17 A. I don't know whether they were 18 incorrect or wrong. I -- I just think that it was 19 40 years ago. We're trying to recall things 20 40 years ago -- including me -- all right? And I'm 21 not sure all of the dates are exactly right, okay? 22 Q. Like what? 23 A. Well, like when we were doing a certain 24 period -- when we were doing a certain construction 25 project, okay -- I'm not sure he had the dates	Page 17 1 that more specifically in a little bit. 2 I took notes as you were talking and 3 now I cannot read my handwriting. 4 Okay. You mentioned, sir, that you 5 reviewed some purchase orders and sales invoices. 6 What specifically are you talking about? 7 A. Well, I just reviewed -- on that 8 project Daniel did do procurement -- some of the 9 procurement; not all of it. And I reviewed 10 requisitions and purchase orders that were issued 11 by Daniel. 12 Q. Do you remember purchase orders for 13 what? 14 A. Yeah. There were purchase orders for 15 valves, purchase orders for pumps, and that type of 16 thing. 17 Q. And are these Daniel's documents? 18 A. Yes, they are -- well, I don't -- 19 they're -- we were purchasing as agents for the 20 owner, and it's -- I believe I'm right. The 21 purchase orders were Hoechst stationery, but it 22 says Daniel as agents for, I believe. 23 Q. These are documents that Daniel has? 24 A. Yes. 25 Q. Do you know if they've been produced in

Page 18 1 this case? 2 A. Yes. 3 Q. They have? 4 A. Yeah. 5 Q. Okay. 6 MR. MCDONALD: Aaron, to be clear, 7 we've made them available to y'all. 8 MR. CHAPMAN: Uh-huh. 9 MR. MCDONALD: There's a -- nobody has 10 come and looked -- and they're right next door here 11 in the conference room. 12 MR. CHAPMAN: We'll get into -- so -- 13 MR. MCDONALD: I just wanted you to 14 understand the situation when he said they were 15 produced. Yeah. 16 BY MR. CHAPMAN: 17 Q. Okay. So -- I was going to get into 18 this a little bit later, but now it's a good segue. 19 So let me ask you, sir, is there a set 20 of documents that Daniels [sic] has relating to the 21 Spartanburg facility? 22 A. Yes. 23 Q. Has Daniels gone through and segregated 24 out the Spartanburg documents versus Salisbury 25 Plain or any other --	Page 20 1 documents, purchasing documents -- and ship them 2 back to Greenville to the warehouse. 3 And those documents were stored for a 4 certain period of time. Different documents have 5 to be kept for different years. And then -- the 6 reason I know this is because when I came to 7 Greenville to work, I would receive messages from 8 the document retention people saying these 9 documents are running out of time; we're going to 10 destroy these documents unless you tell us you need 11 them for something. And that's the way it was 12 done. 13 Q. Okay. These documents, sir -- the ones 14 that Daniels has segregated as Spartanburg-specific 15 -- I'm not talking about any sort of offer to come 16 look at 40 boxes of documents -- do you know why if 17 Daniels has those -- they haven't given them to me? 18 A. Well, I guess they've offered them to 19 you. 20 Q. They've offered -- do you know why they 21 haven't put them on a flash drive and sent them my 22 way; anything like that? 23 A. No, I couldn't tell you that. 24 Q. Okay. All right. So we jumped ahead. 25 So included in those purchase orders were pumps,
Page 19 1 A. Yes. 2 Q. Do you know how many there are? 3 A. I mean, there's documents -- well, I'm 4 just -- I'm just thinking back. There's probably 5 40 boxes -- 40 boxes of documents and about a dozen 6 rolls of engineering prints in that room next door 7 all relative to Hoechst Spartanburg or Ceeleanese 8 Spartanburg. 9 Q. And you said they are here on site? 10 A. Yes. 11 Q. Okay. Do you know who looked for those 12 documents? 13 A. Well, I looked at them, and I'm sure 14 David and Mott looked at some of them, but other 15 than that I don't know. 16 Q. Okay. 17 MR. MCDONALD: I think he said who -- 18 THE WITNESS: You said who, right? 19 BY MR. CHAPMAN: 20 Q. Yeah, I'll follow up. Who originally 21 looked for the documents? 22 A. I'm not sure. Daniel had a document 23 retention policy and the procedure, as far as I can 24 could tell, was that at the end of a job we were to 25 box up documents -- financial documents, safety	Page 21 1 valves, that kind of thing? Was there purchase 2 orders for insulation? 3 A. I didn't see any purchase orders for 4 insulation. 5 Q. Okay. How long did you look at these 6 documents? 7 A. Well, over the course of this case I've 8 probably spent 25 or 30 hours looking at documents 9 and doing research. 10 Q. And the documents that you're looking 11 at -- are they limited to '70 to '74? 12 A. No, they were limited to the time from 13 '66 all the way through '97. 14 Q. Got it. Okay. All right. The 15 engineering drawings that were talking about that 16 you reviewed -- what were they of? 17 A. Well, the ones that I saw were -- they 18 were Hoechst Ceeleanese engineering documents. They 19 were some engineering documents done by Daniel 20 engineers and there were a lot of shop drawings 21 done by vendors. 22 Q. Were there any drawings of steam 23 pipelines? 24 A. I didn't see any. 25 Q. Any drawings of insulation and where it

Page 22 1 was supposed to go? 2 A. I didn't see any. 3 Q. Any drawings of pumps or valves? 4 A. Most of what I saw were structural 5 drawings to be honest with you, okay? 6 Q. Of the building itself? 7 A. Yes. 8 Q. Okay. Understood. 9 (EXH. 1, Notice of Deposition, for 10 identification.) 11 BY MR. CHAPMAN: 12 Q. Okay. What I want to do, sir, is hand 13 you what's been marked as Exhibit 1, which is the 14 notice of deposition in this case. 15 MR. CHAPMAN: Mott, I have an extra 16 copy. 17 MR. MCDONALD: Oh, that's fine. 18 BY MR. CHAPMAN: 19 Q. All right, sir. Have you seen this 20 before? 21 A. Yes. 22 Q. When was the first time you saw this? 23 A. I think I saw it -- I think the first 24 time was yesterday, I believe. 25 Q. Would you please turn to pages 3, 4, 5	Page 24 1 records for all of asbestos-containing projects 2 sold to any premise or issued between 1962 and 19 3 -- I don't know if all of them are in there or not, 4 okay? I couldn't tell you. 5 Q. Okay. Sitting here today, you don't 6 know? 7 A. No, I don't know if they are all there, 8 okay? 9 Q. All right. I'm just asking for what 10 you know. 11 A. Okay. Well, I can tell you, for 12 instance, in number 8, William Manufacturing 13 asbestos-containing materials -- I know there's 14 nothing in there for that. 15 Q. Fair enough. 16 A. Same for number 9. Same for number 10. 17 Same for number 11. On number 14, I didn't really 18 see any air monitoring -- not to say it wasn't 19 done, but I really didn't see any air monitoring. 20 And once again, number 15 is not in 21 there because we don't buy -- we don't -- we don't 22 manufacture asbestos stuff. 23 Number 16 -- it probably won't be in 24 there because we don't manufacture. I didn't see 25 any business cards of anybody in there -- that's
Page 23 1 and 6 and 7. 2 A. Okay. 3 Q. There are a number of topics here that 4 I've asked you to be prepared on. 5 A. Okay. 6 Q. Are there any of those topics which you 7 are not prepared to talk to me about today? 8 A. No, I think -- yeah, we can talk about 9 them. 10 Q. All of them? 11 A. Yeah. 12 Q. All right. And then if you could look 13 at Exhibit B, which is pages 8, 9, 10, and 11. 14 Do you know, sir, if all of the 15 documents I'm looking for in those pages would be 16 contained in that 40-box production? 17 A. I'm sorry. You're asking me if all of 18 the documents on 8, 9, and 10? 19 Q. All of them on Exhibit B. I believe 20 it's 8 -- pages 8 through 11. 21 A. I'm sorry. If all the documents 22 mentioned in Exhibit B are in the documents? 23 Q. Yes, sir. 24 A. Well, I can't -- let me give you an 25 example. All vendor invoice and purchase orders	Page 25 1 number '71. And same for number 19. We don't 2 market or sell insulation. 3 There's nothing in there that I saw 4 about the net worth of the company. I don't know 5 what you mean -- documents relating to the conduct 6 of the defendant; you'll have to explain that to 7 me. 8 I didn't see any information in there 9 about membership and trade organizations; I can 10 tell you about the membership and trade 11 organizations. 12 And I don't think there's anything in 13 number 24 about that. Let me go back here. 14 MR. MCDONALD: Sure. While he's 15 looking at that, let me just say we responded in 16 our objection and response which we just attached 17 as Exhibit 2 and 3 -- 18 MS. CHAPMAN: Uh-huh. 19 MR. MCDONALD: -- to the request of 20 production -- request of production under South 21 Carolina attached to a notice of deposition to a 22 party is treated as a Rule 34 request. And as we 23 have done in other cases in this conference room 24 here -- we're talking 40 and 50 years ago -- is 25 every box of documents that remains from those job

Page 26 1 sites -- every drawing, every box -- we just pulled 2 it all in. It's just whatever remains. 3 MR. CHAPMAN: Sure. 4 MR. MCDONALD: And that's available to 5 y'all and has been made available to y'all. 6 MR. CHAPMAN: I understand that. I'm 7 not sure that's proper production in this 8 situation, but we'll deal with that after the 9 deposition. 10 MR. MCDONALD: Okay. 11 THE WITNESS: And I don't know -- 12 Exhibit B -- there's a lot on here about stuff that 13 we manufactured, and we're not a manufacturer, so 14 it won't be in there. 15 BY MR. CHAPMAN: 16 Q. Fair enough. All right. Thank you, 17 sir. Okay. I want to shift gears and talk for 18 just a minute about differences between Daniel and 19 Fluor and how those two came together. 20 A. Okay. 21 Q. Would you be able to kind of briefly 22 take me through that? 23 A. Sure. Daniel started in 1934. I don't 24 remember the exact time Fluor was started, but 25 anyway, it was two separate companies.	Page 28 1 Q. What is SOS? 2 A. It was an asbestos abatement 3 contractor. 4 Q. Were they owned by Daniel or Fluor? 5 A. They were owned by Fluor. 6 Q. Do you know -- 7 A. We bought them. Fluor bought them. 8 Q. Fluor bought them. Do you know when 9 Fluor bought them? 10 A. My guess -- my recollection is it was 11 in the '80s, and I would say probably '80 -- middle 12 '80s and then they took over the asbestos 13 remediation. And they did all of -- of Fluor's 14 asbestos remediation from 1989 forward. 15 Q. Okay. So prior to that was Fluor 16 Daniel doing it themselves? 17 A. We did some, yes. Fluor Daniel was, 18 yes. 19 Q. And do you know why, sir, specifically 20 in that time frame Fluor Daniels decided to buy SOS 21 for that purpose? 22 A. Most of the things we did we did to 23 make money, so assuming that's why we bought them. 24 Q. Okay. Do you know, sir, if it had 25 anything do with kind of the specialized nature of
Page 27 1 In 1976, Fluor bought Daniel -- just 2 bought them outright. And for the next ten years 3 we operated as two separate companies. And in 1986 4 Fluor changed the name of one of its corporate 5 entities to Fluor Daniel. And then Daniel 6 Construction Company and Fluor Constructors over 7 the next three years -- from '86 through '89 -- 8 transferred our projects into Fluor Daniel. 9 Q. And then after that point in time 10 everything was Fluor Daniel? 11 A. Yes. 12 Q. Okay. I know in this case and in 13 recent cases we've talked mainly about Daniel's 14 work in North Carolina and South Carolina. 15 Was Daniel limited to these two areas? 16 A. No. 17 Q. Where was Daniel? Where did they 18 operate? 19 A. Well, we started out here in the 20 southeast but we did work all over this country; 21 did work overseas. 22 Q. Okay. All right. I want to ask you, 23 sir, about an entity named SOS International. Do 24 you know what that is? 25 A. Yeah.	Page 29 1 asbestos abatement? 2 A. It was a specialized nature, and that's 3 the reason we bought -- that's one of the reason we 4 bought them because we could make money off of 5 that, we thought. 6 Q. Was Daniel -- but Daniel was doing that 7 same work before they bought them, right? 8 A. Uh-huh. 9 Q. All right. So was Daniel capable of 10 doing that themselves? 11 A. Yes, we were. We had done it before, 12 but we thought we could get a specialized company 13 and we could scale it up better. And we're talking 14 about doing asbestos remediation with SOS. Not 15 just for Daniel but for everybody. 16 Q. Would SOS -- let me back up and say -- 17 when was the first time, sir, that Daniel did any 18 sort of asbestos abatement? 19 MR. MCDONALD: I'll just object to the 20 form. What do you mean by abatement? 21 THE WITNESS: Yeah. 22 BY MS. CHAPMAN: 23 Q. I mean removing of asbestos; abating 24 it. 25 A. Well, it was after OSHA came into

Page 30 1 existence. We were doing -- if we had to do it -- 2 if asbestos had to be removed, Daniel did the 3 asbestos abatement. 4 Q. Were there any sort of regulations or 5 guidelines that Daniel had to follow when doing 6 asbestos? 7 A. Absolutely. 8 Q. And what were those rules? 9 A. OSHA rules. 10 Q. And were those followed uniformly in 11 every state? 12 A. Yes. Yes, they were. 13 Q. Do you know if certain states had 14 different regulations that had to be followed 15 relating to asbestos abatement? 16 A. No. We used OSHA, and that was the 17 ruling for the U.S. And we wrote our accident 18 prevention standards to be in compliance with OSHA, 19 and that's what we used. 20 Q. For example, sir, do you know if the 21 state of North Carolina had certain asbestos 22 regulations that had to be followed? 23 A. I don't know. You're going to have to 24 explain that. I don't know what we you mean. They 25 -- we followed the OSHA rules for the construction	Page 32 1 Q. Okay. Sir, did Daniel do any asbestos 2 abatement work at the Spartanburg facility -- the 3 Celeanese facility? 4 A. I have to assume that they did, all 5 right? 6 Q. And why do you say that? 7 A. The plant was built in 1966 -- the 8 original plant. We were there until '97. There 9 were probably tie-ins that had to be done, which 10 would mean that we were -- possibly could be taking 11 off asbestos containing insulation to make the 12 tie-in. I won't say that positively because 13 everything after 1973 went asbestos-free. 14 But there could have been a time or 15 incident where we would have to go back into an 16 older facility and do some asbestos work or remove 17 insulation to make a tie-in. 18 Q. All right. So a couple of things in 19 there. Does Daniel have any documents relating to 20 asbestos abatement at the Spartanburg facility? 21 A. We have our accident prevention 22 standards which was what we used to do asbestos 23 abatement. 24 Q. And do you know if any of those are in 25 those 40 boxes that Daniel has --
Page 31 1 industry and that was applicable nationwide; so it 2 was applicable in North Carolina. 3 Q. So if the state of North Carolina, for 4 example, had rules and regulations aside from OSHA, 5 that's not something you know here today? 6 A. You would have to explain what you 7 mean. What rules are you talking about? 8 Q. Do you know of any? 9 A. No, I don't. 10 Q. Okay. 11 A. Well, I will say this -- and it's come 12 up before that OSHA -- that -- there was a law 13 passed that made asbestos exposure a comp -- 14 compensatory disease under workers' comp in 1935, 15 but that was not applicable to the construction 16 industry. It was to asbestos miners and to the 17 asbestos textile workers because they had massive 18 exposure to asbestos. That was in 1935, but it 19 didn't apply to the construction industry. 20 Q. Daniel knew about that law? 21 A. I don't know if they knew about it or 22 not. I just can't tell you what they knew about 23 it. I know about it because I've done a lot of 24 research on it here since I've been testifying for 25 Daniel.	Page 33 1 A. Oh, it's in there. Sure, they're in 2 there. 3 Q. And what are those documents called 4 again? I'm sorry. 5 A. It's Accident Prevention Standards -- 6 APS. 7 Q. Got it. Have you ever abated asbestos? 8 A. I don't think I have. I was fortunate 9 enough to be on new sites. I -- we probably did 10 some asbestos abatement in Georgetown when we did 11 work for IP -- that was an old paper mill. So 12 yeah, we probably did some work. 13 Q. When Daniel would go about abating or 14 removing asbestos from a worksite, do you know if 15 they had to sample the material first? 16 A. Well, in some cases we did and -- well, 17 yeah, in all cases we would sample it to see if it 18 was asbestos, and if we didn't know we treated it 19 as if it was asbestos. 20 Q. And do you know if Daniel retained 21 those documents -- the testing documents or the 22 results? 23 A. Yeah. 24 MR. MCDONALD: I'm just going to 25 object. Overly broad. I mean, I don't even know

Page 34 1 what site we're talking about. 2 THE WITNESS: I don't either. Yeah. I 3 didn't -- I did not -- I did not see any in these 4 documents for Hoechst Spartanburg, but I have seen 5 these documents on other Hoechst sites and Dupont 6 sites and Monsanto sites. 7 BY MR. CHAPMAN: 8 Q. All right. So my question was: Is 9 that is -- and maybe this clears this up -- is that 10 the kind of document that Daniel keeps generally? 11 A. Well, yeah, they were kept. 12 Q. And then do you know -- you kind of 13 already answered this, but do you know if there's 14 any related to the Spartanburg facility? 15 A. I didn't see any. 16 Q. In going through those 40 pages [sic], 17 did you flip through every single document? 18 A. In going through 40 pages? 19 Q. I'm sorry. The 40 boxes we were 20 talking about. 21 A. No, I'm sorry. I didn't go -- well, I 22 didn't -- this isn't the first case to come out of 23 Spartanburg, okay? So I've looked at these boxes 24 more than once. So if you asked me if I've touched 25 every page -- I don't know that I've touched every	Page 36 1 some point -- at some point I think and I -- and at 2 some point I think the federal government told them 3 to quit its manufacturing asbestos insulation, but 4 I know that our clients went asbestos-free in '73 5 -- '73, '74. 6 Q. Okay. Are you saying in those 40 boxes 7 of documents there are specifications for 8 Spartanburg Celeanese post '73 that show 9 asbestos-free insulation? 10 A. I didn't see any documents -- oh, yes, 11 I did. I saw a specification document generated by 12 Daniel engineers that said our -- all of our 13 insulation is asbestos-free. 14 Q. And where were you getting that 15 insulation from? 16 A. The insulation manufacturers -- whoever 17 they were. Johns Manville, CertainTeed -- I don't 18 know who they bought them from, okay? 19 Q. Okay. We'll get to that. Okay. 1970 20 to 1974 at Spartanburg, sir -- would you be able to 21 kind of take me through or give me an overview of 22 the different jobs Daniel did at that site? 23 A. Well, we did work in the filament area 24 and we did work in the continuous polymer area -- 25 and that's really what I saw.
Page 35 1 page, but I've touched a lot of them. 2 Q. Over what period of time? 3 A. I -- probably the last four years. 4 Q. Okay. 5 A. Three years or so. And the Seay case 6 was just last year or so. 7 Q. What about in relation to this specific 8 case? 9 A. That's just been in the last two, three 10 weeks. 11 Q. And forgive me if I asked this. I'm 12 sorry. I may have. Would you be able to estimate 13 for me how many hours you spent looking through the 14 documents for this particular case? 15 A. Yeah, 25 or 30 hours. 16 Q. Okay. All right. In your answer a 17 second ago you also mentioned that everything went 18 asbestos-free in 1973. What did you mean by that? 19 A. Insulation. Pipe -- a high temperature 20 thermal insulation went asbestos-free in '73. 21 Q. And how do you know that? 22 A. Well, how do I know that? I see the 23 specifications at Hoechst, the specifications at 24 Dupont, and the specifications at Monsanto all 25 changed to be asbestos-free. And the industry at	Page 37 1 Q. So let's talk about the poly area. 2 What area -- what work did you do there? 3 A. Well, we put in some continuous polymer 4 lines. 5 Q. And was any -- did any insulation work 6 have to be done? 7 A. I'm sure there was, yes. It has -- 8 almost all chemical facilities have insulation work 9 to be done -- not necessarily asbestos insulation, 10 but they all require insulation. 11 Q. Would that kind of work necessarily 12 require some tie-ins? 13 A. It possibly could. 14 Q. And for the ladies and gentlemen of the 15 jury who may not understand, can you explain what a 16 tie-in is? 17 A. Well, if we are doing work in a 18 building and there has to be a tie-in made to an 19 existing pipeline, then we go make the tie-in to 20 that existing pipeline. 21 Q. And does that include removing some of 22 the insulation from the old pipeline? 23 A. It might. 24 Q. Do you recall, sir, Mr. Crawford saying 25 he saw that happen in this case?

Page 38 1 MS. PRESSON: Objection to form. 2 THE WITNESS: I don't -- I'm -- I don't 3 think I recall him saying that. I don't think I 4 recall him saying that. 5 BY MR. CHAPMAN: 6 Q. Do you recall him saying he saw 7 individuals removing insulation from pipes? 8 MS. PRESSON: Objection to form. 9 MR. MCDONALD: Yeah, object to the 10 form. 11 THE WITNESS: I'm trying to think -- I 12 don't know that I -- that I remember him saying I 13 saw him removing insulation or pipe; I remember him 14 saying there was insulation dust, okay? 15 BY MR. CHAPMAN: 16 Q. Okay. Have you ever been to 17 Spartanburg? 18 A. I've been to Spartanburg. 19 Q. Not the city. I'm sorry. Not the city 20 of Spartanburg; the Ceeleanese plant. 21 A. I don't think that I -- I don't think 22 that I have been to the Hoechst Ceeleanese plant. 23 Q. Would you be able to tell me anything 24 about its layout or where the buildings are or 25 anything like that?	Page 40 1 know. I -- it has been -- I've looked through that 2 and tried to get in my mind straight and everything 3 -- this is what I think, all right? I think poly 4 one is the batch unit. I think poly two is the 5 continuous polymerization unit. I think that's 6 what Crawford said, okay? 7 He worked in poly one most of time. He 8 did do two or three weeks of start-up on poly two 9 and then he came back to poly one. And I think 10 poly one was a batch process and I think poly two 11 was a continuous polymerization process. 12 The staple one and staple two -- I 13 never got a good -- get a feel about that. I'm 14 sorry. 15 Q. Would it be fair to say, sir -- strike 16 that. 17 Let me ask you -- have you ever seen 18 anything in your review of these documents over the 19 last four years of -- at Spartanburg that tells you 20 definitely poly A and B -- or poly one and two -- 21 excuse me -- are different than staple A and B, for 22 sure? 23 MS. PRESSON: Objection to form. 24 THE WITNESS: I -- no, I can't. I 25 can't say for sure, okay?
Page 39 1 A. Well, I looked at -- I looked at some 2 drawings and I looked at some site plans, so I have 3 some indication of how the buildings were located. 4 Q. Okay. And those are in those 40 boxes? 5 A. Yes. 6 Q. Would you be able to tell me based on 7 your review of those documents where Mr. Crawford 8 said he was working? 9 A. Where he was working? 10 Q. Yes, sir. 11 A. Yes. He was working most of the time 12 he was there -- he was in poly one, which was a 13 batch polymerization unit, okay? And like -- I'm 14 giving you from memory. This would be it -- the 15 position right here (Indicating). The filament 16 plants were over here (Indicating) and the power 17 unit was over here (Indicating), so it was kind of 18 in between. And there was a plant across the road, 19 and I think that was a DNT plant I believe. 20 Q. Now, I've heard the term poly one and 21 poly two; I've also heard staple A and staple B. 22 A. Yeah. 23 Q. Do you know if those are the same or 24 different? 25 A. We have -- I have looked and I don't	Page 41 1 BY MR. CHAPMAN: 2 Q. Okay, sir. To go back and talk about 3 some of the abatement that Daniel did at 4 Spartanburg -- do you know, sir, if Daniel did any 5 testing of insulation at Spartanburg? 6 A. I didn't see anything in the documents. 7 You said testing for asbestos; is that what you 8 said? 9 Q. That's what I was referring to, yes, 10 sir. 11 A. Okay. I will say that on the other 12 Hoechst jobs, whether they by Salisbury or Shelby 13 or whatever, Hoechst safety department took the 14 responsibility for testing and for air monitoring 15 for all of their contractors. That was standard 16 operating procedures within the company. And I -- 17 since this was a Hoechst-run job, I would assume 18 that it was the same way. 19 MS. PRESSON: I would object to the 20 nonresponsive portions. 21 BY MR. CHAPMAN: 22 Q. Do you know that Daniel did not test 23 any insulation or do air monitoring at Spartanburg? 24 A. I can't say one way or the other. I'm 25 just telling you what I know from experience that's

Page 42 1 happened in the past on other sites. There's 2 nothing in those documents to tell -- that I could 3 find that would tell me one way or the other. 4 Q. All right, sir. For the pipes at 5 Spartanburg that did have asbestos-containing 6 insulation, do you know why asbestos was needed? 7 MS. PRESSON: Object to the form. 8 THE WITNESS: Prior to '71 when OSHA 9 came out, that was the most -- asbestos insulation 10 was the most efficient heat resistant product, and 11 it was perfect for insulating high temperature 12 pipe. 13 BY MR. CHAPMAN: 14 Q. And Daniel did the original 15 construction in Spartanburg in '66? 16 A. Yes. 17 Q. And did they put asbestos insulation on 18 the pipes then? 19 A. I'm sure they did. It was standard 20 operating procedure in the company -- in the 21 industry. 22 Q. Do you know, sir, how many inches of 23 insulation was needed on -- on different pipes in 24 Spartanburg? 25 A. It would depend on the heat. It could	Page 44 1 Q. Okay. If some of the documents show 2 that the insulation at Spartanburg that Daniel put 3 on was amosite asbestos, would that surprise you? 4 A. If the documents showed that, I would 5 believe it, yes. 6 Q. Okay. All right. So Daniel built the 7 site in '66 -- or was it finished in '66? 8 A. No, I -- we built the initial site and 9 then it was just a continuous adding of processes 10 and buildings and that type of thing. 11 Q. Understood. The initial site -- do you 12 know when it was completed? Was that 1966? 13 A. No, it -- I would guess it -- 1966 -- I 14 would say it was completed in probably a year and a 15 half or so. So '67, somewhere in '68 -- somewhere 16 in there. 17 Q. All right. And do you know what the 18 next addition was that Daniel did? 19 A. I'm sorry I don't know when they did -- 20 they did the next addition. I just don't know 21 which one it was, okay? 22 Q. Okay. You gave me two examples from 23 '70 to '74. I don't recall what those are -- that 24 Daniel added. 25 A. We added a continuous polymer building
Page 43 1 be -- it could be a pipe that only required one 2 2-inch layer or it could be a pipe that required a 3 2 inch layer and then another layer on top of it. 4 It depended on the heat. 5 Q. I've seen I think in some of the 6 documents insulation up to 4 inches. Would that 7 surprise you? 8 A. No. 9 MS. PRESSON: Objection to form. 10 BY MR. CHAPMAN: 11 Q. Do you know, sir -- the asbestos 12 insulation that was on the pipes at Spartanburg -- 13 do you know what fiber type it was? 14 A. No. 15 Q. Have you heard of the term, amosite? 16 A. Yes. 17 Q. Do you know if it was amosite asbestos? 18 A. I think it could have been, yes. 19 MS. PRESSON: Belated objection to 20 form. 21 BY MR. CHAPMAN: 22 Q. And what is that belief based on? 23 A. Well, I -- I've seen the word and I've 24 seen amosite used in conjunction with asbestos -- 25 with asbestos insulation.	Page 45 1 to -- to -- at the plant site. 2 Q. Okay. 3 A. And we were -- and we were -- and we 4 also we were -- I'm trying -- we probably added -- 5 well, we added a continuous polymer building and we 6 added continuous polymer lines within the building, 7 okay? 8 Q. Understood. The project that we were 9 talking about at the very beginning of the 10 deposition that you thought ended in '72 and 11 Mr. Crawford thought it began in '72 -- what were 12 your referring to? 13 A. I was referring to a continuous polymer 14 line, okay. 15 Q. Okay. What -- 16 A. But -- but can I just say, in '73 there 17 was also another continuous polymer project being 18 done in '73, okay? 19 Q. Okay. So one ended in '72 and another 20 one began in '73? 21 A. It looks like that to me, okay. 22 Q. Based on the documents? 23 A. Based on the -- that I looked at, 24 yes -- that are back there, yes. 25 Q. All right. So we've got -- do -- the

Page 46 1 continuous polymer project ending in '72 -- do you 2 know when that started? 3 A. I would say probably a year before, 4 probably. 5 Q. '71 -- 6 A. Yeah -- 7 Q. -- '70 or '71? 8 A. -- '71. '70 or '71. 9 Q. Okay. In that time frame -- '70 to '72 10 -- do you know if Daniel had any other projects 11 going on in Spartanburg? 12 A. I -- I can't -- I don't know. I don't 13 know that for sure. We signed a maintenance 14 contract in 1970. So we could have been doing some 15 small capital work in 19 -- in 1970 in another part 16 of the plant. 17 Q. All right. So the new continuous 18 policy project that you were talking about in 1973 19 -- when was that completed? 20 A. I would say it was completed in about a 21 year. It looked like to me it was done in '73. 22 Q. So beginning of '73 to the end of '73? 23 A. Yes, sir. Yes. 24 Q. All right. And what projects did 25 Daniel have there in '74?	Page 48 1 through 1997 -- until we left. 2 Q. What kind of supplemental maintenance 3 would you do? What does that cover? 4 A. Well, we might go in and help them with 5 shutdowns on -- if they didn't have the main power 6 to cover that, and we might do some small capital 7 work, okay? 8 Q. What does that mean? 9 A. Well, we might put in a pipeline for 10 them or we might install a pump for them. I'm 11 talking just very small capital work, okay? 12 Q. Could that include work on pipe 13 insulation? 14 A. Yes. 15 Q. Could that include removing old 16 insulation? 17 A. It could. 18 MS. PRESSON: Objection to form. 19 BY MR. CHAPMAN: 20 Q. If Mr. Crawford said that he saw people 21 removing old insulation that were from Daniel in 22 that '70 to '74 time frame, would that surprise 23 you? 24 MS. PRESSON: Objection to form. 25 THE WITNESS: No, it wouldn't surprise
Page 47 1 A. Well, I think we were continuing to add 2 continuous polymer lines inside that building, all 3 right? 4 Q. Okay. 5 A. And they were doing some other work in 6 the filament area and this type of thing, okay? 7 Q. What other work are you referring to? 8 A. Well, I'm not sure exactly what that 9 work was; I just saw that the -- the title of 10 filament four or filament five or this type of 11 thing. And I'm not sure what this work was. 12 Q. From 1970 to 1974, do you know of any 13 other major projects Daniel was doing at 14 Spartanburg other than the ones we just talked 15 about? 16 A. No, that's all I can -- that's all I 17 could see. 18 Q. Okay. You mentioned a maintenance 19 contract in 1970. What was the scope of that 20 contract? 21 A. It -- it was to do supplemental 22 maintenance in the plant. 23 Q. And do you know how long that contract 24 ran for? 25 A. I think that contract ran around up	Page 49 1 me. I'm just not sure I saw him say that, but it 2 wouldn't surprise me if he did say that. 3 BY MR. CHAPMAN: 4 Q. That's the kind of work Daniel was 5 doing? 6 A. Yes, we did some of that work. 7 Q. And would some of that work be done in 8 the poly buildings? 9 MS. PRESSON: Objection to form. 10 THE WITNESS: In the poly building? 11 BY MR. CHAPMAN: 12 Q. Yes, sir. 13 A. I doubt that we would be removing in 14 insulation in the poly building; it was a new 15 facility. We would be installing insulation in the 16 poly building, and I don't think we would be taking 17 any off. 18 Q. What about poly one? 19 MS. PRESSON: Objection. 20 THE WITNESS: Same with poly one. It's 21 a new building. So we're installing insulation, 22 not taking it off. 23 BY MR. CHAPMAN: 24 Q. So sir, if Mr. Crawford said he saw 25 people removing old insulation, is that something

Page 50 1 you think is wrong? 2 MS. PRESSON: Objection to form. 3 MR. MCDONALD: Object to the form. I 4 don't think he said that, but go ahead, Don. 5 MR. CHAPMAN: I'm just trying to 6 understand. 7 THE WITNESS: Okay. I'm sorry. Ask me 8 the question again. 9 BY MR. CHAPMAN: 10 Q. Sure. If Mr. Crawford in his 11 deposition -- and you have your objections -- if 12 Mr. Crawford in his deposition said he saw 13 individuals removing old insulation, is that 14 something you think is incorrect or impossible? 15 MR. MCDONALD: Objection. 16 THE WITNESS: No, no. I don't -- I 17 don't agree. I -- that could happen. He could 18 have said that, okay? 19 BY MR. CHAPMAN: 20 Q. Okay. All right. The documents, sir, 21 relating to the Spartanburg site -- which I 22 understand are here in this office now -- do you 23 know how long they have been kept here? 24 A. Well, they've been here for the last 25 four weeks. I know because that's how long I've	Page 52 1 We'd send it back to Greenville. Every 2 project did that. Now, when I came into the home 3 office and I was working in here, I would receive a 4 message from the document center saying the 5 documents for this project have run out of their 6 time limit and we're going to destroy these records 7 unless you indicate otherwise. 8 If you need the records for some 9 reason, please let us know and we will save them. 10 And we would let them know one way or the other and 11 they would either destroy the documents or save 12 them. 13 Q. And what was that time limit? 14 A. It was -- it varied for different 15 documents. I think safety records were different 16 periods of time than financial records -- and I 17 don't remember what the exact dates were -- 18 Q. When this -- 19 A. -- but they were different periods of 20 time. 21 Q. What about specifications of materials 22 on job sites? 23 A. Yeah, they would be saved too. 24 Q. Do you know why, sir, Daniel has all 25 the records like of Spartanburg -- do you know why
Page 51 1 been working on this job. 2 Q. Do you know where they are kept when 3 they're not here? 4 A. I'm assuming they're in a Daniel 5 constru- -- warehouse where we keep our documents. 6 Q. Is there one particular warehouse where 7 Daniel keeps all of the documents? 8 A. I'm not sure, but I think there is. I 9 think there's just one place. There may be more 10 than one. 11 Q. We mentioned this a couple of times but 12 I don't think I've just asked you the question. 13 Does Daniel have a document retention policy? 14 A. Yes. 15 Q. What is that policy? 16 A. Well, I told you the policy as I 17 understood it a while ago. I'll do it again. 18 Q. Please. 19 A. Okay. When we finish up a job, we 20 would be told we need you to box up the records for 21 the project -- financial, purchasing, safety, 22 whatever the records are -- put them in a box, send 23 them back to Greenville, okay? With the project 24 number and everything on it labeled so we know 25 what's in the box.	Page 53 1 those were kept? 2 A. Because that -- we were told to keep 3 them. I -- 4 MR. MCDONALD: Let's be clear. What's 5 in that room is everything that remains. It's not 6 everything that was -- 7 BY MR. CHAPMAN: 8 Q. All right. So that's what I'm getting 9 at. 10 A. Yeah. 11 Q. Do you know what documents remain from 12 the Spartanburg facility versus what was there 13 originally? 14 A. That's all that remains -- what's in 15 this room next door to us. That's what re- -- 16 that's everything left. 17 Q. And do you know what was destroyed? 18 A. Everything that had run out of their 19 time limit for storage that we didn't need for some 20 future use has been destroyed. 21 Q. I understand; totally get you. 22 A. Okay. 23 Q. My question is: Do you know what 24 specifically that was? 25 A. No, I do not know specifically. I can

Page 54 1 tell you they're records that are not there that 2 I'm sure were shipped here, okay? That they're 3 engineering specs that are not there, probably some 4 purchasing records that are not there. They're 5 probably some safety records that are not there. 6 Air monitoring reports are not there, okay, that I 7 have seen on other sites, okay? 8 Q. Okay. Would you be able to tell me, 9 sir, how many documents total you would expect -- 10 how many boxes of documents you would expect there 11 to be if a -- if a site's documents were kept in 12 its entirety? Does that make sense? 13 A. Yeah, I -- you -- 14 MS. PRESSON: Objection. 15 THE WITNESS: It's hard to say because 16 the amount of documents we kept on a \$20 million 17 job would be significantly less than a job that 18 we'd done a \$300 million job, okay? 19 MR. MCDONALD: Right. 20 THE WITNESS: So it's really tough to 21 -- to say how many would have been -- 22 MR. MCDONALD: Yeah, let me just 23 interject here -- and I know you know, but you know 24 the construction of a nuclear power plant may be 25 different than another plant. Some of the these	Page 56 1 Q. All right. All right. 2 Okay. We've been going about a hour. 3 Can we take a break? 4 MR. MCDONALD: Sure. 5 THE VIDEOGRAPHER: Off the record at 6 twelve o'clock. 7 (A lunch recess transpired.) 8 THE VIDEOGRAPHER: At time 9 approximately eleven -- or excuse me -- 12:32:30. 10 We are back on the record. 11 BY MR. CHAPMAN: 12 Q. Okay, sir. We took a short little 13 lunch break and now we're back. 14 A. Thank you. Thank you. 15 Q. So I was thinking of some things on the 16 break. The documents that are in there -- I had a 17 chance to go and take a look at them over the 18 break. 19 A. Okay. 20 Q. And I know you said you've spent a few 21 weeks -- three or four weeks looking at them. If I 22 ask you where are the insulation specs within those 23 documents, would you be able to point them to me? 24 A. Yeah, I could -- I could go dig out 25 some of the specs that are there, yes.
Page 55 1 old documents -- you know, you take a project in 2 1995. You might have more documents; you know what 3 I mean? 4 MS. PRESSON: Mott, I'm okay with the 5 objection. 6 MR. MCDONALD: Yeah. 7 MR. CHAPMAN: Please don't testify for 8 the witness. 9 MR. MCDONALD: I'm just trying to 10 help -- 11 MR. CHAPMAN: I understand. I get it. 12 I understand, all right? 13 MR. MCDONALD: Okay. 14 MR. CHAPMAN: And I'll object to 15 Counsel's statements. 16 BY MR. CHAPMAN: 17 Q. So sir, I totally get it, all right? 18 My question is: The documents that we're missing 19 -- are we talking about another 40 boxes or another 20 400 boxes? 21 A. I -- I just can't tell you. I -- I 22 don't know. I don't think anybody could tell you. 23 I just don't know. 24 Q. Okay. You don't know? 25 A. I don't know.	Page 57 1 Q. Would you be able to -- let me first 2 back up and ask you -- do you remember seeing Covil 3 Insulation anywhere in there? 4 A. Yes, I saw Covil -- I saw Covil 5 Insulation had people on the job -- three or four 6 people on the job doing fireproofing on steel -- on 7 structural steel. 8 Q. Would you be able to show me where the 9 Covil docs are? 10 A. On what? 11 Q. The document's you're referring to. 12 A. It would take me a while to dig them 13 out. I'm just telling you that's what I saw, okay? 14 In fact, I think -- well, I may be able to show you 15 one place. The -- I believe they're listed as an 16 insulator in one of the progress re -- in one of 17 the monthly progress reports I think. 18 Q. And the insulation specs that we're 19 talking about -- is this from original construction 20 or what? 21 A. Well, the insulation spec would be the 22 insulation spec that we were given to build the 23 job, okay? And in '71 -- prior to '71, it would 24 not be asbestos-free, and then after that it would 25 be asbestos-free insulation.

Page 58 1 Q. So my question is: The insulation 2 specs that you can go point out to me right now -- 3 would those be original 1966 or would it be the 4 whole gamut? 5 A. The ones I saw would be the ones prior 6 to '73. 7 Q. Okay. 8 A. That would be the old insulation specs. 9 MR. CHAPMAN: All right. So what I 10 would like to do, Mott, if we can, is take a quick 11 break. 12 BY MR. CHAPMAN: 13 Q. If you could show me those -- point 14 them out to me. 15 A. Okay. All right. 16 Q. Can we do that? 17 A. We can try. 18 MR. MCDONALD: We can try? Okay. 19 MR. CHAPMAN: All right. Let's take a 20 break. 21 THE VIDEOGRAPHER: Off the record at 22 12:35. 23 (A recess transpired.) 24 THE VIDEOGRAPHER: Going back on the 25 record at 12:43.	Page 60 1 form of the question. 2 THE WITNESS: I'm sorry. Say that 3 again. 4 BY MR. CHAPMAN: 5 Q. So because these specifications are 6 from before when you say everything went 7 asbestos-free -- those specifications would be for 8 asbestos-containing insulation? 9 A. They would be, yes. 10 Q. Okay. 11 MR. MCDONALD: For thermal 12 insulation -- 13 UNIDENTIFIED SPEAKER: Object to the 14 form of the question. 15 THE WITNESS: For thermal -- for high 16 temperature thermal insulation, yes. 17 MR. CHAPMAN: All right. Just for the 18 record, Mott -- and we can talk about this 19 afterwards. We're going to want a copy of all of 20 those. 21 MR. MCDONALD: Sure. Sure. 22 MS. PRESSON: So just let us know if 23 you want to send one of your guys or our guys for 24 the best way to -- 25 MR. MCDONALD: Yeah, we'll figure it
Page 59 1 BY MR. CHAPMAN: 2 Q. Okay, sir. We just took a quick break 3 and you went and looked for these documents. And 4 my understanding is that you couldn't find them. 5 And is it fair to say, sir, that 6 looking through all of the documents that we have 7 in there, it's not something that can be done in a 8 short of amount of time? 9 A. Right. 10 Q. In fact, it's taken you weeks to do it? 11 A. Yes. 12 Q. Okay. But you know they are in there? 13 A. Yes. These are the specs previous to 14 them going asbestos-free, yes. 15 Q. Okay. 16 A. In fact, there's more than one copy. 17 There's a couple of three copies. And I just -- 18 I'm sorry. I just don't know which box they're in. 19 Q. And it may kind of be obvious, but you 20 know sometimes you forget to ask the obvious 21 questions, so I just want to make sure I do. 22 Because they're specs from before 23 everything went asbestos-free in your words, those 24 specs would be for asbestos-containing insulation? 25 UNIDENTIFIED SPEAKER: Object to the	Page 61 1 out. Yeah. 2 MR. CHAPMAN: After we get those -- and 3 again, I'm sure we'll have discussions off the 4 record about that -- we will likely want to talk to 5 Mr. Buck again if -- and I'm not asking you to 6 commit to anything -- 7 MR. MCDONALD: Right -- 8 MR. CHAPMAN: -- right now on the 9 record -- 10 A. -- yeah, you're just reserving your 11 right. 12 MR. CHAPMAN: Yeah. 13 MR. MCDONALD: All right. That's fine. 14 MR. CHAPMAN: If -- if Daniel is not 15 going to file an MSJ, that gives us a couple of 16 weeks and to figure out -- 17 MR. MCDONALD: Uh-huh. 18 MR. CHAPMAN: -- if they are, that 19 gives us a couple of days. 20 MR. MCDONALD: Sure. 21 MR. CHAPMAN: But we'll talk about it 22 then. 23 MR. MCDONALD: Yeah, yeah. 24 MS. PRESSON: And can I just also place 25 a request on the record for the same documents on

Page 62 1 behalf of Ceeanese -- 2 MR. MCDONALD: Right. 3 MS. PRESSON: -- or CNA Holdings -- 4 excuse me. 5 BY MR. CHAPMAN: 6 Q. Okay. Back to Spartanburg -- the 7 facility; not the town. 8 When Daniel was on site, who supervised 9 Daniel's workers? 10 A. Their project manager on the site that 11 supervised our work. 12 Q. When you say their project manager, you 13 mean a Daniels project manager? 14 A. A Daniel project manager supervised the 15 work. 16 Q. Okay. Was their work ever supervised 17 or approved by anybody at Ceeanese? 18 MS. PRESSON: Objection to the form. 19 THE WITNESS: Oh, sure. They gave us 20 -- they gave us the specs, they gave us the 21 engineering to do, and that we didn't buy anything 22 or do anything that wasn't in accordance with their 23 specifications and their approval. 24 BY MR. CHAPMAN: 25 Q. And that included the use of	Page 64 1 THE WITNESS: Were Ceeanese ever asked 2 -- no, we didn't ask them to help us with our work. 3 BY MR. CHAPMAN: 4 Q. Would Ceeanese employees be working 5 side by side with Daniel's employees? 6 MS. PRESSON: Objection to form. 7 THE WITNESS: Not in the context of 8 these documents that -- that I saw in 9 Mr. Crawford's time frame; they would not be 10 working together. 11 BY MR. CHAPMAN: 12 Q. All right. So I'm not asking about the 13 documents. I'm just asking generally -- and '70 to 14 '74. Would Daniel's employees be working side by 15 side with Ceeanese employees? 16 MS. PRESSON: Objection to form. 17 THE WITNESS: '70 to '74? 18 BY MR. CHAPMAN: 19 Q. Yes, sir. 20 A. My answer to that would be, no, they 21 wouldn't be working side by side, okay? 22 Q. Why not? 23 A. Because the owner and us would want the 24 construction area separated from the process 25 area -- from the operating area -- for a lot of
Page 63 1 asbestos-containing insulation prior to when you 2 say it was -- 3 A. Yes -- 4 Q. -- asbestos-free? 5 A. -- yes. 6 MS. PRESSON: Belated objection to 7 form. 8 BY MR. CHAPMAN: 9 Q. At any point, sir, did Daniel tell 10 Ceeanese that asbestos was hazardous? 11 A. Not that I am aware of. 12 Q. Do you know why not? 13 A. Well, because I didn't -- I can only 14 speak for Daniel; I can't speak for Ceeanese. 15 We became aware that asbestos was a 16 problem in '71 when OSHA came out, okay? And they 17 became aware of -- at the same time that we did. 18 Q. Are you saying Daniels had zero idea 19 prior to 1971 that asbestos-containing insulation 20 was hazardous? 21 A. Yes. 22 Q. Okay. While Daniel was on the job, 23 sir, did -- did Ceeanese employees -- were they 24 ever asked to help Daniels with any of their work? 25 MS. PRESSON: Objection to the form.	Page 65 1 different reasons. 2 Number one, we don't want operating 3 people in our area where they can get hurt. We 4 don't want to be distracted by what they are doing, 5 and we -- we just -- and the other thing I do -- 6 from a owner standpoint, they don't want the 7 contamination of a construction site getting into 8 their operating area or products. So it would be a 9 separate area. 10 They talked -- he talked about that in 11 his deposition. It was a little hard to get a 12 grasp on -- a little hard to follow, but he talked 13 about the separation between where he worked and 14 the continuous polymus area -- continuous polymer 15 area. 16 Q. If I understood your testimony earlier, 17 sir, there were times from '70 to '71 when Daniels 18 was adding in more lines to the continuous poly 19 area? 20 A. Yes, I think that's right. From '70 to 21 '74, we were probably adding the lines in the 22 continuous polymer building. 23 Q. Okay. And do you have any reason to 24 believe that Ceeanese would shut down that 25 building while you were working?

Page 66 1 MS. PRESSON: Objection to form? 2 THE WITNESS: Shut down what building? 3 BY MR. CHAPMAN: 4 Q. The continuous poly building. 5 MS. PRESSON: Same objection. 6 THE WITNESS: Let's just make an 7 assumption for a minute. 8 BY MR. CHAPMAN: 9 Q. Well, I don't want you to assume 10 anything. 11 A. Well, I'm trying to answer your 12 question -- 13 Q. Okay. 14 A. -- okay? If there's a continuous 15 polymer line running in the continuous polymer 16 building, okay? And we're putting in a new line, 17 we're going to separate ourselves from the -- 18 there's going to be a wall -- a physical wall of 19 some sort between the construction area and the 20 operating area. 21 Q. Did that happen in Spartanburg? 22 A. Yes. 23 Q. How do you know? 24 A. Number one, you're -- the testimony of 25 Crawford talks about there being a wall there, all	Page 68 1 A. It -- 2 Q. Based on just it was a general -- 3 A. -- I've never been on a site that 4 didn't separate the construction area from the 5 operating area. I don't care whether it was 6 Hoechst Celanese or Dupont or any -- or Monsanto. 7 They wanted their area separated for a lot of good 8 reasons. 9 Q. So your -- I'm just trying to 10 understand, sir. So your basis for knowledge on 11 that is that that was just what was generally done? 12 A. Yes. 13 MS. PRESSON: Objection to form. 14 MR. MCDONALD: And Mr. Crawford's 15 testimony. 16 MR. CHAPMAN: Mott, please don't 17 testify for the witness -- 18 MR. MCDONALD: Yeah. 19 MR. CHAPMAN: -- I will get the judge 20 on the phone. You can object, but please don't 21 testify. 22 MR. MCDONALD: Okay. 23 BY MR. CHAPMAN: 24 Q. Sir, please continue your answer. 25 A. I -- because of my general industry
Page 67 1 right? 2 Number two, I have never been on a site 3 where the construction area and the operating area 4 weren't separated -- physically separated. 5 BY MR. CHAPMAN: 6 Q. What kind of wall are we talking about? 7 A. Where? 8 Q. That would -- that you say would 9 separate? 10 A. Well, it could -- it could be an 11 existing block wall and we can just be adding a 12 line on this side of block wall. It could be a -- 13 a -- a plywood wall, floor to ceiling. Or it could 14 be a plastic -- heavy plastic wall that isolates 15 the construction area from the operating area. 16 Q. Do you know what was used at 17 Spartanburg from '70 to '74? 18 A. No, I don't know. It -- probably a 19 combination of all. 20 Q. But you don't know? 21 A. No, I don't know. I wasn't there. 22 Q. Do you know for sure that a wall -- 23 some sort of wall was used? 24 A. I'm for sure of that. 25 Q. Based on what?	Page 69 1 knowledge -- and I've said before that your -- the 2 testimony of Crawford says there was a wall. 3 Q. Do you know what kind of wall he 4 describes? 5 A. It sounded like he was describing a 6 block wall -- the original -- the original block 7 wall that existed on poly one separated it from 8 continuous polymer, okay? And it sounded -- and 9 I'm -- I'm just trying to understand his testimony. 10 It sounded like we tied into the continuous polymer 11 area through that wall. 12 Q. Do you know, sir, if there are any 13 documents that show anything like that? 14 A. I haven't seen any. 15 Q. Okay. And you weren't there at the 16 time? 17 A. No. 18 Q. Have you spoken to anybody who was 19 there at the time? 20 A. No. 21 Q. Okay. The walls that were generally 22 used that we're talking about here -- do you know 23 if they were made or constructed in such a way that 24 would prevent dust from transferring from one area 25 to the other?

Page 70 1 A. That was one of the points of doing it. 2 Q. Okay. How -- how did you make sure 3 dust did not get from one area to the other? 4 A. We built a wall from floor to ceiling. 5 Q. Did it cover -- I mean, I guess maybe 6 we're envisioning two separate things. So was it a 7 completely closed-off area with a door and 8 everything? 9 A. Yes. Yes. 10 Q. Okay. 11 A. Yes. Maybe an opening, okay? Maybe a 12 door in it; may not be a door in it. It may just 13 be a curtain down in front of the opening, but they 14 were separated -- physically separated. 15 Q. I'm going to go a little out of order 16 here, but just since we're talking about it... 17 (EXH. 4, Accident Prevention Standards, 18 was marked for identification.) 19 BY MR. CHAPMAN: 20 Q. All right, sir. I'm going to hand you 21 what is being marked as Exhibit 4, and this is the 22 Accident Prevention Standards -- that's what it 23 says up on the front page? 24 A. Yeah. 25 Q. And is this a Daniels document?	Page 72 1 Q. -- the subject of that is asbestos 2 concentration control? 3 A. Yes. 4 Q. And there are number of methods in 5 there -- engineering methods under A1 -- isolation, 6 enclosure, exhaust ventilation -- 7 A. Uh-huh. 8 Q. -- dust collection, disposal. 9 Have you seen any documents, sir, that 10 show that happened at the Spartanburg facility? 11 A. No, I can't because I didn't see any 12 documents about us removing asbestos in the -- or 13 handling asbestos in the documents that I looked 14 at. 15 But I don't -- I didn't see any 16 incident where this was done. I can't point to a 17 document where this was done. 18 MS. PRESSON: I'll object to the 19 nonresponsive portion of the answer. 20 BY MR. CHAPMAN: 21 Q. Sir, this same page also talks about 22 tools -- or excuse me -- workers shall be provided 23 with local exhaust, that asbestos shall be handled 24 such as worked with in a wet state as far as 25 practical, that asbestos as far as practical shall
Page 71 1 A. Yeah, this is part of the Accident 2 Prevention Standards, yes. 3 MR. CHAPMAN: Mott, do you know if this 4 is an authentic business record? 5 MR. MCDONALD: I mean, yes, it has 6 Daniel down there, so yeah, this is one of our 7 documents. 8 MR. CHAPMAN: All right. Great. 9 BY MR. CHAPMAN: 10 Q. All right, sir. So this a five-page 11 document, Bates Crawford 13370 to Crawford 13374; 12 is that right? 13 A. Yeah. 14 Q. Do you know, sir, when these accident 15 prevention standards went in place? 16 A. Yeah, they went in place in right after 17 OSHA issued their asbestos handling procedures, and 18 we issued this right after that. I believe it was 19 in -- I want to say July or August of '73. 20 Q. Okay. You see on page 2 the subject is 21 as you say, asbestos concentrations? 22 A. Uh-huh. 23 Q. And then on the fourth page, number 24 13373 -- 25 A. Uh-huh.	Page 73 1 not be worked without either wetting or enclosing 2 or ventilating. 3 Do you know if -- have you seen any 4 document whatsoever similar that shows that that 5 happened at Spartanburg from '70 to '74? 6 A. No. What I did see was physicals that 7 were done by our insulators where we took chest 8 X-rays and we did pulmonary tests back dated 1973, 9 which would indicate that we were issuing dusty 10 trade cards which would indicate that we were 11 carrying out what we were supposed to be doing. 12 That's what I saw in the documents. 13 Q. And those were Daniel's employees? 14 A. Yes. 15 Q. Do you know if Daniels took any 16 measures to protect the Celeanese employees from 17 their work? 18 A. Well, we did what we said here. We 19 isolated the area. We wet down the stuff to keep 20 -- to keep everybody out and to keep the dust 21 from -- 22 BY MS. PRESSON: 23 Q. Well, if I understood your testimony a 24 second ago, you haven't seen any documents that say 25 that?

Page 74 1 A. No. 2 Q. Okay. 3 A. But I'm just telling you that's what we 4 would have done. 5 Q. That's what generally happened -- 6 A. Yes. 7 Q. -- right? 8 A. And -- 9 Q. But there are no documents specific to 10 Spartanburg? 11 A. I didn't see any in there related to 12 Spartanburg. 13 Q. All right, sir. Do you know, sir, if 14 at Spartanburg Daniel set up any sort of changing 15 rooms or locker rooms? 16 A. I saw no indication of that, okay? 17 Q. Okay. 18 MS. PRESSON: I want a belated 19 objection to form on that question. 20 BY MR. CHAPMAN: 21 Q. Okay, sir. You can put that aside. 22 Thank you. Give me just a second to get myself 23 back in order here. All right. Okay. Cut all of 24 this dead space from the video. 25 All right, sir. From '70 to '74 at	Page 76 1 A. I'm sure there was because we were not 2 allowed -- we didn't go into an operating plant and 3 arbitrarily change valves out or take pumps out or 4 replace motors without the client telling us to do 5 that and giving us a written work order to do it. 6 Q. Before Daniels would go to Ceeleanese 7 and ask them to inspect and check off their work, 8 did Daniels itself inspect it? 9 A. Sure. 10 Q. What was the process for Daniel making 11 sure everything was up to code, or you know, done 12 the right way, I should say? 13 A. Well, we would compare what we put in 14 to the specs. We'd bump the motors, do some 15 pressure testing on the pipelines, and turn it on. 16 Q. Okay. 17 A. Fix the leaks if they're any. 18 Q. So whatever the job is -- whether it's 19 fixing a pump or putting up a new building, Daniel 20 would go through its checklist to make sure that 21 everything was good and send it to Ceeleanese, and 22 Ceeleanese would also make sure -- 23 A. Come and check it -- 24 Q. All right. 25 MS. PRESSON: Objection to form.
Page 75 1 Spartanburg, do you know if there were any other 2 contractors on site besides Daniels? 3 A. Yeah, there were some other contractors 4 on site. 5 Q. Who? 6 A. Well, I saw Covil as being one. I 7 didn't really pay attention to the list, but we 8 almost always have some other sub -- we almost 9 always have some other subcontractors. 10 Q. Fair enough. And I was not specific. 11 I was talking about as of general contractors. 12 A. No, no other general contractors. 13 Q. Okay. After Daniel was finished with a 14 project, what was the process to get that approved 15 by Ceeleanese? 16 MS. PRESSON: Objection to form. 17 THE WITNESS: We would -- we would get 18 the -- we would get everything set up ready to run. 19 The owner would come in. And we would ask them to 20 come in and they would check our work and sign off 21 on it, and they would take it over. 22 BY MR. CHAPMAN: 23 Q. What about when Daniels would do 24 maintenance work? Was there any sort of approval 25 process or checklist for that?	Page 77 1 THE WITNESS: -- and sign off for it. 2 BY MR. CHAPMAN: 3 Q. Do you know, sir, if at Spartanburg 4 between '70 and '74 if Daniels ever received an 5 OSHA violation? 6 A. I didn't see any. 7 Q. Did you see other OSHA violations? 8 A. No, I didn't see any at Spartanburg. 9 Q. Do you know if Daniels has any OSHA 10 violations generally in that time frame? 11 A. Yes -- I'm sorry. At Spartanburg? 12 Q. At -- in that -- just in that time 13 frame? 14 A. At Spartanburg? 15 Q. No, with all. Are those the kind of 16 documents that are in there? 17 A. I'm sorry. I'm -- I don't understand 18 the question. 19 Q. That's okay. I'm probably asking a bad 20 question. I do that sometimes. 21 A. Okay. 22 Q. OSHA violation -- records of those -- 23 are those the kind of documents that Daniels has 24 generally? 25 A. Oh, I've seen them in some cases at

Page 78 1 other sites -- 2 Q. Okay. 3 A. -- where they've got them. 4 Q. Does Daniels have any OSHA violations 5 at Spartanburg at -- for any period of time? 6 A. I haven't seen any in those documents. 7 Q. Okay. Sir, when Daniels would get a 8 work order or a contract with Celeanese to build 9 something, how would it go about instructing its 10 employees -- employees to get the job done? 11 A. We would -- they would -- well, we 12 would bid on the work. I mean, they would say 13 here's the work and we would give them an estimate 14 of how much it costs. And then they would say, 15 okay, we want you to do this job. And we would 16 take the specifications and the engineering 17 drawings and we would break it out to our crews and 18 tell them to get to going. 19 We'd start with the civil and do the 20 civil and the steel erection, and then move into 21 the electrical and mechanical trades and finish it 22 up. 23 Q. All right. Was Daniel for any of the 24 new construction prior to 1974 -- so '66 to '74 at 25 Spartanburg -- was Daniel a design engineer for any	Page 80 1 A. We would not do any steam piping that 2 had to do with the process. We would not do any 3 high temperature piping that had to do with the 4 process, all right? 5 We may do some steam piping if it was 6 to a steam heater for a building. We might do some 7 steam -- we might do some steam piping in there. 8 Q. Understood. 9 A. But it would be very minimal. 10 Q. When Daniel took on the job to build 11 Spartanburg in 1966, where did the specifications 12 come from? 13 A. Hoechst. 14 Q. Do you know where Hoechst got them 15 from? 16 A. They probably had them forever. I 17 mean, the companies have their own specifications. 18 Q. Okay. Do you know who designed 19 Spartanburg? 20 A. I think it was Lockwood Greene. I 21 believe that's right. Lockwood Greene was the 22 engineer, I believe, out of Spartanburg. 23 And I do think it was '74 -- the more I 24 think about it, I do think it was '74. 25 Q. '74 when Daniel --
Page 79 1 of that? 2 A. I think the first Daniel engineering 3 contract that we signed -- it was either '70 or 4 '74. I think that's right, okay? We weren't the 5 engineer prior to that. 6 Is that right, Don? I'm not sure of 7 the year, but I think it was '70 or '74. Can I -- 8 let me just expound on that. 9 Q. Sure. 10 A. The engineering that we did -- that 11 Daniel did -- was what we call supplemental 12 engineering. It's very clear in the engineering 13 contracts that Daniel was not going -- was not 14 required -- was not being asked to do any equipment 15 relocate -- any equipment layout. 16 We did no piping design, no process 17 pipe and design, no P and Ds. We did no 18 instrumentation. Basically, what Daniel 19 engineering did under this supplemental agreement 20 was the civil, the architectural, the service 21 piping, and the HVAC is what they did 22 engineering-wise. We were not responsible for the 23 profession at all. 24 Q. Okay. Included in that, would that be 25 steam piping?	Page 81 1 A. When Daniel first did an engineering -- 2 a supplemental engineering -- because we took it 3 over from Lockwood and they got mad, okay? 4 Q. Okay. 5 A. All right. 6 Q. The subsequent additional projects that 7 Daniel built at Spartanburg -- 8 A. Okay. 9 Q. -- so this would be -- I think you said 10 '68, maybe '70 -- somewhere in there -- 11 A. Okay. 12 Q. -- when new buildings were being 13 built -- 14 A. Right. 15 Q. Where did Daniel get the specs for 16 those? 17 A. Same place. 18 Q. From Hoechst? 19 A. From Hoechst, yeah. 20 Q. Did Daniel have to approve the specs 21 before the work was done? 22 A. No, no, no. They gave us approved 23 specs. 24 Q. Understood. Did -- when you got the 25 specs from Hoechst, did Daniel go through the list

Page 82 1 and say, yes, we can do this, or no, we can't do 2 this? 3 A. I don't know 'cause we could do 4 anything -- we felt like we could, okay? So we 5 didn't go through there and pick out what we 6 couldn't do. What we did, we'd go through the 7 specs and decide what we were going to do with our 8 own people and what we were going to subcontract 9 out -- specialty contracting like siding or trim 10 carpentry or that type of thing. 11 But we would say, yeah, give us the 12 specs and we'll figure out a way to get it done for 13 you. 14 Q. Understood. Did Daniel to your 15 knowledge at Spartanburg ever decline to do a job? 16 A. Not that I'm aware of. 17 Q. Do you know if Daniel ever went back to 18 Ceeleane or Hoechst at Spartanburg and said the 19 way you're proposing to do this is unsafe; we need 20 to change it? 21 MS. PRESSON: Objection to form. 22 THE WITNESS: No, 'cause they just give 23 us the engineering -- the engineering and the 24 specs, and we go out and build it. I mean, if we 25 saw -- if we saw something safe -- unsafe in the	Page 84 1 A. Yeah. 2 Q. Do you know if they are still alive? 3 A. I don't. I don't. 4 Q. You haven't tried to reach out to them? 5 A. No, no. 6 Q. And that just reminds me of a question 7 I probably should have asked way back at the 8 beginning. 9 And in this case or in preparation for 10 this deposition, is there any other individuals 11 that you spoke to to try to learn about this? 12 A. No. 13 Q. Okay. Sir, did Daniel have any kind of 14 building or trailer on site that was 15 Daniel-specific? 16 A. I'm sure we did. 17 Q. Was that typical? 18 A. Yes. 19 Q. Do you know specifically at Spartanburg 20 if there was a tent or a building or what there 21 was? 22 A. My speculation is we probably had an 23 office trailer. 24 Q. Okay. Did Daniel hold safety meetings 25 for its employees at Spartanburg?
Page 83 1 engineering, we would mention it, but I don't -- 2 that generally was not the case. You didn't find 3 that kind of thing happening. 4 BY MR. CHAPMAN: 5 Q. Do you know if Daniel ever went to 6 Ceeleane and said the asbestos-containing products 7 that they were wanting to use was unsafe and they 8 should -- 9 A. No. 10 MS. PRESSON: Objection to form. 11 BY MR. CHAPMAN: 12 Q. Okay. I believe you said the person in 13 charge of Daniel's personnel on site would be a 14 project -- 15 A. Project manager. 16 Q. Project manager. Do you know the name 17 of any project managers at Spartanburg? 18 A. I guess -- I want to say -- I looked at 19 the organizational chart. I'm sorry. I can't 20 place -- I think his name was -- the project 21 manager was R. O. Williams, I believe. We had a 22 mechanical superintendant named Howard Poteate. We 23 had a couple of the Daniel engineers was 24 Tom Dillard and Bob Hazen, so... 25 Q. Do you know any of those individuals?	Page 85 1 A. Yes. 2 Q. How often? 3 A. We had weekly gang-box meetings with 4 every employee on Monday morning. We had a 5 supervisor's safety meeting every week, all right? 6 We had safety orientations for every new hire that 7 came on the site. And we had regular and safety 8 inspections by the people that were on the site 9 plus from corporate safety plus our owner's safety 10 department inspected our work. And USFG surveyed 11 our work. And on occasion OSHA would show up. 12 Q. Those weekly safety meetings -- do you 13 know when they started? 14 A. I -- my guess would be that they 15 started when we started the -- the gang-box 16 meetings. And the gang-box meetings were weekly 17 meetings for everybody the first 15 minutes on 18 Monday morning. And those were started back in the 19 '50s with Daniel. And I -- the weekly supervisor 20 safety meeting probably started the same time. 21 That would be my -- 22 Q. And when you say everybody, you mean 23 all of Daniel's employees? 24 A. All of Daniel employees, yes. 25 Q. Do you know, sir, if for instance when

Page 86 1 Daniel was on Spartanburg if any Celeanese 2 employees attended? 3 A. I don't know. They were welcome to 4 attend if they wanted to, okay, but this was 5 specifically for our -- for our employees. 6 Q. And when you say they were welcome to 7 attend, was that something that was made known? 8 A. Oh, yeah, I mean, you know, we say my 9 foreman -- a foreman might be out there and he 10 says, well, I've got to go to a gang-box meeting to 11 one of his peers at Hoechst, and if a Hoechst guy 12 wanted to go he could go; it wasn't a closed 13 meeting. 14 Q. Sure. Is that -- is that something 15 that Daniels ever formally offered to -- 16 A. Not that I'm aware of. 17 Q. Okay. 18 A. In fact, I don't know -- Hoechst may 19 have had their own gang-box meetings for their 20 people, okay? 21 Q. Understood. That's not something that 22 you -- 23 A. I don't know. I'm just saying. 24 Q. All right. Other than those safety 25 meetings being the general practice, do you know	Page 88 1 about the hazards Daniel's work could pose to 2 non-Daniels employees -- for example, Celeanese 3 employees? 4 A. Well -- ask your question again. Let 5 me hear it again. 6 Q. I'll try. I don't know if I can. 7 Do you know if any of Daniel's weekly 8 safety meetings that we're talking about ever 9 included information about what hazards Daniel's 10 work posed to non-Daniel's employees like Celeanese 11 employees? 12 A. Well, I -- yeah, I -- we did a lot of 13 things for the safety of our own employees, but 14 they also were safety conditions for anybody that 15 was on the site, okay? It -- a lot of it was just 16 common sense and -- but our safety precautions were 17 taken to protect our people, all right? 18 And in -- and in terms of if you're 19 talking about asbestos, that's the reason we 20 isolated the area. That's the reason we did -- 21 that's one of the reasons we did our -- we did work 22 -- air sampling and isolated the area was to keep 23 other people out of the area. 24 Q. Have you seen -- and I'm not trying to 25 rehash old ground. I'm going to try to get a
Page 87 1 for sure that they happened at Spartanburg from '70 2 to '74? 3 A. Yes. I know for certain they happened. 4 Q. How? 5 A. We have project review, we have monthly 6 progress reports and they in there say they have 7 weekly gang-box meetings every single week, and 8 they have weekly supervisor's meetings. 9 In fact, on the one of the reports the 10 note was that the project manager had been to the 11 OSHA safety conference here in Greenville back in 12 '73. 13 Q. Great. Do you know if any of those 14 safety meetings talked about the hazards of 15 asbestos? 16 A. I don't know in Spartanburg, but I can 17 say on the other projects that that was a topic at 18 certain times within the -- within the two box 19 meetings. 20 Q. Sure. Now, I'm talking about 21 Spartanburg. 22 A. I couldn't say that they did it at 23 Spartanburg. 24 Q. Okay. Sir, do you know if these 25 Daniel's safety meetings ever included information	Page 89 1 slightly different point. 2 Have you seen any documents in your 3 review over the last three or four weeks that show 4 that air sampling or wet-down methods or negative 5 air pressure -- any of that kind of stuff was used 6 at Spartanburg by Daniels? 7 A. I didn't see any documents in that 8 regard. 9 Q. Okay. Do you know who any of the subs 10 were at Spartanburg from '70 to '74? And by subs, 11 I mean subcontractors. 12 A. I'd have to go back -- I could probably 13 get that list pretty quick for you, but -- because 14 it's in the monthly progress reports, the 15 subcontractors there on the job. I just don't 16 recall one right now. I'm -- I'm sure we had a 17 roofing contractor; I'm sure we had a siding 18 contractor. 19 (EXH. 5, List of Subcontractors/Vendors 20 for Hoechst Spartanburg Job site, November 1971 21 through January 1975, was marked for 22 identification.) 23 BY MR. CHAPMAN: 24 Q. I'm going to hand you, sir, what I'm 25 marking as exhibit -- what are we on, 5?

Page 90 1 And this is Bates Smith 000156 to 157. 2 MR. CHAPMAN: Mott, do you know if this 3 is authentic business record? 4 MR. MCDONALD: I don't. It -- normally 5 ours would carry a Daniel -- I haven't seen this 6 before that I can recall. 7 BY MR. CHAPMAN: 8 Q. Okay. All right, sir, I'll just 9 represent to you this was produced and used in a 10 Smith case -- one we had recently with you guys as 11 well. 12 A. Okay. 13 Q. It's subcontractors at the top. 14 Vendors for Hoechst Spartanburg, November 1971 15 through January 1975. 16 A. Okay. 17 Q. Does this appear to be a list of 18 subcontractors Daniels used or that were used at 19 Spartanburg for that time period? 20 A. Yeah, I -- yeah. 21 Q. Do you know, sir, the document that you 22 were referring to before that were in the records 23 -- do you know if it has any different information? 24 A. No, I don't. You'd have to take this 25 list and compare it. And they only -- these are	Page 92 1 generated by Daniel. 2 Q. Could you pull the documents generated 3 by Hoechst quickly, or would that take time? 4 A. That would take some time, okay? 5 Q. Okay. I'd like to get those. Is that 6 something you can do in just few minutes? 7 A. I don't know. They are kind of 8 scattered around in the different boxes, and it 9 would just -- it's a hit or miss thing and I don't 10 have my index to go with me -- I just don't have it 11 in front of me. 12 Q. The ones that they're Daniel's 13 produced -- 14 A. I can get you right now. 15 Q. All right. Why don't we take a 16 ten-second break and go grab those? 17 A. Okay. 18 THE VIDEOGRAPHER: This completes Media 19 Unit Number 1. Going off the record at 1300 hours 20 17 minutes. 21 (A recess transpired.) 22 THE VIDEOGRAPHER: This is the start of 23 Media Unit 2. Going on the record at 1300 hours 24 19 minutes. 25 BY MR. CHAPMAN:
Page 91 1 monthly progress reports. They only list the subs 2 that are there for that month. Over the course of 3 the year you might have these. I don't know. 4 You'd just have to check and see. 5 Q. When you -- you know you mentioned a 6 second ago you could go find it and pull it pretty 7 quickly -- 8 A. I can do this pretty quickly; I know 9 what these are. 10 Q. Okay. And -- and what are these? What 11 are we talking about? 12 A. They are monthly progress reports that 13 are generated by Daniel. 14 Q. And do you know if -- do you have them 15 for every month from '70 to '74? 16 A. No, I have it for one year -- '73, when 17 we were doing the continuous polymer building. 18 Q. Okay. Don't have them prior to '73? 19 A. I didn't see any other than those. 20 Q. Okay. 21 A. Well, now -- okay -- I did -- but I saw 22 other progress reports that were done on a weekly 23 basis that were generated by Hoechst, okay, from 24 '70 through '74 I think, okay? 25 But this was the only one I saw	Page 93 1 Q. All right, sir. We took a short break. 2 You went and pulled a file of documents for me. I 3 appreciate that. I took half a second to go 4 through them, and I'm going to keep going through 5 them. 6 These appear to be some documents. In 7 fact, I was going to mark some as exhibits today 8 but this is obviously a more complete set. I think 9 what we're going to do is go through some of these 10 just to get an idea for what they are. 11 MR. CHAPMAN: And then, Mott, if you 12 can get a copy -- you know, I -- these are bound 13 and so it would be very difficult -- 14 MR. MCDONALD: Right. 15 MR. CHAPMAN: -- to get a copy right 16 this second, but -- 17 MR. MCDONALD: Yeah. 18 MR. CHAPMAN: -- as soon as you are 19 able. 20 MR. MCDONALD: Right. 21 MS. PRESSON: I would like a copy as 22 well, please. 23 MR. MCDONALD: Yeah, Ashley. All 24 right. Yes. 25 MS. PRESSON: Thank you.

Page 94 1 BY MR. CHAPMAN: 2 Q. There are 15 different bound volumes of 3 these? 4 A. I actually think there's some 5 duplications of a month in there. I think that's 6 about one year's worth of -- I think it's -- I 7 think it goes from about January to December and 8 there's a couple of three extras in there. 9 Q. All right. So they're probably a 10 couple of duplications; right now there are 15 of 11 them. Each one has a cover page that says Hoechst 12 Fibers Incorporated, polyester manufacturing 13 facility Spartanburg, South Carolina. Construction 14 progress report for month of -- and then each one 15 has a different month. They don't appear to be 16 necessarily in order, but they all appear to be 17 from 1973. 18 Okay. Let's see if I can find one of 19 the duplicates -- that would make things easy. 20 Once we get them, I would like to mark these 21 collectively as Exhibit 6. 22 MR. MCDONALD: Okay. 23 (EXH. 6, Hoechst Fibers Incorporated 24 Progress Reports, was marked for identification.) 25 MR. CHAPMAN: That can just be a	Page 96 1 and 15 -- let me get to here -- are personnel and 2 main power on the job. And you can see that on 3 this -- on this month we had 309 craft people on 4 the job and we had subcontractors that brought that 5 total to 364 on the -- this is on page 15, okay? 6 And you also see a list of the 7 subcontractors -- Campbell Tile, Acoustic, Carolina 8 Paint, Southern Contractors, Gamewell, Tomlinson, 9 okay? 10 Q. Got it. 11 A. Some of those are on your list here. 12 All right. You have the purchase orders that had 13 been let, subcontracting that had been let, and the 14 value of those purchase orders and subcontracts. 15 And then on 17 and 18, you had a 16 financial status of the job, cash flow curve, and 17 then safety report is at the end. 18 Q. Okay. Like I said, I actually have a 19 couple of these we me that I brought with me. So 20 we'll go through a little bit more in detail; I 21 just wanted to kind of get an understanding for 22 what this was because I don't think I have a 23 complete copy with me. Okay. 24 THE WITNESS: Let me see that one 25 second. Yeah. Okay.
Page 95 1 placeholder for now. 2 BY MR. CHAPMAN: 3 Q. All right. So it does look like we 4 have a duplicate for July 1973. So just for the 5 purpose of the deposition, I'll just hand you one 6 and I'll have one. 7 MR. MCDONALD: Yeah, there you go, Don. 8 BY MR. CHAPMAN: 9 Q. Just so we can get kind of an 10 understanding of what these are and what kind of 11 information this holds. 12 A. Okay. 13 Q. Can you just describe for me what these 14 -- what is this document? 15 A. Well, Daniel -- all Daniel projects 16 turned in a monthly progress report to the home 17 office. And they were basically this format. The 18 -- section one is construction activity and general 19 progress. It goes through the different work. 20 Section two is engineering projects, 21 and it starts on page 7. It talks about the 22 drawings and information needed and this type of 23 thing. 24 Page 9 through 13 is the project -- the 25 status of the project schedule. Okay. And then 14	Page 97 1 BY MR. CHAPMAN: 2 Q. All right. For the video, most of this 3 is just dead space while we're flipping through 4 documents, so we can cut that out. 5 A. And the Daniel project manager -- I 6 think I said R. O. Williams; it's R. O. Campbell -- 7 is his last name. 8 Q. Okay. We'll get copies of these. 9 Thank you for pulling those. All right. And since 10 we're in those, I brought my own. Let's talk about 11 them. 12 A. Good for you. 13 MR. CHAPMAN: Pick the video back up 14 here. 15 (EXH. 7, Construction Progress Report 16 for February 1973, was marked for identification.) 17 BY MR. CHAPMAN: 18 Q. Sir, I'm going to hand you what I'm 19 marking as Exhibit 7. And this appears to be the 20 same or a very similar document to what we just 21 marked generally in Exhibit 6, although I have not 22 flipped through page by page to confirm that. 23 This is a construction progress report, 24 true? 25 A. Uh-huh. Yes.

Page 98 1 Q. From Daniel Construction Company? 2 A. Yes. 3 Q. For Spartanburg? 4 A. Yes. 5 Q. February 1973? 6 A. Yep. 7 Q. And this particular document is Bates 8 12844 through 12864? 9 A. Yeah. 10 Q. All right. I just want to look at a 11 couple of things in here. At the bottom where it 12 says page 1, which is Bates 12847. 13 A. Yes. 14 Q. This -- the top of this page is 15 construction activity and general progress? 16 A. Yeah. 17 Q. And this is talking specifically about 18 the polymerization facility? 19 A. Yes -- continuous polymerization. 20 Q. Okay. And point number 3 says 21 insulation of piping continues as pipe is installed 22 and released to the insulators. At this point in 23 time, approximately 10 percent has been insulated? 24 A. Right. 25 Q. All right. And then if you'll flip,	Page 100 1 insulation installed was probably asbestos-free. 2 Q. All right. Object to the nonresponsive 3 portion. 4 There's nothing in here about asbestos; 5 it doesn't discuss it? 6 A. Well, it says -- no, you're right. It 7 doesn't discuss it, okay? 8 Q. Okay. 9 A. It just says insulation. 10 (EXH. 8, Construction Progress Report 11 for November 1973, was marked for identification.) 12 BY MR. CHAPMAN: 13 Q. All right. You can put that aside. 14 And just because I had it prepared, I'm going to 15 hand you what I'm marking as Exhibit Number 8. 16 It's the same document but for November 1973? 17 A. Right. 18 Q. Okay. Will you please flip towards 19 where it is says page 5 -- oh, I should -- for the 20 record, the Bates labels on this document is 21 Crawford 12636 through 12659. And then, sir, on 22 page 5, which is 12643; you with me? 23 A. Yeah. 24 Q. It's talking about staples spin lines 25 14 and 16.
Page 99 1 sir, to where it says page 14, which is 2 Bates 12860. 3 A. Page 14? 4 Q. 14. 5 A. Yes. 6 Q. This lists -- at least for this 7 month -- how many different trades were on the 8 site? 9 A. Uh-huh. 10 Q. And for instance, there were 35 11 insulators; is that true? 12 A. Yeah. 13 Q. All right. And then the very last page 14 of documents, sir -- section 7, which talks about 15 safety. 16 Anywhere on here, sir, does it talk 17 about asbestos hazards or warning anybody about 18 asbestos hazards? 19 A. No, not on here it doesn't. 20 Q. All right. It does say weekly toolbox 21 meetings were held? 22 A. Yes. 23 Q. But not that anything was discussed 24 about asbestos? 25 A. I might just say this is '73, and the	Page 101 1 A. Uh-huh. 2 Q. Number 4, the insulation of the 3 equipment in this area is 80 percent complete? 4 A. Uh-huh. 5 Q. And then on number 10, the insulation 6 of piping on these lines is 65 percent complete? 7 A. Uh-huh. 8 Q. All right. And then page 17, sir, 9 which is Bates 12655. 10 A. Okay. 11 Q. Again, it shows the number of 12 insulators there as 44? 13 A. Can I just add something. I don't even 14 think that -- I'm not sure of this, but I don't 15 think Crawford was even in staple spin line 14 and 16 16. I think that's a whole, separate part of the 17 plant, okay? 18 Q. Okay. I'll object to his nonresponsive 19 portion of the answer. I understand, sir. 20 A. Okay. 21 Q. The last page of the document, sir -- 22 page 21. Bates Crawford 12659. Again, this is the 23 safety portion. 24 Anything on here about asbestos? 25 A. No.

Page 102 1 Q. Anything on here about the safety of 2 Celeanese employees? 3 A. No. 4 Q. Okay. You can put that aside. All 5 right. Okay. Cut all of that dead space out and 6 pick up here. 7 Sir, I want to ask you now about 8 Daniel's relationship with Covil. Do you know what 9 Covil is -- the business? 10 A. It was an insulation subcontractor. 11 Q. Okay. Did Daniel do business with 12 Covil? 13 A. Yes, they were -- they were our 14 insulation subcontractor at times. 15 Q. Do you know when? 16 A. Well, there were all different times. 17 I mean, they -- they worked on different jobs for 18 us at different times. 19 Q. Do you know when that relationship 20 started? 21 A. No, I don't. 22 Q. Do you know when it ended? 23 A. No -- I don't know that it -- is it 24 over? I -- I retired in 2000. I don't know 25 whether they're still doing business together or	Page 104 1 who supplied insulation? 2 A. In the specifications that -- the 3 Hoechst specifications? 4 Q. Yes, sir. 5 A. No, I wouldn't say they would list who 6 supplied the insulation; they would list out what 7 type of insulation was required for this type of 8 service. 9 Q. Okay. Do you know of any document that 10 would list out who supplied the insulation? 11 A. Not unless you found a Hoechst PO or a 12 Daniel PO showing that, and I -- I didn't -- I 13 didn't see any. I saw a lot of different suppliers 14 of pumps and suppliers of valves and suppliers of 15 some process equipment. I did not see anything 16 that said we supplied the insulation. 17 Q. And by PO, you mean purchase order? 18 A. Purchase order, yes. 19 Q. Okay. I had a question and I lost my 20 train of thought. 21 Do you know, sir, -- let me back up and 22 ask how do you know that asbestos-free insulation 23 was being used after '73 at Spartanburg? 24 A. Because that's all you could buy. It 25 wasn't for sale. Asbestos-insulation was not for
Page 103 1 not; I don't know. 2 Q. Okay. Sir, was -- was -- to the best 3 of your knowledge in relationship to Daniel, was 4 Covil a supplier of insulation or a subcontractor 5 or both? 6 A. They were both. 7 Q. Okay. 8 A. They weren't a manufacturer; they were 9 a distributor. 10 Q. If -- and I haven't looked through all 11 of the documents, but if Covil is not listed as a 12 subcontractor, does that mean that they could have 13 not have supplied the insulation to Daniel? 14 A. No, that he could have. 15 Q. Okay. Other than the documents which 16 were marked collectively as Exhibit 6, do you know 17 if Daniel has any sort of list of who its subs were 18 at Spartanburg? 19 A. I have not seen a list. 20 Q. And do you know if there's any other 21 place to get that information? 22 A. No. 23 Q. Do you know, sir -- or let me back up 24 and ask you -- the original specs for building the 25 facility in 1966 -- would those documents list out	Page 105 1 sale after '73. 2 Q. Sir, have you heard of a man named 3 Dwayne Waters? 4 A. I don't think so. 5 Q. Okay. I'll represent to you, sir, that 6 that's an individual who my office represents -- 7 another person who was sick. And he gave a 8 deposition in obviously a different case. Do you 9 know -- have you read his deposition at all? 10 A. I don't think so. 11 Q. Okay. Do you know what his deposition 12 says about Covil Insulation? 13 A. No. 14 Q. Let me just ask you generally, sir, 15 would you agree that hiding the fact that a 16 material contains asbestos is dangerous? 17 A. Yes. Hiding -- what do you mean, 18 hiding, I guess? 19 Q. Would you agree, sir, that placing 20 asbestos-containing insulation in boxes that said 21 asbestos-free is dangerous? 22 A. That would not be smart, no. 23 UNIDENTIFIED SPEAKER: Object to the 24 form. 25 BY MR. CHAPMAN:

Page 106 1 Q. I'll represent to you, sir, that 2 Mr. Waters -- and not quoting, I'm paraphrasing -- 3 testified that Covil Insulation would place 4 asbestos-containing insulation in asbestos-free 5 boxes and then send that out to its customers. 6 A. Okay. 7 Q. Is that anything you know about? 8 A. No. 9 Q. Do you know -- 10 A. I can say I've heard that on other jobs 11 before -- not about Covil, but I've heard other 12 people say the same thing -- that we just went to 13 the warehouse and we threw on asbestos-insulation 14 knowing it was asbestos. 15 I just -- I don't pay a whole lot of 16 attention to that. 17 Q. That testimony doesn't surprise you? 18 A. No. I'm just saying I've heard it 19 before. 20 Q. Okay. 21 A. From different people. 22 Q. Do you know, sir, -- and I'll also 23 represent to you that at least Daniel's attorneys 24 are aware of this testimony. 25 A. Okay.	Page 108 1 Daniel was affected by that? 2 A. I -- nobody's ever asked me to 3 investigate anything like that. I just -- I'd 4 never even heard of it until the last year or so 5 that this was even an issue. I mean, this is new 6 news if you would to me. 7 Q. Do you know if Daniel has asked anybody 8 else to investigate that? 9 A. No. I can tell you what most clients 10 did with insulation -- asbestos insulation that 11 they had in their warehouses. They went out and 12 they -- they put it a asbestos landfill. 13 Q. All right. I'll object to the 14 nonresponsive portion of the answer. 15 Just quickly looking back -- I forget 16 what exhibit we marked this as. 17 A. This is 8. 18 Q. No -- 19 MR. MCDONALD: He's looking at that 20 one. 21 BY MR. CHAPMAN: 22 Q. This one right here. 23 A. This is 5. 24 Q. Exhibit Number 5, which lists 25 subcontractors/vendors for Spartanburg, '71 through
Page 107 1 Q. Do you know if Daniel has done anything 2 to investigate whether or not they were using this 3 Covil insulation that was marked asbestos-free but 4 was not? 5 A. That's the first I heard of it, so I 6 couldn't tell you. 7 Q. Do you know if Daniel has done anything 8 to determine whether or not that incident affected 9 Daniel in any way? 10 A. Well, I can say that we went out and we 11 tested insulation on various projects to see if it 12 had asbestos in it, and if it didn't we treated it 13 accordingly; if it did, we treated it like we 14 should. 15 Q. And I understand. I'm asking 16 specifically about whether or not to your knowledge 17 Daniel has done anything to investigate whether 18 they were actually using asbestos-containing 19 insulation from Covil -- 20 A. No. 21 Q. -- that they thought were 22 asbestos-free? 23 A. No, we haven't. 24 Q. Are you saying at no point has anyone 25 at Daniel asked you to investigate whether or not	Page 109 1 '75. You see Covil Insulation there -- 2 A. Yeah. 3 Q. -- towards the top? 4 A. Yeah. 5 Q. Okay. All right. You can put that 6 aside. 7 A. But they weren't there, I guess. I 8 mean, this -- it doesn't say what they're doing so 9 I'm assuming if there's nothing by their name that 10 they weren't there. 11 Q. Why are making that assumption? 12 A. Well, it's a list and it says here's 13 subcontractors. And then out beside Babb Paint, it 14 says painting. Out beside F. A. Bailey it says AC 15 duct work. So I'm assuming that they were there 16 doing that work. 17 But all these others listed here -- I'm 18 assuming they weren't there because they're -- what 19 they were doing is not listed out beside their 20 name. 21 Q. Do you see any other insulation 22 companies on that list? 23 A. Let me just look and see. Southern 24 Insulation -- yeah, and it's listed AC insulation 25 down at the bottom of the page.

Page 110 1 Q. So they were doing AC insulation? 2 A. Yeah, but I'm just saying it's 3 listed -- I don't know whether I'm right or wrong; 4 I'm just telling you that's -- 5 Q. Yeah. 6 A. -- I would assume that they weren't 7 there if they didn't have what they were doing 8 listed out beside them. 9 Q. Well, you told me earlier from 10 documents that you reviewed that you know Covil was 11 there doing some work? 12 A. No, no. Covil was there with three men 13 doing spray-on insulation -- fireproofing 14 insulation. That's what they were doing. Three 15 mens -- 16 Q. So they were at least there? 17 A. They were there at that time, okay. 18 Q. So I mean, this is the same time 19 period. So just because -- 20 A. Okay. 21 Q. You see what I'm saying? 22 A. Yeah. Okay. Okay. 23 Q. Okay, sir. Are you aware of any of the 24 experts that Daniel has retained in this case? 25 A. I have heard the names, but I haven't	Page 112 1 A. Oh, yeah. 2 Q. Okay. All right. 3 A. You decide which experts you use, 4 right? 5 Q. What's that? 6 A. I said you decide which experts you 7 use, right? 8 Q. Sometimes. 9 A. Okay. 10 Q. When Daniels was working with the 11 asbestos-containing materials on Spartanburg, at 12 any point did they have to create some sort of 13 regulatory report because they were working with 14 asbestos-containing materials? 15 A. Prior to '71? 16 Q. Well, let me just ask at any point. 17 A. Well, here -- prior to '71 we did 18 nothing. 19 Q. Okay. 20 A. I mean, we ran a safe job. We did what 21 we thought what was -- to make -- to keep our 22 employees safe and the people around them safe, 23 okay? We ran a safe job. After OSHA came out, 24 then we put in place the asbestos-handling 25 procedures. And in the -- in North and South
Page 111 1 talked to them or anything. 2 Q. Do you know their names? 3 A. No, I can't even think of their names. 4 I'm sorry. 5 Q. Okay. Do you know, sir, if any of 6 Daniel's experts are going to opine that certain 7 fiber types don't cause mesothelioma? 8 A. No, I don't know what they are going to 9 imply, okay? 10 Q. Do you know, sir, if they are going to 11 opine that low doses of exposure to asbestos don't 12 cause mesothelioma? 13 A. I don't know what they are going to 14 say. 15 Q. All right. Daniel kind of leaves those 16 kind of expert decisions up to the lawyers? 17 A. Well, to the doctors that know, I 18 guess. 19 Q. Sure. The decision to -- who -- which 20 experts to use, right? You don't decide? 21 A. Absolutely. 22 Q. Your lawyers decide? 23 A. My lawyers decide what? 24 Q. Daniel's lawyers decide which experts 25 to use?	Page 113 1 Carolina we were required to notify the state 2 environment people when we were doing -- when we 3 were working with asbestos and how much it was and 4 what we were going to do, okay? 5 So yeah, from that standpoint, we had 6 to keep track of it. The owners really -- really 7 were the ones that kept track of it. They would 8 say, this is what I want done and this is how much 9 insulation has been to be removed and this is how 10 much -- and this is the protection and the methods 11 that the people are going to use. And that was 12 sent to the state environment people. 13 MS. PRESSON: Object to the 14 nonresponsive portions. 15 BY MR. CHAPMAN: 16 Q. Did Daniel keep track of that for 17 Spartanburg? 18 A. No, that was basically a -- an owner 19 responsibility. They usually did it. 20 Q. Okay. So that's not something Daniel 21 did? 22 A. Well, let me think here a minute. At 23 Spartanburg I don't know who -- I don't know who 24 did it, okay? But I would -- and I can't remember 25 whether Hoechst or Dupont, but one of the -- it's

Page 114 1 either Daniel or one of the customer -- or the 2 client at the site had to do it. And I didn't see 3 any -- I didn't see either way who did it on this 4 site. 5 Q. You didn't see any documents that 6 showed that? 7 A. No, I did not. 8 Q. Okay. That's the kind of thing that 9 Daniel did generally, though; is that fair? 10 A. We did do that, yes. 11 Q. What kind of information would go on 12 there? 13 A. How much insulation was coming off, 14 what type of insulation, what the processes were to 15 take the insulation off, and where -- what it it 16 was being -- how it was being disposed and where it 17 was being disposed of. 18 Q. Did this happen every time post '71? 19 A. Yes -- well, every -- OSHA came out and 20 then the states came out with these separate laws 21 saying we want this. It was sometime after that, 22 but it was post '71, yes. 23 Q. As a rule -- just so I understand your 24 testimony -- Daniel did not necessarily do it 25 themselves every time?	Page 116 1 information about what was done at the Timken 2 roller bearing plant in Gaffney? 3 A. Yeah. 4 Q. What did Daniel do there? 5 A. We built the plant. 6 Q. Okay. That's a good start. 7 A. And then -- we built the plant -- let 8 me think -- in 1970. And I believe your client 9 showed up in '74 I think -- was there from '74 to 10 '78. And we left in '78. 11 Q. Okay. So you built it in 1970 and you 12 were there from '70 to 78? 13 A. Uh-huh. 14 Q. All right. What kind of plant is that? 15 A. It's a ball bearing plant. 16 Q. Have you ever been on site there? 17 A. No. 18 Q. Okay. Do you know if Daniel has the 19 specs or contracts from that job? 20 A. The contracts we have. They're in the 21 documents. 22 Q. They're in there? 23 A. Yeah. I'm not sure about the specs. I 24 don't remember seeing the specs on this job. We 25 don't have as many documents on Timken as we do on
Page 115 1 MS. PRESSON: Objection to form. 2 THE WITNESS: Did not do what? 3 BY MR. CHAPMAN: 4 Q. These reports. 5 A. Yes, sometimes the client did it. 6 Q. Okay. There only had to be one? 7 A. There only had to be one. Each plant 8 site had to do that, and -- 9 Q. How did you determine whether you did 10 it or the plant site did it? 11 MS. PRESSON: Objection to form. 12 THE WITNESS: It was an agreement 13 between us and the plant, okay? 14 BY MR. CHAPMAN: 15 Q. Each one was different? 16 A. Each one -- yeah, I would say each one 17 was different. 18 Q. All right. And you don't know what was 19 in Spartanburg? 20 A. I don't know what it was in 21 Spartanburg. 22 Q. All right. All right, sir. So we've 23 been talking about Spartanburg all day, but there's 24 actually other premises at issue in this case. So 25 let met just ask you: Does Daniel have any	Page 117 1 Hoechst. 2 Q. Was there insulation required for the 3 Timken plant? 4 A. I didn't see any specifications, but I 5 am sure there was. 6 Q. And if that was built in 1970, those -- 7 that insulation would have been asbestos -- 8 A. It would have been, yes. 9 Q. Okay. 10 MR. MCDONALD: For the high 11 temperature, right? 12 THE WITNESS: For the high -- yeah, for 13 the high temperature insulation -- temperature 14 pipe. 15 BY MR. CHAPMAN: 16 Q. Okay. And did you have a maintenance 17 contract with them? 18 A. We did. 19 Q. What was that contract? 20 A. It was supplemental maintenance. 21 Q. And you said you were there from '70 to 22 '78? 23 A. Yes. 24 Q. Was that the last time you were there 25 -- in '78?

Page 118 1 A. Yeah, I think so. 2 Q. Do you know what kind of supplemental 3 maintenance you would do? 4 A. It would be shutdowns, I'm sure. We 5 might have a skeleton crew there doing ongoing 6 maintenance, and if they ran out of people and 7 needed help we would supplement their crews and 8 this type of thing. It was supplemental 9 maintenance, small capital work -- that type of 10 thing. 11 Q. Do you know, sir, where Mr. Crawford 12 was at the Timken mill? 13 A. No, I don't. I know nothing about -- I 14 -- making bearings, okay? I -- but yeah, I know 15 this, it was a \$20 million plant. It was a 16 good-size plant for the day. 17 Q. Okay. Any other information you can 18 give me about Daniel's work at the Timken plant? 19 A. Well, we had the construction contract. 20 We had the maintenance contract -- that's about it. 21 That's about it. 22 Q. So let me ask you, sir. To the extent 23 that there was insulation put in or insulation 24 being worked on from '70 to '78, that would have 25 been Daniels?	Page 120 1 of that. 2 BY MR. CHAPMAN: 3 Q. Okay. 4 A. Isn't that the automotive upholstery 5 plant? 6 Q. Do you know what it is? Do you have -- 7 A. I think your guy -- your guy said it 8 was auto -- automotive upholstery plant, but I'm 9 not aware of us doing any work there. 10 Q. Okay. Have you looked for documents 11 for that plant? 12 A. I'm sure they have, okay? Because if 13 they would have got them, I would have had them, 14 all right? 15 Q. And when you say I'm sure they looked, 16 who you are you talking about? 17 A. I'm talking about my attorneys that go 18 fish out the boxes or whoever fishes out the boxes, 19 okay? 20 Q. It's not you? 21 A. It's not me, okay? 22 Q. Okay. Do you have any idea, sir, how 23 long the attorneys or whoever looks for the boxes 24 takes to look for those boxes? 25 A. No, I don't.
Page 119 1 A. I'm assuming it would be. There are -- 2 there are jobs where we subcontracted out the 3 insul- -- the installing of the insulation. I 4 didn't see any record of whether we did it or a 5 subcontractor did it, but I believe that insulation 6 of piping equipment had to be done there. 7 Q. All right. So let's just back up and 8 say it's fair to say you had the construction and 9 maintenance contracts? 10 A. Yes. 11 Q. And do you know of any other 12 subcontractors that were at Timken? 13 A. I'm sorry. I don't. 14 Q. Do you know of any other general 15 contractors at Timken? 16 A. During that time? 17 Q. During that time frame. 18 A. No. 19 Q. Okay. All right. And then there was a 20 third site -- Collins and Achin [sic] in Cowpens, 21 South Carolina? 22 A. Oh, you got me there. 23 MR. MCDONALD: I don't think we have 24 any records of that. 25 THE WITNESS: We don't have any records	Page 121 1 Q. Okay. Do you know what kind of methods 2 they use to search or anything like that? 3 A. No. 4 Q. Okay. Any of the documents related to 5 Spartanburg -- do you know if they are digitized or 6 computerized anywhere? 7 A. I don't know. 8 Q. Okay. Is that something you've ever 9 asked? 10 A. No. 11 MR. MCDONALD: We're going to cut the 12 video, so I'll tell you. On some jobs we found, 13 quote, digitized materials that were in the form of 14 some kind of disk that no computer reads anymore. 15 These floppy disks -- 16 MR. CHAPMAN: Broken floppy disks. 17 BY MR. CHAPMAN: 18 Q. All right, sir. So here's what I want 19 to do. I think I'm close to wrapping up. I've 20 got, I think, one more section. I'm going to take 21 a look at my notes to make sure I don't miss 22 anything. 23 A. Okay. 24 Q. So let's take a quick break. 25 MR. MCDONALD: Okay.

Page 122 1 THE VIDEOGRAPHER: Going off the record 2 at 1300 hours, 58 minutes. 3 (A recess transpired.) 4 THE VIDEOGRAPHER: At 1300 hours 56 5 minutes, we are back on the record. 6 BY MR. CHAPMAN: 7 Q. Okay, sir. Just a handful of questions 8 for you. 9 A. Sure. 10 Q. One thing I want to make clear. We've 11 gone back and forth a little bit today -- would it 12 be fair to say, sir, that Daniel's approach to the 13 use of asbestos was not site-specific? You had a 14 standard practice? 15 A. Yes -- 16 Q. Okay. 17 A. -- we had a standard practice. 18 Let me quote that differently. We had 19 a standard practice for insulation, okay? And like 20 basically what we've been talking about today is 21 insulation, all right? And we had a standard 22 practice of using what was the industry practice. 23 Q. Would Daniel's practice be any 24 different for asbestos-containing products that 25 aren't insulation?	Page 124 1 BY MR. CHAPMAN: 2 Q. If a company knows that there is a 3 hazard on its premise, should that company warn 4 anybody that's on the premise? 5 MS. PRESSON: Objection to form. 6 MR. MCDONALD: I object to the form of 7 the question. It's overly broad -- 8 THE WITNESS: Okay. 9 MR. MCDONALD: -- undefined terms. 10 THE WITNESS: I don't know exactly what 11 you mean by that, okay? Give me an example. 12 BY MR. CHAPMAN: 13 Q. Any hazard. If there's a known hazard 14 on it's premise. 15 MR. MCDONALD: Same objection. 16 THE WITNESS: Okay. So there's an open 17 ditch in the road. That's a danger. That's a 18 hazard. Is that what you're saying? 19 BY MR. CHAPMAN: 20 Q. It's any hazard. I mean, if it's -- 21 A. I know we have to protect our people 22 from the various hazards, okay? 23 Q. Uh-huh. 24 A. But are you saying because there's an 25 open ditch in the road, we got to go tell 1,300
Page 123 1 A. Absolutely. Our practices around 2 asbestos insulation were very different than our 3 practices around non -- asbestos-free insulation. 4 Q. So -- okay. So my question was 5 asbestos products that aren't insulation, like 6 gaskets or packing -- 7 A. Okay -- 8 Q. -- or things like that? 9 A. -- yeah. 10 Q. Regardless, your practice for 11 asbestos-containing products -- whatever they are 12 -- were standardized -- 13 A. Standard. 14 Q. -- and not site-specific? 15 A. You're absolutely right. 16 Q. All right. Okay, sir. A handful of 17 questions for you left. 18 If a company knows that there is a 19 danger on its premises, then should it warn anyone 20 present? 21 MS. PRESSON: Objection. 22 MR. MCDONALD: I'll just object. 23 Overly broad. 24 THE WITNESS: I'm -- should we warn 25 who?	Page 125 1 people on this job there's an open ditch out there? 2 No, I don't think that's the case. 3 Q. Why not? 4 A. Because we have it marked, we have it 5 sealed off to where they shouldn't be in there. 6 Q. So you say you have it marked, right? 7 A. Yes. 8 Q. There should be some sort of -- 9 A. Yes. 10 Q. -- warning or sign? 11 A. I just want to be sure that we 12 understand what we're saying when we say we've got 13 to notify everybody, okay? We have to notify the 14 people involved and to keep that -- keep people 15 away from those dangers, okay? 16 Q. All right. Very similar question, sir. 17 If a company knows about the hazards 18 associated with its work, do you believe that they 19 should warn those who are around their work? 20 MR. MCDONALD: Same objection. Overly 21 broad. Undefined terms. 22 THE WITNESS: I think we -- I'll put it 23 to you this way. In my opinion, almost every bit 24 of the work on a construction site is dangerous, 25 okay? I'm talking about from the work that the

Page 126 1 ironworker does, the work that the steamfitter 2 does, the work that the insulator does -- it's all 3 dangerous. And from that standpoint, we have 4 safety policies in place to make them work safe and 5 for the people around them to know what's going on. 6 BY MR. CHAPMAN: 7 Q. Does that mean they shouldn't warn? 8 A. I don't know what you mean by warn. 9 Tell me what you mean by warn. 10 Q. I mean -- I'm not -- I'm not trying to 11 ask you a trick question; I'm just trying to ask -- 12 I mean, put up a sign or tell somebody or at least 13 let everybody around them know what they're doing 14 is dangerous. 15 MR. MCDONALD: I object to the form. 16 Overly broad and undefined terms. 17 THE WITNESS: If we had done -- all 18 right. I'm going to give you some specific 19 examples. That's the only way that I know to 20 answer this. 21 If we're doing work on a -- on a piece 22 of pipe that's up in the air, okay? And it's over 23 -- over a walkway, we block it off so people can't 24 walk under us, okay? 25 BY MR. CHAPMAN:	Page 128 1 right under them, okay? I -- I don't know how you 2 protect people like that, okay? 3 But we we're doing what we have been 4 taught to do and what we've been instructed to do 5 to make this a safe working environment. 6 Q. I'm just asking: Should you warn them? 7 A. Once again, I -- 8 MR. MCDONALD: Object to the form. 9 Same objection -- 10 THE WITNESS: -- I have a problem with 11 your definition of warning. I don't know what that 12 means, okay? 13 BY MR. CHAPMAN: 14 Q. Again, sir, either physically telling 15 them or putting up a sign or blocking it off. 16 A. We will -- we will do what we need to 17 to protect that area and keep our people safe, 18 okay? 19 Q. And others? 20 A. And others. Yes, and others. 21 Q. Do you believe, sir, that a company who 22 covers up the hazards of their products should be 23 held responsible? 24 A. Yes, I do. 25 Q. What about people who cover up the
Page 127 1 Q. Uh-huh. 2 A. We do that kind of thing. But we don't 3 go tell 500 people who never use that walkway that 4 we've got -- don't walk in this walkway. 5 BY MR. CHAPMAN: 6 Q. But you block it off so people know not 7 to walk through -- 8 A. Okay. Yes, we do, all right? 9 Q. All right. Do you believe, sir, or 10 agree that a company should never withhold 11 information about known hazards of -- about it's 12 work? 13 MS. PRESSON: Objection to form. 14 MR. MCDONALD: Objection to the form. 15 Overly broad, undefined terms, et cetera. 16 Irrelevant. 17 THE WITNESS: Yeah, I -- if we know of 18 a hazard, we should take the appropriate action to 19 protect our people. 20 BY MR. CHAPMAN: 21 Q. What about those around you that are 22 not necessarily your people? 23 A. Yeah, I -- we will mark off the 24 hazardous area, and they will have -- now, I've 25 seen people just disregard barricades and walk	Page 129 1 hazards associated with their work? Should they be 2 held responsible? 3 MR. MCDONALD: Object to the form. 4 Overly broad, undefined terms. 5 THE WITNESS: I don't know where you're 6 going with this, but I -- 'cause they are very -- 7 those questions are very overly broad. 8 If we have a -- a worker and he 9 knowingly does something wrong and he covers it up, 10 we fire the guy, okay? Is that what you mean? 11 BY MR. CHAPMAN: 12 Q. Would that apply company-wide too if 13 the company did that? 14 A. I would think so, yes. Okay? 15 MR. CHAPMAN: All right. Okay. That's 16 all I got. 17 THE WITNESS: All you got. 18 MR. CHAPMAN: Thank you, sir. 19 MR. MCDONALD: I'm going to ask a few, 20 Don -- 21 THE WITNESS: Oh, okay. 22 MR. MCDONALD: -- just to clarify a few 23 things. 24 THE WITNESS: Oh, okay. 25 MR. MCDONALD: Or Ashley, have you got

Page 130 1 some questions? 2 MS. PRESSON: Yeah, I do. 3 MR. MCDONALD: Okay. Go ahead. 4 EXAMINATION 5 BY MS. PRESSON: 6 Q. I will try to be quick. So for the 7 record, this is Ashley Presson, and I'm here today 8 on behalf of a company now known as CNA Holdings, 9 Inc. 10 Mr. Buck, today I'm going to talk with 11 you again about Daniel's work at the Celeanese -- 12 excuse me -- at the Hoechst facility in 13 Spartanburg, South Carolina. And I'm going to try 14 my best to refer to as either Hoechst or Hystron? 15 A. Okay. 16 Q. Okay. So this was not the first 17 polyester chip manufacturing plant that you worked 18 -- well, you have worked at polyester chip 19 manufacturing plants in your career; is that 20 correct? 21 A. Yes, that's right. 22 Q. And one of those was the Rohm and Haas 23 facility in Fayetteville, North Carolina? 24 25 A. Yes.	Page 132 1 right, because they had expertise in an area? 2 A. Well -- 3 MR. MCDONALD: I again object to the 4 term, expertise, but go ahead. 5 MR. CHAPMAN: Object to form. 6 THE WITNESS: We -- I'm trying to see 7 how I want to answer. We did -- we did work in -- 8 and not just to the fiber industry. We do work in 9 the power industry; we did work in the paper mills; 10 we did work in chemical plants -- so I mean, from 11 that standpoint, I'm not trying to say that fiber 12 was an expertise any more than power plants were an 13 expertise. It was a -- a general area of 14 industrial construction that were engaged in as a 15 general contractor. 16 BY MS. PRESSON: 17 Q. Okay. 18 A. And we had expertise in that type of 19 work, okay? 20 Q. And that expertise and that type of 21 work is something that Daniels would market to 22 clients such as Hoechst? 23 A. Yes. Yes. 24 Q. As a general contractor -- we've talked 25 a lot today about the subcontractors who would come
Page 131 1 Q. And before you began working with 2 Daniels -- Daniels Construction had experience in 3 constructing and maining -- maintaining other 4 textile plants apart from Spartanburg; is that 5 correct? 6 A. That Daniel Construction Company, prior 7 to me coming to work for me them in '74, had done 8 other synthetic fiber plants before? 9 Q. Yes. 10 A. Yes, that's true. 11 Q. Okay. Would you agree with me that one 12 of Daniel's areas of expertise was constructing and 13 maintaining industrial plants where polyester 14 fibers were made? 15 A. Yeah, we were -- 16 MR. MCDONALD: Object to the form. 17 Expertise -- that's a -- may be a legal term. 18 THE WITNESS: Okay. Okay. We were a 19 general contractor, and we specialized in doing 20 industrial plants, all right? 21 BY MS. PRESSON: 22 Q. And because you were a general 23 contractor who specialized in certain types of 24 industrial facilities, that's one of the reasons 25 why people would -- would hire Daniel Construction,	Page 133 1 under your provision within a construction 2 project -- 3 A. Right. 4 Q. -- as the general contractor, would 5 Daniel be -- excuse me -- be responsible for the 6 overseeing the work of the subcontractors and 7 making sure that that was done correctly per the 8 plans? 9 A. Yes, we would. 10 Q. And you hired subcontractors who were 11 specialists in their individual trades; is that 12 correct? 13 A. Yes. We -- we generally -- well, in 14 the beginning when I first went to work for them, 15 we did lot of work -- most of the work 16 self-performed. But -- especially contracting, 17 like siding, roofing, trim carpentry, paving, road 18 work -- all of that was basically subbed out. 19 Q. Do you know whether all of the 20 insulation work that would have taken place at the 21 Spartanburg facility was subcontracted out? 22 A. It looks like to me from the documents 23 that I saw that we self-performed that work. We 24 did it ourselves. 25 Q. Okay. And when Daniels was performing

Page 134 1 insulation work itself, it was holding itself out 2 as a specialist in insulation work? 3 MR. MCDONALD: I object to the form on 4 that. That's a legal term there for insulation. 5 THE WITNESS: We specialized in general 6 contracting, and we didn't hold out our piping 7 expertise or our carpentry expertise or our 8 insulation expertise as something to sell. We sold 9 our services as a general contractor. We'll manage 10 the whole job for you, okay? 11 BY MS. PRESSON: 12 Q. If the terms of the contract that you 13 were operating under stated that Daniel would 14 perform its work including insulation in a good and 15 workmanlike manner, would Daniels complete its work 16 or strive to complete its work as such? 17 A. Sure. 18 Q. And we talked about some of the 19 contracts that might have applied to the Daniel's 20 work at the Spartanburg facility -- and I 21 understand that it might not be maintained to just 22 one particular contract; is that correct? 23 A. Yes. There were -- there were general 24 contracts that were written for specific items of 25 work and for specific expansions, okay?	Page 136 1 record of Daniel's? 2 A. No. 3 Q. Okay. And any reason to doubt its 4 authenticity -- any reason to doubt its 5 authenticity? 6 A. No, I don't doubt its authenticity. 7 Q. Okay. So I want to direct your 8 attention to -- well, the first paragraph says that 9 this is a letter summarizing negotiations between 10 Hystron and Daniel. And the second paragraph, 11 below the part that's underlined says -- and it's 12 talking about various projects that it looks like 13 Daniel and Hystron negotiated. 14 And it says all work will be in 15 accordance with the construction contract issued 16 between Hystron and Daniel for Filament III dated 17 June 2nd, 1969, except for changes stated in the 18 individual purchase orders. And below that 19 statement, one of the projects listed is Conti Poly 20 II; do you see that? 21 A. Yes, I do. 22 Q. And is it your understanding that Conti 23 Poly II is one the areas where Mr. Crawford worked? 24 A. I think it is. I think. I have a hard 25 time with the -- with the testimony that he gave
Page 135 1 Q. Okay. I'm going to show you two 2 documents together and see if -- if you've seen 3 these and if they -- mostly I want to see if I'm 4 understanding them correctly. 5 A. Okay. 6 Q. So I would like to -- the first one is 7 a letter dated April 15th, 1970, and I'm not sure 8 which exhibit number we're on, but... 9 (EXH. 9, April 15, 1970, Letter from 10 Hystron to Charles Cox, was marked for 11 identification.) 12 BY MS. PRESSON: 13 Q. Okay. And this has been marked as 14 Exhibit Number 9, and it appears to be a letter 15 from someone at Hystron addressed to -- 16 A. Charlie Cox. 17 Q. Charles Cox. And he was a Daniel's 18 employee, right? 19 A. Yes, he was. 20 Q. Okay. Have you seen this letter 21 before? 22 A. I'm just looking to see if I have. 23 Yes, I've seen it before. 24 Q. Okay. Do you have any reason to 25 dispute the fact that this would be a business	Page 137 1 and looking at the documents just deciding what I 2 think. Yes, I agree with that statement. 3 Q. Okay. And then would you also agree 4 then that the construction for Conti Poly II would 5 have been performed under this June 2nd, 1969 6 contract reference? 7 A. Yes. 8 Q. Okay. 9 A. Except where there were individual 10 purchase orders released against this that were 11 different. What it says here that we will -- that 12 the contract is issued between Hystron and Daniel 13 for Filament III dated June the 2nd, 1969, except 14 for changes stated in individual purchase orders. 15 So they may give us individual purchase 16 order that had a different T and C -- a different 17 term and condition in it, okay? 18 Q. Okay. And -- 19 A. But by and large, yes. 20 Q. Okay. Thank you. And when you say 21 they may have given us a purchase order, are you 22 referring to Hoechst? 23 A. Hystron. 24 Q. Hystron. 25 A. Hystron.

Page 138 1 Q. Okay. And can you give me a little bit 2 more detail on the purchase order process. You 3 mentioned earlier that the purchase orders were on 4 Hystron stationery? 5 A. Yes. 6 Q. But would they have been filled out by 7 a Daniel's employee? 8 A. Could be. We acted as agents for the 9 owner. And they would give us their -- in some 10 cases and I think in a lot of cases -- I'm not 11 sure -- I think in this case they would give us 12 their stationery and we would -- well, let me just 13 back up. 14 We take this and we would take the 15 specs and the drawings that they gave us for 16 Filament III. We would go out and we would write a 17 requisition -- my guess is probably on our -- on 18 our letterhead. That would go out for bid. The 19 bids would come back in. We would tabulate the 20 bids, all right, and note who was low. Make a 21 recommendation on who to award this work to and 22 send it to Hystron. 23 Hystron would approve that and send it 24 back to us, and we would issue a PO, probably on 25 Hoechst stationery as agents for.	Page 140 1 A. Is this something we kept? 2 Q. Kept, yes. 3 A. Yes. 4 Q. Okay. Will you agree that this is a 5 Daniel's business record? 6 A. Yes. 7 Q. Okay. Now, I don't want to get into 8 too to much detail, but this at the top says that 9 this is Cost Plus Fixed Fee Construction Contract? 10 A. Right. 11 Q. And is a cost-plus contract something 12 that would include the price of Daniel's labor and 13 cost material? 14 A. Yes. 15 Q. Okay. Under the terms of a cost-plus 16 contract, would Daniel have been responsible for 17 purchasing materials like insulation? 18 A. Sometimes we would and sometimes we 19 wouldn't, okay? A lot of it depended on the owner. 20 It -- it appears to me from the -- from looking at 21 the documents that Hystron did the procurement for 22 the process equipment and the process piping and 23 that type of thing. 24 We probably did the procurement for the 25 structural steel and the electric -- the conduit
Page 139 1 Q. Okay. 2 A. I think that's how it worked, all 3 right? 4 Q. Thank you for explaining that. Okay. 5 That's all I have with this particular document. 6 A. Okay. 7 Q. I'm going to move on and see if you 8 recognize what we'll mark as Exhibit Number 10. 9 (EXH. 10, Contract between Hystron 10 Fibers Inc. and Daniel Construction Company, was 11 marked for identification.) 12 BY MS. PRESSON: 13 Q. Okay. Mr. Buck, have you seen this 14 document before? 15 A. Yes. 16 Q. Okay. And this appears to be the 17 contract between Hystron Fibers Inc. and Daniel 18 Construction Company. And it is dated 19 June 2nd, 1969? 20 So does this appear to be the contract 21 that Exhibit 9 referred to? 22 A. Yes, it does. 23 Q. Okay. Do you have any reason to -- 24 well, are contracts something that Daniels kept in 25 the normal course and scope of its business?	Page 141 1 and the electrical, and this type of thing, okay? 2 But it would all be on Hystron 3 stationery just so you understand. We would be 4 purchasing it as agents for, all right? But as far 5 as who actually purchased it, Hystron I think 6 purchased the process equipment and the process 7 piping, and we did a lot of the service work -- the 8 structural steel, the service piping, and that type 9 of thing. 10 Q. And would the service work include 11 insulation -- thermal insulation? 12 A. It -- it could include thermal 13 insulation, yes. 14 Q. Okay. Now, this contract sets out the 15 -- in article III -- and it's on page 2 -- the 16 obligations of the contractor -- 17 A. Yep. 18 Q. -- and there's various -- you know, it 19 goes for pages -- various categories of obligations 20 that are agreed to in the contract. To try to 21 streamline this a little, I'm just to going to ask 22 you: Were these types of obligations generally in 23 all of the contracts that Daniel would have had 24 with Hoechst at the Spartanburg facility? 25 A. Yes.

Page 142 1 MR. CHAPMAN: Object to the form. 2 THE WITNESS: Yes. 3 BY MS. PRESSON: 4 Q. For instance, the contracts that Daniel 5 had with Hoechst at Spartanburg always had 6 provision relating to safety; is that correct? 7 A. Oh, yes. Yes. 8 Q. And that's because Daniel was a very 9 safety conscious company? 10 MR. CHAPMAN: Object to the form. 11 THE WITNESS: I think both companies 12 were very safety conscious -- Hoechst and Daniel. 13 MR. CHAPMAN: Object to the 14 nonresponsive portion. 15 BY MS. PRESSON: 16 Q. And would you agree with me that both 17 Hoechst and Daniel were very safety conscious 18 companies? 19 A. Yes. 20 MR. CHAPMAN: Object to the form. 21 BY MS. PRESSON: 22 Q. Okay. Sorry. Now, this contract was 23 dated in 1969, and I want to draw your attention to 24 Article XVI, which is on page 13 of the contract. 25 A. Okay.	Page 144 1 A. Uh-huh. 2 Q. Is this provision something that -- you 3 know, it's talking about erecting and maintaining 4 safeguards and protection. Would that be something 5 that might apply to the use of barriers? 6 A. I would think so, yes. 7 Q. And you would you agree that Daniels 8 was using barriers to separate its construction 9 activity from other areas of operating facilities? 10 A. Yes. 11 Q. As early as 1969? 12 A. Yes. 13 Q. Okay. And that would have continued 14 well beyond OSHA, right? 15 A. Oh, yes. 16 BY MS. PRESSON: 17 Q. Okay. One last question for you about 18 this document, and it's on page 14. And I'm 19 looking at Article XXI and that relates to cleaning 20 up. 21 And I'll just kind of summarize, but 22 basically it says that the contractor shall at all 23 times keep the premises free from the accumulation 24 of waste material or rubbish caused by its 25 employees or the work.
Page 143 1 Q. Okay. And -- 2 A. Safety and security requirements? 3 Q. Yes. 4 A. Okay. 5 Q. And I'm looking at the paragraph 16.1, 6 and it says, contractor shall take all necessary 7 precautions for the protection of the work in 8 progress, the property of owner, and the lives and 9 property of contractors, employees, and all third 10 persons whatsoever. 11 A. Yes. 12 Q. Okay. And does that kind of go along 13 with what we talked about earlier that Daniels 14 wanted its safety provisions to apply not only to 15 its employees but to anyone in the vicinity? 16 A. In the vicinity, yes. 17 MR. MCDONALD: I'll object to the form 18 of the question. 19 BY MS. PRESSON: 20 Q. And now, I'm looking at the last 21 sentence of that paragraph. And it says 22 contractors shall erect and properly maintain at 23 all times as required by the conditions and 24 progress of the work all necessary safeguards for 25 the protection of workmen and the public.	Page 145 1 And can you tell me some of the ways 2 that you're familiar with Daniels complying with 3 provisions like this and its -- 4 A. The clean-up? 5 Q. Yes, sir. 6 A. It -- every craft -- we had lots of 7 different trades -- we had carpenters; we had 8 pipefitters; we had electricians; we had 9 insulators; and everywhere they worked, they would 10 make a mess, all right? 11 And they were taught and they were 12 trained that your job is not complete until you 13 have cleaned up the mess that you have made, all 14 right? 15 So at the end of a job if there were 16 scaffolding that had to be torn down, if there was 17 surface material that had to be picked up, if there 18 was garbage that -- packages of unwrap -- that 19 material came in that was laying on the floor -- 20 all of that had to be picked up. And the job was 21 not complete until it was clean -- and that was 22 throughout the plant, all right? 23 Q. Would those steps of cleaning have also 24 involved sweeping? 25 A. Oh, yeah. Yes.

Page 146 1 Q. Okay. And it would be very rare for 2 the employee of a premises owner to sweep up after 3 Daniel's employees, right? 4 A. I don't think that would be -- yeah, 5 you wouldn't be doing that, all right? 6 Q. Okay. That's all I've got on that 7 document. Thank you, sir. 8 Okay. The next document I want to ask 9 you about -- and we'll mark this one, please, as 10 Exhibit Number 11. 11 (EXH. 11, Engineering Project 12 Procedures Manual For Hystron Fibers Incorporated, 13 was marked for identification.) 14 MS. PRESSON: And I'm sorry. 15 MR. CHAPMAN: That's all right. 16 MS. PRESSON: I only have two copies of 17 this one. 18 BY MS. PRESSON: 19 Q. Okay. What's been marked as Exhibit 20 Number 11 appears to be an engineering project 21 procedures manual for Hystron Fibers Inc. And it's 22 by Daniel -- excuse me, Daniel engineers. 23 Have you seen this document before? 24 A. Yes. 25 Q. Okay. Would you agree that this is a	Page 148 1 BY MS. PRESSON: 2 Q. Well, let me ask you a question. Do 3 you know when Daniel first made this engineering 4 contract? 5 A. That's why I asked for the date. I 6 think it's either '70 or '74. I'm not sure, okay? 7 Q. Okay. 8 A. I know the maintenance contract -- the 9 first one -- earliest maintenance contract I saw at 10 Hystron was '70, and I think the Daniel engineering 11 contract was '74 -- for the first Daniel 12 engineering contract. 13 Q. Okay. And so as you sit here today you 14 think that what we've marked as Exhibit 11 would 15 have first been drafted in either 1970 or 1974? 16 A. Yes. Yes. 17 Q. Okay. 18 A. I'm surprised it didn't say it on 19 there. 20 Q. All right. The next document -- and 21 we've seen portions of this today, but I just want 22 to attach the whole thing. And we'll mark this as 23 Exhibit 12. 24 (EXH. 12, Accident Prevention 25 Standards, Safety Department Daniel International
Page 147 1 Daniels business record? 2 A. Yes. 3 Q. Okay. Would you agree that it's 4 authentic? 5 A. Yes. 6 Q. Okay. I want to just direct your 7 attention to page 12 of this document -- well, 8 actually I should start at page 10. And under 9 subsection H there's a section that relates to 10 material lists and purchase requisitions for 11 equipment and materials? 12 A. Yes. 13 Q. What you just walked me through a 14 little bit earlier about the process of looking at 15 the specs, deciding what material was needed, 16 requisitioning it, getting bids, and making 17 recommendations to Hoechst -- all of that would 18 have been done pursuant to the standards in this 19 engineering contract; is that correct? 20 A. That's right. 21 Q. Okay. That's all I've got with that 22 one. 23 THE WITNESS: What's the date on this? 24 I don't see a date. 25 MR. CHAPMAN: Oh, I'm sorry.	Page 149 1 Corporation, was marked for identification.) 2 MS. PRESSON: I'm sorry. I only have 3 two copies. 4 MD. MCDONALD: That's fine. 5 MR. CHAPMAN: It's more important that 6 you have them, right? 7 BY MS. PRESSON: 8 Q. Okay. Mr. Buck, this is the Accident 9 Prevention Standards -- 10 A. Yes. 11 Q. -- made by the safety department of 12 Daniel International Corporation? 13 A. Yep. 14 Q. And you've seen this document before, 15 right? 16 A. Oh, yeah. 17 Q. And this is a Daniel's business record, 18 right? 19 A. Right. 20 Q. Okay. And we discussed earlier, I 21 think -- I forgot the exhibit number, but the OSHA 22 provisions that were incorporated into these 23 accident prevention standards -- 24 A. Yep. 25 Q. -- by Daniel. What I wanted to ask you

Page 150 1 about though is -- let's see -- on page 13, it's -- 2 there's a Bates label at the bottom that says 3 Daniel 1333. And it will be on the inside, right 4 corner, I think. 5 A. I got it. 6 Q. Okay. And it's the forward. 7 A. Yeah. 8 Q. All right. And the first sentence of 9 this forward says a basic principle within Daniel 10 Construction Company is to fully advise Daniel and 11 client personnel of the standard policies and 12 procedures which govern our operations. 13 Even before this accident prevention 14 manual came out, was it always Daniel's most -- one 15 of its most basic principles to work with and 16 advise its clients regarding the policies and 17 practices that related to the safety of Daniel's 18 work? 19 A. Now, prior to this document coming out, 20 Daniel -- say the major projects that Daniel had 21 either had their own safety manual that was 22 generated in conjunction with the owner or in most 23 cases we use the AGC's safety manual. And in some 24 cases -- and I think -- I think Hoechst may have 25 called out for us to use the safe -- the AGC safety	Page 152 1 A. Yes. 2 Q. Okay. 3 A. This was written by Buck Mickel who was 4 our chairman. 5 Q. Okay. 6 A. And he was just making a point in 1971 7 to say OSHA has passed and this company will 8 comply, okay? 9 Q. Okay. And then as OSHA developed and 10 new standards and regulations came out, Daniel 11 would update its company accident prevention 12 standard policy accordingly? 13 A. Yes. This was a living document. It 14 was numbered and given to project managers and 15 their staff and our superintendents. And every 16 time this was changed, every policy -- every manual 17 holder got a copy of the revision to update their 18 manual. 19 Q. Okay. Thank you. And that's all I got 20 on that one. 21 Earlier, we were talking about the 22 portion of this manual -- I take that back -- the 23 portion of this manual that relates to OSHA. And 24 plaintiff's counsel was asking you if you had seen 25 any documents in your review of the documents in
Page 151 1 manual, okay? 2 That's what we used prior to OSHA 3 coming out. And it was the bible, if you will -- 4 the safety bible for the construction industry -- 5 was the AGC safety manual, all right? 6 Q. Okay. And just so that the jury 7 understands. Do you know what AGC stands for? 8 A. It's the Association of General 9 Contractors. 10 Q. Thank you. And so -- just so I'm 11 clear, you think that the AGC manual would have 12 applied to the work that Daniel did at Hoechst in 13 Spartanburg? 14 A. Yes, prior to '71 -- or prior to '73 15 when this came out. 16 Q. Okay. Well, and I do want to ask you 17 about that. If you'll turn to Daniel, page 1338. 18 A. Okay. 19 Q. This is on Daniel letterhead. It's a 20 company policy statement. And did you see the 21 effective date on there of September 10th, 1971? 22 A. Yes. 23 Q. Would this give you some evidence to 24 support that the accident prevention policy came 25 out in '71?	Page 153 1 the room behind you that proved or evidenced that 2 Daniel was complying with OSHA. 3 And your answer was that you didn't see 4 any physical documents in your review; do you 5 remember that testimony? 6 A. Well, I think I -- I think I said there 7 was -- there were a couple, okay? There are annual 8 physicals that our insulators had to take and -- 9 and pulmonary tests that I -- and that started in 10 '73. And there was documentation from '73 up to 11 '76, which tells me that we were complying with 12 that part of OSHA and that we were issuing dusty 13 trades cards to our insulators, okay? 14 Q. Okay. And what I wanted to ask you was 15 whether the accident prevention manual could be 16 considered a document that showed Daniel was 17 complying with OSHA? Would you consider that as 18 such? 19 A. Yes, it was written -- 20 MR. CHAPMAN: Object to the form. 21 THE WITNESS: It was written from OSHA; 22 that's the way we made it. We tried to make the 23 print a little bigger so people could see it and 24 maybe not put it in government -- in the government 25 format, but it was -- it was OSHA that we patterned

Page 154 1 it after. 2 BY MS. PRESSON: 3 Q. Okay. And although it doesn't relate 4 specifically to the Spartanburg facility, that 5 accidents prevention manual would have applied at 6 all of your larger job sites like Spartanburg, 7 right? 8 A. It applied to every site that Daniel 9 had; every single site. 10 MR. CHAPMAN: Object to the form. 11 BY MS. PRESSON: 12 Q. Okay. Earlier -- now, I'm going to 13 move on to some of the -- the insulation testimony 14 you gave earlier. You mentioned that you had seen 15 a Daniel engineering specification that said all 16 insulation was asbestos-free after 1973? 17 A. Uh-huh. 18 Q. Do you happen to know the date or the 19 author of that specification? 20 A. It was authored by Daniel engineer. 21 And the document I saw was actually dated 1974, and 22 it was -- it was a -- it was a memo to -- to our 23 people on this job that if you are making revisions 24 to the format or making revisions to our 25 specification, you need to use this format. And so	Page 156 1 A. Oh, yeah. Yeah, there's fiberglass, 2 there's foam glass, there's cork insulation -- 3 yeah, there's all kinds of insulation. 4 (EXH. 13, Specifications for Project 5 Hoechst Fibers Incorporated, December 20, 1971, was 6 marked for identification.) 7 BY MS. PRESSON: 8 Q. Okay. Real quick. I just have a few 9 more documents to show you. This document -- and I 10 think we're on Exhibit 13. And I apologize. These 11 are not stapled. 12 A. This is the insulation I couldn't find. 13 She's got a copy of what I was looking for. 14 Q. Okay. Well, you've seen this document 15 before I take it? 16 A. Yeah, yeah. 17 Q. And this was maintained in Daniel's 18 business records; is that right? 19 A. Yes. Well, it was a document that was 20 sent to us by Hoechst. Okay. It's in the boxes 21 over here -- 22 Q. Right. 23 A. -- okay. 24 Q. And as part of your working 25 relationship with Hoechst it was usual and routine
Page 155 1 they used that particular specification to make 2 this sample, if you follow what I'm saying. 3 In other words, he was saying here's a 4 sample of how I want all of our revisions to our 5 specs to look, okay? I don't care whether they're 6 piping specs or electrical specs or this is the way 7 I want it -- you indent here, you skip this line, 8 there are this many lines in a paragraph, okay? 9 But he used an insulation spec that we 10 were currently using to mark up -- to show people 11 how he wanted it done. And that was 1973, okay? 12 Q. I understand. Okay. 13 A. All right. 14 Q. And that 1973 insulation spec that was 15 used an a example -- that would have applied to the 16 Spartanburg facility that we've talked about today? 17 A. Absolutely. 18 Q. Okay. You mentioned that in 1973 there 19 was no more asbestos-containing insulation on the 20 market? 21 A. That's right. 22 Q. Okay. Prior to 1973 though, there were 23 asbestos-free insulation materials available; is 24 that a fair statement? Maybe not thermal 25 insulation, but things like --	Page 157 1 for you to receive materials -- 2 A. Oh, yeah. 3 Q. -- like this? 4 A. Yes. 5 Q. Would you have any reason to doubt the 6 authenticity of this particular document? 7 A. No. 8 Q. Okay. What I want to just draw your 9 attention to is just if you could take a look 10 please through the first few pages. And I wanted 11 to see if you would agree -- in addition to some 12 asbestos-containing insulation, this also specifies 13 some nonasbestos materials; is that right? 14 A. Yeah, in terms of cellular glass and -- 15 let's see -- mineral wool, yep. 16 Q. And because they're specified, would 17 you have any reason to doubt that there was not 18 some nonasbestos insulation applied at Spartanburg? 19 A. Oh, yeah, there was. I'm sure there 20 was -- 21 Q. Okay. 22 A. -- nonasbestos insulation applied at 23 Spartanburg, yeah. 24 Q. Right. So it wouldn't be your 25 testimony that everything Daniel was putting on out

Page 158 1 there was 100 percent asbestos-containing -- 2 A. The only place that there was asbestos 3 insulation installed is on high temperature piping 4 and equipment. That's where it's used, all right? 5 All other insulation would have been fiberglass or 6 cork or something else. 7 Q. Okay. And just to be sure, did you see 8 any documents or drawings that would tell you where 9 the high-temp piping would have been in 10 Mr. Crawford's work areas when you were reviewing 11 documents? 12 A. No, but I -- in the -- in the batch 13 polymerization process there is high-temperature 14 pipe that has to be insulated, and I didn't see a 15 piping diagram or insulation spec that said that 16 but it had to have it. 17 Q. Okay. And how -- how is it that you 18 know that? 19 A. Because I'm aware of the process and I 20 just know that that's -- it's high temperature, and 21 I built a fiber plant in Canada, so... 22 Q. And who owned that fiber plant? 23 A. I think Hoechst did for a while, but 24 they sold it. I don't know who they sold it to. 25 Q. Okay. So I have one -- just one more	Page 160 1 Q. -- of this document, would you? Okay. 2 And just for the record, paragraph one of this 3 document says that this relates -- this Hystron 4 standard covers the application of calcium 5 silicate, amosite asbestos, expanded silica with 6 finder and 85 percent magnesia insulation to piping 7 and equipment. 8 And what I wanted to ask you about is 9 on the second page of this document -- it's 10 paragraph 3.1.4. And it says the insulation shall 11 be covered with an aluminum jacket which conforms 12 with one of the following specifications. 13 And I wanted to ask you -- when Daniels 14 was working at the Spartanburg facility, do you 15 know whether it would have covered the insulation 16 it applied with aluminum jacketing? 17 A. Yes, it would have. 18 Q. And part of the reason for that is that 19 it protects the insulation from the processes 20 around it once the facility opens and begins 21 operating? 22 A. Yep. 23 Q. Okay. And when the was insulation was 24 behind that aluminum jacketing it would have been 25 protected from becoming friable and releasing into
Page 159 1 document that I want to show you. In addition to 2 specifications, Hystron would also give you some 3 standards that would go with the specifications; is 4 that right? 5 A. Well, I -- yeah. Yes, okay? 6 Q. Okay. So I'll just show you -- and 7 we'll mark this one as Exhibit 14, please. 8 (EXH. 14, Hystron Fibers Approval, 9 Piping & Equipment Insulation Calcium Silicate and 10 Similar Materials Applications, was marked for 11 identification.) 12 THE WITNESS: Yeah, this would just be 13 part of the specifications, so... 14 BY MS. PRESSON: 15 Q. This would be part of it -- and have 16 you seen this particular document before? 17 A. Yeah, I think I have, yeah. Okay. 18 Q. And would this be something that 19 Daniels would maintain in its files -- 20 A. Yes. 21 Q. -- related to its construction work? 22 A. Yes. 23 Q. Okay. And you have no reason to doubt 24 the authenticity -- 25 A. No.	Page 161 1 the area -- 2 A. That's correct. 3 Q. -- is that -- 4 A. That's correct. 5 MR. CHAPMAN: Object to the form. 6 BY MS. PRESSON: 7 Q. Okay. And is that something Daniel 8 that would have done on all of the continuos poly 9 lines that it built? 10 A. I would suspect so. 11 Q. Okay. That's all I've got on that one. 12 Okay. Talking a little bit just more generally 13 about safety. We've talked a lot about after OSHA 14 came into effect, but I wanted to talk with you 15 about safety provisions that Daniels followed 16 before OSHA came out in 1971. 17 Would you agree that dust is a hazard 18 -- apart from asbestos hazard -- that dust can be 19 hazardous generally in the work environment? 20 A. Yes, it can. 21 Q. Okay. And that's because it can impair 22 visibility? 23 A. (Witness moves head up and down.) 24 Q. Is that right? 25 A. Yes. I'm sorry.

Page 162 1 Q. And it can also contaminate nearby 2 manufacturing processes? 3 A. Yes. 4 Q. And it can also create slippery 5 surfaces that workers can fall on; is that correct? 6 A. Yes. 7 Q. Okay. And so as part of its efforts to 8 maintain a safe work environment for its employees 9 and the employees of others who worked around 10 Daniel, was it important for Daniel to minimize 11 dust associated with its work? 12 A. Yes -- 13 MR. CHAPMAN: Object to the form. 14 THE WITNESS: -- it was just a part of 15 our -- our wanting to have good housekeeping -- a 16 clean job -- keep the dust down, wet the roads, get 17 it up off of the floors, and that type of thing. 18 BY MS. PRESSON: 19 Q. Okay. And so part of the way that 20 Daniel would do that would be to sweep and clean up 21 its work area, right? 22 A. Yes. 23 Q. Okay. And it would wet insulation when 24 possible? 25 A. Yeah, it -- well, I don't know that we	Page 164 1 Would one of the other ways Daniels 2 would minimize dust associated with its insulating 3 work be to do some of the work on the insulation in 4 a shop that was outside of its working area? 5 A. Yes. We had a lot of insulation shops 6 on various projects where we did prefabrication of 7 insulation fittings. 8 Q. And was that common on most of Daniel's 9 work sites? 10 MR. CHAPMAN: Form. 11 THE WITNESS: Yes, it was. 12 BY MS. PRESSON: 13 Q. And when you're saying prefabrication, 14 just so the jury understands, that means that 15 Daniels would cut insulation to the proper size in 16 its shop that was away from the work area and then 17 it would take it out into the facility to be 18 applied? 19 A. Yes. 20 Q. So the work would stay in the Daniels 21 shop and not out on the floor? 22 A. That's right. 23 MR. CHAPMAN: Object to the form. 24 THE WITNESS: That's right. 25 BY MS. PRESSON:
Page 163 1 were wetting down much insulation prior to '71 -- 2 prior to OSHA, okay? 3 Q. Okay. 4 A. But we would use oil-sweeping compounds 5 so that we would keep the dust down when we swept 6 it up and contain it, and wet down the roads and 7 that type of thing. 8 Q. Okay. Did I hear you correctly -- 9 oil-sweeping compounds? 10 A. Yeah, oil sweeping compounds, yes. 11 Q. Okay. Could you explain for the jury 12 what that is? 13 A. Well, it's a -- I don't know it's a -- 14 it's a compound that comes in bags and you have -- 15 it's -- it's like sawdust mixed with oil, and we 16 would -- they would just throw it on the floors. 17 And it was moist because it had the oil in it. And 18 as we swept, it just collected the dust. It didn't 19 create clouds of dust; it kept the dust on the 20 floor and kept it to where we could get it in a 21 pile and sweep it up. 22 Q. Okay. 23 A. It's still used today. I mean, schools 24 use it. Everything. 25 Q. Okay. Thank you for the explanation.	Page 165 1 Q. Okay. To the extent that dust was 2 created by Daniel employees while they were 3 installing insulation, that would have been the 4 responsibility of Daniels to clean up -- 5 A. Yes. 6 Q. -- and control, right? 7 A. Yes. 8 Q. Okay. And it would also be a Daniel's 9 responsibility to make sure that dust was 10 controlled in a way that would prevent people from 11 being exposed in nearby areas? 12 A. Yes. 13 Q. Once OSHA was enacted and you began 14 incorporating it into your accident prevention 15 manuals, some of the cost of complying with OSHA 16 was passed on to your clients; is that correct? 17 A. Right. 18 Q. And did you ever have a client complain 19 about paying a little bit extra to have Daniels -- 20 A. I don't think I ever had a client to 21 turn us down for OSHA. It was extra expense; no 22 question about it -- in the short-term. 23 In the long-term it proved to be a 24 money saver, okay? But no, I never had a client 25 turn us down.

Page 166 1 BY MS. PRESSON: 2 Q. Okay. And just so I can ask the full 3 question -- your clients were -- including Hoechst 4 -- were happy to have to pay a little extra cost so 5 that Daniel could comply with OSHA at its work 6 sites, right? 7 A. Yes. 8 MR. CHAPMAN: Object to the form. 9 BY MS. PRESSON: 10 Q. Okay. Just a few more short questions. 11 I have to ask you about what we've marked as 12 Exhibit Number 7, and this is the February 1973 13 Daniel Construction Progress Report. 14 And I wanted to ask you about -- 15 THE WITNESS: Do I have it. 16 BY MS. PRESSON: 17 Q. I'll let you find it first. 18 A. 10, 9, 8 -- Exhibit 7? 19 Q. Yes. 20 A. Yes. 21 Q. So on page 1 of the manual -- 22 A. Okay. 23 Q. Okay. You were asked some questions 24 about subsection III, which gave some status 25 updates on the progress of insulation work. And	Page 168 1 deemed that it was asbestos, then we used asbestos 2 procedures to remove it. If we went into an area 3 and we couldn't find out what it was, we assumed it 4 was asbestos and we used those procedures from the 5 start. 6 Q. Okay. And that was so that if it was 7 asbestos-containing and you couldn't test, all the 8 proper measures would be taken to protect everyone 9 in the area? 10 A. In the area. 11 MR. CHAPMAN: Object to the form. 12 BY MS. PRESSON: 13 Q. And is that something that Daniel told 14 Hoechst it would do -- 15 A. Oh, yes. They -- 16 Q. -- in terms of -- 17 A. -- knew that was going -- in fact, I 18 think Hoechst did the testing for us -- 19 Q. Okay. 20 A. -- okay? 21 MS. PRESSON: I'm just going to review 22 my notes really quickly. I think that's all I 23 have. And I thank you for your time and your 24 patience. 25 THE WITNESS: Okay.
Page 167 1 you mentioned that because this progress report was 2 dated 1973, you believed that any insulation 3 applied during this month -- February -- would have 4 been asbestos-free; is that correct? 5 A. There's a good chance that it was, yes. 6 Q. Okay. And as of 1973, that accident 7 prevention manual that we've talked about so much 8 today would have applied to this work; is that 9 correct? 10 MR. CHAPMAN: Object to the form. 11 THE WITNESS: That's right. 12 BY MS. PRESSON: 13 Q. One last thing that I just wanted to 14 ask you about very quickly was -- you mentioned 15 something earlier that when Daniels would do tie-in 16 work or when it might come into contact with 17 insulation that you could possibly contain 18 asbestos, Daniel's employees were told to assume if 19 they couldn't test it they were told to assume that 20 it contained asbestos? 21 A. That's right. 22 Q. Do you know how early that would have 23 started? 24 A. It would have started as soon as OSHA 25 came out, okay? If we went into an area and it was	Page 169 1 MR. MCDONALD: Okay. Anybody on the 2 phone have any questions? Okay. We're going to go 3 forward here in the room. 4 I have just a few, and Aaron's got a 5 plane to catch, so we're going to keep moving 6 forward. 7 EXAMINATION 8 BY MR. MCDONALD: 9 Q. Mr. Buck, I'd like to -- I'm going to 10 ask you kind of two areas of questions. 11 A. Okay. 12 Q. Some following up on CNA's questions, 13 but I'd like to get back to Mr. Crawford -- we're 14 here about Mr. Crawford's case, okay? 15 Did you review his testimony in 16 preparation for -- 17 A. Yes. 18 Q. I'm sure you saw him describe himself 19 as working in a batch plant? 20 A. Yes. 21 Q. Okay. In your preparation to be the 22 representative for Daniel, did you review documents 23 that described a batch plant at the Hoechst site? 24 A. Yes. 25 Q. Okay. And was it in a separate

Page 170 1 building from the continuous polymer? 2 A. Yes. 3 Q. Okay. 4 MR. CHAPMAN: Object to the form. 5 BY MR. MCDONALD: 6 Q. And preparing yourself as a -- to be 7 the Daniel witness, did you see documents about the 8 construction of the continuous polymer? 9 A. Yes. 10 Q. All right. And was that in a separate 11 building? 12 A. Yes. 13 Q. Okay. And is that consistent with what 14 Mr. Crawford describes? 15 A. Seems to be -- 16 MS. PRESSON: Object to the form. 17 THE WITNESS: Yes. 18 BY MR. MCDONALD: 19 Q. Okay. You were asked some questions 20 about the accident procedure standards and some 21 words were used, such as isolation -- 22 A. Uh-huh. 23 Q. All right. And enclosure? 24 A. Uh-huh. 25 Q. Okay. Is construction in a separate	Page 172 1 the insulation at the end. 2 Q. Right. So is insulation something that 3 goes during the whole project? 4 A. Oh, no. Insulation is probably the 5 last 40 percent of the job -- 6 Q. Yep. 7 A. -- 50 percent of the job is probably -- 8 Q. Okay. 9 A. -- you get started. 10 Q. Okay. And as mentioned by CNA's 11 lawyer, all insulation does not contain asbestos, 12 right? 13 A. No, just the high-temperature thermal 14 insulation. 15 Q. Okay. Now, you also saw Mr. Crawford 16 testify that for two or three weeks he worked in 17 poly two, kind of during start-up? 18 A. Yes. 19 Q. Okay. What does that tell you about 20 the stage of construction if he was there involved 21 in that? 22 A. If they're starting it up, it means 23 that the client has accepted the plant from us -- 24 from Daniel. And the only people that we would 25 have in that particular part of the plant at that
Page 171 1 building, some -- or a form of isolation? 2 A. Sure it is. 3 Q. Yeah -- 4 A. It's to keep construction separated 5 from operations. 6 Q. Okay. Is it a form of enclosure? 7 A. Yes. 8 Q. Okay. Now, is there a sequence to 9 construction? 10 A. Yes. 11 Q. Okay. Just kind of briefly -- I don't 12 want a ten-minute explanation, but tell us briefly 13 how you move through -- when you build a building 14 like the continuous polymer building? 15 A. Well, you start with the underground 16 piping. You get it in and you do the foundations. 17 Get the foundations in, you erect the structural 18 steel and you start putting in the stairways and 19 the elevated slaps. And then once you get -- and 20 get a roof on it, you can start the siding -- 21 whatever kind of siding it is. 22 Then you can start with the mechanical 23 and electrical trades inside the building, running 24 the pipe, running the electrical, doing the 25 instrumentation -- that type of thing. And doing	Page 173 1 time would be some people doing punch list items, 2 touchup paint, doing calibration on an instrument 3 or something like that. It would be very minor 4 work -- 5 Q. Right. 6 A. -- that we would be doing there. 7 Q. Would there be any insulation being 8 done on that line after it starts? 9 A. I doubt it, okay? 10 MR. CHAPMAN: Object to the form. 11 BY MR. MCDONALD: 12 Q. Okay. Just common sense tells you 13 that -- 14 A. It's done. 15 Q. Right. 16 MR. CHAPMAN: Object to the form. 17 BY MR. MCDONALD: 18 Q. Okay. Now, you talked a lot -- and I 19 don't want to repeat it -- about the importance of 20 separating work areas from construction areas? 21 A. Right. 22 Q. Okay. And that would be done even if 23 you had two lines in the same building, right? 24 A. Absolutely. 25 Q. Okay. And even if you had -- even if

Page 174 1 you were going to consider construction dust, are 2 there all types of construction dust? 3 A. Right. 4 Q. Is that fair? 5 A. Yeah, there's all kinds of construction 6 dust -- 7 Q. Right. 8 A. -- not just insulation dust, okay? 9 Q. Just to say you got some dust 10 doesn't -- 11 A. Right. 12 Q. -- mean you've been exposed to 13 asbestos? 14 A. That's right. 15 Q. Okay. And particularly after we know 16 there was a significant change in the products 17 during some of this work to asbestos -- 18 A. Right. 19 Q. Right. Okay. All right. Now, you 20 talked a little bit -- you were asked some 21 questions about Timken -- 22 A. Yes. 23 Q. -- and the work at Timken? 24 A. Yes. 25 Q. You saw Mr. Crawford say that he was	Page 176 1 Prevention in Construction, was marked for 2 identification.) 3 BY MR. MCDONALD: 4 Q. And you can flip to the first page 5 there. So I think it may say it on the cover -- 6 that's the 1971 version, I believe. Can you 7 confirm that for me? 8 A. Yeah, 1971. 9 Q. All right. So that would be the last 10 version of the AGC -- 11 A. Manual. 12 Q. -- before the passage of OSHA? 13 A. That's right. 14 Q. All right. And how thick is that 15 manual? 16 A. 2 inches (Indicating). 17 Q. Right. Okay. And I think you kind of 18 told us, but is it fair to say there are a lot of 19 hazards on a construction site? 20 A. Absolutely. 21 Q. Okay. And was safety something that 22 was important to Daniel? 23 A. Yes. 24 Q. Okay. 25 A. From the beginning.
Page 175 1 there for a installation of some new lines? 2 A. Yes, '74 to '78 he was there. 3 Q. Okay. And those new lines -- what kind 4 of insulation would have gone on -- even 5 high-temperature applications in that era -- '74 to 6 '78? 7 A. They would have been asbestos-free 8 insulation. 9 Q. Right. Okay. All right. Now, let 10 me -- I'm not going to repeat what was said before, 11 but you were asked some -- and I'll just mark it 12 for the record and be glad to email you a copy or 13 whatever, but -- 14 MR. CHAPMAN: Sure. 15 BY MR. MCDONALD: 16 Q. -- you were asked several questions 17 about the associated general contractor's -- 18 A. Safety manual. 19 Q. -- safety manual. Okay. Let's -- what 20 exhibit are we up to? 21 THE COURT REPORTER: 15. 22 MR. MCDONALD: 15. Okay. Let's mark 23 this as 15. 24 (EXH. 15, The Associated General 25 Contractors of America Manual of Accident	Page 177 1 Q. All right. And you were asked some 2 questions about gang-box meetings? 3 A. Yes. 4 Q. Tell us what a gang-box meeting is. 5 A. Well, a gang-box meeting was -- we did 6 that ever Monday morning -- first 15 minutes of the 7 day. And there was a safety topic assigned to that 8 particular gang box, and every -- every crew met 9 with their foreman to discuss that safety topic for 10 the day. 11 Q. Right. Okay. And I don't know whether 12 we need to dig one out, but you had these monthly 13 reports, right? 14 A. Yes. 15 Q. And they had a safety section in there, 16 right? 17 A. Yes. 18 Q. Okay. What kind of things did they 19 confirm in that safety section? 20 A. They confirm, one, that there were 21 gang-box meetings being done on weekly basis and 22 there was a supervisory safety meeting every week. 23 Q. Right. 24 A. Okay. 25 Q. And it looked to me like they tracked

Page 178 1 man hours without -- 2 A. Oh, yeah, they tracked -- well, if you 3 get into the '73 -- the progress reports from that 4 '73 job -- they tracked man hours -- safe man 5 hours. 6 Q. Right. 7 A. And at one point they were at 900,000 8 man hours without a lost-time accident, so a fairly 9 safe job, okay? 10 Q. Right. 11 A. You had also a note in one of the 12 safety reports in those manuals is that 13 Mr. Campbell had gone to the OSHA training 14 Greenville in '73. 15 Q. Right. 16 A. Okay. 17 Q. All right. Now, we talked a little bit 18 about OSHA -- why don't we put the rubber bands 19 around that so that doesn't get confused. You can 20 hand it over here if you want to -- 16, 17, 18 -- 21 A. I'm going to turn this back over. 22 (EXH. 16, June 11, 1971 Daniel 23 International Corporation Executive Memorandum, was 24 marked for identification.) 25 BY MR. MCDONALD:	Page 180 1 industrial relations VP for -- for Daniel and he 2 has sent this out to -- in here -- he sent this out 3 to project managers on our job sites to tell them 4 that there's a training session in Greenville about 5 OSHA and they need to be there. 6 (EXH. 18, Interoffice Communication 7 from Arnold Runion, was marked for identification.) 8 BY MR. MCDONALD: 9 Q. Right. Okay. I'm going to show you 10 Exhibit 18. Tell us what that's about. Well, who 11 is Arnold Runion? 12 A. Arnold Runion -- this is from 13 Arnold Runion. This is dated June of '71, and 14 Arnold Runion was a corporate safety director. And 15 he once again is talking about a three-week course 16 I think on OSHA orientation and they need to be 17 there. 18 Q. Okay. And are these the -- Exhibits 17 19 and 18 there offering courses to teach the 20 superintendents -- 21 A. Teach the superintendents how to 22 understand OSHA, what they're saying, what that 23 means to us on a project site. 24 Q. Right. And is that what you saw 25 evidenced in the documents you reviewed for this
Page 179 1 Q. Yeah. One of these may already have 2 been marked, but just for the sake of -- just tell 3 us what Exhibit 16 is -- what's going on there? 4 A. This is -- I think this is the one we 5 just looked at, but this is a -- a memo -- an 6 executive memorandum from Buck Mickel who was the 7 chairman and CEO of Daniel Construction Company at 8 the time. 9 And this was issued in 6/11/71, and 10 it's just saying OSHA has passed and in -- it took 11 him about five paragraphs, but in essence what he 12 says is we're going to comply with OSHA -- 13 Q. Okay. 14 A. -- and get ready. 15 Q. Okay. 16 A. Okay. 17 (EXH. 17, June 28, 1971 Interoffice 18 Communication, Daniel Construction Company, Inc., 19 was marked for identification.) 20 BY MR. MCDONALD: 21 Q. All right. I'm going to show you 22 Exhibit 17 and see if you can tell me what that is 23 about. 24 A. This is dated June the 28th, 1971. And 25 this is from Bob Banks, and he is the -- the HR and	Page 181 1 particular job site -- 2 A. Yes. 3 Q. -- that the project manager 4 participated in? 5 A. Participated in, absolutely. 6 Q. Okay. All right. And you also saw 7 evidence that we were in '73 X-raying our 8 insulators to see if -- 9 A. Yes. 10 Q. -- it was disease -- 11 A. -- and pulmonary tests to make sure 12 that they were healthy to go do insulation work. 13 Q. Right. And you also saw records of the 14 gang box meetings -- 15 A. Yes. 16 Q. Okay. And then you also saw a record 17 of changing to asbestos-free insulation -- 18 A. Yes. 19 Q. -- in response? 20 A. Yes. 21 Q. Okay. Now, let's mark these next two 22 -- 19 and 20 I think. 23 (EXH. 19 and 20, State Board of Health, 24 Occupational Health Section, Technical Reports, 25 were marked for identification.)

Page 182 1 BY MR. MCDONALD: 2 Q. All right. And I think you've seen 3 these before, Mr. Buck, but why don't you tell us 4 what these are -- Exhibits 19 and 20. 5 A. After they passed OSHA, Daniel 6 requested the state of North Carolina to come to 7 two of our site -- our job sites -- Hoechst 8 Celanese and -- Hoechst Celanese at Salisbury and 9 Dupont at Cape Fear -- and we asked them to come do 10 air-monitoring on those sites so we could get a 11 feel for where we were, okay? 12 Q. All right. And what were -- who were 13 they air-monitoring? What trade? 14 A. They were air monitoring the insulators 15 at both of these sites. There were 11 people that 16 they conducted air-monitoring on at Salisbury, and 17 I believe there were six at DuPont. Yeah, there 18 were six at Dupont. 19 Q. Okay. 20 A. And the results of that air monitoring 21 was everybody was below the permissible exposure 22 limit for OSHA standards except for one person at 23 Salisbury, and that was a guy -- let me find him -- 24 a guy -- Marvin Fitzgerald. 25 Q. Okay.	Page 184 1 the asbestos regulations over time -- 2 A. Right. 3 Q. -- from 1971 until today have changed 4 repeatedly? 5 A. Yes. And not just asbestos; I mean, 6 other things -- 7 Q. Many things -- 8 A. -- many things, okay? 9 Q. -- yeah. And so that book has been 10 a -- was updated -- 11 A. Updated. 12 Q. -- as long as Daniel operated -- 13 A. Right. 14 Q. -- in an attempt to comply with OSHA? 15 A. Yes. 16 MR. MCDONALD: Okay. I'm just looking 17 through my notes for everybody on the phone here. 18 Okay. I think that's all the questions I have. 19 MR. CHAPMAN: You have anything? 20 MS. PRESSON: No, nothing to follow up. 21 MR. CHAPMAN: Anybody on the phone? 22 Okay. I've got some follow-up for you, sir. 23 MR. MCDONALD: Yeah, let me just check. 24 You can hear me, right? My thing went under my 25 tie, but...
Page 183 1 A. He was over the limit, but everybody 2 else was below the limit. It is interesting to 3 note that they -- that they did the air monitoring 4 not only out on the project site where they were 5 doing the insulation, but they also did the air 6 monitoring of the guys in the insulation shop that 7 you were talking about also for there and they all 8 passed the test, okay? 9 Q. All right. And then CNA's lawyer 10 marked Daniel's Accident Prevention Standards? 11 A. Right. 12 Q. Okay. And so I won't belabor that, but 13 you correct me if I'm wrong. My understanding is 14 that was a loose-leaf notebook? 15 A. Yes, it was. 16 Q. Okay. And the standards were 17 updated -- 18 A. Updated and sent out. And you were 19 responsible for keeping yours updated and going by 20 it. 21 Q. Right. And so over the years that 22 manual would have changed? 23 A. Oh, yeah. Every time OSHA changed, 24 that manual changed. 25 Q. That's right. And certainly you know	Page 185 1 MR. CHAPMAN: Too late now. 2 MR. MCDONALD: No, I don't want to redo 3 it. I don't want to redo it. I just -- 4 THE WITNESS: I sure hope you heard it. 5 6 MR. CHAPMAN: We'll just have the court 7 reporter read everything back. 8 MR. MCDONALD: Right. 9 EXAMINATION 10 BY MR. CHAPMAN: 11 Q. All right, sir. A number of follow-ups 12 for you and then hopefully we'll get you out of 13 here. 14 A. Okay. 15 Q. You were asked by CNA's lawyer about it 16 was Daniel's responsibility to clean up and 17 maintain safety in their areas? 18 A. Yes. 19 Q. Let me ask you: Did Celanese ever come 20 and tell y'all that a particular condition was 21 unsafe? 22 MS. PRESSON: Objection to form. 23 THE WITNESS: Now, are you talking at 24 Spartanburg? 25 BY MR. CHAPMAN:

Page 186 1 Q. At Spartanburg, yes, sir. 2 MS. PRESSON: Same objection. 3 THE WITNESS: I don't recall that 4 happening. 5 BY MR. CHAPMAN: 6 Q. Could they? 7 MS. PRESSON: Objection to form. 8 THE WITNESS: Yeah, if we were doing 9 something in an unsafe manner, they certainly had 10 the right to come tell us, yes. 11 BY MR. CHAPMAN: 12 Q. Okay. 13 A. Yes. 14 Q. That was something they were paying 15 attention to? 16 A. Yes. 17 MS. PRESSON: Objection to form. 18 THE WITNESS: Yes. 19 BY MR. CHAPMAN: 20 Q. You were shown a number of exhibits 21 today, and frankly I just forgot to do it as I was 22 going through each one. Any of the exhibits that I 23 showed you today -- do you have any reason to doubt 24 their authenticity? 25 A. No.	Page 188 1 A. No. 2 Q. Okay. All right. I'm not going to 3 belabor that. 4 The CNA lawyer went through some of 5 this with you. Daniel picked the materials for 6 construction at Spartanburg? 7 A. No, no. We were -- we were given a set 8 of specifications, and that's what determined what 9 we went out and bought. 10 Q. All right. So Daniel went out to buy 11 things and then they sent it to Ceeanese for 12 approval, and then the purchase order went out on 13 Ceeanese letterhead? 14 A. Yeah. We would -- we would get the 15 specs and they would say go buy this electrical 16 kind -- do it -- these valves and this type of 17 things. And they would give us the model numbers. 18 We would go out; we would get the bids back. We 19 would tabulate the bids, we would make our 20 recommendation, and send it to Ceeanese. And 21 Ceeanese would say okay or not okay. 22 Q. All right. 23 A. Go buy this. And then we would go 24 execute the purchase order on Hoechst stationery -- 25 Q. All right.
Page 187 1 Q. Okay. 2 MR. MCDONALD: The only one I would 3 question, Aaron, is that one that's not a Daniel 4 document -- that list of subs; I didn't recognize 5 that. 6 THE WITNESS: Oh, yeah, that was one 7 that neither one of us had seen, but -- 8 MR. MCDONALD: Yeah. 9 BY MR. CHAPMAN: 10 Q. Do you have any reason to doubt in the 11 information -- do you think the information in 12 there is false? 13 A. No, I don't think it's false -- 14 Q. Okay. 15 A. -- I just think it -- 16 Q. I'm not asking if it's a business 17 record. 18 A. Oh, okay. Okay. 19 Q. I'm just -- do you think the 20 information that's in there is wrong? 21 A. No -- it could be -- you could be 22 saying people were there that weren't there, but I 23 don't know. I have no way of knowing that. 24 Q. Okay. You have no reason to think it's 25 false?	Page 189 1 A. -- as agents for them. 2 Q. -- so you made your recommendation -- 3 A. Yes. 4 Q. -- and Ceeanese had to approve that 5 recommendation? 6 A. That's right. 7 Q. Okay. All right. I have this a couple 8 of times. You were asked about the accident 9 prevention manual by both your attorney and the CNA 10 attorney here today. I went through some of this 11 in mine. 12 You haven't reviewed any documents that 13 show that although this may have been in practice 14 at the time, but it was actually implemented at 15 Spartanburg from '70 to '74? 16 A. Well, yeah, I think -- 17 Q. I guess '70 to '71 until OSHA came out? 18 A. But if you look at the fact that we 19 were doing -- from '73 to '76, I saw the records 20 for chest X-rays and pulmonary tests on our 21 insulators. So that tells me that we were -- we 22 were looking at it. I was just trying to think if 23 I had another example of that, but I -- nothing 24 comes to mind right away. 25 Q. Well -- Okay. So to take that one step

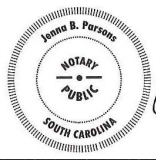
Page 190 1 further, we looked at and I showed you a document 2 -- the -- some of the OSHA regulations from the 3 wetting down and locker rooms and changing -- 4 A. Yeah, yeah. 5 Q. Things like that; do you recall that? 6 A. Yes, I do. 7 Q. So -- and you mentioned when 8 Celeanese's lawyer asking you questions -- sweeping 9 with oil-sweeping compound? 10 A. Yeah, yeah. 11 Q. Again, any docs that show that although 12 that may have been the general practice that 13 actually happened at Celeanese Spartanburg? 14 A. I -- no, I can't tell you that it 15 actually happed at Celeanese Spartanburg, but I can 16 tell you that it was done because it was done on 17 every job in Daniel; that was our standard 18 operating procedure. 19 Q. So I -- that's the SOP, but you can't 20 tell me it actually happened in Spartanburg? 21 A. Okay. No. 22 Q. All right. You were asked about 23 different types of insulation and the different 24 types that were available. All of the high-temp 25 insulation prior to '73 was asbestos?	Page 192 1 A. Yes, you did. 2 Q. All right. It didn't just hang out 3 there -- it just didn't stay in the jacket at all 4 times? 5 MS. PRESSON: Objection to form. 6 THE WITNESS: It was in jacket until it 7 was taken off. 8 BY MR. CHAPMAN: 9 Q. Right. So if it was being worked on 10 the protection of the jacket wouldn't be there? 11 A. No, you would take the jacket off for 12 the amount of insulation that you -- the amount of 13 pipe you were trying to get to. 14 Q. Okay. I wrote this down. You said 15 OSHA was an additional cost in the short-term but 16 saved a lot of money in the long-term. What did 17 you mean by that? 18 A. I think -- I think -- honestly, I think 19 that OSHA was a wake-up call for the industry, all 20 right? I can tell you -- I can go back -- I 21 remember this. I was a kid in the 5th grade in 22 Montgomery, Alabama, and they did an expansion on 23 the lunchroom at my school and three guys got 24 killed on that job. And I just don't think that 25 overall until OSHA came into existence that -- that
Page 191 1 A. I would think so, yes. 2 MS. PRESSON: Objection to form. 3 THE WITNESS: I -- there may have been 4 one that was used prior to '73 and that was mineral 5 wool. I have seen mineral wool used on 6 high-temperature insulation prior to '73. 7 BY MR. CHAPMAN: 8 Q. What about Spartanburg; do you know? 9 A. I don't know. I don't know. 10 Q. Okay. There was -- 11 A. I know it was in the specs. Mineral 12 wool was in the specs, but I don't know if it was 13 used or not. 14 Q. There was also mention of cal-sil 15 insulation. Do you know if cal-sil was 16 asbestos-containing prior to '72? 17 A. Oh, yeah, it was. 18 Q. All right. You were also asked some 19 questions about the insulation around the piping 20 was jacketed; do you recall that? 21 A. Yeah, it had aluminum jacket on it, 22 yes. 23 Q. If you were going to work on that pipe 24 or that insulation, you'd have to take that 25 jacketing off?	Page 193 1 most contractors had much emphasis on safety. And 2 I think it changed the vision of the -- of the 3 industry around what could be done around safety. 4 I will give Buck Mickel and his 5 executives credit. I think they recognized that 6 from the beginning and they -- 'cause I think there 7 may have been some contractors that said we're 8 going to resist this, okay? And they never did. 9 They said we're going to be safe. We've been a 10 safe contractor in the past; here's a way for us to 11 become safer and we're going to do it. 12 Q. All right. So I'll object to 13 nonresponsive responsive portions. 14 When you say that it wasn't contractors 15 in the industry didn't, you know, take safety 16 seriously before OSHA, was Daniel included in that? 17 A. No, I wouldn't, because I think Daniel 18 -- and I can't tell you why -- but Charlie Daniel 19 was safety conscious -- he's the founder of Daniel 20 Construction Company. Buck Mickel was a safety 21 conscious guy. We had a vice president whose son 22 was killed on one of our construction sites, so I 23 think that had some impact on our safety culture at 24 Daniel. 25 Q. Outside of what's contained in I guess

Page 194 1 what I refer to as the APM -- the accident 2 prevention manual -- did Daniel have any sort of 3 practices or policies relating to asbestos or work 4 with asbestos? 5 A. Outside of the APS. 6 Q. Yes, sir. 7 A. No. 8 Q. Okay. And I guess just to circle back 9 to my original question, you said that OSHA saved a 10 lot of money in the long-term. How did it save 11 money? 12 A. I think it made us safer and our 13 workers' comp cost went down, our -- our morale on 14 our jobs went up, our productivity went up -- it 15 was -- there were a lot of ramifications to safety 16 that were positive for the industry. 17 Q. Was part of that company savings in 18 future lawsuits? 19 A. I'm sorry? 20 Q. Was part of that saving money the 21 company saving money in future lawsuits? 22 A. I haven't even thought about that. 23 Q. You mentioned workers' comp, for 24 example. 25 A. Yeah, I think it lowered -- it lowered	Page 196 1 in 1971 when it was revised for the last time, it 2 only mentioned asbestos one time and that was in 3 section 6, and it mentions it as a possible cause 4 of occupational disease. It was revised in 1958 5 and there's an acknowledgment section in the front 6 of the 1958 AGC manual that acknowledges and thanks 7 the U.S. Corp of Engineers, the U.S. Department of 8 Labor, the U.S. Public Health Service, the National 9 Safety Council, and about six insurance companies 10 for their participation in the revision of that 11 manual in '58 and there's not one word about 12 asbestos it; not one. 13 Q. And that's what Daniel was using prior 14 to OSHA -- 15 A. That's right -- 16 Q. -- for their knowledge of asbestos? 17 A. -- that was the bible for the 18 construction industry in terms of safety. 19 Q. When was Daniel founded? I'm sorry. 20 A. 1934. 21 Q. 1934. Okay. And since 1934, Daniel 22 was in the business of construction? 23 A. Yes. 24 Q. Did Daniel try to keep apprised of 25 industry standards and laws that affect the
Page 195 1 our accident frequency, so it lowered our workers' 2 comp cost, okay? 3 Q. Okay. 4 A. Lowered our insurance rates. 5 Q. You mentioned something with your 6 lawyer about how often the insulating was going on 7 during a job. I believe you said that insulating 8 would be going on during the last 40 to 50 percent? 9 A. Yeah, I would it would be in that 10 neighborhood, okay? 11 Q. Okay. Of any job? 12 A. Yeah, of any particular job. 13 Q. Exhibit 15, which was the AGC manual -- 14 A. Safety manual. 15 Q. -- that's all sorts of hazards, right? 16 That's not just asbestos? 17 A. Oh, no, that was a complete -- it was 18 just like our A -- our accident prevention 19 standard. It just didn't cover asbestos; it 20 covered the whole realm, and so did the AGC. 21 Q. So that two to three inches of 22 documents -- that's all -- it's not just asbestos? 23 A. Right. Right. 24 Q. All right. 25 A. In fact, it only mentions asbestos --	Page 197 1 industry? 2 A. I don't -- I -- I'm not sure how 3 to ans- -- I'm not sure what you're -- what -- what 4 we would do. We were a construction company. We 5 tried to operate a safe company. We weren't -- we 6 weren't a product manufacturer. We weren't doing 7 any of that. 8 I don't think we had an obligation or 9 responsibility to go do product research. That was 10 supposed to have already been done, okay, for us. 11 Q. Daniel didn't do any of its own 12 research on any sort of hazards relating to what it 13 was doing? It relied on the product manufacturers? 14 A. Yes. 15 Q. And solely on the product 16 manufacturers? 17 A. Mostly, yes. 18 Q. Did Daniel ever go and to try to take a 19 look as to what was out there, what was being said? 20 A. Yeah, I think we -- we went out and 21 looked at a lot of different things from a safety 22 standpoint. We would go out and look at -- are 23 there better safety belts for us to use, are there 24 better hard hats, are there better -- do we need to 25 have safety glasses on our people -- those types of

Page 198 1 things. Yeah, we did a lot. 2 Q. Did they ever go look for what was 3 available relating to the hazards of asbestos? 4 A. Well, we weren't aware of the hazards 5 of asbestos until 1971, and then we did what we 6 were supposed to do. 7 Q. Well, sir, I mean, did Daniel even go 8 look? 9 A. There was no need for us to go look. I 10 mean -- 11 Q. Why not? 12 A. Because we didn't know there was a 13 hazard. 14 Q. Sir, how would you know if there was a 15 hazard if you didn't go look for it? 16 A. So you want me to go look at the steel 17 plants, and you want me to go look at the concrete 18 plants, you want me to go look at the pipe 19 manufacturers -- it's not going to happen. 20 Q. So asbestos-containing materials was 21 part of Daniel's business prior to OSHA; is that 22 fair? 23 A. Yes, and so was steel erection. 24 Q. Okay. 25 A. So was pipe erection.	Page 200 1 coming, get ready? 2 A. Yeah. 3 Q. Is that right? 4 A. Yeah. 5 Q. And again, we saw the OSHA specs and we 6 saw the AC -- AGC manual. Again, any docs that you 7 can point to that says -- or any knowledge you can 8 point to that says those regulations were followed 9 -- were implemented for sure at Spartanburg? 10 A. Well, we have -- you have the progress 11 reports and what they say there. You have -- in 12 1972, all of -- and you have the fact that they say 13 they're doing safety orientations for new 14 employees. And you have the -- the safety -- the 15 construction safety handbook that was issued to 16 every single employee of Daniel on project sites 17 that laid out the safety procedures and this type 18 of thing, and how we did business. And so -- 19 Q. Okay. So what I'm taking from that -- 20 and correct me if I'm wrong -- is we've got the 21 progress reports and this construction safety 22 handbook? 23 A. Yes. 24 Q. All right. And we already know what's 25 in or not in the progress reports, right?
Page 199 1 Q. All right. So prior to OSHA, even 2 though it was using asbestos-containing materials, 3 it never went out and looked about the hazards of 4 asbestos? 5 A. No. 6 Q. All right. You were asked at the very 7 end by your counsel about the gang box meetings? 8 A. Yes. 9 Q. And how they were in the reports at the 10 end; do you recall that? 11 A. Yes. 12 Q. Those safety sections say nothing about 13 asbestos or protecting Ceeleese employees; is that 14 true? 15 A. Are you talking about in the -- in the 16 progress manuals? 17 Q. Yes, sir. 18 A. They didn't say anything about that, 19 no. 20 Q. And it didn't say what was actually 21 discussed at the gang box meetings? 22 A. No, it did not. 23 Q. All right. And Exhibit 16 was a letter 24 from one of the heads of Daniel which you 25 summarized as basically saying, hey, OSHA is	Page 201 1 A. Yes, right. 2 Q. The construction safety handbook -- did 3 they say anything about asbestos? 4 A. No. It did mention the use of dust 5 mask and protection from dust. And it did mention 6 using respirators. 7 Q. Did it say why? 8 A. No. Protect themselves. To keep them 9 safe. 10 Q. But nothing about asbestos? 11 A. Nothing about asbestos. 12 Q. All right. And Exhibit 18, there 13 were -- and you can pull it if you need to. We 14 were discussing air-monitoring done. 15 A. Yeah, yeah. 16 Q. And you said they specifically looked 17 at insulators? 18 A. Yes. 19 Q. Why insulators? 20 A. Because they were the ones that had the 21 biggest exposure to asbestos. 22 Q. All right. And then lastly, sir, that 23 accident prevention manual -- it was a loose-leaf 24 binder? 25 A. Yep.

Page 202 1 Q. You said that everybody was responsible 2 for keeping it updated? 3 A. Uh-huh. 4 Q. How did Daniel enforce that? 5 A. Well, I -- you -- I'm just trying to 6 think from my standpoint. I was a project manager 7 and I got it and my staff got it and my 8 superintendents got it. And when my -- when my 9 segment came in -- when -- if I got a revision, my 10 safety manager would come around to me and say did 11 you get the revision. And we'd sit down and have a 12 conversation and say, yeah, I got the revision. 13 Now, what does it mean, all right? 14 And then he would go around and hit 15 everybody else to make sure they had it, all right? 16 And that was true on every project. I mean, it was 17 just -- you did it, all right? You kept your 18 safety manual current. 19 Q. So that was your personal experience? 20 A. Yes. 21 Q. Do you -- was there a company-wide 22 policy on that? 23 A. I don't know whether there was a 24 company-wide policy; I'm just telling you it was 25 done.	Page 204 1 A. Yes, it was a uniform. They got the 2 manual, they got the revisions; they better keep it 3 up. You didn't work at Daniel if you didn't. It's 4 as simple as that. 5 Q. And I'm not asking you, sir, about them 6 getting the manual. I'm asking about how did you 7 enforce them keeping it updated? 8 A. I didn't -- that's just the way it was 9 done. They got the -- they knew they had to. They 10 knew they were -- they knew they had to be a safe 11 supervisor if they were going to work for us. 12 Q. Understood. And is there anything 13 Daniel the company did to 100 percent ensure that 14 their supervisors got those revisions? 15 A. I -- no, I can't say anymore than I've 16 already said. 17 MR. CHAPMAN: All right. That's all I 18 got. 19 MR. MCDONALD: You got anything, 20 Ashley? 21 MS. PRESSON: Just two follow-ups. 22 MR. MCDONALD: Okay. 23 EXAMINATION 24 BY MS. PRESSON: 25 Q. Mr. Buck, again, this is Ashley Presson
Page 203 1 Q. Okay. I understand that. But what I'm 2 asking, sir, was there any sort of formal policy to 3 make sure that was enforced? 4 A. No. 5 Q. All right. Do you know if that 6 happened at Spartanburg? 7 A. No, I -- do I know? I know it 8 happened, yes. I know it happened. 9 Q. How? 10 A. I just know it happened because that's 11 the way we did business. 12 Q. Okay. But again -- 13 A. Was I there personally? Did I see it 14 happen? No. But did it happen? I can tell you, 15 yes, it happened. 16 Q. So again, the same issue we've had a 17 couple of times today. That's what generally 18 happened -- 19 A. Yes. 20 Q. -- right? 21 A. I don't say generally; I'd say on every 22 single project it happened, okay? 23 Q. There was no formal policy on that? 24 A. Not a formal policy. 25 Q. Nothing uniform?	Page 205 1 for CNA Holdings. We talked a lot today about the 2 various roles that Hoechst and Daniel shared in 3 approving or recommending products that would be 4 used -- or excuse me -- materials that would be 5 used at Spartanburg. 6 And what I want to ask you is when it 7 comes to the actual mode and the method of the work 8 to be done at Hoechst in Spartanburg, that was left 9 up to Daniels; is that correct? 10 A. Yes. 11 MR. CHAPMAN: Object to the form. 12 THE WITNESS: Yes, we were responsible 13 for the means that we did. They could tell us what 14 pump to buy, but they couldn't tell us how to 15 install it, okay? That was our job. 16 BY MS. PRESSON: 17 Q. And the same would go for insulation 18 too? 19 MR. CHAPMAN: Form. 20 THE WITNESS: Yes. Yes. 21 BY MS. PRESSON: 22 Q. And I was just wondering -- your 23 counsel introduced Exhibits 15 through 19. And I 24 was wondering do you have any reason to dispute the 25 authenticity of those documents?

Page 206 1 A. No. 2 Q. Okay. And would those be considered 3 Daniel's business records? 4 A. Yes. 5 Q. Okay. 6 A. Okay. 7 MS. PRESSON: That's all I have. 8 MR. MCDONALD: I have a couple. 9 EXAMINATION 10 BY MR. MCDONALD: 11 Q. All right. Pull out the contract. 12 There was one thing -- 13 MR. CHAPMAN: What exhibit are we 14 looking at? 15 MR. MCDONALD: I don't know what number 16 it is, but it's the sheet -- 17 THE WITNESS: This is the engineering 18 contract. 19 MR. MCDONALD: Huh-uh. This is the 20 contract right here. She marked it. 21 THE WITNESS: This it? 22 MR. MCDONALD: Yeah, that's it. 23 THE WITNESS: That's it. 24 BY MR. MCDONALD: 25 Q. All right. I just wanted to -- we	Page 208 1 system for us to work on -- 2 Q. Right. 3 A. -- okay? 4 Q. Otherwise the work is completely 5 separated? 6 A. Separated, yes. 7 Q. Okay. Now -- 8 MR. CHAPMAN: What exhibit is that -- 9 I'm sorry -- for the record? 10 THE WITNESS: This is 10. 11 MR. CHAPMAN: Okay. Thank you. 12 BY MR. MCDONALD: 13 Q. You were asked a lot about enforcing 14 the safety policy from Mr. Chapman. Let me ask you 15 this: Did your insurance carrier visit job sites? 16 A. Yes. 17 Q. Okay. 18 A. Yeah, USFG inspected our -- our major 19 projects on an annual basis and -- or surveyed our 20 jobs on an annual basis. 21 Q. Okay. And did they do a report when 22 they visited a job? 23 A. And they reported back the results of 24 their visit to our projects to Buck Mickel. 25 Q. All right. And who was Buck Mickel?
Page 207 1 talked a lot about the plans and specs, so let's 2 just look at this Article 1. 3 Can you explain -- 4 A. Yeah. 5 Q. -- to me what it says there about the 6 plans and specs. 7 A. All right. The contract documents 8 include this agreement together with drawing 9 specifications and instructions to be furnished by 10 the owner as the work progresses, okay? 11 Q. Okay. And we've talked a lot about the 12 safety Daniel did on the job -- 13 A. Right. Right. 14 Q. Okay. Does Daniel have the authority 15 to shut down operators -- 16 A. No. 17 Q. -- at Hoechst and move people -- 18 A. No. 19 Q. -- out of areas? 20 A. No. 21 Q. Okay. 22 A. The only way we could go back into an 23 operating plant was to get the approval and a work 24 permit to go back into the plant, because the plant 25 would be the one that would have to shut down the	Page 209 1 A. And Buck Mickel was the chairman and 2 CEO. And you either got a good note or bad note 3 from Buck. 4 Q. Well, that's what I was asking about. 5 How did that work? When the report went to 6 Buck Mickel, the chairman of the company -- 7 A. Company. 8 Q. -- what happened to the project 9 manager? 10 A. Okay. If he had a good report, it got 11 done; if he had a bad report, he had work to do, 12 okay? 13 Q. And what does that tell you about the 14 importance of safety? 15 A. It was -- 16 MR. CHAPMAN: Form. 17 THE WITNESS: -- a real culture, okay? 18 BY MR. MCDONALD: 19 Q. Okay. 20 A. No question about it. 21 MR. MCDONALD: Okay. That's all -- 22 Oh -- 23 MR. CONNER: Let me see the accident 24 prevention standard. That's the AGC manual. 25 THE WITNESS: Oh, I'm sorry. I'm

Page 210 1 sorry. Well, just a minute. There are you go. 2 MR. MCDONALD: We're looking at our 3 notes for just a minute, y'all. I think that's all 4 of our questions. 5 MR. CHAPMAN: That's all I got. 6 MS. PRESSON: Me too. 7 MR. MCDONALD: Okay. Good. 8 THE VIDEOGRAPHER: This here completes 9 our videotape deposition. We created two media 10 files. We're going off the record at 1500 hours 11 21 minutes. 12 (The witness, after having been advised 13 of his right to read and sign this transcript, does 14 not waive that right.) 15 (The deposition was concluded at 16 3:21 p.m.) 17 18 19 20 21 22 23 24 25	Page 212 1 SIGNATURE OF DEPONENT (CONTINUED) 2 DEPOSITION DATE: JUNE 19, 2018 3 REPORTER: JENNA B. PARSONS 4 CASE CAPTION: JERRY HOWARD CRAWFORD and EVELYN KAY 5 CRAWFORD vs. Ceeleanese CORPORATION, et al. 6 7 8 9 10 11 12 THEOPARIT MCDONALD BUCK, JR. Date 13 I, JENNA B. PARSONS, Notary Public for the 14 State of South Carolina at Large, do hereby certify 15 that the deponent was advised of his or her right 16 to read and sign said deposition both verbally and 17 in writing. If the deponent fails to execute and 18 return foregoing Signature of Deponent pages within 19 the thirty (30) days allowed pursuant to the Rules 20 of Civil Procedure, the original transcript may be 21 filed with the court. 22 23 24 Jenna Parsons, Court Reporter 25 My Commission expires September 29, 2026
Page 211 1 SIGNATURE OF DEPONENT 2 DEPONENT: THEOPARIT MCDONALD BUCK, JR. 3 DEPOSITION DATE: JUNE 19, 2018 4 REPORTER: JENNA B. PARSONS 5 CASE CAPTION: JERRY HOWARD CRAWFORD and EVELYN KAY 6 CRAWFORD vs. CELEANESE CORPORATION, et al. 7 8 (Please return both Signature of Deponent pages) 9 10 I, the undersigned, THEOPARIT MCDONALD BUCK, 11 JR., do hereby certify that I have read the 12 foregoing deposition and find it to be a true and 13 accurate transcription of my testimony, with the 14 following corrections, if any: 15 16 17 18 19 20 21 22 23 24 25	Page 213 1 CERTIFICATE OF REPORTER 2 3 I, Jenna B. Parsons, 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 20th day of June, 13 2018 at Greenville, Greenville County, South 14 Carolina. 15 16 17 18 19 20 21 22 23 24 25   Jenna B. Parsons, Court Reporter My Commission expires September 29, 2026

Daniel International 30(b)(6) Corp. Rep. Theoparit Mcdonald Buck, Jr.
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STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS COUNTY OF SPARTANBURG) SEVENTH JUDICIAL CIRCUIT JERRY CRAWFORD, and) EVELYN KAY CRAWFORD,) C.A. No.: 2017-CP-4204429 Plaintiffs,) v.) CELANESE CORPORATION,) et al.,) Defendants.) 30(b)(6) VIDEOTAPED DEPOSITION OF CNA HOLDINGS, LLC for CELANESE CORPORATION Given by BRUCE BOWYER (Taken by Plaintiffs) June 27, 2018 [SEALED PORTION UNDER SEPARATE COVER] Reported by: Rebecca L. Arrison Court Reporter Notary Public	1 FOR DEFENDANTS AURORA PUMP COMPANY; ANVIL CORPORATION: 2 BY: ROBERT O. MERIWETHER 3 NELSON MULLINS RILEY & SCARBOROUGH LLP 4 1320 Main Street, 17th Floor 5 Columbia, SC 29201 6 (803) 799-2000 7 FOR DEFENDANT COVIL CORPORATION: 8 BY: TOMMY BOGER 9 WALL TEMPLETON & HALDRUP, P.A. 10 145 King Street, Suite 300 11 Charleston, SC 29402 12 (843) 329-9500 13 FOR DEFENDANTS STANDARD MOTOR PRODUCTS, INC.; PARKER 14 HANNIFIN CORPORATION: 15 BY: RONALD B. COX 16 PROFFITT & COX, LLP 17 140 Wildewood Park Drive, Suite A 18 Columbia, SC 29223 19 (803) 834-7097 20 FOR DEFENDANT GOODYEAR: 21 BY: THOMAS CULL 22 WOMBLE BOND DICKSON (US) LLP 23 550 South Main Street, Suite 400 24 Greenville, SC 29601 25 (864) 255-5442 Also Present: Alan Metts, CLVS
Page 2	Page 4
1 APPEARANCE OF COUNSEL: 2 FOR THE PLAINTIFFS: 3 BY: AARON D. CHAPMAN 4 DEAN OMAR BRANHAM 5 302 N. Market Street, Suite 300 6 Dallas, TX 75202 7 (214) 722-5990 8 FOR DEFENDANT CNA HOLDINGS, LLC: 9 BY: H. BARRET MARSHALL, JR. 10 HAWKINS PARNELL THACKSTON & YOUNG LLP 11 4514 Cole Avenue, Suite 500 12 Dallas, TX 75202 13 (214) 780-5115 14 FOR DEFENDANTS DANIEL INTERNATIONAL CORP.; FLUOR 15 CONSTRUCTORS INTERNATIONAL, INC.; FLUOR DANIEL 16 SERVICES CORP.; FLUOR ENTERPRISES, INC.: 17 BY: MOFFATT G. MCDONALD 18 HAYNSWORTH SINKLER BOYD, P.A. 19 One North Main Street, 2nd Floor 20 Greenville, SC 29601 21 (864) 240-3200 22 FOR DEFENDANT FLOWSERVE CORP. f/k/a DURIRON CO: 23 BY: RONALD TATE 24 GALLIVAN WHITE & BOYD PA 25 55 Beattie Place, Suite 1200 Greenville, SC 29601 (864) 271-9580. THE FOLLOWING COUNSEL APPEARED VIA TELECONFERENCE: FOR DEFENDANT FORD MOTOR COMPANY: BY: CHRISTOPHER R. KIGER SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, L.L.P. 150 Fayetteville Street, Suite 2300 Raleigh, NC 27601 (919) 821-6743	1 30 (b)(6) Videotaped deposition of CNA Holdings, 2 LLC for CELANESE CORPORATION, Given by BRUCE BOWYER, 3 taken by the Plaintiffs, at Spartanburg Marriott, 299 4 Church Street, Spartanburg, South Carolina, on the 5 27th day of June, 2018, at 9:30 a.m., before Rebecca 6 L. Arrison, Notary Public and Court Reporter.

1 (Pages 1 to 4)

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1 CONTENTS	1 THE VIDEOGRAPHER: We are on the
2 THE WITNESS: BRUCE BOWYER EXAMINATION	2 record at 9:35, on June 27, 2018. This is the
3 BY MR. CRAWFORD 9	3 videotaped deposition of Bruce Bowyer, 30(b)(6)
4 BY MR. MARSHALL 186	4 Corporate Representatives of CNA Holdings, LLC,
5 BY MR. McDONALD 193	5 in the matter of Jerry Howard Crawford and Evelyn
6 BY MR. CRAWFORD 208	6 Kay Crawford, versus Celanese Corporation, et al.
7 BY MR. MARSHALL 243	7 Cause Number 2017-CP-4204429. This deposition is
8 BY MR. McDONALD 243	8 being held at 299 North Church Street,
9 (Sealed portion of transcript begins on	9 Spartanburg, South Carolina. All counsel will be
10 page 213, line 10.)	10 reflected on the stenographic record.
11 INDEX OF EXHIBITS	11 Will the court reporter now swear
12 Exhibit No. 1 Plaintiffs' First Amended 30(b)(6) 28	12 in the witness.
13 Notice of Deposition of Defendant CNA	13 - - -
14 Holdings, LLC for Celanese Corporation	14 BRUCE BOWYER,
15 Exhibit No. 2 CNA Holdings LLC's Objections to 28	15 being first duly sworn, testified as follows:
16 Plaintiffs' First Amended 30(b)(6)	16 - - -
17 Notice of Deposition of Defendant CNA	17 MR. CHAPMAN: All right. Before
18 Holdings, LLC for Celanese Corporation	18 we get going, a few housekeeping matters. Usual
19 Exhibit No. 3 State of South Carolina 28	19 stipulations: All except as to form are reserved
20 Department of Labor, Licensing and	20 and one is good for all?
21 Regulation Boiler Safety Program	21 MR. MARSHALL: Agreed.
22 Report of Inspection	22 MR. CHAPMAN: All right. Also, we
23 Exhibit No. 4 Map of Celanese with Mr. Bowyer's69	23 talked about this briefly off the record. We
24 Handwriting	24 just got an e-mail from your office with a
25 Exhibit No. 5 Map of Celanese 74	25 privilege log, some documents that were withheld
26 Exhibit No. 6 Mr. Crawford's Outline of 108	
27 Testimony by Mr. Bowyer	
28 Exhibit No. 7 SOS Letter to South Carolina DHEC147	
29 Bureau of Air Quality Dated	
30 January 3, 1996	
31 Exhibit No. 8 Hoechst Celanese Letter to DHEC 151	
32 Bureau of Air Quality Dated	
33 January 11, 1989	
34	
35	
Page 6	Page 8
1 Exhibit No. 9 Hoechst Celanese Letter to DHEC 153	1 in this case. I'm sure we can work that out, but
2 Bureau of Air Quality Dated	2 just for the record, we reserve our right to
3 April 10, 1989	3 redepose Mr. Bowyer should we need to after
4 Exhibit No. 10 Memo from James Stowe to LWhite 153	4 reviewing those documents.
5 Re: Asbestos Meeting	5 MR. MARSHALL: Okay. Fair enough.
6 Exhibit No. 11 South Carolina DHEC Letter to C.L. 159	6 We'll certainly be able to talk about that as the
7 Powell Re: 600 LF Asbestos, Glycol	7 deposition progresses. And if you're agreeable
8 Line from Batch Poly Area, Spartanburg	8 to that by allowing you to review the documents,
9 SC, Dated November 18, 1985	9 we won't waive privilege so that you can assess
10 Exhibit No. 12 Memo From Jim Stowe to Marc Simpson 164	10 whether or not you would have questions anyway or
11 Re: Safety Meeting Questions, Dated	11 want to challenge the privilege. We can do that
12 April 27, 1989	12 before the conclusion of the deposition. But,
13 Exhibit No. 13 N.7.Information on Asbestos 169	13 you know, I understand it is something we'll have
14 Exhibit No. 14 Memo from Chris Ray to Jim Stowe 176	14 to work out.
15 Re: Asbestos Removal Dated June 20,	15 MR. CHAPMAN: Sure. And that
16 1990	16 just -- I can take a look at the break and maybe
17 Exhibit No. 15 Cost-Plus-Fixed Fee Construction 188	17 make a more, you know, definitive decision, but
18 Contract Expand Fibers Plant at	18 that may not be something I can decide right this
19 Spartanburg, South Carolina for	19 second.
20 Hystron Fibers, Incorporated Dated	20 MR. MARSHALL: Okay.
21 June 2, 1969	21 MR. McDONALD: All right. We'll
22 Exhibit No. 16 Audit 191	22 probably stipulate an objection of one is good
23 Exhibit No. 17 Engineering Project Procedures 191	23 for all?
24 Manual For Hystron Fibers, Incorporated	24 MR. CHAPMAN: Yeah, we've got
25 Exhibit No. 18 Maintenance Services Contract By 207	25 that.
26 and Between Hoechst Fibers	
27 Incorporated And Daniel	
28 Construction Company	
29 Maintenance and Millwright Division	
30 Dated March 1, 1972	
31	
32	
33 Certificate of Reporter 246	
34 Witness Attestation Sheet 247	
35	

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1 MR. McDONALD: Okay. I didn't 2 know if we put that on the stenographic record. 3 MR. CHAPMAN: And then lastly, all 4 of the documents, Barret, that y'all produced in 5 this case that were Bates labeled Crawford, are 6 those authentic business records? 7 MR. MARSHALL: Yes. 8 EXAMINATION 9 BY MR. CHAPMAN: 10 Q. Okay. All right. Now that boring stuff is 11 out of the way, we can get going. Good morning, sir. 12 A. Good morning. 13 Q. What is your name? 14 A. Bruce Bowyer. 15 Q. Mr. Bowyer, have you been deposed before? 16 A. Yes, I have. 17 Q. How many times? 18 A. I'm just guessing, 10 or 12. 19 Q. And how young a man are you today, sir? 20 A. I'm 71 years young. 21 Q. Okay. You said that those 10 or 12 times 22 you have been deposed, have all of those been on 23 behalf of CNA Holdings? 24 A. Yes, in one form -- corporate form or 25 another, yes.	1 Holdings? Talk to me. 2 A. From my personal knowledge, as well as 3 document review. 4 Q. What personal knowledge is that? 5 A. Well, I worked for the corporation for, let 6 me think, I have to remember, 28 years. 7 Q. And did you ever work at the Spartanburg 8 facility? 9 A. Yes, I did. 10 Q. When did you work at Spartanburg? 11 A. From 1990 to the end of '01. 12 Q. Prior to 1990, did you ever have occasion to 13 visit Spartanburg? 14 A. Yes. 15 Q. And to be clear, the facility at 16 Spartanburg, not the city. 17 A. Yes, yes, I understood that. 18 Q. All right. Throughout the deposition today, 19 if I refer to just Spartanburg, do you understand I'm 20 meaning the facility and not the city of Spartanburg? 21 A. As am I. 22 Q. All right. When did you visit Spartanburg? 23 A. Well, I was in the Charlotte office, which 24 was the headquarters for the Fiber Division from 1984 25 to 1990, and so I had industrial hygiene oversight
Page 10	Page 12
1 Q. Okay. And when I say CNA Holdings, to any 2 jury that may be watching this video, is that the 3 same thing, in this instance, as Hoechst Celanese? 4 MR. MARSHALL: Objection; form. 5 THE WITNESS: Yes. 6 BY MR. CHAPMAN: 7 Q. All right, sir. I understand you're a 8 little under the weather this morning, so if you need 9 to take a break at any point, just let me know, not a 10 problem. 11 A. I'm actually getting better, so -- 12 Q. Okay. 13 A. -- hopefully won't be so bad. 14 Q. I hope to not keep you here too long. I 15 think I have read all of your previous transcripts 16 enough to have them memorized, so I don't -- I don't 17 want to re-ask you a lot of questions that you have 18 been through. That being said, I want to cover -- 19 recover some ground to some extent to kind of set the 20 stage -- 21 A. Sure. 22 Q. -- for today. 23 Before I do that, let me ask you, sir: Why 24 do you believe, in your own words, that you have been 25 designated as the corporate representative for CNA	1 for that facility, as well as others. 2 Q. All right. And you are an industrial 3 hygienist? 4 A. I retired my certification. I used to be 5 certified as a -- but I am no longer. 6 Q. Okay. What period of time were you 7 certified? 8 A. From 1983 to probably 2014 or '15. 9 Q. Were you ever, sir, at Spartanburg at any 10 point in the 1970s? 11 A. No, I was not. 12 Q. What about in the 1960s, at least '66 to 13 '69? 14 A. No. I was still in college. 15 Q. All right. 16 A. Excuse me. 17 Q. All right. And just to circle back to 18 something I forgot. You understand that you are here 19 today, sir, on behalf of CNA Holdings, Celanese? 20 A. Yes, I do. 21 Q. And your testimony is binding on them; you 22 understand that? 23 A. I am not sure I am -- that I am going to say 24 what they -- the things that I say are representative 25 of CNA Holdings. Is that what you mean by binding?

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1 I -- 2 Q. You are the person designated to talk to me 3 today -- 4 A. Right. 5 Q. -- on behalf of CNA. 6 A. Right. 7 Q. Okay. All right, sir. When did you find 8 out you would be giving this deposition today? 9 A. Probably when the Notice was submitted to 10 the attorneys, I would guess. 11 Q. Okay. 12 A. And I don't remember when that was. 13 Sometime in the last six months, probably. 14 Q. All right. And I want to be clear. In my 15 next series of questions, I do not want to know 16 anything you said to your attorneys or what they said 17 to you. 18 A. Right. 19 Q. Okay. In preparation for this deposition, 20 did you meet with anybody? 21 A. Yes. 22 Q. Who did you meet with? 23 A. The attorneys. 24 Q. Do you remember who? 25 A. Mr. Marshall and Mr. Collier, and a phone	1 ball-parking that, that's not exact. Did you review 2 any of those documents, sir? 3 A. I have at some time or another. I haven't 4 touched every single one of them, no. 5 Q. And when you say "at some time or another," 6 you mean in the last few months or last few years or 7 what? 8 A. Well, both. I mean, some of the documents 9 have been in other cases, and I would have reviewed 10 them for those cases. Some of them were newly 11 presented to counsel, so I reviewed them after that. 12 But, again, not all of them. 13 Q. Okay. And when you say they were "newly 14 presented to counsel," what do you mean by that? 15 A. Well, see, I guess I should refer to CNA 16 Holdings made a request to Auriga Polymers, which is 17 the plant site. Based on the discovery requests that 18 plaintiff's attorney made to try and identify any new 19 documents that we didn't already have in our 20 possession that were relevant to this case, so those 21 would have been new documents that would have come 22 forward. 23 Q. Okay. All right. We will get into that a 24 little more specifically later. 25 A. Okay.
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1 conversation with names I don't remember. 2 Q. Okay. Do you remember when and for how 3 long? 4 A. The phone conversation was probably 5 30 minutes or less. And I met with Chris, 6 Mr. Collier, a month or two months ago, sometime 7 after the Deposition Notice, I guess. And then I met 8 with Mr. Collier and Mr. Marshall maybe a month ago, 9 and then I have had three subsequent meetings, I 10 believe it was three, with Mr. Marshall. 11 Q. All right. In preparation for this 12 deposition, sir, did you take any notes? 13 A. No. 14 Q. Okay. At any point in this case, sir, have 15 you reviewed any documents? 16 A. Yes. 17 Q. What documents did you review? 18 A. Oh, well, I can't list them off, but 19 specific ones for this case would be the Crawford 20 deposition, the Daniel's corporate rep deposition, 21 some insurance Workers' Comp documents, the Notice of 22 Deposition, the Discovery Request, and there's 23 probably others that I don't recall specifically. 24 Q. There were approximately 30,000 documents 25 that were produced to us in this case. I mean, I'm	1 Q. Okay. You said you reviewed Mr. Crawford's 2 deposition? 3 A. I did. 4 Q. Did you review the entire deposition or 5 portions? 6 A. It was two different days; if that's the 7 entire deposition, I did the entire thing. 8 Q. Okay. In reading his deposition, sir, does 9 Celanese have anything that they believe Mr. Crawford 10 got wrong or that they disagree with or anything like 11 that? 12 MR. MARSHALL: Objection; form. 13 THE WITNESS: I will tell you what 14 I understood from his deposition, and if that 15 agrees with what you-all think it says, then I 16 don't have anything to disagree with. 17 But he came to work in 1970. He 18 worked in Batch Poly between 1970 and '74 most of 19 the time. He had a two to three-week stint in 20 what I conclude is the Chip Warehouse, he just 21 calls it the warehouse, but based on his 22 description of what he did, moving -- filling up 23 boxes with chip and moving those big boxes with a 24 forklift, that's the Chip Warehouse. Plus, where 25 he described the warehouse location that's where

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1 it would have been. Excuse me. 2 And then he worked in what he 3 called Poly 1 or Batch Poly. And then there was 4 Poly 2 or Conti Poly that was being constructed, 5 and after Conti Poly 1 was finished, he helped 6 with the startup for two or three weeks. And 7 then he went back to Batch Poly after that until 8 his -- he resigned sometime in '74. 9 BY MR. CHAPMAN: 10 Q. Okay. So there was a lot in there; I want 11 to go back and make sure I understand. 12 A. Sure. 13 Q. First is: Are you saying that Poly 1, as he 14 described it, is Batch Poly? 15 A. That's correct. 16 Q. All right. And Poly 2, as he described it, 17 is Conti Poly? 18 A. That's correct. 19 Q. And Conti Poly, C-O-N-T-I, that stands for 20 continuous polymerization? 21 A. That's correct. 22 Q. Do you know, sir -- well, I don't want to 23 jump ahead of myself. We'll get back to that. 24 The Discovery Request that you reviewed in 25 preparation for this deposition, do you remember	1 Q. Okay. And in reviewing that deposition, 2 sir, what, if anything, did you learn? 3 A. Well, that Daniel's was a very safety 4 conscious corporation, as I knew -- I'm sorry, I 5 didn't learn that; I knew that before the deposition. 6 But the representative also stated that they were 7 very safety conscious, and that's something that I 8 knew before the deposition. 9 He also was a little confused about Staple A 10 and Staple B as to whether or not they were separate. 11 They are a separate entity, and Poly would supply raw 12 material to Staple A and B, but they were not 13 physically connected. There is actually a different 14 building. 15 He also talked about the maintenance 16 contract as being supplemental. At Spartanburg, 17 Daniel's was a maintenance force until sometime in 18 the '90s, I believe. So it wasn't a supplemental 19 maintenance contract. 20 Q. Okay. And within that answer you mentioned 21 a few things that you kind of corrected that Mr. Buck 22 said last week. 23 A. Yep. 24 Q. And just to be clear, is there anything else 25 that you believe Mr. Buck has incorrect?
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1 which ones they were, what numbers you reviewed, 2 anything like that? 3 A. I -- you mean the physical document, is that 4 what -- 5 Q. Yes, sir. 6 A. I don't remember the date of it or anything, 7 but it may have been two weeks ago or something like 8 that. 9 Q. Was there any information that you learned 10 from reviewing that document? 11 A. Did I learn -- no, just what you were 12 asking -- 13 Q. All right. 14 A. -- for information on. 15 Q. Fair enough. 16 The Daniel's deposition that you said you 17 reviewed, was that my handiwork from last week? 18 A. Well, it was their corporate representative. 19 Was it Buck? 20 MR. McDONALD: Buck, yeah. 21 THE WITNESS: Yeah. 22 BY MR. CHAPMAN: 23 Q. And that was the one that was taken last 24 week? 25 A. Yes.	1 A. Not that I noticed, no. 2 Q. Okay. Is there anything else in reviewing 3 that deposition, sir, that you learned or you found 4 surprising or anything like that? 5 A. No. It was very straightforward. 6 Q. Okay. All right. The other documents that 7 you reviewed that you can't necessarily name 8 specifically, can you tell me what kind of documents 9 they are? 10 A. Procedures, contracts, Workers' Compensation 11 insurance records, meaning with the insurance 12 company, not claims records. There's a whole bunch 13 of documents that I can't recall off the top of my 14 head. 15 Q. Did you review abatement records? 16 A. Yes, some. 17 Q. How many did you review? 18 A. I don't recall. 19 Q. Can you ballpark it for me? 20 A. Not really. Abatement records on that sort 21 of thing were not kept until 1973 or later. 22 Q. Did you review any abatement records, sir, 23 from 1973 until 1985? 24 A. Yes, I did. That's the records I'm talking 25 about, that I did review those.

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1 Q. Okay. 2 A. Some of those. Again, you know, it becomes 3 more of the same, so you see one and you kind of flip 4 through the next ones. 5 Q. Okay. 6 MR. CHAPMAN: And, Barret, unless 7 I'm missing something, which is possible, the 8 records that were produced to us, I think, were 9 1988 to the 2000s. I don't think we have any in 10 that '73 to '88 time period. 11 MR. MARSHALL: Well, he may have 12 misspoke when he said that he reviewed '73 to 13 '85, but I do know that he's reviewed what's been 14 produced in this case, and that's actually what 15 we have in the boxes over there, so -- 16 THE WITNESS: Yeah, I probably did 17 misspeak, because I don't remember the dates of 18 the records. 19 BY MR. CHAPMAN: 20 Q. Okay. Well -- 21 A. I reviewed abatement records, and that I can 22 tell you, and whatever is there is what I reviewed. 23 Q. Okay. So when I asked you if you reviewed 24 anything from '73 to '85 -- 25 A. Right. That was really me just assuming	1 Q. Did you hire anybody to do it? 2 A. Yes. 3 Q. Back in 1973? 4 A. Whenever we did abatement at Spartanburg, it 5 was Daniel's that did it. And then later on, I think 6 SOS came in and did some of it. 7 Q. All right. And I guess to be clear, what 8 I'm asking you, sir, let me ask you this way: Do you 9 know the first year that Celanese Spartanburg did or 10 hired anybody to do abatement work? 11 A. With the advent of OSHA is when we would 12 have done what's called abatement. Prior to that, it 13 was not regulated. 14 Q. When you say "OSHA," are you talking about 15 when OSHA came out in '72 or '76 or -- 16 A. Well, with the initial OSHA standard, and I 17 believe the right term was they had an emergency 18 temporary standard on asbestos, and that's when we 19 would have complied with the asbestos standard. 20 Q. Okay. So I think we're talking about two 21 separate things, maybe we're not, but I want to make 22 sure we're on the same track. 23 A. Sure. 24 Q. When the emergency standards came out in '71 25 and then the full standards came out in '72, are you
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1 that some of the records were there, because we 2 wouldn't have kept them back then, but it may not 3 have met with our retention policy to keep them 4 forever. 5 Q. Okay. So to be clear, the only documents, 6 abatement-wise, that you re-reviewed, were the ones 7 that was produced in this case? 8 A. Yes, that's correct. 9 Q. Okay. And you said something I want to ask 10 about. The ones that were potentially from '73 to 11 the mid to late '80s, you said that you would have 12 kept them back then. What do you mean by that? 13 A. Well, what I meant to say was they would 14 have been required to be reported back then to the 15 government agencies. That was one of the 16 requirements for any asbestos abatement. And 17 although, you know, thinking back on it now, I'm not 18 sure when that reporting regulation started, but 19 whenever it started is when we would have started 20 reporting. 21 Q. Okay. Did you guys do any abatement back in 22 1973? 23 A. You mean as Celanese? 24 Q. Yes, sir. 25 A. No.	1 telling me that Celanese began to comply with those 2 standards? 3 A. Yes. 4 Q. Okay. Are you also telling me that, on top 5 of complying with those standards, Celanese 6 Spartanburg began to abate asbestos from their 7 premises? 8 MR. MARSHALL: Objection. 9 THE WITNESS: Only when it was 10 necessary. It was not a blanket abate asbestos 11 on the plant side. It was if work needed to be 12 done on a piece of equipment that was insulated, 13 it might contain asbestos, and we would follow 14 the asbestos abatement procedures to do that. 15 BY MR. CHAPMAN: 16 Q. And, sir, do you know if Celanese at 17 Spartanburg did any of asbestos abatement from '72 to 18 '74? 19 A. Through our contractor. 20 Q. Okay. How do you know that? 21 A. Excuse me. Just because I know the routine 22 maintenance on equipment requires that some 23 insulation needs to be abated. 24 Q. And do you know if Celanese or CNA Holdings 25 has any document to that effect?

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1 A. Not that I recall. 2 Q. Do you know what CNA Holdings has done to 3 look for those documents? 4 A. Well, we have gone back to Auriga Polymers, 5 which is where the documents would be, and done a 6 request based on the Discovery Requests, and they 7 have reviewed their documentation that complied with 8 that request and we got a bunch of documents that are 9 the result of that. I have not gone through all 10 those documents to see if there is one from '72 to 11 '74, I think you said. 12 Q. Okay. And that company, could you spell 13 that company name, please? 14 A. Auriga? 15 Q. Yes. 16 A. I think it's A-R-U-G -- it's either A-U-R, 17 and then it's either I or U, and then G-A. 18 Q. Okay. I'm sure we can figure that out. 19 A. Yeah. It's also a division of Indorama or 20 something like that, so all those names are out 21 there. 22 Q. Okay. Pronounced Auriga? 23 A. Yes. 24 Q. Okay. 25 MR. MARSHALL: Allegedly.	1 A. No, just my personal things. 2 Q. Okay. 3 MR. MARSHALL: Before you leave 4 this track, just so the record's clear, I do have 5 one thing that I showed him that results from a 6 former request that we made to the South Carolina 7 Department of Labor with regard to the facility, 8 and boilers that might have been an issue. He 9 did look at that. I've got that. I was planning 10 on marking it as an exhibit. I will go ahead and 11 give it to you if you want to -- 12 MR. CHAPMAN: Sure. 13 MR. MARSHALL: -- thumb through 14 and do that. 15 MR. CHAPMAN: Yeah, since we're on 16 the topic. 17 MR. MARSHALL: That's what I 18 figured. 19 THE WITNESS: Yes, I remember 20 looking at that, but my memory doesn't -- 21 MR. MARSHALL: This is one 22 outside-type document. 23 THE WITNESS: -- it doesn't allow 24 me to recall that I looked at it. 25
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1 MR. CHAPMAN: Allegedly. 2 THE WITNESS: No, I know people 3 that work there that say that, so -- 4 MR. MARSHALL: Okay. 5 BY MR. CHAPMAN: 6 Q. Okay. All right, sir. So outside of the 7 documents that you got from Auriga, what other 8 documents, if any, did you review in preparation for 9 this deposition? 10 A. Again, just my history with doing 11 depositions for Celanese, some related to 12 Spartanburg. There's -- they're all over there in 13 the boxes, and I can't specifically say what I did or 14 did not review. My memory is not good enough to 15 detail the documents. 16 Q. So let me ask you this way, sir: Outside of 17 the boxes of documents that we brought, which was 18 produced to us, did you review anything else, other 19 than the depo transcripts and the Discovery Requests 20 and the thing we have gone through? 21 A. The things I have already answered, not that 22 I recall. 23 Q. Do you have with you, sir, any documents 24 outside of the documents in the boxes that were 25 produced to us?	1 BY MR. CHAPMAN: 2 Q. Okay. Give me just a second to thumb 3 through this, sir. 4 A. Sure. And there's a lot of repeats in there 5 as far as what it applies to; repeat inspections on 6 the same unit. 7 MR. CHAPMAN: While I'm doing 8 this, let's use our time wisely. Why don't I 9 mark the Notice of Deposition as Exhibit 1; mark 10 your Objections Exhibit 2. 11 (Exhibit Nos. 1 and 2 were marked for 12 identification.) 13 MR. CHAPMAN: And I'll just go 14 ahead and mark this, these collectively as 15 Exhibit 3. I'll ask the witness about it. But 16 just for the record, they appear to be State of 17 South Carolina, Department of Labor, Licensing 18 and Regulation, Boiler Safety Program, Reports of 19 Inspection. They are about half an inch thick. 20 (Exhibit No. 3 was marked for 21 identification.) 22 MR. CHAPMAN: Okay. Just for my 23 review later, cut all this part out of the video. 24 We were just shuffling papers. Pick it back up 25 here.

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1 BY MR. CHAPMAN: 2 Q. All right, sir. So we reviewed some 3 documents and we got some things marked on the 4 record. What I want to do is hand you what's been 5 marked as Exhibit 1, which is the Notice of 6 Deposition in this case. 7 A. Okay. 8 Q. Have you seen this before? 9 A. It looks familiar. Yes, I'm sure this is 10 what I have seen. 11 Q. Okay. Do you recall the first time you saw 12 this? 13 A. Well, this was June 27th, so it couldn't 14 have been before that. But there is a prior one, 15 because this is the First Amended. I don't know when 16 I saw the first one, I mean, a couple of months ago 17 or so. 18 Q. Fair enough. And I understand your 19 counsel's marked objections on the record here. I 20 want to go through and ask you, sir -- 21 MR. CHAPMAN: I'm sorry, Barret, I 22 don't have a copy for you. 23 MR. MARSHALL: That's okay, I've 24 got one. 25	1 A. Yes. 2 Q. "Defendant's knowledge of the hazards of 3 asbestos to cause harm in humans." Let me just ask 4 you it broadly, sir. Does Celanese understand that 5 asbestos, whether you want to discuss different fiber 6 types or quantities or doses, but in general, does it 7 understand that asbestos is hazardous to humans? 8 MR. MARSHALL: Object to form. 9 THE WITNESS: Yes, asbestos can be 10 hazardous to humans. 11 BY MR. CHAPMAN: 12 Q. And I know you said you're not a 13 toxicologist or a medical doctor, but you are an 14 industrial hygienist, right? 15 A. Correct. 16 Q. And you understand that in whatever dose you 17 want to quantify, that asbestos can pose a 18 significant risk to the safety of humans working 19 around it or with it? 20 A. If there is exposure, it can cause problems, 21 yes. 22 Q. Okay. And number six, sir, it's on the top 23 of the fourth page. 24 A. Oh, yes. Sorry. 25 Q. That's okay. "The identity of third-party
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1 BY MR. CHAPMAN: 2 Q. Will you please turn to Exhibit A in the 3 Notice. 4 A. Okay. 5 Q. Will you please let me know, sir, if you are 6 not prepared to talk to me about any of those topics 7 in Exhibit A. 8 A. Number one is, I am not an expert in medical 9 or toxicology. I can only talk about my experience 10 as an industrial hygienist and so forth, but I'm not 11 an expert in that. 12 Number six, if it's not in the documents 13 that we provided, I can't talk about that. 14 And number nine, I think should refer to 15 number seven instead of number six, because number 16 six is about third-party contractors and number nine 17 is about products, so I would refer that to number 18 seven. 19 Number 20, I can't talk about, net worth. 20 24, I can't answer. Okay. 21 Q. Okay. If you go back up -- first of all, 22 thank you for doing that. 23 A. Sure. 24 Q. That's a little tedious. 25 If you go up to the first topic, sir.	1 contractors during the 1960s and 1970s who came on to 2 any of the Celanese premises at issue." 3 Did I read that correctly? 4 A. Yes. 5 Q. You can't tell me about any contractors that 6 were on Spartanburg in that time frame? 7 A. If it's in the documentation that we 8 provided, that would be there. I don't recall that 9 information. 10 Q. By "documentation," you provided, do you 11 mean the abatement records that were produced to us? 12 A. Well, not just abatement, but the -- I mean 13 the 30,000 documents, as you related to earlier. 14 Q. Okay. Again, unless I missed something, 15 sir, I will represent to you that, in my review of 16 those documents, 95 percent of them were abatement 17 records or related to abatement work. 18 So are you telling me that there are other 19 documents in there that have identity of contractors 20 on site that were not dealing with abatement work 21 from the late '80s onward? 22 A. I'm sorry, I did not understand that you 23 were saying that all those documents that were 24 provided were abatement records. 25 Q. So let me go back and ask you, sir. At

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1 least in my review, right, they appear to be all or 2 almost entirely all abatement or related to abatement 3 work. In your review, did you find anything else? 4 A. In the review of documents that I have done 5 for the Spartanburg facility, in my history related 6 to cases at Spartanburg, there's been more documents 7 than abatement records. There would have been 8 contracts, Workers' Comp insurance information about 9 the insurance companies, there's been policies, 10 procedures, things of that nature. It wasn't just 11 abatement records or 95 percent abatement records. 12 Q. So I understand in your history, sir, right, 13 you reviewed other documents. 14 A. Right. 15 Q. I'm talking about the documents that were 16 produced to us in the Crawford case. 17 A. Okay. 18 Q. Right. Did you review those documents 19 specifically? 20 A. Not every one, no. 21 Q. Would you be able to tell me what kind of 22 documents are in that production that was given to us 23 in the Crawford case? 24 A. Well, it was based on this discovery request 25 and -- not this, but the discovery requests, it would	1 A. Correct. 2 Q. And outside, sir, of looking at the 3 documents that Auriga sent to Celanese or CNA 4 Holdings, what, if anything, did you do to try to 5 answer number six? 6 A. It was part of the request from Auriga 7 Polymers. 8 Q. So nothing other than going to Auriga? 9 A. Right. 10 MR. MARSHALL: Objection; form. 11 BY MR. CHAPMAN: 12 Q. All right. Okay. You can put that aside. 13 Thank you, sir. 14 A. The whole thing? 15 Q. Yes, sir. 16 A. Okay. Do you want it back or give it to 17 her? 18 Q. Give it to the court reporter. She is less 19 likely to lose it than I am. 20 All right, sir. I want to hand you what's 21 been marked as Exhibit 3. 22 A. Okay. 23 Q. Did you review these documents in 24 preparation for this deposition? 25 A. I looked at a couple in detail, and then
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1 be those kind of documents. 2 Q. So whether those documents contained 3 100 percent abatement records or 1 percent abatement 4 records, that's not something you can tell me? 5 A. No, I cannot. 6 Q. All right. And you have not -- if I'm 7 understanding you, you have not done any sort of 8 review or research or inquiry outside of those 9 records into what contractors would have been on site 10 in the '60s and '70s at Spartanburg? 11 MR. MARSHALL: Object to form. 12 THE WITNESS: I don't know where 13 those records would be to find out. I mean, I 14 think the Daniel's representative referred to a 15 subcontractor to -- that would certainly be in 16 the record. 17 BY MR. CHAPMAN: 18 Q. What I'm asking you, sir, is: You have not 19 done that work? 20 A. Other than going to Auriga to try and get 21 those records produced, no. 22 Q. Okay. And you did not go through all the 23 documents that they produced? 24 A. No, I did not. 25 Q. So it may be in there; you don't know?	1 just verified that it was basically the same kind of 2 thing for different pieces of equipment at the site, 3 yes. 4 Q. Can you tell me what these are? 5 A. These are inspections done by the South 6 Carolina Department of Labor on boilers and Dow 7 heaters. 8 Q. And do you know, sir, in your review, if 9 there were any boilers installed in the '60s or early 10 to mid '70s? 11 A. Well, there had to be one installed when the 12 plant opened up. I could look through here and try 13 and see when the installation date was, because it's 14 on here somewhere. 15 Q. Let me just ask you, sir: Is it your 16 understanding that the installation date for all the 17 boilers is contained within those records? 18 A. Yes, it's right here, year installed. That 19 one was 1966. 20 Q. Great. Okay. 21 MR. CHAPMAN: And, Barret, just 22 for the record, my understanding is you got these 23 pursuant to the FOIA request? 24 MR. MARSHALL: Yes. 25

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1 BY MR. CHAPMAN: 2 Q. All right, sir. We can put that aside. 3 A. Give it to the court reporter? 4 Q. Yes, please. 5 So I guess while we're on the subject of 6 documents, I'm going to switch it up a little bit and 7 stay on that. 8 Leaving aside, sir, the documents that CNA 9 Holdings got from Auriga in this case, what 10 documents, in general, does CNA Holdings have 11 relating to the Spartanburg facility? 12 MR. MARSHALL: Objection; form. 13 THE WITNESS: I mean, I have 14 reviewed a number of documents over the years 15 which they have in their possession. And again, 16 it's procedures, various contracts, purchase 17 orders, insurance information, things of that 18 nature. I mean, it's a whole gamut of documents; 19 it's not just one particular thing. And I know 20 I'm missing a lot of types because I -- you know, 21 I am 71, so my memory is not what it used to be. 22 BY MR. CHAPMAN: 23 Q. Would you be able to estimate for me, sir, 24 leaving aside the Auriga documents, how many 25 documents CNA Holdings has relating to the	1 discovery request. I don't think they gave you 2 all 10,000. 3 BY MR. CHAPMAN: 4 Q. Do you know, sir -- if you don't know, you 5 don't know. Do you know when that was produced to 6 us? 7 A. No, I don't. I think some of it was as late 8 as a week ago Friday, last Friday or something like 9 that. One of them was pretty recent. 10 Q. Do you -- and again, if you don't know, you 11 don't know. Do you happen to know, sir, if those 12 documents were given to us in previous litigation 13 you've had relating to the Spartanburg facility? 14 A. I don't know that. 15 Q. All right. When was the last time, sir, 16 that you looked through those documents? 17 A. There's been several cases recently, and I 18 can't give you the time frame for those, but I would 19 have looked at -- through some of those documents 20 related to those cases within the last year or two. 21 Q. Do you know, sir, in what order or otherwise 22 how those documents are maintained? 23 A. I do not. 24 Q. Do you know if they're indexed in any 25 fashion or are they just a box of documents in no
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1 Spartanburg facility? 2 MR. MARSHALL: Objection; form. 3 THE WITNESS: Oh, I think I was 4 told they have over 10,000 that are specific to 5 Spartanburg. 6 BY MR. CHAPMAN: 7 Q. Do you know where those documents are? 8 A. They would be in counsel's office or 9 electronic. 10 Q. And when you say "counsel's office," who are 11 you referring to? 12 A. To Hawkins, Parnell, Thackston & Young. 13 Q. Okay. Did you review any of those estimated 14 10,000 documents in this case? 15 A. I have reviewed them in the past, some of 16 them. I did not pull all those out to review them 17 again. 18 Q. Do you know, sir, if those documents were 19 produced in this case? 20 A. The ones that were relevant to this 21 particular case in Spartanburg were produced. 22 Q. Those 10,000 documents? 23 MR. MARSHALL: Objection; form. 24 THE WITNESS: They -- I think they 25 produced the ones that were responsive to the	1 order or anything? 2 A. I know some of them are electronic, some of 3 them they just got; I don't know if they've been 4 scanned in or not yet. 5 MR. CHAPMAN: And I guess, Barret, 6 maybe just to clear this up so we don't go down a 7 rabbit hole, do you know if the documents that 8 were produced to us within the last two weeks 9 were all the documents you got from Auriga or 10 these included these 10,000 documents? 11 MR. MARSHALL: Well, so, let me do 12 the best to clear this up, to my abilities, so 13 that we're all on the same page. As you're well 14 aware, you know, litigation has been ongoing 15 between Celanese and, in the course of 16 litigation, we had developed an electronic 17 database on a number of documents. For this case 18 specifically, we conducted a review of that 19 electronic database with hundreds of search terms 20 that are relevant to this case to try and pull 21 documents from that universe of documents. So 22 some of the production includes the results of 23 that. 24 There are also hard copies, 25 documents that were reviewed for this case, which

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1 we also pulled relevant documents from that were 2 produced. There were also documents that we 3 received from Auriga in that investigation, and 4 those documents have also been produced. There 5 are also documents we have acquired over the 6 course of litigation such as Daniel documents 7 that have also been produced in this case. So 8 there are many different, you know, sources of 9 documents that have been investigated to reach an 10 ultimate production that is the Crawford 11 production, if that was what you were getting at. 12 MR. CHAPMAN: Kind of. 13 BY MR. CHAPMAN: 14 Q. Let me ask you, sir -- 15 MR. McDONALD: Can I just jump in 16 one second? And just for the record, and I don't 17 expect anybody to respond, I wasn't aware that 18 CNA had made a production to the plaintiffs, I 19 gather, in the last ten days, and Daniel would 20 like the same opportunity to review those 21 documents or receive the same thing. 22 MR. MARSHALL: Yeah. And, by the 23 way, you know, we have the entire production 24 here. 25 MR. McDONALD: Yes.	1 particular case? 2 A. They told me it was, yes. 3 Q. Do you know what search terms were used? 4 A. It was over 100. If you have a specific one 5 you want to know about, I can probably tell you 6 whether or not I kind of remember it, but I can't 7 remember 100 search terms. 8 Q. I mean, can you remember any of them? 9 A. Pumps, asbestos, valves, boilers, Industrial 10 Hygiene Foundation, it runs the gamut. 11 Q. I understand. Do you know, sir, if in that 12 database, any records relating to contractors on site 13 exist? 14 A. I do not know. That was one of the search 15 terms was contractors. 16 Q. What about purchase orders or invoices or 17 supply contracts of -- excuse me -- insulation? 18 A. I know there were purchase orders in the 19 material that I've reviewed. I can't remember one 20 specifically for insulation. 21 Q. Do you know, sir, if in its search of this 22 database, Celanese used the term Daniel? 23 A. Yes, it did. 24 Q. And do you know how many documents that 25 turned up?
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1 MR. MARSHALL: Documents for use 2 at the deposition, he is prepared to answer 3 questions about any document that you have 4 questions about. 5 MR. TATE: I will make the same 6 statement. This is Ronald Tate for Flowserve. 7 BY MR. CHAPMAN: 8 Q. All right, sir. Let me ask you -- whether 9 or not he meant to, I think your counsel raised more 10 questions for me, so -- 11 MR. MARSHALL: That's always the 12 way it works. 13 MR. CHAPMAN: That's right. 14 BY MR. CHAPMAN: 15 Q. -- have you ever reviewed this electronic 16 database? 17 A. I have not. 18 Q. Do you know how many documents it includes? 19 A. I do not. 20 Q. Do you know where it's maintained? 21 A. I do not. 22 Q. Do you know who is responsible for searching 23 it? 24 A. Counsel. 25 Q. Do you know if it was searched in this	1 A. No, I do not. 2 Q. Do you know if it turned up any? 3 A. Well, I know there's contracts, documents, 4 between the corporation and Daniel's, both 5 construction, engineering and maintenance -- for all 6 three, not just both. 7 Q. So outside of the contracts, which has been 8 subject to lots of litigation in this case, lots of 9 review, do you know if there are any other documents 10 related to Daniel? 11 A. Well, there was some correspondence that I 12 remember reading. I can't relate to you what the 13 content was, but I know there were memos -- excuse 14 me -- letters between Daniel's and the corporation, 15 but again, I don't remember the content of them. 16 Q. All right. Do you know, sir, if the search 17 from Covil was used, K -- sorry -- C-O-V-I-L? 18 A. I believe it was. 19 Q. And do you know if that turned up any 20 documents? 21 A. I do not -- no. 22 Q. You don't know? 23 A. I don't know. 24 Q. The hard copy documents, do you know what 25 those are? I'm sorry. Your counsel referred to an

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1 electronic database and some hard copy documents. 2 A. Right. 3 Q. Do you know what the hard copy documents 4 are? 5 A. It's the things that I have been talking 6 about. 7 Q. So are they the exact same thing that's in 8 the database? 9 A. I don't know that all the hard copies have 10 been put in the database yet. I think the plan is to 11 put them into the database, but at this point some of 12 them are just hard copy, unless they have just 13 recently been put in. 14 Q. Do you know, sir, if all of the hard copy 15 documents were reviewed in this case? 16 A. By me? 17 Q. By anybody. 18 A. Yes. 19 Q. Who? 20 A. Counsel and I reviewed some. 21 Q. You reviewed some? 22 A. Yes. 23 Q. Okay. Do you -- how do you know that every 24 single document was reviewed? 25 A. Based on information from counsel.	1 sometime after 2001 it was sold to Indorama and 2 became Auriga Polymers, a division of Indorama, or 3 something like that. 4 Q. All right. When Celanese sold the facility 5 to KoSa in the mid late '90s, what happened to the 6 documents relating to the Spartanburg facility? 7 A. They stayed at Spartanburg. 8 Q. Did Celanese retain any copies of those 9 documents? 10 A. I can't answer that. I don't know, is the 11 answer. 12 Q. The documents that Celanese had prior to 13 requesting the documents from Auriga in this case, 14 where did they get those documents? 15 A. Celanese would have had some documents 16 related to Spartanburg, but they would not have taken 17 all of the documentation from Spartanburg and moved 18 it to Celanese corporate. 19 Q. Why not? 20 A. They were site documents. 21 Q. The documents that they did have -- I guess 22 the disconnect -- the documents that you did have, 23 you said they would have taken some but not all? 24 A. No. They would have had some in their 25 possession. I didn't say they would have taken some.
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1 Q. And do you know who specifically reviewed 2 them? 3 A. No. 4 Q. Do you know how long they looked? 5 A. No, I don't. I don't have that information. 6 Q. How many hard copy documents did you review? 7 A. I -- I mean, over the course of history 8 related to Spartanburg, probably thousands. 9 Q. What about in this case? 10 A. Well, a lot of them I relied on what I 11 already knew from my experience and -- I don't know, 12 several hundred. I don't count them as I review 13 them. 14 Q. Understood. All right. 15 So you requested -- by "you," I mean CNA 16 Holdings -- documents from Auriga? 17 A. Yes. 18 Q. Is that because they currently own the 19 facility? 20 A. That's correct. 21 Q. When did -- just for -- to give the jury 22 some context, when did Celanese sell the facility? 23 A. Excuse me. It -- originally I think it was 24 around '90, mid to late '90s, and it became KoSa. 25 And when I retired in 2001, it was still KoSa. And	1 Q. Got it. 2 So the ones that they had in their 3 possession, where would they have gotten those from? 4 A. They would have been corporate contracts, 5 legal documents, record retention policies, corporate 6 policies, environmental safety and health policies, 7 accounting records, I mean, it's a long list and -- 8 Q. So if I'm understanding you, sir, those are 9 more general Celanese documents? 10 A. But some of them would be site specific, 11 because I believe that corporate had to approve 12 contracts that were made by Spartanburg, as an 13 example. The corporate also would be the one that 14 would negotiate insurance contracts, Workers' Comp 15 contracts, things like that. 16 Q. Outside of the contracts with Daniel's, for 17 example, can you think of any other site specific 18 documents that Celanese would have retained? 19 A. They might have had, at some point in time, 20 employee names, might have. I don't know how their 21 HR systems worked out, if it was all local or if it 22 was also corporate. The safety policies, that would 23 be a corporate document. The plant would also have 24 supplemental policies to expand upon the corporate 25 policies.

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1 Q. So, sir, what about documents like sales 2 invoices or purchase orders or things like that, 3 would that be something that Celanese retained? 4 A. Probably not, unless it was a major national 5 contract. 6 Q. Prior to asking Auriga in this case, did 7 Celanese ever make an attempt to try to find those 8 documents? 9 MR. MARSHALL: Objection; form. 10 THE WITNESS: Which -- any 11 document? 12 BY MR. CHAPMAN: 13 Q. Any site specific documents, other than the 14 ones that were retained that you were talking about. 15 A. Well, they had -- counsel has documents in 16 their possession that relate to Spartanburg that was 17 before this request, yes. 18 Q. And do you know where they got those? 19 A. I do not. 20 Q. So if I wanted to see sales invoices or 21 purchase orders or who the supplier of insulation was 22 in the 1970s, where would I go to find that? 23 MR. MARSHALL: Objection to form. 24 THE WITNESS: In the records that 25 we have produced. They would likely have come	1 in there. I doubt that the record retention policy 2 required them to keep that kind of information. 3 Q. Okay. And if they're not in there, where 4 can we go to find those? 5 MR. MARSHALL: Objection. 6 THE WITNESS: They probably don't 7 exist. 8 BY MR. CHAPMAN: 9 Q. And why do you say that? 10 A. Well, if Auriga hasn't produced them and we 11 asked for them, and they were very cooperative, then 12 they don't have them and they don't exist somewhere 13 else. 14 Q. And I really do not want to kind of go in a 15 circle about this or retread, but I will just 16 represent to you, sir, at least in my review of the 17 documents, I didn't see anything in there prior to 18 the late 1980s. And so I want to know: Did you, in 19 your review, can you remember any document in there 20 prior to the late 1980s? 21 A. No. Again, I didn't focus on the date, so, 22 no, I can't. 23 Q. Okay. And again, I know this is -- you have 24 been asked about this extensively in other 25 depositions, so I just want to, again, to give the
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1 from the recent discovery requests that we made 2 to Auriga, if we didn't already have some in our 3 possession. 4 BY MR. CHAPMAN: 5 Q. Do you know they're in there? 6 A. No, I don't. I have not reviewed 7 specifically every document. 8 Q. In your review of the documents that 9 Celanese got from Auriga, did you see any documents 10 for the 1970s at all? 11 A. I -- no, I didn't. 12 Q. Did you see any from the early to mid 1980s? 13 A. I really can't recall the dates of the 14 documents I saw. I was not focusing on that. I was 15 looking more at content and, you know, we have got 16 them here if you want to ask about them. I know the 17 discovery presentation to you, the last thing was 18 kind of late, but we have got them here if we -- you 19 want to ask me something specific. 20 Q. Well, what -- before we take, you know, the 21 hours it would take to do that, I want to know, sir: 22 Do you know if there are any sales records or 23 insulation specs contemporary to the 1970s in there 24 at all? 25 A. I do not. If Auriga had them, they would be	1 Jury some context. CNA Holdings, Celanese, had a 2 Workers' Comp claim related to asbestos exposure in 3 1983? 4 MR. MARSHALL: Object to form. 5 BY MR. CHAPMAN: 6 Q. Is that right? 7 A. I don't know. 8 Q. Do you recall the earliest time that there 9 was such a claim relating to asbestos exposure? 10 A. I don't remember the date. I think there 11 was a claim in Texas for something, but I don't 12 remember the details or the date about it. 13 Q. Do you remember if it was the early 1980s? 14 A. No, I don't. I may have known at one point 15 when I recently reviewed it, but I have not reviewed 16 it recently. 17 Q. Okay. If I want documents, sir, site 18 specific documents of Spartanburg, such as the type 19 of documents I have been talking with you about, and 20 Celanese has not given them to me, and Auriga did not 21 have them, they're not in that production, does 22 Celanese know of any other place I can go to to try 23 to find those documents? 24 MR. MARSHALL: Objection; form. 25 THE WITNESS: No, I can't. I

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1 mean, I think Daniel's may have some records 2 pertaining to what you are asking for. I think 3 that came up in the deposition of their corporate 4 representative. Because they, in a lot of cases, 5 they acted as our agent in purchasing and 6 receiving and so forth. 7 BY MR. CHAPMAN: 8 Q. Do you know what Daniel's has? 9 A. No, I do not. 10 Q. Has Celanese asked Daniel's for any 11 documents in this case? 12 A. I don't know. 13 Q. Do you know if they have asked Daniel's for 14 documents in any case related to the Spartanburg 15 facility? 16 A. We have some Daniel's -- or documents that 17 relate to Daniel's. I don't know if we -- I cannot 18 remember if we have a document specific to Daniel's 19 that is a Daniel's document. 20 Q. Do you know, sir, if Celanese sent Daniel's 21 a request for production, for example, in this case, 22 for documents related to the Spartanburg facility? 23 A. No, I don't. 24 Q. All right. Well, we have been going for 25 about an hour. Do you want to take a quick break?	1 remember what they were for. 2 Q. And again, with what we were discussing 3 earlier with like sales orders for insulation specs 4 or anything like that, if Celanese didn't give them 5 to me and if they're not in the Auriga docs, do you 6 know of any other place I can go to try and find 7 that? 8 MR. MARSHALL: Objection; form. 9 THE WITNESS: Well, you have got 10 insulation specs. 11 BY MR. CHAPMAN: 12 Q. I understand, sir. 13 A. Okay. 14 Q. Sorry. That was confusing. Let me go back. 15 A. That's all right. 16 Q. And I ask bad questions sometimes. 17 If I wanted to know about what pumps or 18 valves or boilers, for example, were at Spartanburg 19 in the 1970s, and they're not in the documents that 20 Celanese has given us or in the Auriga documents, do 21 you know of any other place I can go to try to 22 find that out? 23 MR. MARSHALL: Objection; form. 24 THE WITNESS: The only other place 25 I would know of would be any Daniel's documents
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1 A. I'm okay right now. It's up to you, I mean, 2 if you want to take a break. I'm fine or -- 3 Q. Well, I'm in the middle of a section, I just 4 know you're not feeling well, so let me -- 5 A. No, no, no, I feel okay. 6 Q. Okay. 7 A. I just have this cough that keeps bothering 8 everybody. I'm sorry. 9 Q. No, it's okay. It's okay. 10 Let me finish up this section and then we'll 11 take a break. How about that? 12 A. Sure. 13 Q. All right. So similarly, sir, kind of along 14 the same lines, would that include any sort of sales 15 records or purchase orders for any pieces of 16 equipment, such as pumps, valves, boilers, things 17 like that? 18 MR. MARSHALL: Object to form. 19 THE WITNESS: You mean the records 20 that we produced? 21 BY MR. CHAPMAN: 22 Q. Yes, sir. 23 A. Yes, it could. 24 Q. Have you seen any of those in there? 25 A. I have seen purchase orders. I cannot	1 that they might have related to purchasing. But 2 I would be surprised -- if you don't have them, 3 then they probably don't exist today. 4 BY MR. CHAPMAN: 5 Q. Do you know, sir, what, if anything, 6 Celanese has done to try to find out what pumps and 7 valves and boilers or other pieces of equipment were 8 on site from '70 to '74? 9 A. Well, one was the Freedom of Information Act 10 that identified the manufacturer of all the boilers 11 and what boilers are there. They sent the discovery 12 request to Auriga Polymers, who said they would 13 comply with that, and they generated many documents 14 in response to that. If the information you want is 15 not there or in prior discovery requests, I forget 16 what you call it where we provided documents to you. 17 If it's not in that, then it probably doesn't exist, 18 and I wouldn't know where to go. 19 Q. The discovery request or the request that 20 you sent to Auriga, do you know when that was sent? 21 A. Sometime in the last two months, I believe, 22 three months, maybe. Maybe it could have been six 23 months, but it's fairly recent. 24 Q. Do you know, sir, if there was an official 25 subpoena or a third-party discovery or any documents

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1 sent? 2 A. I think there was a document. I don't know 3 if it was a subpoena. 4 Q. Have you seen the document? 5 A. No, I have not. 6 Q. Do you know, sir, what types of documents 7 were requested? 8 A. It was what you requested in your discovery 9 request. 10 Q. Do you know if it was word-for-word what we 11 requested? 12 A. I do not. I did not see the document, so I 13 don't know. 14 MR. CHAPMAN: Okay. Barret, we're 15 probably going to want that document, whatever 16 request Celanese made to Auriga. 17 MR. MARSHALL: Well, I reserve the 18 right to assert any privilege request that 19 applies to it, and that's something that can be 20 withdrawn and then address however we need to 21 after that. 22 MR. CHAPMAN: Sure. 23 BY MR. CHAPMAN: 24 Q. Do you know, sir, who that request was sent 25 to over at Auriga?	1 Do you know, sir, what their criteria was 2 for determining what was and what was not responsive? 3 A. It was based on request and the discovery 4 request, what was contained in that. 5 Q. Do you know, sir, if Celanese, in this case, 6 made any inquiries to find documents relating to 7 Covil Insulation? 8 MR. MARSHALL: Object to form. 9 THE WITNESS: They asked for 10 purchase orders, things like that, which would 11 have been identified if they had them. Again, 12 generally, Daniel's did the management of 13 subcontractors on site. It would have probably 14 have been a Daniel's document. 15 BY MR. CHAPMAN: 16 Q. When I deposed Mr. Buck last week, he said 17 that when Daniel's would order something for 18 Spartanburg, that part or the insulation, whatever it 19 ended up being, Celanese had to approve that 20 purchase; is that correct? 21 MR. MARSHALL: Objection; form. 22 THE WITNESS: The way he described 23 it is they would get bids on whatever they were 24 going to purchase, and then that -- Daniel's 25 would make a recommendation on what they thought
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1 A. I do not. 2 Q. Do you know how many documents Auriga has 3 generally, related to the Spartanburg facility? 4 A. Has generally? 5 Q. Yes. 6 A. Whatever records are required for the 7 operation of the site and for legal reasons. 8 Q. Do you know, sir, if Auriga produced all the 9 records it has relating to Spartanburg to Celanese? 10 A. I do not. 11 Q. Do you know, sir, if Celanese produced all 12 the records they got from Auriga to me in this case? 13 A. I think they reviewed them for being 14 responsive to the discovery request, and if it wasn't 15 responsive, then they didn't supply those. 16 Q. Do you know how many of those there were? 17 A. No, I don't. 18 Q. Do you know, sir, what -- 19 A. Excuse me. 20 Q. You're okay. And when you say "they 21 reviewed," do you mean counsel for Celanese? 22 A. Uh-huh. 23 Q. Yes? 24 A. Yes. I'm sorry. 25 Q. That's okay.	1 should be purchased or from whom, and then 2 Celanese would approve that recommendation, or 3 they may not, they may say, no, let's do this 4 one. 5 BY MR. CHAPMAN: 6 Q. Let me first ask you: Do you know, sir, of 7 a time when Celanese did not approve a Daniel 8 recommendation to purchase insulation? 9 A. No, I do not. 10 Q. Mr. Buck also said that after Celanese would 11 approve that recommendation, the purchase order or 12 the sales invoice, whatever it was, would go out on 13 Celanese stationery. Do you know if that's true or 14 false? 15 A. I know that did happen, yes. I don't know 16 that it happened in every case. 17 Q. Do you know if it happened at Spartanburg? 18 A. Yes. 19 Q. Would those be site specific documents that 20 Celanese would keep? 21 MR. MARSHALL: Objection; form. 22 THE WITNESS: At Spartanburg? 23 BY MR. CHAPMAN: 24 Q. Yes, sir. 25 A. At Spartanburg, yes. Well, based on the

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1 record retention policy, it doesn't mean they'd keep 2 them forever. 3 Q. Do you know, sir, if any of those documents 4 exist in the production Celanese made to us in this 5 case? 6 A. I have seen purchase orders for buying 7 something that was for Spartanburg. And the 8 contracts that I have reviewed said that, in some 9 cases, Daniel's would do the purchasing for capital 10 projects and in some cases Celanese would do it. 11 Q. And do you know if any of those purchase 12 orders were for insulation? 13 A. I do not recall that. I don't remember 14 that, is the right answer. 15 Q. If Daniel's wanted to contract with a 16 subcontractor for work at Spartanburg, would Celanese 17 have to approve that? 18 A. I have not seen any documentation which 19 indicated that. But we had a close working 20 relationship with Daniel's in all activities, and I 21 would -- I don't want to assume -- it probably 22 happened, but there is no documentation to prove it. 23 Q. It's fair to say, sir, that Celanese had 24 rules and regulations that contractors had to follow 25 on site?	1 A. Except for small tools and things like that 2 that we didn't need to approve, because it was more 3 like a supply item for the contractor; we would not 4 get involved in that, normally. 5 Q. They would know who the supplier of 6 insulation was? 7 A. Yes, they would. 8 Q. And then just to kind of circle up and then 9 we'll take a quick break. I mentioned the 1983 10 Workers' Comp claim. But you remember there was one 11 in Texas? 12 A. Yeah, that's all I remember is there was 13 one. 14 Q. All right. So I don't know if you know, 15 I'll just represent to you, sir, this was discussed 16 back with Justice Toal in March at a hearing. Do you 17 know if Celanese has done anything since then to look 18 into that Workers' Comp claim? 19 MR. MARSHALL: Objection; form. 20 THE WITNESS: I do not. 21 BY MR. CHAPMAN: 22 Q. Do you know -- you don't know if they have 23 or not? 24 A. I do not. 25 Q. Nothing has been communicated to you?
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1 A. Yes. 2 Q. So any subcontractor that Daniel hired had 3 to follow those same rules and regulations? 4 A. That's true, as did Daniel's. 5 Q. If there was any sort of contract or supply 6 agreement between Daniel's and another party, would 7 that be a document that Celanese has or kept at one 8 point? 9 A. It would keep it for some period of time 10 after it was executed, yes. 11 Now, I want to back up. Contracts -- 12 subcontractors would have been approved by Celanese 13 because it would have been purchase ordered to issue 14 that subcontract. So just going along with what we 15 said before, yes, they would have approved it. 16 Q. Okay. So -- 17 A. Daniel's would have made a recommendation 18 and we would have said yes or no. 19 Q. So first, Celanese would know not only 20 Daniel was there, but every subcontractor that was on 21 site? 22 A. That's correct. 23 Q. And Celanese would know every supplier in 24 which Daniel's used to provide materials for 25 Spartanburg?	1 A. That's correct. 2 MR. CHAPMAN: Okay. All right. 3 Let's take a quick break. 4 THE WITNESS: Okay. 5 THE VIDEOGRAPHER: This concludes 6 video number one. Going off the record at 10:43. 7 (A recess was taken.) 8 THE VIDEOGRAPHER: This is the 9 beginning of media number two. We're going back 10 on the record at 11:01. 11 BY MR. CHAPMAN: 12 Q. Okay. We took a little break. During the 13 break, I actually -- there's seven boxes of documents 14 here today that Celanese brought, and I went, in less 15 than ten minutes, and I went through and looked at -- 16 peeked at a few of them just to see. And to be more 17 correct, it appears that there is more like 19,000, 18 20,000 than 30,000 of them, so just to correct it on 19 the record. And I -- in fact, I did find some 20 documents that were in there from the 1970s. 21 A. Okay. 22 Q. They appear to me to be the ones that I saw 23 solely related to the Daniel's contracts. And in 24 fact, they have the same Bates labels as the 25 documents that Daniel's produced to us in this case.

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1 A. Okay. 2 Q. Do you know if there is anything different 3 than that in there? 4 MR. MARSHALL: Objection; form. 5 THE WITNESS: Excuse me. I 6 haven't reviewed specifically all the documents 7 that are in there. I know it's what Auriga 8 produced, some of it is what Auriga produced, and 9 it was based on our document request. And it 10 could be purchase orders, procedures, inspection 11 results, any number of documents that could be in 12 there. 13 BY MR. CHAPMAN: 14 Q. So if I'm understanding you, sir, maybe this 15 is something I didn't appreciate earlier, the entire 16 production, 19, 20,000 pages, is that a compilation 17 of documents; one that Celanese already had and 18 documents that were obtained from Auriga? 19 A. That's correct. 20 Q. So all of those documents aren't what came 21 from Auriga? 22 A. At some point in time, they probably did. 23 Whatever the corporate entity was that owned that 24 site, probably came from that site, or corporate 25 documents that Celanese already had.	1 request, but I can't verify that in my memory. 2 MR. MARSHALL: And I'm only 3 offering this if you want the information. I can 4 tell you the Bates range of the documents that 5 were received from Auriga, if that gets to what 6 you're trying to get at -- 7 MR. CHAPMAN: Yes. 8 MR. MARSHALL: -- if you can 9 differentiate. 10 MR. CHAPMAN: Yes. 11 MR. MARSHALL: Okay. Crawford 12 000001 through 000039 and Crawford 005594 through 13 005820202. 14 BY MR. CHAPMAN: 15 Q. Okay. Sir, do you have any knowledge to say 16 that's true one way or the another? 17 A. No. 18 MR. CHAPMAN: So to make sure I 19 have it correct, 1 through 39, and 5594 through 20 5802? 21 MR. MARSHALL: Correct. 22 MR. CHAPMAN: All right. 23 THE WITNESS: And that relates to 24 page numbers; is that correct? 25
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1 Q. And would you be able to differentiate for 2 me, sir, what documents Celanese already had versus 3 the ones it just got from Auriga? 4 A. I would have to guess based on -- if you 5 showed me a document, I would have to guess where it 6 came from. 7 Q. And I don't want you to guess, but -- 8 A. I know. 9 Q. -- would you be able to tell me, based on 10 your experience, the kind of documents -- let me see 11 if I can repeat that -- based on your experience, the 12 kind of documents that Celanese would have had versus 13 the ones that just got the abatement records, for 14 example? 15 A. It could be similar documents between what 16 they already had and what they just got. Is that 17 your question? 18 Q. I'm asking it a little bit different and I'm 19 probably asking it in a bad way. So let me try to 20 get at it this way. Prior to making the request to 21 Auriga, did Celanese have any abatement records for 22 the Spartanburg facility? 23 MR. MARSHALL: Objection; form. 24 THE WITNESS: I believe I have 25 seen abatement records prior to the most recent	1 BY MR. CHAPMAN: 2 Q. So we're talking about Bates numbers. 3 A. No, I know. But each number is a different 4 page? 5 Q. That's right. 6 A. Okay. That was my question. 7 Q. And I may have asked you this earlier, and 8 if I did, I apologize. Just looking at that range, 9 we're looking at, I don't know, 250 documents maybe. 10 Do you know how many documents were produced total 11 from Auriga to Celanese? 12 MR. MARSHALL: Objection; form. 13 MR. CHAPMAN: No, I do not. 14 BY MR. CHAPMAN: 15 Q. Do you -- I mean, do you know, was it 250 or 16 was it 250,000, do you have any idea? 17 A. It was -- I have heard the number 10,000. I 18 think somewhere over 3,000 were -- well, I don't 19 know. I'm sorry, I get confused about what numbers 20 relate to what. I don't know if the 10,000 is total 21 documents relative to this case or the ones that were 22 produced by Auriga in this case -- or in the 23 discovery request that was made to Auriga. 24 Q. Okay. And would you -- now, I know I have 25 asked this but kind of in a different context now.

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1 Now that we know that we're dealing with 250 2 documents as opposed to tens of thousands of 3 documents, do you know what Celanese got new from 4 Auriga that they didn't have previously? 5 A. No, I don't. 6 Q. Obviously we can go look at these Bates 7 records see what they are. 8 A. Right. 9 Q. But do you know, sir -- let me ask you this: 10 The documents that weren't produced to us that were 11 withheld or what Celanese determined was not 12 relevant, do you know if that contained new 13 information that Celanese did not have prior to its 14 request to Auriga? 15 A. I do not know. 16 Q. Okay. All right. Let's change gears. Sir, 17 I want to hand you what I'm marking as Exhibit 4. 18 (Exhibit No. 4 was marked for 19 identification.) 20 Q. All right. Sir, I will represent to you 21 that I pulled this off of the South Carolina 22 Department of Health and Environmental Control 23 website late last night. Would you be able to tell 24 me what we're looking at? 25 A. Can you give me a minute? It's --	1 Spartanburg? 2 A. Yes. All of this -- all of Hoechst 3 Celanese, I believe, is on this site, is on this map. 4 Q. Do you believe this to be a fair and 5 accurate representation of Hoechst Celanese? 6 A. Yes, at a point in time, not today. 7 Q. What point in time? 8 A. Well, the mid to late '90s when it was -- 9 when Celanese sold the site to, I think, three 10 different other parties. 11 Q. Okay. And would you be able to tell me, 12 sir, which buildings were or not there in the early 13 to mid '70s? 14 A. To some extent, yes. I mean, some of these 15 buildings were there that weren't there later; they 16 were removed, demolished. So some of the 17 representations on here are not -- are things that 18 aren't there now. But, yes, I could give you a 19 fairly good picture of it. 20 Q. Okay. What I would like to do, and I 21 attempt fate by trying to print this again, but is 22 that Exhibit 4, is that what we marked it as? 23 A. Yes. 24 Q. So I would like to mark Exhibit 5 as another 25 copy of this just so we have a clean copy, and what I
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1 Q. Sure, take your time. 2 A. I am trying to identify -- yeah, this looks 3 like the well locations, sampling locations, at the 4 Spartanburg site; Spartanburg meaning the Auriga -- 5 actually, there's a couple of different companies on 6 this site, but what used to be the Celanese site 7 entirely. 8 Q. Okay. And so I understand that there are 9 marks here for other purposes. 10 A. Yes. 11 Q. The well locations and things. 12 The map itself, the site itself, what are we 13 looking at? 14 A. Well, it's bordered by Interstate 85, and 15 then several other roads I don't remember the name 16 of. It also includes -- I don't know if it's still 17 Johns Manville, but they -- when Celanese sold the 18 site, Johns Manville purchased part of it, and 19 another company purchased another part of it, and 20 there was another part that was sold to another 21 company, so there were actually three different 22 owners on this same site. Now, they're physically 23 separated, so it wasn't like they shared space. 24 Q. Okay. On part or all of this map, sir, is 25 what was formerly known as Hoechst Celanese in	1 will do, sir -- do you have a pen with you? 2 A. Yes. 3 Q. Would you be able to, on that map, circle 4 for me where Poly 1 is? 5 A. Whoa. Where is the microscope? 6 MR. McDONALD: Is that the same 7 thing as the Batch plant? 8 THE WITNESS: Yes. That's Poly 9 and Poly 1; based on Crawford's deposition, it's 10 the same. 11 MR. MARSHALL: So we have marked 12 his as 4? 13 MR. CHAPMAN: Right. 14 MR. MARSHALL: Do you want him to 15 actually mark on this one? 16 MR. CHAPMAN: I do. So I have 17 marked 5 as kind of a placeholder, and we'll 18 print another one and actually -- 19 MR. MARSHALL: An unmarked copy? 20 MR. CHAPMAN: Yes. 21 MR. MARSHALL: All right. 22 MR. CHAPMAN: Just so we have a 23 clean copy and one marked. 24 MR. MARSHALL: Fair enough. 25

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Page 73 1 BY MR. CHAPMAN: 2 Q. If it helps, I have this on my computer, you 3 might be able to zoom in. I'm happy to let you look 4 at that if you'd like. 5 A. Well, I think I can find it. I'm just 6 trying to -- 7 MR. MARSHALL: If you have 8 questions and want to look and can zoom in, just 9 go ahead to make sure. 10 THE WITNESS: I can come over 11 there. 12 BY MR. CHAPMAN: 13 Q. No. Let me run it over to you so your 14 counsel can look at it as well. 15 MR. MARSHALL: Let's stay on the 16 record for a second. You want him right now to 17 mark where Poly was? 18 MR. CHAPMAN: Yes. 19 THE WITNESS: Poly 1. 20 MR. MARSHALL: Poly 1. What 21 about -- are you going to go through -- 22 MR. CHAPMAN: We are. 23 MR. MARSHALL: Because I'm just 24 thinking -- well, it's up to you. If you want to 25 do it on the record, we can do it on video and	Page 75 1 identification.) 2 THE VIDEOGRAPHER: Back on the 3 record at 11:24. 4 BY MR. CHAPMAN: 5 Q. All right, sir, we're back. And if the 6 members of jury watching this wonder what in the heck 7 we're doing, you have my laptop in front of you; is 8 that right? 9 A. That's correct. 10 Q. And you have got the same map on that screen 11 as what is in Exhibit 4; is that right? 12 A. Yes. 13 Q. Okay. Do you have the laptop there because 14 you can see a little bit better? 15 A. Yes, I can -- 16 Q. Okay. 17 A. -- actually read some. 18 Q. All right. So you have a red pen and a blue 19 pen there in front of you. I want to go through and 20 kind of see if you can outline some of the site 21 specific plants -- or not plants but buildings there 22 before you on Exhibit 4. Okay? 23 A. Yes. 24 Q. So first, we did confirm that what we're 25 looking at on Exhibit 4 is Hoechst Celanese?
Page 74 1 everything, or tell him what you want him to do 2 and then we can go off, he can do it, however you 3 want to do it. You're driving the boat, so to 4 speak. 5 MR. CHAPMAN: I understand. 6 BY MR. CHAPMAN: 7 Q. Let me first ask you, sir, if you were able 8 to see a little more clearly, maybe on my computer, 9 is that something you might be able to do quickly or 10 would it take you a minute? 11 A. Well, I could do it fairly quickly, I think. 12 It's just a matter of how to draw it on this small 13 print. 14 Q. Okay. 15 A. If you can zoom it in, I can do it pretty 16 quickly. I just -- my trouble is identifying bevs. I 17 know where it is. 18 MR. CHAPMAN: I understand. So 19 let's go off the record for a second and figure 20 out the best way to do it and we'll come back on. 21 THE WITNESS: Okay. 22 THE VIDEOGRAPHER: Off the record 23 at 11:14. 24 (Off-the-record discussion; 25 Exhibit No. 5 was marked for	Page 76 1 A. That's correct. 2 Q. All right. Would you be able to tell me, 3 just circle in red, where the front gate is? 4 A. Front gate? Right there. So that would be 5 right there. 6 Q. All right. And just so we can try to keep 7 this in some sort of order, can you put a little red 8 "1" next to that? Thank you. 9 All right. Now, we have heard about a 10 couple of different buildings in this case. Where is 11 the Batch Poly building? 12 A. It's right along -- Batch Poly would be 13 somewhere right along in here, although -- and it 14 says this drawing is not to scale, so it's not exact. 15 So it would be -- you want me to do this in red? 16 Q. Please. Put a circle around it. 17 A. I'm going to draw a square, is that -- or a 18 rectangle. 19 Q. That's fine. 20 A. Because it really is rectangular. And 21 again, since it's not to scale, I'm just estimating. 22 Q. Would you be able to put a red "2" next to 23 that? 24 A. Yes. 25 Q. Where would the Continuous Poly building be?

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1 A. It would be right along -- do you want me to 2 do it in red? 3 Q. Please. 4 A. Okay. And then put a "3" by that? 5 Q. Please. And so I understand, the Batch 6 Poly, which you have boxed with a red "2," that's the 7 same as Poly A? 8 A. Poly 1. 9 Q. Poly 1. I'm sorry. 10 A. He may have referred to it as Poly A, but I 11 think he -- I remember Poly 1, but Batch Poly. 12 Q. And the Continuous Poly is Poly 2? 13 A. Poly 2, yes. 14 Q. What about the warehouse where Mr. Crawford 15 worked? 16 A. That would have been probably right in here. 17 Do you want me to do that? 18 Q. Please. 19 A. I'm not sure exactly what that building is, 20 because -- and I messed up my "2." That's a "4"? 21 Q. Yes. 22 A. Okay. 23 Q. So to be clear, because these buildings are 24 kind of close to each other, the Warehouse is boxed 25 with a "4" to the right, the Batch Poly is boxed with	1 Line, which in length is longer than this room. And 2 then on the end of that is Warehouse, which is bulk 3 storage -- well, I'm sorry, not bulk, it's bale 4 storage, which is quite large. 5 Q. And when you say "longer than this room," 6 what would your estimate be for how long this room 7 is? 8 A. Oh, 50 feet, maybe, maybe more. 9 Q. Do you know of any other place, sir, where 10 Mr. Crawford worked while at Hoechst Celanese? 11 A. No, just "2," "3" and "4". 12 Q. Okay. 13 A. According to his deposition. 14 Q. All right. We may come back to that later, 15 but I think we can put that aside for just a second. 16 A. Okay. 17 MR. CHAPMAN: So go off the record 18 for just a second. 19 THE VIDEOGRAPHER: Off the record 20 at 11:30. 21 (Off-the-record discussion.) 22 THE VIDEOGRAPHER: Back on the 23 record 11:32. 24 BY MR. CHAPMAN: 25 Q. Okay. Thank you for doing that, sir.
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1 a "2" to the right, and the "3" -- I'm sorry, the 2 Continuous Poly is boxed with a "3" on top of it; is 3 that correct? 4 A. That's correct. 5 Q. What about the Staple buildings, where are 6 those? 7 A. Staple is starting back here, and including 8 the Warehouse, all the way up to here. 9 Q. Let me ask you: The Staple, is it one 10 building or two buildings? 11 A. Staple A and B is essentially one building. 12 I mean, there's walls internally, but it's not to 13 separate Staple A from Staple B. 14 Q. Will you please box or circle the Staple 15 building. 16 A. Let's see. And this will include the 17 Warehouse for Staple. And put a "4" here? 18 Q. A "5". 19 A. Right, "5". Thank you. 20 Q. Okay. So that's a fairly large area in 21 comparison to the others? 22 A. Yes. 23 Q. And you said that's because it includes a 24 warehouse as well? 25 A. Well, it includes what's call a Stretch	1 A. Sure. 2 Q. I have one kind of clarification. The box 3 number "4" was the Warehouse. What kind of warehouse 4 was that? 5 A. That was the Chip Warehouse, which is 6 essentially a bunch of silos or tanks that the chip 7 is stored in before it's either processed somewhere 8 else or shipped off site to a customer. 9 Q. Is there a different poly warehouse besides 10 what we boxed number "4"? 11 A. There are different storage areas. Poly was 12 the chip, as we called it, was a raw material for 13 staple. So it would go into a -- the chip that was 14 going to be used in the staple area would go into a 15 silo designated for staple. It would not go into the 16 Chip Warehouse. 17 Q. Okay. And again, just to -- I know you and 18 I, at least I have a basic understanding, you 19 probably have a greater understanding. The jury, who 20 is not oriented to this, let me just ask you: Staple 21 and chip are kind of the two end products; is that 22 fair? 23 A. What it indicates of staple, chip is an 24 intermediate product for staple. But, yes, the chip 25 can be used in making plastic bottles, PET bottles

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1 like Coke or Pepsi or whatever it comes in. 2 Q. All right. So I think what might be good is 3 to kind of go back and start a little from the 4 beginning. What was the purpose of this plant? 5 A. To make polyester. 6 Q. And what was that polyester used for or in? 7 A. In beverage soda bottles. In production of 8 fiber. I mean, there were other uses. Maybe some of 9 the polymer may have been used in film. I really 10 don't know all of them, but -- 11 Q. Different uses? 12 A. Different uses. None of them -- none of the 13 product that was made at this site was a consumer 14 product. 15 Q. Okay. Would you be able to give the jury 16 kind of a brief run-through understanding of the 17 process in which that the poly went through the plant 18 or the manufacturing process of this plant? 19 A. Of the polyester? 20 Q. Yes, sir. 21 A. Well, there is two. One is Batch Poly, and 22 the other one is Conti Poly. The chemical process is 23 very similar, it's just that in Batch, it's like you 24 do one cup of coffee at a time, that's a batch. 25 So you put the chemicals in a tank, it goes	1 polyethylene terephthalate or polyester. And it 2 comes out of the final vessels, goes -- comes out of 3 a die, different than the chip die, but it's a die 4 plate that has holes in it and it comes out in 5 strings that are cooled and then put into a cutter, 6 into dies. So it's now a chip. 7 Q. Okay. And we have been using the terms chip 8 and staple. I don't think we have actually defined 9 those terms. When you say "chip," what are you 10 referring to? 11 A. It's the little die that's the plastic, the 12 polyester plastic, that's ready to be made into 13 something else. Staple is a fiber. When it's 14 finally processed, it looks very much like cotton, 15 and in fact, they use balers to bale the staple 16 fiber, and it's sold to customers that process it, 17 either mix it with cotton as a blend or even use it 18 just as polyester. 19 Q. Okay. 20 A. The old leisure suits. 21 Q. In the -- and if it makes sense to break it 22 up, let me know. In both the batch and continuous 23 process, is steam needed to make that go? 24 A. Well, heat is needed, yes. 25 Q. Okay. And where did you get the heat from?
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1 through some period of time and some heat or 2 whatever, maybe some additives put in. It's held in 3 that tank for awhile, it's transferred to another 4 tank, and other things happen there -- more heat, 5 less pressure, sometimes it's under a vacuum to 6 remove the solvents. 7 And then at some point, and I don't remember 8 how many vessels there are in the batch process, at 9 some point, the polymer, it's now a plastic, molten 10 plastic, is discharged into the process of making the 11 little chips, or it's like a die except it's smaller. 12 That's the batch process. 13 And then that product would be transferred 14 to a silo either to be transferred to Staple to make 15 staple or it would be put into a silo for shipping to 16 an off-site customer. 17 Q. All right. And how is that different from 18 the continuous process? 19 A. Well, the continuous process, you're feeding 20 the chemicals in the front end, it goes through 21 several, if I remember right, four different stages, 22 or vessels, where it -- the length of the polymer is 23 gradually increased through those vessels to where it 24 starts off as basically two raw materials, and it 25 forms into -- it's -- the chemical name is	1 A. From the boilers, both Dowtherm and steam 2 boilers. 3 Q. All right. So -- but let's kind of take 4 those one-by-one. When you say "boilers," are you 5 talking about just a field erect boiler on site? 6 A. They would be manufactured by someone and -- 7 that we would buy it from and then it would be 8 installed, if that's what you mean by field erect. 9 Q. Sure. 10 A. They were not package boilers. 11 Q. Understood. 12 A. Okay. 13 Q. How big are these boilers? 14 A. The records you saw probably identified the 15 thermal capability of them. Physically, I mean, 16 boilers are probably 20 or 30 feet wide and deep and 17 high, depending upon the size of them. 18 Q. Several stories high? 19 A. Yeah, I would say at least two. Again, I 20 don't -- the boiler house was a single level 21 building, so I didn't have a reference for how many 22 stories it would be. 23 Q. Understood. And you said Dowtherm? 24 A. Yes. 25 Q. How is Dowtherm different than the boiler?

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1 A. Dow -- well, they have Dowtherm boilers. 2 Okay? 3 Q. Understood. 4 A. But the medium -- steam is water. It's 5 heated and becomes a vapor. Dowtherm is a similar 6 kind of process except they can get much higher 7 temperatures with Dowtherm at much lower pressures. 8 So the mechanical integrity -- or not the integrity 9 but the design of the systems for Dowtherm don't have 10 to be anywhere near as robust as they would be if 11 they tried to use steam to do the same thing. 12 Q. Whether it's a traditional steam boiler or a 13 Dowtherm boiler, both are operating at high heat; is 14 that right? 15 A. Dowtherm is higher than steam, but, yes. 16 Q. Would there be piping associated with the 17 traditional steam boilers and the Dowtherm boilers? 18 A. Yes. 19 Q. And would that piping need to be insulated? 20 A. Yes. 21 Q. And what would that piping be insulated 22 with? 23 A. In most cases, it would be calcium silicate 24 with aluminum covering over it. 25 Q. And do you know, sir, prior to 1972, '73, if	1 Q. Do you know when, sir, Poly 1 was built? 2 A. Late '60s is when it started. I mean, it 3 was a process; it wasn't that they built them all at 4 the same time, and I don't know the chronology of 5 when the first one was built and when the last one 6 was built. 7 Q. Do you know, sir, if Poly 1 was part of the 8 original construction of the plant? 9 A. Yes. 10 Q. Okay. So if the plant was built around 11 1966, does that sound about right when Poly 1 would 12 be built? 13 A. Excuse me. Yes. 14 Q. Did Poly 1 require steam piping? 15 A. Yes. 16 Q. Was that steam piping insulated? 17 A. Yes. 18 Q. Would that steam piping have been insulated 19 when the plant was originally built or when the 20 building was originally built? 21 A. It would have been insulated before startup. 22 Q. Do you know who built that building? 23 A. It was Daniel's. Daniel's was the general 24 contractor on that building. 25 Q. Do you know who insulated that building?
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1 calcium silicate was asbestos containing? 2 A. It most likely was, yes. 3 Q. Did you ever use amosite insulation? 4 A. I -- I know the term amosite. I don't know 5 if the insulation we used contained amosite or not. 6 Q. Would it surprise you, sir, if the specs in 7 this case produced, I think by Celanese and at least 8 by Daniel's, show that amosite was spec'd? 9 A. Yes, I do remember that now that you 10 reminded me. 11 Q. Okay. That doesn't surprise you? 12 A. No, it doesn't. That was an industry 13 standard. 14 Q. All right, sir. So I want to take these 15 kind of one by one, these buildings, and learn a 16 little bit more about them. 17 A. Okay. 18 Q. So Poly 1 is the same as the Batch Poly? 19 A. That's correct. 20 Q. Okay. And that is number -- 21 A. "2". 22 Q. -- "2" on our chart. 23 Poly 1, the Batch Poly building, that's 24 where the Batch Poly was made? 25 A. Right.	1 A. It most likely would have been Daniel's 2 insulated the piping. The building itself was not 3 insulated. 4 Q. I understand, so let me correct that. 5 A. No, I just wanted to make sure. 6 Q. And that's a great point. That's -- I asked 7 a bad question, so let me make sure it's clear for 8 the record. 9 Who would have insulated the piping in Poly 10 1? 11 A. The piping that needed to be insulated would 12 have been insulated by Daniel's. 13 Q. Do you know, sir, how big Poly 1 was? 14 A. In what terms? 15 Q. Well, so, let's start with length and width. 16 A. You know, it's large. One line would be 17 bigger than this room, and it would be four levels. 18 But I can't -- I don't know how to put it in terms. 19 I mean, I have walked it all, but I can't -- 20 Q. All right. 21 A. I can't remember how many steps. 22 Q. All right. Fair enough. So you said "one 23 line." What do you mean by "line"? 24 A. Well, Batch Poly had 12 or 16 lines, 25 different lines, so different -- each line would

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1 produce polymer, and so there would be 12 of these 2 rooms. It would be a separate room, it would be one 3 building, but 12 lines in the size of that building. 4 Q. Okay. And did you say there's 12 or 12 to 5 16 lines? 6 A. I don't remember exactly. I don't even 7 think Crawford remembered, because I read his and I 8 think he said 12 or 16 or something. 9 Q. At least 12? 10 A. I'm pretty sure that's right. 11 Q. All right. How many stories was Poly 1? 12 A. Well, there were four stories and the roof, 13 that I recall. 14 Q. Do you know how much piping there was in 15 Poly 1 that needed to be insulated? 16 A. Well, all the Dowtherm and steam lines. 17 The, like, potable water lines and things like that 18 would not have to be. 19 Q. Would it be fair to say, sir, that there 20 were, in Poly 1, miles of steam and Dowtherm piping 21 that needed to be insulated? 22 A. There was a lot. I don't know how to 23 quantify it. I mean, I can't even estimate the size 24 of the building; I don't know how to estimate the 25 amount of piping that was there.	1 Q. And obviously Poly 2 is where the Continuous 2 Poly was made? 3 A. That's correct. 4 Q. Do you know, sir, when Poly 2 was built? 5 A. I believe the original contract for CP1 6 started in '71, and then they kind of progressed one 7 after the other from then on. I think CP2 was like 8 '73 when the contract for it was signed, if I 9 remember right. 10 Q. Would it be fair to say, sir, that it was 11 sometime in the early '70s? 12 A. That's when CP1 started, yes. 13 Q. Okay. Sir, did Poly 2 need steam piping? 14 A. Yes. 15 Q. Was the steam piping in Poly 2 insulated? 16 A. Yes. 17 Q. Do you know if the steam piping associated 18 with Poly 2 that was insulated, was that done before 19 startup? 20 A. It would be insulated. The line would be 21 insulated before they started up the line, yes. 22 Q. Do you know who built Poly 2? 23 A. Daniel's. At least in the initial phases. 24 I don't remember. I think we built CP5, and I don't 25 remember if that was Daniel's or not because -- but
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1 Q. There was a lot? 2 A. There was a lot. That's as best I can do. 3 Q. Okay. Now, in his deposition, Mr. Crawford 4 mentioned a piece of equipment I have never heard of 5 called a slicer dicer. Do you recall that? 6 A. Yes. 7 Q. What is a slicer dicer. 8 A. That's what cuts the polymer sheet into 9 chip. 10 Q. Okay. 11 A. Makes the dices or the die. 12 Q. All right. So that's a real piece of 13 equipment? 14 A. Yes, it is. 15 Q. That's not a name he just came up with? 16 A. No. 17 Q. Okay. All right. I want to ask you about 18 Poly 2 now. And Poly 2 is the same thing as the 19 Continuous Poly? 20 A. That's correct. 21 Q. And it's the same as number "3" on our map; 22 is that right? 23 A. Correct. Yeah, I just say approximately, 24 because that drawing is not to scale, so that's 25 generally correct.	1 CP1 and 2 certainly were. 2 Q. Do you know who insulated the piping in Poly 3 2? 4 A. It would have been Daniel's or a 5 subcontractor. 6 Q. Daniel's was the general? 7 A. Yes. 8 Q. How big was Poly 2? 9 A. Well, it was -- the building, from the 10 beginning of the line to the end of the line, was the 11 same as Batch Poly because they were essentially the 12 same building, although the building was added later. 13 And then it was as long as it needed to be for the 14 number of lines we had. And later on they even added 15 what was called CPS, which was a direct-feed staple 16 line. 17 Q. Okay. So Poly 2 was large? 18 A. Yes. About the same size as Batch Poly, 19 maybe a little smaller, but, yes, it was not a small 20 building. 21 Q. Do you know how many lines it had, at least 22 in its original construction? 23 A. Well, one, originally. I mean, they added 24 more structure for the building because they 25 anticipated building more lines, but the initial

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1 one's one. 2 Q. Do you know if by 1974 there were multiple 3 lines in there? 4 A. CP2, I believe, was started in '73. I don't 5 know the startup date for that. 6 Q. When you say it was the same size as Poly 1, 7 was it also four stories? 8 A. Yes. 9 Q. And was there a lot of, similar to Poly 1, a 10 lot of steam piping that needed to be insulated? 11 A. There was a lot of piping that needed to be 12 insulated, yes. 13 Q. And when you say "piping," are we talking 14 about steam piping? 15 A. Steam, Dowtherm, chilled water. There may 16 have been some other things that were insulated. 17 Well, air conditioning ducts -- or ventilation ducts 18 is probably better. 19 Q. So there were a lot -- for both Poly 1 and 20 Poly 2, there were a lot of things that needed to be 21 insulated? 22 A. Correct. 23 Q. For both of them, some of which was steam 24 piping? 25 A. Yes.	1 Q. Okay. I want to ask you, sir, next about 2 Staple A. Well, I have seen, and I don't know if the 3 jury at this point will see or not that there are 4 other people who have identified Staple A and B. 5 A. Right. 6 Q. Is there such a thing as Staple A and B? 7 A. Yes, there is. 8 Q. Is that contained in one building? 9 A. Yes. 10 Q. And Staple A and B, collectively number "5" 11 on our map? 12 A. I think that's what -- yeah, that includes 13 the Staple Warehouse as well, but, yes. 14 Q. Okay. And that's all in number "5"? 15 A. Right. 16 Q. What was the purpose of the Staple building 17 A and B? 18 A. To turn the polyester polymer into a fiber 19 and cut it, process it, and cut it to resemble 20 cotton. 21 Q. When were Staple A, B and the Warehouse 22 built? 23 A. The initial building probably would have 24 been about the time Batch Poly 1, so -- 25 Q. The original construction?
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1 Q. And some of which was the Dowtherm piping? 2 A. Yes. 3 Q. If we go back up to Poly 1 for a second, who 4 was responsible for the maintenance, any maintenance 5 that was done on steam piping in Poly 1? 6 A. Daniel's was our maintenance contractor. 7 Q. And would that be the same for Poly 2? 8 A. Yes. 9 Q. Any work that Daniel did on Poly 1 or Poly 10 2, did Celanese have to approve that work? 11 MR. MARSHALL: Objection; form. 12 THE WITNESS: Well, Celanese would 13 request the work. If there was maintenance work 14 that needed to be done, it would be identified by 15 the Celanese personnel and they would issue a 16 work order or some document that says, you need 17 to go do this work. 18 BY MR. CHAPMAN: 19 Q. All right. So let me ask that a different 20 way. Any work that needed to happen on steam or 21 Dowtherm piping in Poly 1, Celanese would be the one 22 to tell Daniel to do that? 23 A. That's correct. 24 Q. And that would be the same for Poly 2? 25 A. Correct.	1 A. Yeah, original construction. And then it -- 2 I mean, it was still ongoing when I went there in 3 1990, they were building what I assume is the last 4 production equipment for making polyester. 5 Q. In the building marked as number "5", Staple 6 A, B, and the Warehouse, was there steam piping 7 associated with that building? 8 A. Yes. 9 Q. And was there Dowtherm piping? 10 A. Yes. 11 Q. Did that steam piping need to be insulated? 12 A. Yes. 13 Q. Who built that building? 14 A. Most of it, Daniel's. 15 Q. What part did Daniel not build? 16 A. At least CPS3, I believe was another 17 contractor. I don't remember about CPS1 and 2. 18 Q. Was Daniel responsible for the original 19 construction? 20 A. Yes. 21 Q. Who was responsible for insulating the steam 22 and Dowtherm piping? 23 A. Daniel's. 24 Q. Now, this building appears to be, at least 25 on the map, much larger than the two Poly buildings;

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1 is that true? 2 A. Yes, it is true. 3 Q. How large are the Staple buildings? 4 A. Again, I don't know. I can't really 5 estimate that. I mean, it's -- it might be, 6 including the Warehouse, one or -- one city block 7 long. 8 Q. And how many stories did it have? 9 A. How many what? 10 Q. How many stories. 11 A. It depended on which section. The Warehouse 12 was one floor, the stretch area, staple stretch area 13 was one floor. When you get back into the extrusion 14 area, it was probably three, maybe four floors. 15 Q. So one to four floors, depending on where 16 you are? 17 A. Yes. 18 Q. Would you be able to quantify for me, sir, 19 how much steam or Dowtherm piping in that building 20 was insulated? 21 A. Well, all of it would be. It becomes a 22 hazard to employees if it's not insulated, plus 23 there's extreme thermal loss which would overload the 24 boilers and heaters if it wasn't insulated. 25 Q. And I guess what I'm asking: Would you be	1 A. It was sometime in the '90s when Celanese 2 hired most of the Daniel's maintenance workers and 3 made it their own maintenance staff. 4 Q. Similar to the Poly buildings, sir, did 5 Celanese, if there was any maintenance to be done, 6 did Celanese tell Daniel's what to do? 7 MR. MARSHALL: Objection; form. 8 THE WITNESS: Yes. 9 BY MR. CHAPMAN: 10 Q. Let me ask you more specifically. If there 11 was any maintenance to be done on insulation or steam 12 piping insulation, would Daniel's be the one telling 13 Daniel to go do that? 14 A. No. Celanese would tell -- 15 Q. I'm sorry, let me back it up and re-ask 16 that. 17 If there was any maintenance that needed to 18 be done on insulation associated with these 19 buildings, would Celanese be the one telling Daniel's 20 to go do that? 21 A. Yes. 22 Q. Okay. I lost my spot here. 23 All right. And then kind of the last 24 building we marked on the map so far was number "4," 25 which was the Warehouse; is that right?
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1 able to tell me there were miles of it or anything 2 like that? 3 MR. MARSHALL: Objection. 4 THE WITNESS: No, I can't. 5 BY MR. CHAPMAN: 6 Q. There was -- 7 A. There was a bunch. 8 Q. There was a bunch of it? 9 A. Yeah. It would take years to try and 10 measure how much was there. 11 MR. MARSHALL: Objection; 12 non-responsive portion. 13 BY MR. CHAPMAN: 14 Q. Sir, if you were going to try to measure how 15 much is there, how long would it take you? 16 A. Years. That's just an estimate. I really 17 don't know. For one person. 18 Q. Sir, who was in charge of maintenance on 19 that building? 20 A. During the time frame we're talking about, 21 Daniel's. 22 Q. And we're talking 1970, '74? 23 A. That's correct. 24 Q. And when did Daniel's stop being in charge 25 of maintenance for the Staple buildings?	1 A. Chip Warehouse, yes. 2 Q. Okay. And that is number "4" on our map? 3 A. Yeah, I believe it was. Let me just verify. 4 Q. Sure. 5 A. Yes. 6 Q. Okay. And not to ask the obvious question, 7 but what was the purpose of the Chip Warehouse? 8 A. Chip Warehouse was tanks, silos, where the 9 chip was stored prior to being boxed or put into 10 railcars for shipment to customers. 11 Q. When was the Chip Warehouse built? 12 A. I don't know. 13 Q. Do you know if it was built with the 14 original construction? 15 A. No, I do not. 16 Q. Did the Chip Warehouse have any steam 17 piping? 18 A. Just for environmental heating for the 19 comfort of employees. There was no processing of the 20 product there. 21 Q. The steam piping that was in the Chip 22 Warehouse, did it have to be insulated? 23 A. Yes. 24 Q. Do you know who did the original, 25 construction?

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1 A. Well, just based on the time frame, it would 2 have been Daniel's. 3 Q. And if Mr. Crawford said that he worked in 4 that building for a period of time, it obviously had 5 to be built before he got there; is that fair? 6 A. Yeah, that's true; two to three weeks, I 7 think he said, he was there. 8 MR. CHAPMAN: Object to 9 non-responsive portion. 10 BY MR. CHAPMAN: 11 Q. The steam piping that was insulated, who did 12 that insulation? 13 A. It would have been Daniel's. 14 Q. Would you be able to tell me how big this 15 warehouse was? 16 A. Other than the control room, it really 17 wasn't a building. It was a steel structure with a 18 bunch of tanks. So it had partial walls, but it 19 wasn't really a building where you walked through a 20 door. But as far as how big it is, maybe 100-by-100 21 and then as tall as the silos which could be 60 or 22 80 feet or more. 23 Q. So when you say "100-by-100," you mean feet? 24 A. Yes. 25 Q. And 60 to 80 feet tall?	1 going in there, as I recall, and several silos. So 2 it was -- it was a substantial building, but it was 3 not a room. 4 Q. I hear you. 5 Would you be able to quantify for me, sir, 6 how much steam or Dowtherm piping was in that 7 building? 8 A. It would have likely not had any Dowtherm 9 piping. And, no, I can't quantify the amount of 10 steam. It wouldn't have been much, just because all 11 it would have been used for is personal heating. 12 Q. So some piping, less than the other 13 buildings? 14 A. Oh, much less, yes. 15 Can we take a short break? I mean, if 16 you've got just a few more minutes -- 17 Q. I have just a couple more minutes -- 18 A. Okay. 19 Q. -- if we could. 20 A. Sure. 21 Q. Who was in charge of maintenance on that 22 building? 23 A. Daniel's. 24 MR. McDONALD: Object to the form 25 of -- misleading, "in charge."
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1 A. That's just a guess. 2 Q. That your best estimate? 3 A. Yeah. But the silos were pretty tall and -- 4 Q. And when you say it didn't really have a 5 door, did it have four walls? 6 A. No. Well, the control room did, but that 7 was kind of a small part of the Chip Warehouse. The 8 rest of them -- I mean, they'd drive railcars in 9 there to fill them up, and there was no doors for the 10 railcars. It was just -- as I recall, two sides may 11 have had partial walls, other than the control room, 12 and the rest of it was pretty open. 13 Q. And I guess what I'm thinking when -- based 14 on your description, it was -- I think of those big 15 roll-up doors. 16 A. No. 17 Q. Not like that? 18 A. No, no. No, basically it was, to simplify 19 it, it was four columns with a structure above it 20 that held the silos. It wasn't quite that simple. 21 And then they'd drive railcars in there and fill them 22 up and drive the railcars out. 23 Q. Got it. 24 A. And they could do more than one railcar at a 25 time, so there was probably two tracks, at least,	1 THE WITNESS: Yeah, I was just 2 going to comment. Celanese was in charge of 3 identifying what needed to be done, and they 4 would communicate that to Daniel's who would 5 carry it out. 6 BY MR. CHAPMAN: 7 Q. So let me ask you this way, sir: Who did 8 the maintenance on that building? 9 A. Daniel's. 10 Q. And if any maintenance needed to be done on 11 the steam piping in that building, would it be 12 Celanese who told Daniel's to do that? 13 A. Yes. 14 Q. All right. So what I would like to do, sir, 15 I'm sure you've noticed, as we were going through, I 16 was making notes of what you're saying to try and 17 simplify it. If I can tear these out without ruining 18 the page, which is probably our biggest challenge, I 19 would like for you to -- 20 All right. Skip over that on the video. 21 Would you be able to, sir, tell me whether 22 or not that is a fair and accurate representation of, 23 one, what you testified to, and, two, what was in the 24 buildings and happening with the buildings? 25 MR. MARSHALL: Objection; form.

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1 His testimony is the best record for what his 2 testimony is. 3 MR. McDONALD: Yeah, I join in 4 that objection. I don't think it's -- I mean, 5 you can certainly do it for this, but for 6 admissibility at trial or whatever, I don't think 7 it's proper for an attorney to make a record and 8 have the witness verify the record, but -- 9 BY MR. CHAPMAN: 10 Q. Sir, is there anything on those pages that's 11 any different than what you said? 12 MR. MARSHALL: Same objection. 13 MR. McDONALD: Same objection. 14 THE WITNESS: I don't understand 15 all your notations. Based on what I said, I 16 can't, number two on EX 4, I don't know what that 17 means. 18 BY MR. CHAPMAN: 19 Q. So -- 20 A. But -- 21 Q. So when it says number two on Exhibit Number 22 4 -- 23 A. Oh, I see. Okay. 24 MR. MARSHALL: Same objections. 25 Again, it's just tedious --	1 MR. CHAPMAN: And second -- 2 thirdly, please do not coach the witness about 3 what he should or shouldn't say. 4 MR. MARSHALL: Listen, I'm not 5 doing that at all. 6 MR. CHAPMAN: Well, I think -- 7 MR. MARSHALL: This isn't -- 8 you're not asking questions anymore. You have 9 already asked your questions, he's offered his 10 testimony, he's answered the questions. Now 11 you're doing something different, and the form 12 objection doesn't really cover what's being asked 13 of the witness right now. He's being asked to 14 take an action on what he's testified -- 15 MR. CHAPMAN: Well, since -- 16 that's why it's a completely different situation. 17 THE WITNESS: Y'all can stay on 18 the record, I'm going to go take a break real 19 quick. 20 BY MR. CHAPMAN: 21 Q. Well, there's a question pending. I'd ask 22 that you answer before we take a break. 23 MR. McDONALD: And I join in the 24 objection. I didn't mean to -- I didn't want to 25 interrupt anybody.
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1 MR. CHAPMAN: You guys can have a 2 running objection. 3 MR. MARSHALL: Well, I prefer to 4 make objections as we go just so nothing gets 5 played to, you know, a judge or anybody in a 6 different jurisdiction or anything like that. I 7 just -- I don't think this is proper at all. 8 And, Mr. Bowyer, if you don't 9 understand what his notes mean because they're 10 not exact representations of what you said, just 11 say that. 12 THE WITNESS: Oh, I will. 13 MR. MARSHALL: Because that's what 14 the objection is and that's the problem. 15 MR. McDONALD: I join. 16 MR. CHAPMAN: That's fine. 17 MR. MARSHALL: And you can present 18 this to the jury as a demonstrative if you want 19 to, but it's not proper for Mr. Bowyer to -- 20 MR. CHAPMAN: A couple of things. 21 Barret, please feel free to object; it's your 22 right to do that. One, please don't have 23 speaking objections; that was contrary -- 24 MR. MARSHALL: I know it was for 25 questions, I completely agree with you --	1 MR. CHAPMAN: That's fine. 2 BY MR. CHAPMAN: 3 Q. Is there anything you see on there that's 4 different than what you said? 5 MR. MARSHALL: Objection; form. 6 MR. McDONALD: Same objection. 7 THE WITNESS: I don't see anything 8 that wasn't in my testimony. 9 MR. CHAPMAN: Okay. All right. 10 And then what I will do is mark this collectively 11 as Exhibit, what are we on, 6? 12 (Exhibit No. 6 was marked for 13 identification.) 14 MR. MARSHALL: Same objections. 15 MR. CHAPMAN: And with that, we 16 can take a break. 17 THE WITNESS: Okay. Thank you. 18 THE VIDEOGRAPHER: Off the record 19 at 12:11. 20 (A recess was taken.) 21 THE VIDEOGRAPHER: Back on the 22 record at 12:39. 23 BY MR. CHAPMAN: 24 Q. All right. Sir, we took a little break. 25 A. Sure.

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1 Q. Got something to eat. I want to -- 2 hopefully I don't have too much more for you, but I 3 want to go through some more things. Particularly, I 4 want to ask you about Celanese's relationship with 5 Daniel and with other subcontractors. Okay? 6 A. With Daniel's subcontractors or other 7 contractors that we hired? 8 Q. Both. 9 A. Okay. 10 Q. Okay. So I understand from talking to 11 Mr. Buck last week that Daniel was the, for lack of a 12 better word, exclusive general contractor for most of 13 Spartanburg's history? 14 A. That's correct. 15 Q. That relationship began in 1966, and when 16 did it end? 17 A. Probably sometime around late '80s. We 18 still had a maintenance contract with them after 19 1990, but that ended at some point shortly after 20 that, I think. But the construction contract was 21 before 1990. 22 Q. And why did that end? 23 A. That was an engineering decision for new 24 construction. Why they picked the contractor they 25 picked, I have no knowledge of.	1 not having monthly safety meetings with its employees 2 from '70 to '74 at Spartanburg? 3 A. No, I believe they did. 4 Q. During those safety meetings from '70 to 5 '74, was any information about the hazards of 6 asbestos discussed? 7 A. It would have been, yes. 8 Q. During what time periods? 9 A. When OSHA came out, that's when the 10 knowledge, the consensus on asbestos was established. 11 Q. And was any information discussed about 12 Daniel's work with asbestos-containing materials? 13 A. I really don't know if that specific kind of 14 thing was done with our employees. 15 Q. Why not? 16 A. I just don't know. 17 Q. What steps did Celanese take from 1970 to 18 '74 to protect their employees from Daniel's work 19 with asbestos-containing products? 20 A. Well, it really started with OSHA, so not 21 1970. But Daniel's had in place work practices that 22 would make -- that would minimize the exposure that 23 their employees would have to asbestos. Our 24 employees were not allowed in the construction areas, 25 and as long as they were in the construction areas
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1 Q. Do you remember, sir, or do you know if 2 Daniel had a building or trailer or work site on site 3 in Spartanburg? 4 A. Yes, they did. 5 Q. What did they have? 6 A. As I recall, it was -- and it varied from 7 time to time, depending on the size of the project. 8 They had a trailer, and we may have also given them 9 office space in some areas. 10 Q. Do you know, sir, if Daniel held their own 11 meetings that didn't include Celanese employees? 12 A. Just any general meetings? 13 Q. Yes, sir, on site. 14 A. Yes. 15 Q. How do you know that? 16 A. I witnessed them. 17 Q. Okay. Did Celanese have safety meetings 18 with its employees? 19 A. Yes. 20 Q. How often? 21 A. Generally, once a month. 22 Q. And when did that start? 23 A. I never knew it not to be a program that 24 they had. 25 Q. So any reason to believe that Celanese was	1 prior to OSHA coming out, there would have been no 2 opportunity for exposure. 3 MR. CHAPMAN: So object to 4 non-responsive portion. 5 BY MR. CHAPMAN: 6 Q. There's a couple of things in there I want 7 to go back on. 8 First, if I am hearing you correctly, 9 Celanese relied on Daniel's policies to protect 10 Celanese employees from Daniel's work? 11 MR. McDONALD: I object to the 12 form of that question. 13 THE WITNESS: No, we didn't rely 14 on Daniel's. We relied on Daniel's to do their 15 work in a manner that would not create exposure 16 to our employees or to their employees. And we 17 also had policies in place related to asbestos 18 control and exposure, which would also provide 19 that protection. 20 BY MR. CHAPMAN: 21 Q. Great. So what I'm asking is: What are 22 those policies? 23 A. Whatever we provided in the documentation. 24 I don't -- I can tell you we complied with OSHA 25 standards as a minimum, and I cannot go back and

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1 recollect what the exact OSHA wording was back then. 2 Q. And how is it that you know that you did 3 comply with OSHA standards? 4 A. That's just a philosophy that we had of 5 being safe, working safe, complying with government 6 regulations, whether they be local, state or federal, 7 so we just did that. 8 Q. And sitting here today, sir, can you tell me 9 any specific policy that was in place that was 10 designed to comply with OSHA standards in regards to 11 asbestos? 12 A. Well, the policy that was in place at that 13 time would have been revised many times since then, 14 and the only policy that would be in place would be 15 the one that meets the requirements today. Because 16 we revised policies based on changes in regulations 17 for a lot of things, not just asbestos. 18 Q. I understand. So if the policy has been 19 revised multiple times, you can't tell what that 20 policy originally was? 21 A. No. 22 Q. Are you able to tell me when that policy 23 even officially started? 24 A. It would have started with the onset of 25 OSHA.	1 so did the policy. But there would have been no 2 reason to keep the old one. 3 BY MR. CHAPMAN: 4 Q. And so there is no way for us to see what 5 that policy was, if anything? 6 A. That's correct. 7 Q. And you started to answer this, but I want 8 to ask you: Did Celanese have any policies as it 9 relates to safety around Daniel's workers? 10 A. You mean a policy that said Daniel's had to 11 do work this way so they'd do it safely? 12 Q. That's a good distinction, so let me ask you 13 two ways: First, did Celanese have a policy for its 14 employees about being around Daniel's work? 15 A. We had policies that our employees were not 16 allowed to go in construction areas. We also had 17 policies that dealt with all aspects of safety -- 18 fall protection, respiratory protection, 19 housekeeping, and the list of lock-out/tag-out, you 20 know, the list goes on and on. 21 But we had policies for all that, but also 22 they were not allowed to go into the construction 23 areas, except for some of our engineering folks that 24 were overseeing the project. 25 Q. And how were those policies communicated to
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1 Q. And how do you know that? 2 A. Because we complied with regulations. 3 Q. Other than your knowledge of Celanese's 4 general intent to comply with state, local, federal 5 regulations, have you talked to anybody or seen any 6 document or done any sort of inquiry into finding out 7 when the first policy related to asbestos exposure 8 started at Spartanburg? 9 MR. MARSHALL: Objection; form. 10 THE WITNESS: I don't believe that 11 anybody has that specific knowledge. 12 BY MR. CHAPMAN: 13 Q. The policy that you're referring to that 14 meets today's standards that's been revised over 15 time -- 16 A. Correct. 17 Q. -- can you tell me, other than your general 18 knowledge of Celanese's intent to comply with federal 19 standards, that that policy was written in '71, '72, 20 versus '76 versus '86, originally? 21 MR. MARSHALL: Objection; form. 22 THE WITNESS: Well, I can tell you 23 that when OSHA came out, they would have written 24 a policy or a procedure or whatever you want to 25 call it to comply with OSHA, and as OSHA changed,	1 your employees? 2 A. There was training. 3 Q. How often? 4 A. Well, it was initial training when people 5 first went to work, and then there was periodic 6 safety meetings where they were refreshed on those 7 policies. 8 Q. And what did Celanese do to enforce those 9 policies? 10 A. Oh, we -- they would fire somebody if they 11 violated them. It depended upon the offense. 12 Q. Does -- is Celanese aware of any policy 13 violations of its employees around Daniel's 14 contractors for any point in time in Spartanburg? 15 MR. MARSHALL: Objection; form. 16 THE WITNESS: I don't have any 17 documentation to say one way or the other. 18 BY MR. CHAPMAN: 19 Q. What about '70 to '74? 20 A. I don't have any documentation for any time. 21 Q. Do you have any documentary evidence that 22 shows that policy that you're talking about that 23 Celanese employees were not allowed around Daniel's 24 employees, their work site? Do you have any 25 documentation that shows that that was enforced from

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1 1970 to 1974? 2 MR. MARSHALL: Objection; form. 3 THE WITNESS: I don't recall a 4 specific document, no. 5 BY MR. CHAPMAN: 6 Q. Other than your general knowledge, if that's 7 what was the intent, how do you know that to be true? 8 A. Well, Mr. Buck's testimony was the same as 9 that. His employees were not around the Celanese 10 folks, and we weren't allowed in the construction 11 area, other than for bathroom facilities or cafeteria 12 facilities or something like that. 13 Q. Okay. So other than your general knowledge 14 and Mr. Buck's testimony in this case, any other 15 basis for knowing that that policy was actually 16 enforced? 17 MR. MARSHALL: Objection; form. 18 THE WITNESS: My general knowledge 19 says it was enforced. I can't point you to a 20 document that says that. 21 BY MR. CHAPMAN: 22 Q. And you haven't talked to somebody who can 23 tell me that? 24 A. Well, not that I know of. Currently, I 25 mean, yes, when I was employed, I talked with people	1 AGC, I think, the Associated General Contractors, and 2 their procedures that they followed. 3 Q. And I understand that. I understand 4 Mr. Buck's testimony. 5 Do you have anything additional to that that 6 shows me that that was actually implemented and 7 enforced from '70 to '74? 8 MR. MARSHALL: Objection; form. 9 THE WITNESS: I don't have any 10 documents. Again, any procedures that we had 11 would have been updated probably several times 12 since that time frame. 13 BY MR. CHAPMAN: 14 Q. So there is no way for us to see what the 15 original procedure was? 16 A. Not that I know of. 17 Q. From '70 to '74 at Spartanburg, did Daniel 18 have any license or authority to decide to do work on 19 their own? 20 A. Well, related to construction, they were 21 given the contract and the specs and, you know, it 22 was, to simplify it, go build it. They would 23 interface with the Celanese representative, the 24 engineer on the project, if they had a question. But 25 it wasn't like we had to every day go tell them, go
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1 that could say, yeah, that was the policy and we 2 enforced it, but I can't identify anybody today. 3 Q. Okay. All right. So now let's switch to 4 the other kind of policy. Did Celanese have a policy 5 that Daniel's had to follow to ensure safe work 6 practices? 7 A. They -- we ensured that they had their own 8 policies for safe work practices. We ensured that 9 before we hired them. 10 Q. And did Celanese review those practices 11 before hiring them? 12 A. Yes. 13 Q. What was that review process like? 14 A. Well, I mean, we had a contract for safety 15 program where the contractor had to submit various 16 information, and I don't remember the list of all the 17 information. But one of them would be their 18 procedures or policies or what have you, their -- 19 after OSHA, their OSHA keeping experience -- 20 recordkeeping injury experience, things of that 21 nature. 22 Q. Okay. And how do you know that was done at 23 Spartanburg from '70 to '74? 24 A. I don't have any documents to say that it 25 was. Mr. Buck's testimony talked about, is it an	1 do this. 2 Q. So Daniel's was, more or less, responsible, 3 top to bottom, for original construction? 4 MR. McDONALD: Object to the form; 5 overly broad. 6 THE WITNESS: Yeah, in simple 7 terms. 8 BY MR. CHAPMAN: 9 Q. Is there anything wrong with that statement? 10 A. Well, it's just like Celanese retained a 11 responsibility to oversee the construction, so it 12 wasn't like, you know, we just said, just go do it, 13 you know. We said, okay, here's the contract, here's 14 the specs, here's the drawings, go build this; now 15 we're going to be watching what you're doing, not 16 necessarily find something wrong but just to make 17 sure that Celanese did the engineering right and that 18 everything fits together right. 19 Q. And did Celanese oversee the Daniel's 20 working of construction? 21 MR. MARSHALL: Object to form. 22 THE WITNESS: Yes. 23 BY MR. CHAPMAN: 24 Q. All materials that Daniel's were using had 25 to be approved by Celanese?

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1 A. Excuse me. Well, as we talked earlier, the 2 purchase orders, recommendation from Daniel's for 3 purchasing something, had to be approved by Celanese. 4 Q. For the maintenance contracts Daniel had 5 with Spartanburg, did Daniel have any sort of license 6 or authority to do work on their own without Celanese 7 direction? 8 A. No. 9 Q. Were there any sort of protocols or safety 10 practices in place to ensure that on the maintenance 11 side of Daniel's contract, that what they were doing 12 was being done in a safe manner? 13 A. Well, there were procedures in place and 14 they had their own procedures for doing it, yes. 15 Q. So we don't go around and around, was that 16 the same procedures we were talking about earlier? 17 A. The construction procedures are probably a 18 little different than maintenance procedures, but 19 they generally would have been Daniel's documents, 20 and we would have overseeing documents on types of 21 things that would be done, contract specifications. 22 Q. And so again, so we don't go down another 23 little side trail here: You don't have any documents 24 to point me to that says that, and the policies have 25 been updated so we can't go look at what the original	1 Q. Okay. Generally, what would Celanese be 2 looking for in these audits? 3 A. Well, the audits weren't done just -- there 4 were audits done just on contractors, but the audits 5 were generally done -- now we're talking about 6 Daniel's maintenance -- of an area, and Daniel's 7 would be working in that area, and their work would 8 be included in that audit to make sure they were 9 complying with the safety requirements. 10 Q. Got it. So Celanese would do an audit of 11 Poly 1, for example? 12 A. Right. 13 Q. And that would include all of Poly 1, which 14 included Daniel's? 15 A. That's correct. 16 Q. Okay. Do you know, sir, if there was any, 17 for lack of a better word, violations that needed to 18 be corrected from Daniel's work from '70 to '74? 19 A. I don't have any documentation for that. 20 Q. Do you know if that kind of documentation 21 exists? 22 A. I do -- if it did, it would be in what we 23 have produced. 24 MR. CHAPMAN: And, Barret, maybe 25 this is better to talk about off the record. But
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1 policies were? 2 MR. MARSHALL: Objection; form. 3 THE WITNESS: Yeah, kind of. But, 4 I mean, the contract, and I don't remember the 5 term in the maintenance contract, but it says 6 something about safe and workmanlike procedures 7 or something like that in the contract. 8 BY MR. CHAPMAN: 9 Q. Okay. What did Celanese do to enforce that 10 provision of the contract? 11 A. Safety audits. 12 Q. How often were those done? 13 A. There was periodic; it could be every week, 14 every two weeks, it just depended on what time frame 15 you're talking about. And I don't have any 16 documentation to say what the frequency was back 17 then. 18 Q. And did that happen 1970 to 1974? 19 A. I don't have any documentation to say. But 20 it would have, as a good engineering practice to make 21 sure your contractor's doing what they're supposed to 22 do. 23 Q. Sitting here today, can you tell me that 24 happened in that time frame? 25 A. I don't have any documentation to say that.	1 in the e-mail I got this morning about the 2 privilege logs, it appeared, at least from the 3 description, that part of that was self-audits. 4 I don't know if that's included in what we're 5 talking about here. If so, we would probably 6 want those, but type that off the record. 7 BY MR. CHAPMAN: 8 Q. Okay. After Daniel's, on the maintenance 9 side, was done with a project, did Celanese have to 10 come by and approve whether it was done correctly? 11 A. Yes. 12 Q. What was the process of getting that done? 13 A. Well, Daniel's would finish the maintenance, 14 for instance, replacing a pump, they would go replace 15 the pump, they would get it all hooked up, and they 16 wouldn't operate the valves because that was 17 production or Celanese's job, and they would contact 18 Celanese and say, okay, we're done, we're ready to 19 start it up. 20 Q. And at that point, would Celanese come and 21 make sure it was done? 22 A. Yes. 23 Q. Do you have any information or documents 24 that show that Daniel's performed a job like that 25 incorrectly?

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1 A. I do not. If there is anything like that, 2 it would be in production. 3 Q. What about new construction, was there a 4 process by which Celanese had to approve Daniel's 5 work on new construction? 6 A. Yes. 7 MR. MARSHALL: Objection; form. 8 BY MR. CHAPMAN: 9 Q. What was that process? 10 A. There was an engineer, a project manager for 11 Celanese, there was a project manager for Daniel's, 12 and the Celanese project manager would follow the 13 construction and verify that things were done as 14 needed to be done, and Daniel's project manager did 15 as well. 16 Q. Was there ever a point in time when Celanese 17 would supervise Daniel's employees' work? 18 MR. MARSHALL: Objection; form. 19 THE WITNESS: No. 20 BY MR. CHAPMAN: 21 Q. Who would supervise Daniel's employees? 22 A. Daniel's supervisors. 23 Q. Post OSHA, up to 1974 when Mr. Crawford 24 left -- 25 A. Right.	1 go do it; or did you say, this is how you do it? 2 A. No, it was, go do it. 3 Q. Did you discuss with them the proper ways to 4 do maintenance? 5 MR. MARSHALL: Objection; form. 6 THE WITNESS: We made sure they 7 had proper procedures in place that they would 8 follow -- excuse me -- for whatever work they had 9 to do, make sure their employees were properly 10 trained, and then go do it. And, of course, 11 during safety audits, that job or task that was 12 ongoing at the time would be monitored. 13 BY MR. CHAPMAN: 14 Q. And how did you make sure that their 15 employees were properly trained? 16 A. Basically, discussions with them and 17 reviewing what training was happening and how often 18 they did it. 19 Q. Did Celanese ever train Daniel's employees? 20 A. No. 21 Q. Would Celanese sit in on Daniel's training? 22 A. From time to time, they could have. 23 Q. Excuse me. 24 A. I hope you're not getting this. 25 Q. Was there ever a time, sir, from '70
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1 Q. -- did Celanese receive any OSHA violations 2 for asbestos, for asbestos related? 3 A. Not that I'm aware of. 4 Q. Do you know if Daniel's did? 5 A. Not that I'm aware of. There was nothing in 6 the records to indicate that. 7 Q. Do you know if there was any OSHA 8 inspections in that time period? 9 A. I don't. 10 Q. Do you know what, if anything, Celanese has 11 done to try to find that out? 12 MR. MARSHALL: Objection; form. 13 THE WITNESS: Done the record 14 search, we have looked at -- OSHA was one of the 15 search terms, and all the requests we made of 16 Auriga, and in the records we already had 17 in-house, and there was nothing identified during 18 that time frame. 19 BY MR. CHAPMAN: 20 Q. So I understand, on the construction side of 21 things, it was, as you say, put it simply, go build 22 it and let them do it and then you approved it. 23 A. Right. Monitored it and approved, yes. 24 Q. All right. On the maintenance side of 25 things, was it, hey, this steam pipe needs repairing,	1 forward, at Spartanburg, where Celanese did not 2 approve of Daniel's work and it had to be redone or 3 fixed or whatever? 4 A. I don't have any documentation that would 5 say that. 6 Q. On new construction, not maintenance, do you 7 know if that ever happened? 8 A. Again, we don't have that documentation. 9 Q. Do you have any information or document, 10 sir, that show Celanese stepped in when Daniel's was 11 performing work incorrectly to try to correct how 12 they were working? 13 A. I don't have any documentation for that. 14 Q. Do you know if any Daniel's employee was 15 reprimanded or let go for performing work incorrectly 16 at Spartanburg? 17 A. I remember a case, and I don't know if this 18 was at Spartanburg because I've reviewed so many 19 records, where a Daniel's employee was actually fired 20 for not following procedure. 21 Q. And I think I know what document you're 22 talking about. Was that at the Shelby plant? 23 A. I'm sorry. 24 Q. Okay. All right. 25 A. My long-term memory is better than my

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1 short-term memory. 2 Q. Okay. 3 A. But again, that was common practice, you 4 know; you violate procedures, your job's in jeopardy. 5 MR. CHAPMAN: Object to 6 non-responsive portion. 7 BY MR. CHAPMAN: 8 Q. Let me just ask, see if it rings any bells. 9 If we're thinking about the same document, I think it 10 was the Shelby plant in like the mid 1980s. Does 11 that ring any bells? No? 12 A. No. 13 Q. All right. I'm trying to look through my 14 notes and short circuit this where I can, so bear 15 with me. 16 Sir, did Celanese have any ability to fire 17 Daniel's employees? 18 A. Not directly. If we saw a violation, we 19 would go to the Daniel's either superintendent or 20 supervisor and say, here's what happened, here's the 21 documentation of what happened, and we recommend you 22 fire this person. 23 I think we had, as I review the -- remember 24 the contract, we had the right to have them fired, 25 but it would go through Daniel's. It wouldn't -- it	1 Q. If Mr. Crawford testified that he was around 2 Daniel's employees and their work, do you have any 3 reason to think that he is lying about that? 4 MR. MARSHALL: Objection; form. 5 MR. McDONALD: Object to the form. 6 THE WITNESS: I believe he was 7 around maintenance employees, yes. 8 BY MR. CHAPMAN: 9 Q. If Mr. Crawford says that he was around work 10 on piping when insulation work was being done, any 11 reason to think that's wrong? 12 MR. MARSHALL: Objection; form. 13 MR. McDONALD: Object to form. 14 THE WITNESS: I don't recall him 15 saying that, so I can't answer that. I mean, if 16 you can show me his testimony where he said that, 17 I will try and respond to that, but I really 18 don't remember him saying it. 19 BY MR. CHAPMAN: 20 Q. Sure. So I'll pull his testimony on a break 21 and we'll go through it. 22 But just for the sake of argument for a 23 second, if Mr. Crawford said that he was around work 24 being done on pipe and there was insulation work 25 being done on piping, any reason to think that that's
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1 would not be us that fired them directly. 2 Q. Do you know if that ever happened at 3 Spartanburg? 4 A. I don't have any documentation for a 5 particular case. 6 Q. Was there ever a period of time, sir, when 7 Celanese employees were working next to Daniel's 8 employees? 9 MR. MARSHALL: Objection; form. 10 BY MR. CHAPMAN: 11 Q. At Spartanburg. 12 A. Maintenance employees, Celanese employees, 13 would be in the area where maintenance, the Daniel's 14 maintenance employees would be working, but not 15 construction. 16 Q. And how do you know about that? 17 A. That was the procedure, and it was enforced, 18 and you might get fired if you disobeyed that. 19 Q. How do you know it was enforced? 20 A. Well, that's just our program, our 21 procedure, you know. 22 Q. So I understand that's the procedure, but 23 how do you know that that's -- 24 A. I don't have any documentation to show that 25 anybody was disciplined or fired for doing that.	1 impossible? 2 MR. McDONALD: Object to form. 3 MR. MARSHALL: Objection; form. 4 THE WITNESS: It's not impossible. 5 It would not be construction. 6 MR. CHAPMAN: Object to 7 non-responsive portion. 8 BY MR. CHAPMAN: 9 Q. If Mr. Crawford said that he was near or at 10 least saw the new construction being done, and that 11 included insulation on piping, is that impossible? 12 MR. MARSHALL: Objection; form. 13 MR. McDONALD: Object to form. 14 THE WITNESS: No. There would 15 have been probably plastic barricades put up, 16 sheeting, between the construction area and 17 operating area, so he could have seen through the 18 plastic sheeting. 19 BY MR. CHAPMAN: 20 Q. Okay. So I went through some of this with 21 Mr. Buck last week, so I don't want to go deep into 22 it with you again today. 23 A. Okay. 24 Q. I understand that Daniel's, and to some 25 extent Celanese, had policies about sheeting or

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1 wet-down methods or other methods for controlling 2 dust at a certain period of time. Do you have any 3 information or any documents that you can point me to 4 that shows me that was actually done and implemented 5 at Spartanburg '70 to '74? 6 A. It was part of the standard practice for 7 construction areas. Do I have a document that shows 8 that it was done during that time period between CB1 9 and CB2? I don't have a document that says that. 10 Q. Do you have any knowledge outside of that 11 was just what was generally done to show that that 12 wasn't just the policy but that actually happened? 13 A. I have seen it occur, but not in that time 14 frame. 15 Q. Okay. Bear with me, sir, I'm trying to save 16 you some time. 17 A. I am mostly retired, all I have got is time. 18 Q. Do you know, sir, when the first time 19 asbestos-related issues were discussed at a Celanese 20 safety meeting with its employees at Spartanburg? 21 A. It would have been after inception of OSHA. 22 Q. Okay. And again, just general knowledge of 23 that? 24 A. Yes. 25 Q. Okay. All right, sir. Switch gears just a	1 Q. Yeah. And those were not all gone through; 2 is that right? 3 MR. MARSHALL: Objection. 4 THE WITNESS: I have not gone 5 thorough all those. Is that what you're asking 6 me? 7 BY MR. CHAPMAN: 8 Q. Yes. 9 A. No, I have not. 10 Q. So there may be Covil in there, you just 11 don't know? 12 A. Well, it was searched with an electronic 13 search for what was already converted to electronic 14 form, and if there is a document in there, they would 15 have found it and provided it. 16 Q. All right. And as we kind of went through 17 earlier, you know, I thumbed through some of those 18 documents on a break, and I did see one or two 19 original Daniel's construction contract type 20 documents -- 21 A. Right. 22 Q. -- from the '70s. 23 Other Spartanburg documents from the '70s up 24 through the late '80s, they would show suppliers of 25 insulation. Do you have any idea where those
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1 little bit. Does Celanese have any knowledge of an 2 entity called Covil? 3 A. Covil? 4 Q. Yes. 5 A. I have knowledge of what it was or used to 6 be or something; they were an insulation company, I 7 think. 8 Q. Okay. Does Celanese have any knowledge that 9 Covil supplied the insulation on the original 10 construction at Spartanburg? 11 A. No, I don't have that knowledge. 12 Q. Do you know what Celanese has done to try to 13 answer that specifically? 14 MR. MARSHALL: Objection; form. 15 THE WITNESS: Oh, went through all 16 the documents that Auriga had, that they supplied 17 to us, all the documents we already had on hand, 18 used search terms including subcontractor and 19 Covil and whatever. And, you know, if there is a 20 document that says that, it's in this, the 21 documentation we have provided to you. 22 BY MR. CHAPMAN: 23 Q. And we're talking about the same 19, 20,000 24 pages? 25 A. Whatever it is, yeah.	1 documents would be? 2 MR. MARSHALL: Objection; form. 3 THE WITNESS: If they're not in 4 there, they don't exist, because, I mean, we have 5 looked every place that we can think to look, and 6 I can't imagine anybody would have it but the 7 Spartanburg site or the files that counsel 8 already had. But my belief is they probably 9 don't exist. 10 BY MR. CHAPMAN: 11 Q. So now I'm jumping around a little bit on 12 you. Do you know why, when Celanese sold the 13 Spartanburg facility, it did not retain copies of the 14 site specific documents? 15 A. That would have been based on the sales 16 contract of what they needed and what they didn't 17 need and, no, I don't know why. 18 Q. Okay. All right. So jumping back. Do you 19 know if Covil was a search term used on the documents 20 in this case? 21 A. Yeah, I'm pretty sure it was. 22 Q. How do you know that? 23 A. I saw the list of the search terms. 24 Q. Is that a list that you have? 25 A. I don't have it, no.

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1 Q. Is that a document that exists somewhere? 2 A. Yeah, I saw a document. 3 MR. CHAPMAN: For the record, 4 we'll want that. I'm sure you will have some 5 objection to that privilege. 6 MR. MARSHALL: Yeah, yeah. 7 MR. CHAPMAN: We'll talk about 8 that. 9 BY MR. CHAPMAN: 10 Q. Do you know who searched for Covil? 11 A. It would have been counsel. 12 Q. Do you know how long they searched? 13 A. No. 14 Q. Do you know if anybody searched through the 15 hard copies for Covil? 16 A. No, I don't know that. 17 Q. Do you have any information, sir, about 18 whether or not Covil was on site at Spartanburg from 19 '70 -- throughout the '70s? 20 A. The only information I have is what I read 21 in Mr. Buck's deposition. 22 Q. Okay. Just to be clear, for the record, 23 would that be the same if I asked for the 1960s? 24 A. Yes. Unless it's in the documentation we 25 provided, again, I haven't reviewed every document.	1 site. 2 Q. Do you know, sir, how much 3 asbestos-containing insulation has been abated off of 4 Spartanburg? 5 A. It would have to be in the records. I don't 6 have that knowledge. 7 Q. Do you know if there is still 8 asbestos-containing insulation on Spartanburg today? 9 A. I don't know that, but I don't know of a 10 project to generally go out and abate the insulation. 11 Q. Do you know, when Celanese sold Spartanburg, 12 if there was still asbestos-containing insulation on 13 site? 14 A. Yes. 15 Q. How did Celanese go about determining what 16 to abate and not to abate? 17 A. It was generally project or maintenance 18 driven. If they had a project where there were 19 tie-ins that needed to be made and the insulation 20 might contain asbestos, then they would abate. Also, 21 if there was maintenance that needed to be done on 22 equipment that might be insulated with insulation, 23 then we would use our procedures to determine if it 24 was, and abated, if need be. 25 Q. And what procedures would you use to
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1 Q. Whoever the insulation supplier was, 2 Celanese would have to approve that before it was 3 done for the original construction; is that fair? 4 MR. MARSHALL: Objection; form. 5 Sorry. 6 THE WITNESS: Yes. For a purchase 7 order, yes. 8 BY MR. CHAPMAN: 9 Q. Okay. Sitting here today, sir, is there any 10 other information you can give me about Covil at 11 Spartanburg at any point in time that we have not 12 discussed? 13 A. Well, there may be something in the 14 documents, but I can't point to anything, no. 15 Q. Do you need to take a break? 16 A. No, I just have to cough. I will tell you 17 when I need to take a break. 18 Q. All right. All right. Sir, I have a number 19 of documents I want to go through. Hopefully we'll 20 get through them pretty quickly. 21 At some point, sir -- let me ask you just 22 generally. Spartanburg -- the asbestos insulation 23 was abated in Spartanburg? 24 A. There were jobs where insulation containing 25 asbestos had to be abated, yes. It was not the whole	1 determine if it was? 2 A. You had to do sampling. If you didn't -- if 3 there was an emergency job and you didn't know, you 4 handled it as if it was asbestos. 5 Q. And again, I apologize, I'm going to jump 6 around on you for a second here. Do you know, sir, 7 if at any point, '74 and before, if Daniel's, or any 8 contractor that Daniel may have subcontracted with, 9 had to tie in to the steam piping in Poly 1? 10 MR. MARSHALL: Objection; form. 11 THE WITNESS: It would have been 12 for maintenance in that time frame, because Poly 13 1 was already built. 14 BY MR. CHAPMAN: 15 Q. What about Poly 2? 16 A. Well, they had to tie in the steam lines to 17 the steam system and the Dowtherm to the Dow system, 18 and they would have had to have disturbed insulation. 19 And depending on when that insulation was installed, 20 it may or may not contain asbestos. 21 Q. Okay. So I want to do a few things here. 22 First, as I understood it, and we can take a look at 23 Exhibit 4 if you want, Poly 1 and Poly 2 are right 24 next to each other? 25 A. Correct. They're essentially the same

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1 building, although they were built at different 2 times. 3 Q. Okay. So they're touching? 4 A. Well, they share a structural seal. 5 Q. Okay. In the building of Poly 2, did 6 Daniel's, or whomever was building it, have to -- did 7 they have to tie in to the steam system in Poly 1? 8 A. Not necessarily. 9 Q. Where did they tie in? 10 A. Well, they'd tie in to the main steam 11 header. 12 Q. Where was that? 13 A. That -- it's probably -- probably on what's 14 called the high line, which is external to the 15 building, and it's a main header which supplies all 16 of them. Or they may have to put in a new steam 17 boiler, in which case it would have been new 18 construction. 19 Q. Would it be impossible for tie-in work to be 20 going on at Poly 1 for Poly 2? 21 MR. MARSHALL: Objection; form. 22 THE WITNESS: It wouldn't be 23 impossible; it would be unlikely. 24 BY MR. CHAPMAN: 25 Q. Why?	1 Q. At the very least, as you said, there was a 2 big opening between Poly 1 and Poly 2? 3 MR. McDONALD: Objection; general 4 as to time. 5 THE WITNESS: I can't say on every 6 floor there was a big opening, but in general, 7 you could walk from Poly 1 to Poly 2. 8 BY MR. CHAPMAN: 9 Q. Okay. And if I understood your testimony, 10 you said that as construction progressed, they took 11 down parts of that wall; is that right? 12 A. Well, they had to get it protected from the 13 weather so that Poly 1 was not open to the weather. 14 So it probably occurred sometime after the roofing 15 was put on for Poly 2. 16 Q. Okay. So is it fair to say, sir, that that 17 wall was taken down, and part or most of it or 18 however you want to phrase it, when Poly 2 was 19 structurally sound enough for that to happen? 20 MR. McDONALD: Object to form. 21 MR. MARSHALL: Objection; form. 22 THE WITNESS: And, weather-wise, 23 okay to have batch poly exposed to that area. 24 BY MR. CHAPMAN: 25 Q. Okay. Now, I'm not an expert in
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1 A. Just because of the physical location of 2 where the boilers were, where Poly 1 was and where 3 Poly 2 was being constructed. The header was right 4 outside of Poly 2. 5 Q. What about the Dowtherm piping? 6 A. Same thing. And more likely with Dowtherm, 7 they had to add Dowtherm capacity in order to build 8 Poly 2. 9 Q. Poly 1 and Poly 2, I mean, you said they 10 share a seal. Was there a wall or a door between 11 them? 12 A. Well, originally it would -- Poly 1, there 13 was a wall on the end. Poly 2 was built at that end, 14 and as they got construction up, they tore, maybe not 15 all but most of that wall down and it became an 16 opening or large doorway, if you will, but nothing to 17 close. 18 Q. Okay. So Poly 1 was open to Poly 2? 19 MR. McDONALD: Object to the form. 20 MR. MARSHALL: Objection; form. 21 BY MR. CHAPMAN: 22 Q. Is that right? 23 A. Generally, yes. I mean, there were places 24 where it wasn't, but in general you could walk 25 between the two of them.	1 construction by any means, but seems like to me you 2 need four walls and a roof before you can do anything 3 on the inside of the building; is that fair? 4 A. No, it's not. For one thing, when you're 5 putting in major equipment, it's big, so you need 6 large openings from the outside, not from an adjacent 7 area, to be able to get the equipment in there. And 8 so, no, it might have a roof, but it may not have 9 four walls. 10 Q. Understood. Do you need four walls and a 11 roof before you can do steam piping? 12 MR. MARSHALL: Objection; form. 13 THE WITNESS: No. 14 BY MR. CHAPMAN: 15 Q. Why not? 16 A. Well, steam piping, it's almost like 17 building steel. You're taking piping and welding it 18 together and then insulating it. Now, it would need 19 to be protected once you started insulating it. 20 Q. Okay. So I'm asking bad questions and 21 you're doing a good job of answering, so let me ask 22 what I'm trying to get at here. Before steam pipes 23 were insulated, did there have to be four walls and a 24 roof? 25 A. No.

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1 Q. Okay. Why not? 2 A. Well, I mean, if the weather was bad, it 3 would be difficult to insulate because you don't want 4 the insulation getting wet. But once -- in fact, 5 there is a lot of insulated pipe that's exposed to 6 the environment, but it's got an aluminum covering on 7 it, and that protects it from rain, wind, snow, 8 whatever. 9 Q. Okay. I have often heard, and I think even 10 Mr. Buck may have said last week but I'm not entirely 11 sure, that the insulation was one of the last things 12 done on the project. Does that sound right to you? 13 MR. MARSHALL: Objection; form. 14 MR. McDONALD: Object to the form. 15 THE WITNESS: Yeah, and although I 16 read his deposition, I thought what he said was 17 the pipefitters would be doing piping, and then 18 when they finished a part of the piping, the 19 insulators would come in. Which to me it didn't 20 mean that all the piping was done then they came 21 in. So it was kind of a progression. And I just 22 will try to -- I will put in this 100 feet of 23 pipe; I have got 200 more feet of pipe to put in, 24 but you-all can go ahead and insulate this 100 25 feet.	1 THE WITNESS: It would have been, 2 depending upon the time frame, calcium silicate 3 of some kind was an approved spec. I think 4 Rockwool was approved for that. So to say one 5 was or one wasn't, no, I can't say. But most 6 likely it was calcium silicate. 7 BY MR. CHAPMAN: 8 Q. Which would have been asbestos containing? 9 MR. McDONALD: Objection. 10 MR. MARSHALL: Objection; form. 11 THE WITNESS: Depending upon the 12 frame. Once OSHA came out and manufacturers 13 stopped making it, you obviously couldn't buy it. 14 BY MR. CHAPMAN: 15 Q. Okay. Do you know when Poly 2 was totally 16 finished? 17 A. No. It was late '70s, early '80s, probably, 18 because I think they went through CP5. 19 Q. Okay. 20 A. But that's -- I am not sure. 21 Q. All right. So I want to go through a few 22 documents here and we'll answer some of these 23 questions. First of all, I want to mark -- what are 24 we on -- Exhibit 7? 25 (Exhibit No. 7 was marked for
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1 BY MR. CHAPMAN: 2 Q. Understood. 3 A. Does that make sense? 4 Q. It does. 5 A. Okay. 6 Q. Do you have any information, sir, that the 7 insulation on the steam piping in Poly 2 was done 8 before the four walls and the roof were up? 9 A. No, I don't have a time line on that, that I 10 recall. 11 Q. Okay. 12 A. It may have been in one of the progress 13 reports, but I don't recall. 14 Q. If Mr. Crawford said he saw Daniel's 15 employees putting on insulation on steam piping in 16 Poly 2, any reason to dispute that? 17 MR. MARSHALL: Objection; form. 18 MR. McDONALD: Object to form. 19 THE WITNESS: No, I mean, there is 20 no reason. Even with plastic barriers put up, 21 you can see through it. 22 BY MR. CHAPMAN: 23 Q. Do you know what kind of insulation was 24 being put on steam piping in Poly 2? 25 MR. MARSHALL: Objection; form.	1 identification.) 2 Q. And for the record, this is Bates Crawford 3 007603 through 7605. 4 Sir, are you able to tell me what this is? 5 A. It's a letter from Kay Carraway, who I 6 assume is an SOS employee, to Jean Wheeler of South 7 Carolina DHEC about some -- a request to dispose of a 8 container of asbestos waste. 9 Q. And who is SOS International, do you know? 10 A. It's an asbestos abatement firm that I 11 believe is a division of Daniel, Fluor Daniel. 12 Q. If you turn to the second page, sir. This 13 is entitled SOS International Asbestos Removal, 10/01 14 to 12/31 of 1995. 15 A. Right. 16 Q. And at the bottom, it says, Hoechst Celanese 17 Spartanburg. 18 A. Right, this is a quarterly report. 19 Q. And in this quarter, this lists all of the 20 asbestos insulation that was removed? 21 A. Yes, as part of routine maintenance. 22 Q. And on here, we can go through each one, but 23 there are several entries for Batch Poly? 24 A. Right. 25 MR. MARSHALL: Objection; form.

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1 BY MR. CHAPMAN: 2 Q. The first entry is Batch Poly? 3 A. Yes. 4 Q. Okay. And just because of the objection, 5 I'm sorry, we're going to have to go through them 6 all. The fourth entry is Batch Poly? 7 A. Yes. 8 Q. The fourteenth entry, sir, about midway down 9 the page, says, Stretch Line Number 12? 10 A. That's not Batch Poly. 11 Q. I was going to ask you, where is that? 12 A. That's Staple. 13 Q. Staple? Okay. 14 Underneath that, High Line? 15 A. It just says North Poly. That's probably a 16 utility line outside the building. That's what the 17 "high line" is, is utility piping outside. 18 Q. Okay. Underneath that, says Third and 19 Fourth floor, BP -- 20 A. That's Poly. 21 Q. Okay. Two underneath that, Third and Fourth 22 Floor, Batch Poly? 23 A. Right. 24 Q. Underneath that is also Batch Poly? 25 A. Right.	1 A. Back to the court reporter? 2 Q. Give me a second, sir. I'm trying to take 3 things a little out of order to speed things up, so 4 I'm getting myself lost. 5 A. Oh, that's okay. My mind works out of 6 order, too. 7 Q. All right. I'm going to hand you what I'm 8 marking as Exhibit 8. 9 (Exhibit No. 8 was marked for 10 identification.) 11 Q. And this is Bates Crawford 009391 through 12 9393. Can you tell me what we're looking at, sir? 13 A. It looks like a quarterly report for 14 asbestos abatement during the time frame of, I guess 15 the third quarter of -- or fourth quarter of '88. 16 Same type of thing. 17 Q. Okay. So there's a number of locations on 18 here. I want to go through them all. There is 19 mention of, you know, Batch Poly roof and things like 20 that. I don't want to ask you about that right now. 21 Under like the fourth entry through like the 22 seventh entry, eighth entry, do you see that -- 23 A. Yes. 24 Q. -- where it says Poly CP? 25 A. Yes.
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1 Q. And then near the bottom, fourth up from the 2 bottom, I think that's Batch Poly; is that right? 3 A. Yeah. There is also one above, Batch Poly 4 Third Floor, which is probably number 12, Third BP. 5 Q. Okay. 6 A. That's probably Batch Poly. 7 Q. Okay. So this just shows, in this quarter, 8 insulation that was -- asbestos insulation that was 9 removed from Batch Poly, among other places, but we 10 listed out the Batch Poly? 11 A. Yes. This doesn't mean that's all that was 12 abated. And you understand this is a quarterly 13 report, which is allowed for routine maintenance 14 activity. If we were going in to clean out a tank 15 and we had to strip the insulation off, that would be 16 a separate report from this. 17 Q. I understand. 18 A. Okay. 19 Q. Do you know of any other asbestos pipe 20 insulation that was abated in this quarter, other 21 than what's shown here? 22 A. I do not personally know of any. I don't 23 know if there is any documentation that says that, 24 but there could be. 25 Q. Okay. All right. You can put that aside.	1 Q. What does CP stand for? 2 A. Conti Poly. 3 Q. Conti Poly. Okay. 4 So that was all asbestos that was removed 5 from Continuous Poly? 6 A. Yes. 7 Q. And that's Poly 2? 8 A. It was -- either contained asbestos or was 9 assumed to contain asbestos; because they didn't want 10 to sample it, or didn't have time to sample it. 11 Q. And then a few under -- a few underneath 12 that, again, is Poly CP? 13 A. Right. 14 Q. There is five entries for Poly CP? 15 A. Right. 16 Q. And that was abated? 17 A. Yes. 18 Q. Okay. And then throughout, sir, about 19 midway down, there is a couple entries for Batch 20 Poly. Do you see that? 21 A. I do. 22 Q. There's a couple more entries below that for 23 Dowtherm pipe on Poly 2? 24 A. I see it on CP1. Is that the one you're 25 referring to?

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1 Q. Yes. 2 A. Okay. Yep. 3 Q. Okay. And this is just a summary of the 4 asbestos abatement in this quarter? 5 A. Well, actually, it's a detail of the 6 abatement that was done for small scale projects. 7 Q. Okay. All right. Fair enough. You can put 8 that aside. 9 All right. I'm going to hand you what I'm 10 marking as Exhibit 9. 11 (Exhibit No. 9 was marked for 12 identification.) 13 Q. It's a very similar document, sir. 14 A. Yes. 15 Q. Does it look to be very similar, just a 16 different quarter? 17 A. Yes. And there was no person that it was 18 addressed to, which is unusual. Yes, same thing. 19 Q. And then you see on the second page -- and 20 this is Bates 9358, 9359. The second half, there are 21 a couple of entries for Batch Poly and Conti Poly? 22 A. Yes. 23 Q. Okay. All right, sir. I'm going to hand 24 you what I'm marking as Exhibit 9 -- 10, I'm sorry. 25 (Exhibit No. 10 was marked for	1 me what we're looking at? 2 A. It's a memo from Jim Stowe, who is the 3 industrial hygienist, to Maurice Jones, who was a, I 4 believe, a production supervisor. 5 Q. And what are they talking about? 6 A. Well, I have to read it. 7 Q. Okay. 8 A. Do you know what that crossed-out word is? 9 Did you-all cross it out or -- 10 Q. I did not. 11 A. It looks like it was just a redundant word. 12 Q. I'll tell you what, why don't you take a 13 second, sir, to review the next few pages of this. 14 A. Okay. 15 Q. And we have got to change the videotape 16 anyway -- 17 A. Okay. 18 Q. -- so let's do that. 19 A. Okay. 20 THE VIDEOGRAPHER: This concludes 21 media number two. Going off the record at 13:35. 22 (A recess was taken.) 23 THE VIDEOGRAPHER: This is the 24 beginning of media number three. We're going 25 back on the record at 13:37.
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1 identification.) 2 Q. And this is Bates 10759 through 10762. Can 3 you tell me what we're looking at in this collection 4 of documents? 5 A. Well, the first sheet is a memo from the 6 industrial hygienist to the environmental engineer. 7 Q. And what are they talking about? 8 A. I don't know what an occurrence means, so 9 I'm not sure. I'm Bruce, because I was there then, 10 but, again, I don't know what that refers to. 11 Q. Okay. 12 A. And I didn't get a copy of this or I would 13 have questioned that. 14 Q. Okay. 15 A. And I may have, but I don't remember it. 16 Q. So this is talking about you. That was my 17 next question. 18 A. Yeah, that Bruce was me. 19 Q. Okay. 20 A. I was his boss. 21 Q. All right. But we can glean from this that 22 what an occurrence means may be unclear, but it's 23 talking about asbestos in Poly; is that fair? 24 A. Yeah. 25 Q. Okay. The second page, are you able to tell	1 BY MR. CHAPMAN: 2 Q. Okay, sir. Have you had a chance to review? 3 A. I have. 4 Q. Okay. What were we talking about on page 5 two? 6 A. Page two is the industrial hygienist asking 7 a production supervisor to reinforce the asbestos 8 procedures with their employees. 9 Q. And do you know why they would be doing 10 that? 11 A. If you look at the next page, there was a 12 couple of occurrences that happened where Celanese 13 employees, it appears, handled TSI. One was just 14 doing housekeeping, and the other one's -- I don't 15 quite understand this because it says they -- the 16 mechanics didn't cut on the asbestos treated by 17 the -- just run-on pipes, metal and above and below 18 the insulation, so they didn't really disturb the 19 insulation. So that may or may not have been an 20 occurrence, as he described it. 21 Q. And by "TSI," you mean Thermal Systems 22 Insulation? 23 A. Yes. 24 Q. Okay. 25 A. And again, I don't know where it was, I

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1 don't know when that line would have been put in, so 2 it may not have been asbestos containing, but our 3 procedure says if you don't know, you either treat it 4 as asbestos or you get it tested. 5 Q. So if I'm understanding correctly, sir, 6 this, what this shows is at least one instance in 7 1998 when Celanese employees weren't following the 8 correct procedure? 9 A. And they -- it looks to me like they took 10 appropriate action to address that inconsistency. 11 MR. CHAPMAN: Object to 12 non-responsive portion. 13 BY MR. CHAPMAN: 14 Q. Is that a yes? 15 MR. MARSHALL: Objection to form. 16 THE WITNESS: Ask me your question 17 again. 18 BY MR. CHAPMAN: 19 Q. Sure. 20 A. I thought I answered it. I guess I -- 21 Q. So let me just make it clear again. 22 A. Sure. 23 Q. If I'm understanding this correctly, that 24 this is at least one instance in 1998 when Celanese 25 employees were not following the correct procedures?	1 through 12, for example, were put in in '73, '74, 2 anything like that? 3 MR. MARSHALL: Object to the form. 4 THE WITNESS: Well, based on 5 Crawford's testimony, he -- Batch Poly hadn't 6 finished when he got to work there. 7 BY MR. CHAPMAN: 8 Q. Okay. I just wanted to make sure you didn't 9 have any evidence to the contrary of that. 10 A. No. 11 Q. Okay. I'll hand you what's being marked as 12 Exhibit 12 -- 11. I am bad at this. 13 (Exhibit No. 11 was marked for 14 identification.) 15 Q. This is Bates Crawford 7959. What are we 16 looking at here, sir? 17 A. It's a letter to Charles Powell, who was an 18 environmental engineer. It's dated November 18, 19 1985, and it talks about 600 linear feet of asbestos 20 on a back haul line from Batch Poly area Spartanburg, 21 and it talks about the intent to remove asbestos 22 materials. 23 Q. Okay. The reason I put this in front of 24 you, I wanted to ask you, the letterhead on this is 25 the South Carolina Department of Health and
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1 MR. MARSHALL: Objection; form. 2 THE WITNESS: Yes. 3 BY MR. CHAPMAN: 4 Q. Okay. All right. You can put that aside. 5 A. Okay. 6 Q. Do you know, sir, if -- let me back up and 7 ask that a different way. Do you know when Poly 1 8 was totally finished with construction? 9 A. I don't have a date, no. 10 Q. Do you know -- 11 A. It might be in the records, but I don't know 12 it. 13 Q. Do you know if construction continued after 14 original construction of Poly 1? 15 MR. MARSHALL: Objection; form. 16 THE WITNESS: My understanding of 17 the construction of Batch Poly or Poly 1 is that 18 it occurred in some form of stage; they did part 19 of it and then came back in and did more. 20 BY MR. CHAPMAN: 21 Q. Do you know, sir, for example, when certain 22 lines were put in, what years? 23 A. There may be some information in there that 24 I reviewed, but I don't recall it. 25 Q. Do you have any information that lines eight	1 Environmental Control. 2 A. Yes. 3 Q. Did that department, to your knowledge, 4 regulate or monitor asbestos abatement? 5 A. Yes. 6 Q. Did Celanese have to apply or otherwise 7 notify the department when they were going to do 8 abatement? 9 A. Well, there was two opportunities for that. 10 One is the quarterly report where for small jobs you 11 did it and then reported what had been done at the 12 end of the quarter. And then in this case, where 13 they're doing something, and I don't remember the 14 levels, but at some level you had to notify them 15 ahead of time and actually get approval to do it 16 before you did it. 17 Q. And you don't know what that level is? 18 A. I used to know. 19 Q. Okay. Who was in charge of letting the 20 State of South Carolina know; was that Celanese or 21 the abatement contractor or who? 22 A. It was generally Celanese. 23 Q. Do you know, sir, if Celanese kept or 24 maintained files of instances where it let the State 25 of South Carolina know it was going to do abatement?

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1 A. Here's one. I mean -- 2 Q. Other than this particular one, do you know 3 if there are any others? 4 A. Yeah, I know there have been. I can't point 5 you to any, but, yes. 6 Q. Do you know if that's the kind of document 7 that Celanese would keep? 8 MR. MARSHALL: Objection; form. 9 THE WITNESS: It would be based on 10 the record retention requirements, both of the 11 government and the corporation. 12 BY MR. CHAPMAN: 13 Q. Okay. 14 A. And I don't know what those are. 15 Q. Okay. Put that aside. 16 So before I move on, and I have been meaning 17 to ask you all day and it keeps slipping my mind, so 18 I'm just going to ask you now. You have mentioned 19 the record retention policy a few times. Just kind 20 of broadly, what is or what was the Celanese record 21 retention policy pursuant or relative to the 22 Spartanburg facility? 23 MR. MARSHALL: Objection; form. 24 THE WITNESS: Are you talking 25 about the details of what documents to keep and	1 A. No, I don't. 2 Q. What about any documents that would show the 3 suppliers of insulation? 4 A. They would be the requirement for purchase 5 orders, and I don't know what that is. 6 Q. Do you know if there is any way to find out 7 what that is? 8 A. Well, we have gotten the documents, purchase 9 orders and invoices and things like that that are 10 either in the possession of counsel or that Auriga 11 had, and if they're not in there, and if the record 12 retention policy is not in there, then, no, I don't 13 know how to get it. 14 Q. Do you know, sir, if there was any type of 15 document at any point of Celanese -- strike that. 16 Do you know if there was any kind of 17 document, sir, related to the Spartanburg facility at 18 any point that was placed on a litigation hold by 19 Celanese so they wouldn't be inadvertently thrown 20 away? 21 A. No, I do not. 22 Q. Has Celanese looked into anything like that; 23 what kind of documents would be held like that? 24 MR. MARSHALL: Objection; form. 25 THE WITNESS: I don't know. I
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1 how long to keep them? 2 BY MR. CHAPMAN: 3 Q. Yes, sir. 4 A. I can't go through that and tell you what it 5 was. I don't know if Auriga provided a copy of that 6 for their current policy, and I certainly don't have 7 a copy of Celanese's policy, although I have referred 8 to it and used it and made recommendations for 9 changing it and so forth. 10 Q. Do you know, sir, the first time Celanese 11 had a document retention policy relevant to the 12 Spartanburg facility? 13 A. No, I don't. 14 Q. Do you know what the shortest amount of time 15 could be to keep a document? 16 MR. MARSHALL: Objection; form. 17 THE WITNESS: Yeah, it depends on 18 what it is. Some of them could be no retention 19 required. 20 BY MR. CHAPMAN: 21 Q. What kind of documents were -- 22 A. I don't know what that would be, but others 23 are permanent, so -- 24 Q. Would you have any idea what sales invoices 25 or purchase orders, what that would be?	1 mean, counsel has gotten documents from Auriga, 2 plus they had some from earlier in time, but I 3 don't know. I am not aware of any litigation 4 hold that's been put on documents. 5 BY MR. CHAPMAN: 6 Q. Is there any other information you can tell 7 me about Celanese's record retention policy? 8 A. No. 9 Q. All right. I'm going to hand you, sir, 10 what's being marked Exhibit 12. And I got that one 11 that right. 12 (Exhibit No. 12 was marked for 13 identification.) 14 Q. And this is Crawford 9346. 15 A. Yes. 16 Q. And you can take a minute to look through 17 this, sir, if you would like. 18 A. Yep. 19 MR. CHAPMAN: Okay. You can cut 20 all that part of the video while he's reviewing 21 documents. 22 BY MR. CHAPMAN: 23 Q. All right. What are we looking at in this 24 letter, sir? 25 A. This is a letter from the industrial

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1 hygienist at the plant, Spartanburg, about a -- I 2 believe Mark Simpson was a production supervisor or 3 engineer, and he apparently got questions from one of 4 the safety meetings about some activity going on in 5 the abatement of some asbestos materials. 6 Q. All right. So I want to ask you a couple of 7 questions. First, the second paragraph there. 8 A. Uh-huh. 9 Q. It reads, "Typically, asbestos related 10 illnesses are chronic in nature; that is, they 11 typically develop over a number of years after 12 repeated unprotected exposure to asbestos fiber, 13 which has somehow been disturbed and become airborne. 14 Typically, asbestos fiber is not airborne in the 15 plant. It does become airborne when work is 16 performed on it; for example, repairing or removing 17 asbestos-containing insulation." 18 Did I read that correctly? 19 A. Yes. 20 Q. Would you be able to tell me, sir, when 21 Celanese first learned that information? 22 A. In -- when OSHA came out. 23 Q. 1972? 24 A. Whenever that was. I don't remember the 25 exact date, but, yes.	1 working with asbestos, didn't have Celanese 2 employees. This was Daniel's work that would have 3 been covered by this. 4 Q. I understand. So let me ask you just this: 5 When did Celanese have its employees X-rayed or 6 examined for asbestos-related disease? 7 A. Well, we had a medical surveillance program 8 in place during this time frame which covered 9 Celanese employees, and it included spirometry, I 10 think there was a chest X-ray, physical exam, and 11 medical and work histories. So we were doing these 12 things, but not because of asbestos exposure. 13 Q. Do you know, sir, if Celanese ever found any 14 asbestos-related diseases or any evidence of 15 asbestos-related diseases in its employees as a 16 result of these tests? 17 A. Not that I'm aware of. 18 MR. MARSHALL: Objection; form. 19 BY MR. CHAPMAN: 20 Q. Has Celanese looked for that kind of 21 information? 22 MR. MARSHALL: Objection; form. 23 THE WITNESS: I don't know that we 24 would have access to that information because 25 it's medical information. I don't know that we
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1 Q. Okay. Had no idea before that? 2 A. I knew that there were studies going on and 3 reports made, but there was no consensus on what the 4 effects of asbestos were or what control measures 5 were being undertaken. 6 Q. Okay. And I understand that this has been 7 the subject of much testimony. I read through the 8 Seed transcript, for example, so I'm not going to 9 take you through the whole history, I already read 10 that. But I just want to understand: It's 11 Celanese's position the first time they learned this 12 information was OSHA; that's it? 13 A. The first time that it was -- that there was 14 a consensus standard on asbestos was when OSHA came 15 out, yes. 16 Q. Okay. The fifth paragraph there, sir. 17 A. Okay. What is this -- one, two, three, 18 four -- okay. 19 Q. "As far as a medical check." 20 A. Yes. 21 Q. That, if I'm understanding, it talks about 22 things that Celanese was doing or talking about doing 23 with its employees in terms of chest X-rays and exams 24 and things like that? 25 A. Well, at this time, we didn't have people	1 would be allowed to look for it. 2 BY MR. CHAPMAN: 3 Q. Is that kind of monitoring, is that 4 something Celanese did? 5 A. Yes. 6 Q. Did Celanese retain -- did Celanese see the 7 results of that monitoring? 8 A. Yes, they would have been on the plant site, 9 and they're probably still there, and the medical 10 person who headed that up would have reported any 11 unusual -- any unusual results. I mean, there were 12 no asbestos-related diseases that I am aware of that 13 occurred at that site during that time frame. 14 Q. Okay. When you say there are none that 15 you're aware of, did you look? 16 MR. MARSHALL: Objection; form. 17 THE WITNESS: I -- the medical 18 department reported to me. I knew of activities 19 that were going on and issues that came up on a 20 non-personal basis. I didn't know the employee, 21 if there was an issue, and I did not know of any 22 asbestos-related issues that came up. 23 BY MR. CHAPMAN: 24 Q. Okay. Did you look for any documents to 25 that effect in this case?

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1 MR. MARSHALL: Objection; form. 2 THE WITNESS: The documents that 3 we looked for, based on the discovery requests, 4 are all included in the prior documents we have 5 given you, plus the one, recent ones, we have 6 gotten from Auriga. 7 BY MR. CHAPMAN: 8 Q. And in there, did you see any documents 9 related to this? 10 A. I haven't looked at every one of them. 11 Q. All right. All right. You can put that 12 aside. 13 All right, sir. I'm going to hand you 14 what's being marked as Exhibit 13. 15 (Exhibit No. 13 was marked for 16 identification.) 17 Q. And this is Bates Crawford 18973. 18 A. Uh-huh. Yes. 19 Q. All right, sir. If I am understanding this 20 document correctly, it appears to be a Plant Survey, 21 1995, of the Spartanburg Site, up at the top. 22 A. Yeah. I'm sorry, that's what it says. 23 Yeah, I thought you were wanting me to read it first. 24 Q. Is that true? 25 A. Yes, that's what it says.	1 50 square feet of that is asbestos containing? 2 A. Right. 3 Q. Okay. All right. So the areas, the fourth 4 one down, is Batch Poly? 5 A. Right. 6 Q. And they surveyed 17,353 square feet -- I'm 7 sorry, linear feet? 8 A. Right. 9 Q. Which is 12,763 square feet? 10 A. No, no. It's one or the other. It's not -- 11 so there would be pipe insulation, which is lineal 12 feet; and vessel insulation, square feet. 13 Q. All right. Okay. 14 A. So it's not the same thing, that additive, 15 if you want to look at it that way. 16 Q. Understood. 17 A. Okay. 18 Q. So it's 17,353 lineal feet and 12,763 square 19 feet? 20 A. Right. 21 Q. And of that, 60 percent was asbestos 22 containing? 23 A. Right. 24 Q. Do you see down at the bottom, Conti Poly, 25 bottom of that first section?
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1 Q. Okay. Any reason to dispute that? 2 A. No. 3 Q. Okay. And it goes and it lists out 4 different areas that were surveyed, the amount of 5 asbestos-containing insulation that was there, either 6 linear or square feet and the percentage of asbestos. 7 A. Right. 8 Q. Is that right? 9 A. Well, it was the percent -- that's the 10 percent of the insulation in that area that contains 11 asbestos. 12 Q. Okay. 13 A. Not the percentage of asbestos. 14 Q. Understood. So if whatever they removed, 15 what the percentage says, that percent was asbestos 16 containing? 17 MR. MARSHALL: Objection; form. 18 BY MR. CHAPMAN: 19 Q. Okay. So if -- so just total example. If 20 they removed 100 linear feet -- 21 A. This isn't talking about removal. 22 Q. Okay. 23 A. This is talking about what's there. 24 Q. Fair enough. So if they surveyed, right, 25 100 square feet and it says 50 percent asbestos, then	1 A. Oh, yeah, uh-huh. 2 Q. That's Poly 2? 3 A. Yes. 4 Q. 77,749 lineal feet was surveyed; is that 5 right? 6 A. Say that again? 7 Q. On the Conti Poly -- 8 A. Yes. 9 Q. -- 77,749 lineal feet was surveyed? 10 A. Yes. 11 Q. And that would be pipe insulation? 12 A. Yes. Or it could be ducts or something -- 13 no, probably pipe. 14 Q. And in addition to that 24,000, just over 15 24,000 square feet of asbestos insulation -- or of 16 insulation -- was surveyed? 17 A. Right. 18 Q. And of that, 77,749 lineal feet and 24,130 19 square feet of insulation surveyed, 90 percent was 20 asbestos containing? 21 MR. McDONALD: Objection; form. 22 THE WITNESS: No, I don't 23 interpret that way because it includes CP1 24 through CP6, and there's various percentages for 25 each one of those. We don't have the breakout of

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1 the lineal feet or square feet for those 2 individual poly lines. 3 BY MR. CHAPMAN: 4 Q. Okay. So let me ask it this way: For Poly 5 lines 1 through 6, it appears, were surveyed? 6 A. Yes. 7 Q. Okay. And the total survey of 1 through 6 8 equated to 77,749 lineal feet and 24,130 square feet? 9 A. Right. 10 Q. Okay. On lines 1 and 2, 90 percent was 11 asbestos containing? 12 A. Right. 13 MR. MARSHALL: Objection; form. 14 MR. McDONALD: Objection; form. 15 MR. CHAPMAN: What's the 16 objection? 17 MR. MARSHALL: The objection is 18 overbroad; it assumes facts, because you can't 19 say 90 percent of the piping on CP1 and 2 20 contained asbestos because we don't even know how 21 much piping was sampled here. It could have been 22 100 lineal feet. 23 BY MR. CHAPMAN: 24 Q. Okay. So, sir, that's what the document 25 says?	1 MR. CHAPMAN: Okay. Why don't we 2 take a break. 3 THE VIDEOGRAPHER: Off the record 4 13:59. 5 (A recess was taken; on the 6 stenographic record only.) 7 MR. CHAPMAN: Counsel for Celanese 8 and I conferred very briefly off the record. 9 There are a number of documents that they are 10 withholding subject to privilege. I understand 11 it's a small amount of documents. I have not 12 seen them. 13 They produced a privilege log 14 right as the deposition was starting this morning 15 and told us that we can review them if Celanese 16 does not waive privilege of those documents. 17 What we have decided, and plaintiffs will agree 18 to that, we can review them, and Celanese will 19 not waive the privilege on that. 20 That being said, I'm going to go 21 through them. I may have questions about them 22 today, but I am not going to waive any of my 23 rights to compel the documents themselves without 24 privilege to compel a second deposition or any 25 other rights I may have or my client may have
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1 MR. McDONALD: Objection; form. 2 MR. MARSHALL: Objection; form. 3 BY MR. CHAPMAN: 4 Q. Do you read it any differently? 5 A. Well, they -- I don't believe that they went 6 out and sampled all of this pipe and all this block. 7 I believe that they made assumptions that, well, we 8 know this isn't asbestos and we know this is, 9 somewhere here in between is the unknown, but because 10 we have to assume it's asbestos, that's how we're 11 going to report. 12 Q. All right. So what we can tell from the 13 document, sir, right, is that, regardless of what 14 line it was, that the almost 78,000 lineal feet and 15 just over 24,000 area feet was sampled -- surveyed? 16 A. Surveyed, which doesn't mean it was sampled. 17 Q. It was surveyed, right? 18 A. (Witness nodded head.) 19 Q. Okay. And that's broken down, 1 and 2, it 20 says 90 percent; 3 and 4, it says 50 percent; and 5 21 and 6 says 20 percent cloth only. 22 A. Right. 23 Q. All right. 24 A. I'm going to need to take a break pretty 25 quick.	1 subject to that. 2 MR. MARSHALL: Okay. I understand 3 and that is our agreement. 4 MR. CHAPMAN: Okay. 5 (End of stenographic only portion.) 6 THE VIDEOGRAPHER: Back on the 7 record at 14:10. 8 BY MR. CHAPMAN: 9 Q. Okay. I think we're done with that one. 10 A. Okay. 11 Q. All right. I think the last exhibit I have 12 for you, sir, which is Exhibit 14. 13 (Exhibit No. 14 was marked for 14 identification.) 15 Q. It is a collection of documents. They are 16 not in order. If you want, we can go through each 17 one and put the Bates number on the record, but 18 it's -- I think the lowest Bates label is 9717 and 19 the highest is 9769. It is, I don't know, half a 20 centimeter thick, centimeter thick. 21 A. Okay. 22 Q. Will you take a second to review this 23 packet, sir. 24 A. To what it is? 25 Q. Yes, yes.

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1 A. Okay. 2 Q. All right. And are you able to tell me what 3 we're looking at here in Exhibit 14? 4 A. It's a report from the engineering 5 department to the industrial hygienist identifying 6 the pounds of material removed from the plant site on 7 a particular day that can potentially contain 8 asbestos. 9 Q. Well, sir, the subject is asbestos removal, 10 right? 11 A. Right. 12 Q. And on each page, I think except for one, it 13 says, on X date, X amount of pounds of asbestos was 14 removed from the plant site. 15 A. Correct. 16 Q. Okay. There is one I want to talk to you 17 about, it's four pages in, Bates 9727. 18 A. Yes. 19 Q. What are we looking at here? 20 A. It looks like the trip ticket, but most of 21 it is not legible. There is the date of January of 22 1990. I can't tell exactly what the date is. 23 Q. And what's a trip ticket? 24 A. That's what would go with the -- to the 25 landfill for disposal.	1 MR. MARSHALL: Objection; form. 2 THE WITNESS: Well, whether we 3 knew it was asbestos -- if we knew it wasn't 4 asbestos, it would have been based on the time 5 frame. But there was also asbestos in old 6 construction -- I mean, sorry -- insulation where 7 repair work had been done in old construction 8 areas that would not be asbestos containing. 9 BY MR. CHAPMAN: 10 Q. So what I'm hearing you say is, based on the 11 time frame, you can tell me it was not asbestos? 12 A. Yeah. And also, at some point in time, we 13 started labeling new insulation as non-asbestos. 14 Q. All right. And the second thing is, the 15 documents we have in front of us, don't say "assumed 16 asbestos," it says "asbestos." 17 A. Well, because we have to treat it and 18 dispose of it as if it were. Unless we know it's 19 not, we have to assume it is. 20 Q. All right. So again, my question is, sir, 21 just based on what the document says, it says 22 "asbestos." 23 A. Yeah, that's what it says. 24 Q. All right. 25 A. That's because that's how we have to handle
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1 Q. All right. And there are, I don't know how 2 many pages in here, but several, several pages of 3 records in here. 4 A. Yes. 5 Q. Is that fair? 6 If I represent to you, sir, and I'm a lawyer 7 so it's hard for me to do math, but if I represent to 8 you, sir, that there are almost 148,000 pounds of 9 asbestos being represented in these documents, do you 10 have any reason to think that that's incorrect? 11 MR. McDONALD: Object to form. 12 MR. MARSHALL: Objection; form. 13 THE WITNESS: Well, it's really 14 material that is believed to contain asbestos. 15 There is no way that they could have weighed just 16 the asbestos portion of it. 17 BY MR. CHAPMAN: 18 Q. So a couple of things. Why was it believed 19 to contain asbestos? 20 A. Because if we knew it contained asbestos, 21 then it did. If we didn't know, and for whatever 22 reason we didn't want it sampled, then we assumed it 23 contained asbestos and we handled it as if it was. 24 Q. And was that at all based on the time frame 25 in which the insulation was installed or used?	1 it. 2 Q. All right. All right. You can put that 3 aside. I think we're coming towards the end here. 4 Sir, are you aware of an individual who my 5 office represents in another case named Dwayne 6 Waters? 7 A. I'm sorry, am I aware of Dwayne Waters? 8 Q. Yes. 9 A. No, I don't know, recognize that name. 10 Q. All right. Do you know at all what his 11 testimony says about insulation that Covil supplied? 12 A. I do not. 13 Q. And I'm paraphrasing, this is not exact, but 14 I will represent to you, sir, he said something to 15 the effect Dan -- or excuse me -- Covil was supplying 16 asbestos-containing insulation in boxes labeled 17 asbestos-free. Okay? Do you know, first, if 18 Celanese was affected by that? 19 MR. MARSHALL: Objection; form. 20 THE WITNESS: No, I do not. 21 BY MR. CHAPMAN: 22 Q. Do you know, sir, if Celanese has done 23 anything at all to try to find out if they were 24 affected by that? 25 MR. MARSHALL: Objection; form.

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1 THE WITNESS: I don't know that we 2 were aware of that, so why would we go looking 3 for something we weren't aware of. 4 BY MR. CHAPMAN: 5 Q. And I will represent to you, sir, at least 6 Celanese attorneys are aware that Mr. Waters 7 testified to that. 8 A. When was that testimony? 9 Q. Within the last several months. 10 A. Okay. 11 Q. And I don't know exactly. I know it was 12 probably within 2018. 13 A. Well, if there was any information that 14 Celanese had or that Auriga had, it would be in the 15 documents that we have produced. 16 Q. And my question is, sir: Do you know if 17 Celanese has actively done anything to try to find 18 out if they were affected by that act? 19 MR. MARSHALL: Objection; form. 20 THE WITNESS: Well, again, the 21 information would be in the documents which would 22 tell us whether or not we were impacted by that. 23 BY MR. CHAPMAN: 24 Q. And I understand what you're saying. But 25 I'm asking: Has Celanese made an effort to	1 document searches based on the discovery 2 requests. If it was in there, then we did 3 something; if it wasn't, then we probably didn't. 4 BY MR. CHAPMAN: 5 Q. Sitting here today, can you tell me anything 6 specifically that was done? 7 MR. MARSHALL: Objection; form. 8 THE WITNESS: No. Just what I 9 have already related to you. 10 BY MR. CHAPMAN: 11 Q. All right. As the corporate representative 12 for Celanese and as an industrial hygienist, do you 13 believe that it's safe to place asbestos-containing 14 insulation in asbestos-free boxes? 15 A. Well, just to be clear, so we're not 16 confused, I am no longer certified as an industrial 17 hygienist. 18 Q. I understand. 19 A. No, I know you know, but I just want to make 20 it clear. Although I have certain knowledge about 21 that, I don't know the laws, but, to me, that would 22 be criminal. 23 Q. Okay. Are you able -- and we have talked 24 about this generally, but I want to ask you 25 specifically so we have got it. In your review of
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1 affirmatively seek out that information and not 2 generally seek documents about Spartanburg? 3 MR. MARSHALL: Objection; form. 4 THE WITNESS: We would only be 5 interested in documents relative to Spartanburg. 6 BY MR. CHAPMAN: 7 Q. I understand that, sir. I think we're on 8 two different sides of the street here. 9 I understand what Celanese did to try to get 10 documents for Spartanburg, right, in terms of getting 11 them from Auriga. 12 A. Uh-huh. 13 Q. Do you know if anything specific was done 14 relating to Covil placing asbestos-containing 15 insulation in asbestos-free boxes to try to find out 16 if Celanese was affected at Spartanburg or any other 17 Celanese facility? 18 MR. MARSHALL: Objection; form. 19 Also, I mean, this is really off topic and not 20 included in the topics that were noticed for this 21 deposition. So it is definitely catching him 22 offguard. 23 MR. CHAPMAN: I disagree, but, 24 fair enough. 25 THE WITNESS: No. I -- we did	1 the records and your inquiry into this particular 2 case, are you able to tell me the manufacturer of any 3 valves at Spartanburg? 4 MR. MARSHALL: Objection; form. 5 THE WITNESS: Well, again, I mean, 6 I know a lot of manufacturers of valves and pumps 7 and whatever, and any records that we have would 8 be contained in the documents that we have 9 produced. 10 BY MR. CHAPMAN: 11 Q. Okay. And so if I asked you the same about 12 steam traps or pumps or anything -- 13 A. Right. 14 Q. -- all the same? 15 A. Yeah. 16 Q. Do you have any knowledge, outside of the 17 records in this case, outside of the documents that 18 we have been talking about? 19 A. About? 20 Q. Steam traps or valves or pumps on site. 21 A. I know they're there. I'm not sure what 22 you're asking me, so -- and I don't mean to be smart. 23 Q. No, that's okay. That's okay. 24 Do you have any other information you can 25 give me about the manufacturer of those valves or

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1 pumps or steam traps? 2 A. No more than what's included in the 3 documents. It's been too long. And actually, in the 4 case of pumps and valves, what was there in 1970 5 could be different today, because there's standards 6 they go by and they're kind of interchangeable. 7 Q. Do you have any information, other than what 8 may or may not be in those documents, about what was 9 there in the 1970s? 10 A. Oh, no, not specifically. Unless it's in 11 there, yeah. 12 Q. And did you go through those records to try 13 to find that out? 14 A. No, I did not go through all the records. 15 MR. CHAPMAN: Sir, I think subject 16 to me going through my notes and going through 17 the privileged documents, I might be done with 18 you. 19 THE WITNESS: Okay. 20 MR. CHAPMAN: Thank you for your 21 time. 22 THE WITNESS: Sure. Thank you. 23 EXAMINATION 24 BY MR. MARSHALL: 25 Q. Okay. Mr. Bowyer, I have got a few quick	1 A. Do you want to mark it? 2 Q. -- these contracts collectively are the 3 contracts that would have been running continuously, 4 one after the other, during the time period that 5 Mr. Crawford was employed at Hoechst? 6 MR. CHAPMAN: Object to form. 7 THE WITNESS: Well, I can't say 8 that. I mean, maybe if I read it in detail it 9 would say it continued. But generally, the way 10 the contracts work between Daniel's and Celanese 11 was they would issue a contract, and then they 12 would issue a new one, and the other one might 13 just be amended to extend the time frame of it or 14 something. I didn't look for when one ended and 15 the other one started. So, yes. 16 BY MR. MARSHALL: 17 Q. Okay. All right. So is it your 18 understanding that those are the contracts between 19 Daniel and Hystran and Hoechst that would have 20 applied to Mr. Crawford's employment? 21 A. Yes. 22 MR. CHAPMAN: Form. 23 BY MR. MARSHALL: 24 Q. Okay. Thank you. 25 Did you personally review those documents,
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1 questions for you. 2 A. That's what the attorney says. 3 MR. McDONALD: They always say 4 that, huh. 5 MR. MARSHALL: I knew I would be 6 lumped into that. 7 BY MR. MARSHALL: 8 Q. I'm going to hand you a collection of 9 documents that we'll mark collectively as Number 15, 10 correct? 11 Okay. And, Mr. Bowyer, take a second to 12 look at those real quick and let me know once you 13 have looked at them, if it's correct or not that 14 those documents are business records that reflect the 15 existence of contracts between Daniel and Hystran or 16 Hoechst during the time period that Mr. Crawford was 17 employed at the facility. 18 A. I would say the first one is 1969. I think 19 I found the date of the second one. I believe it's 20 in the back. Oh, this is '66, so it's even earlier 21 than that one. And that's an exhibit. '73. It 22 covers at least some part of the time. I don't know 23 that it's all-inclusive. 24 Q. Okay. Fair enough. Is it your 25 understanding that --	1 Mr. Bowyer? 2 A. Yes. 3 Q. Okay. 4 (Exhibit No. 15 was marked for 5 identification.) 6 Q. And is your understanding that those 7 documents -- is it your understanding that those 8 documents were created at or near the time of the 9 events by a person with knowledge? 10 MR. CHAPMAN: Object to form. 11 THE WITNESS: That knowledge of 12 people in both Daniels and Hoechst created those 13 documents, is what you're asking me? 14 BY MR. MARSHALL: 15 Q. Yes. 16 A. Yes. 17 Q. And is it your understanding that those 18 documents were kept in the regular course of 19 business? 20 A. Yes. 21 Q. Is there any reason for you to dispute the 22 trustworthiness of any of those documents? 23 A. No. 24 Q. Okay. 25 MR. CHAPMAN: Real quick, Barret,

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1 on Exhibit 15, just looking through, there 2 appears to be some handwritten notes in here. 3 MR. MARSHALL: That may be the 4 case. Those are my copies. 5 MR. CHAPMAN: Okay. 6 MR. MARSHALL: We'll, obviously, 7 for purposes of trial, we'll use clean and 8 unmarked copies. 9 MR. CHAPMAN: I just want to make 10 sure these are your marks and not marks that were 11 made contemporaneous in the '60s and '70s. 12 They're in blue pen. 13 MR. McDONALD: It looks pretty 14 new. 15 MR. MARSHALL: So stipulated. 16 MR. CHAPMAN: Okay. 17 BY MR. MARSHALL: 18 Q. Okay. Mr. Bowyer, I'm handing you a stack 19 of documents that you have looked through before. 20 These are Workers' Compensation related documents, 21 and the question that I have for you is: Have you 22 personally reviewed those documents? 23 A. Yes, I have. 24 Q. Okay. And is it your understanding that 25 these documents are business records that reflect the	1 deposition. 2 (Exhibit No. 16 was marked for 3 identification.) 4 BY MR. MARSHALL: 5 Q. For Exhibit Number 17, Mr. Bowyer, I am 6 going to hand you a stack of documents that are 7 collectively Daniel Construction Company Procedures 8 and Policies; is that accurate? 9 (Exhibit No. 17 was marked for 10 identification.) 11 A. Well, let me check the -- the first one 12 certainly is. The second one is. And the third one 13 is -- third one's a memo about asbestos insulation 14 removal and disposal authored by Daniel, internal 15 memo. 16 Q. Okay. Fair enough. 17 MR. McDONALD: What's the date on 18 that e-mail? 19 THE WITNESS: November 13, '78. 20 MR. McDONALD: Oh, yeah. 21 BY MR. MARSHALL: 22 Q. Okay. And these are documents that you 23 personally reviewed, correct? 24 A. Yes. 25 Q. And these documents, these Daniel
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1 existence of Workers's Compensation injuries for the 2 time period that Mr. Crawford was employed at the 3 Hoechst facility? 4 MR. CHAPMAN: Objection; form. 5 THE WITNESS: Those are in here, 6 but there is also some that are -- cover the time 7 frame after that. 8 BY MR. MARSHALL: 9 Q. Right. Right. 10 A. But, yes. 11 Q. And is it your understanding that these 12 documents were created at or near the dates 13 identified in them by persons with knowledge? 14 A. Yes. 15 MR. CHAPMAN: Object to the form. 16 BY MR. MARSHALL: 17 Q. And is it your understanding that these 18 documents were kept in the regular course of 19 business? 20 A. Yes. 21 Q. And is there any reason for you to dispute 22 the trustworthiness of these documents? 23 A. No. 24 MR. MARSHALL: Okay. I will mark 25 those collectively as Exhibit Number 16 to the	1 Construction Company documents reflecting policies 2 and procedures with regard to health and safety 3 practices, including asbestos -- 4 A. Right. 5 Q. -- they would have been documents that 6 Daniel provided to Hoechst, correct? 7 A. We would have at least reviewed them; most 8 likely kept some in our possession. 9 Q. Right. And these procedures and policies 10 that are identified in these documents are procedures 11 and policies that Hoechst would have relied on 12 Daniel's to follow in the work that they were 13 performing at the Spartanburg facility, correct? 14 MR. CHAPMAN: Object to form. 15 THE WITNESS: Yes. 16 BY MR. MARSHALL: 17 Q. Okay. And is it your understanding that 18 Daniel had and implemented policies and procedures 19 similar to the ones that are identified and described 20 in those documents prior to new construction on the 21 Batch Poly line leading up to and through 22 construction on the Conti Poly lines, as described by 23 Mr. Crawford? 24 MR. CHAPMAN: Object to form. 25 THE WITNESS: My understanding is

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1 they used the Association of General Contractors 2 Procedures prior to OSHA to pattern their 3 procedures, internal procedures, after. So the 4 answer is yes, but that's what they base their 5 procedures on. 6 BY MR. MARSHALL: 7 Q. Right. And is that one of the reasons that 8 Celanese, in fact, hired Daniel's to do this work at 9 the Spartanburg facility? 10 A. Well, it's because they had the expertise to 11 do the work. They knew how to do it. They had the 12 personnel to do it. And they did it safely. 13 MR. MARSHALL: Okay. Fair enough. 14 Thank you. Very much. 15 THE WITNESS: And this is an 16 exhibit? 17 MR. MARSHALL: Yes, that's 18 Number 17. That's all the questions I've got. 19 EXAMINATION 20 BY MR. McDONALD: 21 Q. Okay. I've got a few, Mr. Bowyer. Of 22 course I'm Mott McDonald on the video. I'm here for 23 Daniel. 24 You have been asked a lot of questions about 25 do you have a document for this or a document for	1 maintenance workers to do that. And then after that, 2 I went into the project engineering department at the 3 paper company. This was in Brunswick, Georgia. 4 Q. Sure. 5 A. And stayed there in engineering until -- I 6 graduated in '69, stayed there until April of '73. 7 Q. Yeah. 8 A. And that's when I went to work at Fiber 9 Industries in Salisbury, North Carolina, which is a 10 Celanese plant. Worked in project engineering for 11 five years, and one of my last projects was working 12 with the environmental superintendent to register all 13 of the air emissions sources at the plant. And 14 either I did a great job or I did a really poor job 15 because I became the environmental engineer working 16 for the environmental superintendent. 17 And it was kind of like, you know, yeah, I 18 will do that for a couple of years. He said, well, I 19 want you to do industrial hygienist, whatever that 20 is. And two weeks after I went on that job as the -- 21 it was called environmental control engineer, but 22 also included industrial hygiene, the North Carolina 23 OSHA health inspector showed up, and for the next 24 four weeks gave me on-the-job training for industrial 25 hygienist.
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1 that, and I'm sitting here struck with: How many 2 years ago is 1970? 3 A. Forty-eight? 4 Q. Forty-eight years ago. 5 A. This is '18, isn't it? 6 Q. Right, right. 7 A. I actually got confused with that yesterday, 8 so I'm -- 9 Q. Right. So we're trying to reconstruct 10 something that happened quite awhile ago, right? 11 A. Yes. 12 Q. I'm not sure if anybody ever walked through 13 your qualifications. Where did you go to school? 14 A. The University of Florida. 15 Q. Okay. And do you have a graduate degree 16 after Florida? 17 A. No. 18 Q. What was your undergraduate degree in? 19 A. Mechanical engineering. 20 Q. Okay. Then tell us your path to becoming a 21 Certified IH. 22 A. Well, I did maintenance, it was called 23 maintenance coordinator in a paper mill for maybe a 24 year where I worked with the production folks to 25 identify the maintenance needs and schedule the	1 Q. Okay. 2 A. And I have taken many short courses and 3 attended conferences and things like that since then. 4 And in 1983, I got certified as industrial hygiene. 5 Shortly thereafter, I went to New York in 6 the corporate office as the corporate auditor for 7 industrial hygienist, and then nine months later went 8 to Charlotte as the manager of industrial hygiene for 9 the Fibers division, which included Spartanburg. 10 Q. Yeah. 11 A. Then I transferred to Spartanburg as the 12 manager of environmental safety and health. 13 Q. Okay. 14 A. Until I retired at the end of '01. 15 Q. And just so the jury understands, as an 16 industrial hygienist, it's their profession to 17 understand the hazards in plant environments and 18 protect plant personnel; is that fair? 19 A. Well, from exposure, yeah. Generally, they 20 don't get into hardhat safety, although I did get 21 into some of that. But a pure industrial hygienist 22 doesn't do lock-out/tag-out or anything like that. 23 Q. Right. 24 A. Dealing with chemical exposures, radiation, 25 noise, heat, cold, it runs the gamut, pretty much.

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1 Q. Right. And for the last 27, 28 years, you 2 have lived right here in this Spartanburg community 3 where this plant is, right? 4 A. Yes, that's correct. 5 Q. Okay. And how many people did that plant 6 employ at its peak, would you say? 7 A. Probably over 2,000. 8 Q. Right. That's a big plant? 9 A. Yes, it is. 10 Q. Okay. Had its own medical department? 11 A. Yes, they did. At one time, before I got 12 transferred there, they had around-the-clock nurses. 13 Q. Right. And no question in your mind, as the 14 corporate representative of CNA, that the company 15 that employed Mr. Crawford took very seriously 16 protecting his health at that plant, right? 17 MR. CHAPMAN: Object to form. 18 THE WITNESS: Yes. 19 BY MR. McDONALD: 20 Q. Yep. And CNA, and the predecessor of CNA, 21 followed federal regulations, and any other 22 regulations, in protecting the employees at that 23 plant site; is that right? 24 MR. CHAPMAN: Object to form. 25 THE WITNESS: That's correct.	1 MR. CHAPMAN: Object to form. 2 BY MR. McDONALD: 3 Q. And I would -- I want to see if you will 4 agree that there's several reasons for that. One is 5 they're very -- there can be very dangerous things on 6 a construction site; is that correct? 7 A. Yes, there can. 8 Q. Yeah. People can get electrocuted, things 9 can be dropped on them, et cetera, right? 10 A. Right. 11 Q. Right. And an important concern is you 12 don't want people in the operating plant wandering 13 into construction and somehow getting hurt, right? 14 A. That's correct. 15 Q. Okay. And the same thing happens over on 16 the operating plant; there are things going on there 17 that are dangerous that the construction people may 18 not be aware of, right? 19 A. They haven't been trained on that aspect of 20 the operation, that's correct. 21 Q. Right. And so you set the site up so that 22 the construction people are not wandering over into 23 operation and getting hurt, right? 24 A. Correct. 25 MR. CHAPMAN: Object to form.
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1 BY MR. McDONALD: 2 Q. Okay. Now, let's talk a little bit about 3 construction. Just so people understand, I'm here 4 for Daniel. We'll talk about maintenance separately. 5 But for construction, I believe that your predecessor 6 companies would hire some kind of design firm, like 7 Lockwood Greene or something like that, to put 8 together plans and specifications, right? 9 A. Correct. 10 Q. Right. And then when Daniel came in, their 11 job was to take those plans and specifications that 12 came from the engineer and build exactly what was 13 specified, right? 14 A. That's correct. 15 Q. Okay. Now, we talked a little bit about 16 separate areas and your experience in that. You said 17 you read Don Buck's deposition, right? 18 A. I read it. 19 Q. Right. 20 A. Yeah. 21 Q. And I think you and he said the same thing; 22 it's very important in operating a plant site to keep 23 construction separate from the operating plant; is 24 that fair? 25 A. Yes, it is.	1 BY MR. McDONALD: 2 Q. And there are other important reasons as 3 well. One would be, over in the operating plant, you 4 have got a process going on and you're trying to 5 produce a product, and you don't need dust, for 6 example, coming over from the construction area and 7 contaminating the product; is that correct? 8 A. And that's the reason for the isolation 9 requirement. 10 Q. Exactly. 11 MR. CHAPMAN: Object to the form. 12 BY MR. McDONALD: 13 Q. All right. And so in your experience, just 14 as Mr. Buck described, construction is always 15 isolated from operation, right? 16 A. That's correct. 17 MR. CHAPMAN: Object to form. 18 BY MR. McDONALD: 19 Q. Okay. And you were asked about 20 documentation in this particular case. And I'm going 21 to suggest to you that Mr. Crawford described a 22 separation between the operating plant and the 23 construction. Do you recall that in his deposition? 24 A. Yeah. And he also said something like 25 the -- if there was any debris from construction, it

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1 fell straight down, there was no wind blowing, and so 2 it didn't come over into adjacent areas. 3 Q. Right. He described, actually described the 4 Conti Poly construction as being done in a separate 5 building -- 6 A. Right. 7 Q. -- right? 8 And he said that, to the extent there was an 9 opening between the two, there was a plastic sheet up 10 to prevent any dust from moving through, right? 11 A. Right. 12 Q. Okay. Now, he also described a period of 13 time when he went to work, do you recall, for two or 14 three weeks during startup on Conti Poly? 15 A. 1. 16 Q. 1? 17 A. Yes. 18 Q. Yes. Okay. 19 A. CP1. 20 Q. Right. And you're familiar with startup 21 procedures when lines are started up, things like 22 that, right? 23 A. Yes. 24 Q. Okay. I'm going to suggest to you, is the 25 insulation work complete when the line is being	1 that about 1973, '72, '73, the major manufacturers of 2 Thermal System Insulation in the United States 3 stopped putting asbestos in their products, right? 4 A. That's correct. 5 Q. Okay. And so I'm pretty -- feel pretty 6 comfortable that the policy at the plant would have 7 been, once those products changed, if 8 asbestos-containing insulation was removed in a 9 repair or a shutdown or something like that, it would 10 be replaced with the new asbestos-free; is that 11 right? 12 A. That's correct. 13 MR. CHAPMAN: Object to form. 14 BY MR. McDONALD: 15 Q. Okay. All right. And I want to ask you a 16 little bit about maintenance work now. All right? 17 You have read Mr. Crawford's deposition, and I think 18 you said earlier, he didn't describe himself around 19 insulation being removed as a maintenance item. 20 A. I don't remember him doing that, no. 21 Q. Okay. 22 MR. CHAPMAN: Object to form. 23 BY MR. McDONALD: 24 Q. And I'm going to suggest to you, I would 25 describe him as an operator, I mean, he is operating
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1 started up? 2 A. You know, they can't start it up until the 3 insulation is complete for a number of reasons. One 4 is heat loss and potential hazards to employees 5 working in the area. The other one is, if the 6 polymer is not kept hot, it will solidify in the 7 lines, and they've got to be taken apart to be 8 cleaned out. 9 Q. Right. Right. So when he's in there for 10 that two or three weeks, he's not around any 11 insulation work; is that fair? 12 MR. CHAPMAN: Object to form. 13 THE WITNESS: Yes. 14 BY MR. McDONALD: 15 Q. Okay. Now, I want to make sure the record's 16 clear about this, because sometimes we talked about 17 insulation, sometimes we talked about asbestos. 18 Okay? There are many types of insulation that do not 19 contain asbestos; is that fair? 20 A. That's correct. 21 Q. All right. So just saying, oh, I was around 22 insulation work does not mean you're exposed to 23 asbestos. 24 A. That's correct. 25 Q. Okay. And also, I think you will agree,	1 equipment inside the plant? 2 A. Yes, he is an -- he would be considered 3 operations and not maintenance or support or 4 anything. 5 Q. Right. And if equipment is -- I just want 6 you to tell me that, you know, what you know, but I'm 7 going to suggest to you that if a line is going to be 8 shut down in a situation where you're going to remove 9 insulation off the hot piping, okay, I would suggest 10 to you, you can't operate that line without that 11 insulation on it, right? 12 A. Correct. 13 Q. It's a burn hazard, right? 14 A. (Witness nodded head.) 15 Q. Okay. So the line has to be shut down, then 16 probably has to cool off, then you can remove the 17 insulation; is that correct? 18 A. Pretty much. I mean, they can work at some 19 elevated temperatures with removing insulation, but 20 it's got to be at a point where it's not going to 21 create a hazard -- 22 Q. Right. 23 A. -- to the people doing that. 24 Q. The important thing, for my purpose, is the 25 line has to be shut down, right?

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1 A. Yes. 2 Q. Yeah. And those operators, they're not 3 standing around with their hands on their hips just 4 watching the Daniel guys do work, are they? 5 A. No. 6 MR. CHAPMAN: Object to form. 7 BY MR. McDONALD: 8 Q. They're assigned somewhere else in the plant 9 to do work while that -- 10 A. Yes. 11 Q. -- while that maintenance activity goes on? 12 A. Yes. 13 Q. Right. Okay. I'm going to ask you a -- you 14 both talked about the incident. I'm going to suggest 15 to you that it was at the Salisbury plant where a 16 Daniel worker was terminated -- 17 A. Okay. 18 Q. -- for -- 19 A. I don't recall that. 20 Q. Well, I'm going to test your memory, see if 21 I can jog your memory. That either in the late '70s, 22 maybe 1980, '81, a Daniel worker was terminated for 23 removing two feet of insulation at the Salisbury 24 plant without following the procedure. Does that 25 ring a bell?	1 1990s, that's an indication that it was never 2 disturbed, right? 3 A. That's correct. 4 MR. CHAPMAN: Object to form. 5 BY MR. McDONALD: 6 Q. Yeah. 7 A. Because if it was disturbed, we would have 8 put back non-asbestos insulation. 9 But I want to go back to the point of, we 10 could have put back non-asbestos insulation, but if 11 it wasn't documented or sampled, as far as we were 12 concerned when we handled it, it was asbestos. 13 Q. Right. Okay. And then I'm going to show 14 you one more document. You guys have marked some 15 contracts, and I'm going to mark this. I'm going to 16 cross the camera here for one second. 17 (Exhibit No. 18 was marked for 18 identification.) 19 Q. All right. Now, this is Exhibit 18. This 20 is a Maintenance Contract. 21 A. Yeah, I may have seen one of these or more. 22 Q. Okay. 23 A. All right. 24 Q. And I just have one question for you on 25 that. Is that the first Maintenance Contract that
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1 A. Well, I mean, I remember the incident, the 2 documentation related to the incident, and that some, 3 I think somehow the millwrights got antsy and wanted 4 to hurry, kind of pressured him to do it and -- but I 5 still don't remember where it is. 6 Q. Okay. 7 A. But, yeah, I remember the documentation on 8 that incident. 9 Q. Right. And that tells us something about 10 equipment safety, right? 11 A. Right. 12 MR. CHAPMAN: Object to form. 13 BY MR. McDONALD: 14 Q. Okay. In fact, you worked, over your 15 career, with Daniel at certain Fiber sites for many, 16 many, many years, right? 17 A. Yes, I did. 18 Q. All right. And you're convinced Daniel was 19 a company that was truly committed to safety, right? 20 MR. CHAPMAN: Object to form. 21 THE WITNESS: Yes. 22 BY MR. McDONALD: 23 Q. Okay. You were shown a lot of abatement 24 records and that kind of thing. In part, if 25 insulation that contained asbestos was removed in the	1 you're aware of at the site? 2 MR. CHAPMAN: Object to form. 3 THE WITNESS: I really don't 4 remember what the first one was. 5 BY MR. McDONALD: 6 Q. Okay. 7 A. This may have been the first one I have 8 seen. 9 Q. Yeah. 10 A. There could have been an earlier one, and, 11 again, I have seen so many documents, I can't -- 12 Q. Okay. 13 A. -- tell you which one was the first. 14 MR. McDONALD: Okay. Okay. 15 That's all I've got. 16 EXAMINATION 17 BY MR. CHAPMAN: 18 Q. Okay. I have a few follow-ups. 19 First, your counsel handed you Exhibit 17, 20 which I believe, and we can look at it if you would, 21 like, Safety Procedures, Daniel. 22 A. Right. 23 Q. And then you were asked if Celanese had 24 similar safety procedures to that. 25 A. Right.

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1 Q. Do you recall that? 2 I understand what you're saying now, and I 3 understood your testimony earlier; we don't know what 4 those safety procedures actually were because they've 5 been revised and there's no way to find the original? 6 MR. MARSHALL: Object to form. 7 THE WITNESS: Yeah, that's 8 correct. 9 BY MR. CHAPMAN: 10 Q. All right. Mr. McDonald was asking you 11 about your history and your qualifications, and you 12 were a CIH for a long period of time. 13 A. From 1983 until I probably retired my 14 certification in maybe '15, '14 or '15, something 15 like that. 16 Q. All right. So you were first certified in 17 '83? 18 A. That's correct. 19 Q. And the time period we're dealing with here 20 is '70 to '74, right? 21 A. Yes. 22 Q. So you were not an industrial hygienist in 23 the '70s? 24 A. No, I was not. 25 Q. And you were not an industrial hygienist at	1 BY MR. CHAPMAN: 2 Q. So -- okay. Let me specify. High-heat 3 steam piping up to 1973? 4 A. Well, I mean, I believe Rockwool was a 5 suitable -- excuse me -- alternative to the 6 asbestos-containing insulation. I can't identify 7 where we did or didn't use each of those. It's 8 likely that Kaylo, sodium silicate, calcium silicate, 9 prior to '73, could have contained asbestos. 10 Q. Well, prior to that point, it did contain 11 asbestos; calcium silicate? 12 A. I can't attest that all calcium silicate 13 did, but some did. 14 Q. If you were presented with information that 15 calcium silicate, generally, prior to -- I can't 16 remember when in 1972, but 1972 contained asbestos, 17 would that surprise your? 18 A. I agree with the term "generally." 19 Q. Okay. And if you were presented with 20 evidence that all calcium silicate prior to 1972 21 contained asbestos, would that surprise you? 22 A. It wouldn't surprise me, but I don't know 23 that. 24 Q. All right. And the Thermal System 25 Insulation for high heat up to 1973, the standard was
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1 the Spartanburg facility in the '70s? 2 A. No. 3 Q. All right. Or in the '80s? 4 A. No. 5 Q. All right. You were asked by Mr. McDonald 6 also about TSI, Thermal Systems Insulation, going 7 asbestos-free in 1973-ish. And in review of 8 Mr. Buck's deposition, do you recall where Mr. Buck 9 said something to the effect of, prior to 1973, the 10 TSI would have been asbestos-containing? 11 A. I don't remember those exact words but it 12 wouldn't surprise me. 13 Q. Does that -- does that comport with your 14 understanding of Thermal Systems Insulation? 15 A. Excuse me. I don't remember the exact time, 16 but somewhere around '73 was when it became 17 asbestos-free. 18 Q. Okay. So everything up to that point would 19 have been? 20 A. No. 21 MR. McDONALD: Object to the form. 22 THE WITNESS: There are other 23 types of insulation that would have not contained 24 asbestos. 25	1 asbestos, either, whether it be amosite or calcium 2 silicate or some other form? 3 A. Or Rockwool or whatever, yes. 4 Q. And I'm asking you specifically about 5 asbestos-containing, not necessarily Rockwool. 6 A. Okay. I thought -- maybe I misunderstood 7 your question. I thought you asked me that 8 insulation for high temperature would be asbestos 9 containing. 10 Q. Yes. 11 A. Well, it could have been Rockwool. 12 Q. Okay. 13 A. That was why I answered that way. 14 Q. Understood. Okay. So you're not saying 15 it's non-asbestos containing Rockwool? 16 MR. MARSHALL: Objection; form. 17 THE WITNESS: Yeah, I'm not saying 18 that calcium silicate didn't contain asbestos. 19 BY MR. CHAPMAN: 20 Q. Got it. On the same page. 21 MR. MARSHALL: Really? 22 MR. CHAPMAN: Okay. So that's all 23 I have. I have not received those documents yet. 24 So if you want to take a break and maybe we 25 can make a call.

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Page 213 1 MR. MARSHALL: Yeah, let's take a 2 break, let me see -- so for everybody on the 3 phone, we may have some further questions, 4 pending plaintiffs' counsel's review of certain 5 documents. So don't go anywhere. Give us at 6 least ten minutes or until we check back in. 7 MR. CHAPMAN: Yeah. 8 THE VIDEOGRAPHER: Off the record 9 at 14:50.. 10 (A recess was taken.) 11 12 13 14 15 16 17 18 19 20 21 22 23 24 [The remainder of this page is intentionally left 25 blank to maintain the integrity of the page and line	Page 246 1 STATE OF SOUTH CAROLINA 2 COUNTY OF GREENVILLE 3 REPORTER'S CERTIFICATE 4 I, Rebecca L. Arrison, a Notary Public in and for 5 the State of South Carolina, do hereby certify that 6 there came before me on the 27th day of June, 2018, 7 the person hereinbefore named, who was by me duly 8 sworn to testify to the truth and nothing but the 9 truth of his knowledge concerning the matters in 10 controversy in this cause; that the witness was there 11 upon examined under oath, the examination reduced to 12 typewriting under my direction, and the deposition is 13 a true record of the testimony given by the witness. 14 I further certify that I am neither attorney or 15 counsel for, nor related to or employed by, any 16 attorney or counsel employed by the parties hereto or 17 financially interested in the action. 18 IN WITNESS WHEREOF, I have hereto set my hand, 19 this 29th day of June, 2018. 20 21 22 23 _____ 24 Rebecca L. Arrison, Notary Public 25 My Commission Expires: 3/28/2027.
Page 214 1 numbers.] 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 247 1 A-T-T-E-S-T-A-T-I-O-N 2 In Re: Crawford v. Celanese, et al. 3 Deposition of: CNA Holdings (Bruce Bowyer) 4 Date Taken: June 27, 2018 5 Taken Before: Rebecca Arrison 6 7 Having read my statement, no changes are necessary. 8 Signed: _____ 9 Having read my statement, I make these corrections. 10 Page _____ Line _____ Correction _____ 11 Page _____ Line _____ Correction _____ 12 Page _____ Line _____ Correction _____ 13 Page _____ Line _____ Correction _____ 14 Page _____ Line _____ Correction _____ 15 Page _____ Line _____ Correction _____ 16 Page _____ Line _____ Correction _____ 17 Page _____ Line _____ Correction _____ 18 Page _____ Line _____ Correction _____ 19 Page _____ Line _____ Correction _____ 20 Page _____ Line _____ Correction _____ 21 Page _____ Line _____ Correction _____ 22 Sworn to and subscribed before me this _____ day of 23 _____, _____ County, South 24 Carolina. My commission expires _____. 25

54 (Pages 213 to 247)

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

GARY DEAN SMITH, INDIVIDUALLY AND AS
PERSONAL REPRESENTATIVE OF THE ESTATE
OF CHARLOTTE GAYE SMITH,

Plaintiff(s),

vs.

Case No.: 2015-CP-46-02155

CBS CORPORATION, ET AL.,

Defendant(s).

(Captions continued on the following page.)

V I D E O T A P E D

D E P O S I T I O N

WITNESS: HARLEY NEELANDS

DATE: Thursday, December 8, 2016

TIME: 10:06 a.m.

LOCATION: Holiday Inn

503 Galleria Boulevard

Rock Hill, South Carolina

TAKEN BY: Attorneys for the Plaintiffs

REPORTED BY: SHERI L. BYERS

Registered Professional Reporter

- - - - -

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STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

TIMOTHY W. HOWE, INDIVIDUALLY AND AS

PERSONAL REPRESENTATIVE OF THE ESTATE OF

WAYNE ERVIN HOWE, DECEASED, AND JEANETTE HOWE,

Plaintiff(s),

vs.

Case No.: 2015-CP-46-03456

AIR & LIQUID SYSTEMS CORP., INDIVIDUALLY

AND AS SUCCESSOR-IN-INTEREST TO BUFFALO

PUMPS, INC., ET AL.,

Defendant(s).

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF HAMPTON

JAMES CALVIN SIZEMORE,

Plaintiff(s),

vs.

CELANESE CORPORATION, ET AL.,

Defendant(s).

CIVIC DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 2016-6452

SECTION 10

DIVISION "C"

JAMES C. SIZEMORE

VERSUS

REILLY-BENTON COMPANY, INC., ET AL.

(Captions continued on the following page.)

1 STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

2 COUNTY OF RICHLAND

3
4 NORMAN JEFFERSON NOLEN, INDIVIDUALLY

AND AS PERSONAL REPRESENTATIVE FOR

5 THE ESTATE OF LINDA NOLEN, DECEASED,

6 Plaintiff(s),

7 vs.

Case No.: 2016-CP-40-04184

8 DANIEL INTERNATIONAL, ET AL.,

9 Defendant(s).

1 APPEARANCES FOR THE CASE OF GARY DEAN SMITH,
INDIVIDUALLY AND AS
2 PERSONAL REPRESENTATIVE OF THE ESTATE
OF CHARLOTTE GAYE SMITH vs.
3 CBS CORPORATION, ET AL.
Case No.: 2015-CP-46-02155:

4
5 ATTORNEYS FOR THE PLAINTIFF
GARY DEAN SMITH INDIVIDUALLY AND AS
6 PERSONAL REPRESENTATIVE OF THE ESTATE
OF CHARLOTTE GAYE SMITH:

7
KASSEL MCVEY
8 BY: THEILE B. MCVEY, ESQUIRE
1330 Laurel Street
9 Columbia, South Carolina 29201
tmcvey@kassellaw.com
10 803.256.4242
11

12 ATTORNEYS FOR THE DEFENDANTS
CBS CORPORATION, GENERAL ELECTRIC COMPANY,
13 FOSTER WHEELER ENERGY CORPORATION, AND
LINDE, LLC:

14
EVERT WEATHERSBY HOUFF
15 BY: ANDREW S. ROGERS, ESQUIRE
3455 Peachtree Road, NE, Suite 1550
16 Atlanta, Georgia 30326
asrogers@ewhlaw.com
17 678.651.1200
18

19 ATTORNEYS FOR THE DEFENDANTS
DANIEL INTERNATIONAL CORPORATION, FLUOR
DANIEL SERVICES CORPORATION, AND FLUOR
20 ENTERPRISES, INC.:
21 HAYNSWORTH SINKLER BOYD, P.A.
BY: MOFFATT G. MCDONALD, ESQUIRE
22 ONE North Main Street, 2nd Floor
Greenville, South Carolina 29601
23 mmcdonald@hsblawfirm.com
864.240.3200
24
25

1 APPEARANCES CONTINUED (SMITH v. CBS CORPORATION ET AL.)

2 ATTORNEYS FOR THE DEFENDANT

COVIL CORPORATION:

3 GALLIVAN, WHITE & BOYD, P.A.

4 BY: STEPHANIE G. FLYNN, ESQUIRE

-and- ALLYSON TWILLEY, ESQUIRE

5 55 Beattie Place, Suite 1200

Greenville, South Carolina 29601

6 sflynn@gwblawfirm.com

atwilley@gwblawfirm.com

7 864.271.9580

8
9 ATTORNEYS FOR THE DEFENDANT

RILEY STOKER CORPORATION:

10 HAWKINS, PARNELL THACKSTON & YOUNG, LLP

11 BY: RANDI M. WARREN, ESQUIRE

303 Peachtree Street NE, Suite 4000

12 Atlanta, Georgia 30308-3243

rwarren@hptylaw.com

13 404.614.7501

14
15 ATTORNEYS FOR THE DEFENDANT

RESOLUTE, F.P. U.S., INC.:

16 GOLDBERG SEGALLA, LLP

17 BY: PAUL L. KNOBBE, ESQUIRE

8000 Maryland Avenue, Suite 640

18 St. Louis, Missouri 63105-3752

pknobbe@goldbergsegalla.com

19 314.446.3350

20
21 ATTORNEYS FOR THE DEFENDANT

CNA HOLDINGS, LLC:

22 HAWKINS, PARNELL THACKSTON & YOUNG, LLP

23 BY: S. CHRISTOPHER COLLIER, ESQUIRE

303 Peachtree Street NE, Suite 4000

24 Atlanta, Georgia 30308-3243

ccollier@hptylaw.com

25 404.614.7479

1 APPEARANCES CONTINUED (SMITH v. CBS CORPORATION ET AL.)

2 ATTORNEYS FOR THE DEFENDANT

UNITED STATES FIDELITY AND GUARANTY CO:

3 NELSON, MULLINS, RILEY & SCARBOROUGH

4 BY: DAVID G. TRAYLOR, JR., ESQUIRE

1320 Main Street, 17th Floor

5 Columbia, South Carolina 29201

david.traylor@nelsonmullins.com

6 803.255.9439

7
8 ATTORNEYS FOR THE DEFENDANT

UNITED CONVEYOR CORPORATION:

9 SMITH MOORE LEATHERWOOD, LLP

10 BY: TIMOTHY PECK, ESQUIRE

300 North Greene Street, Suite 1400

11 Greensboro, North Carolina 27401

tim.peck@smithmoorelaw.com

12 336.378.5307

13
14 ATTORNEYS FOR THE DEFENDANT

CLEAVER-BROOKS:

15 RICHARDSON, PLOWDEN & ROBINSON, P.A.

BY: JOSEPH E. THOENSEN, ESQUIRE

16 1900 Barnwell Street

Columbia, South Carolina 29201

17 jthoensen@richardsonplowden.com

18 803.253.8719

1 APPEARANCES FOR THE CASE OF TIMOTHY W. HOWE,
INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE
2 OF THE ESTATE OF WAYNE ERVIN HOWE, DECEASED,
AND JEANETTE HOWE vs. AIR & LIQUID SYSTEMS
3 CORP., INDIVIDUALLY AND AS SUCCESSOR-IN-INTEREST
TO BUFFALO PUMPS, INC., ET AL.,
4 Case No.: 2015-CP-46-03456:
5

6 ATTORNEYS FOR THE PLAINTIFF
TIMOTHY W. HOWE, INDIVIDUALLY AND AS
7 PERSONAL REPRESENTATIVE OF THE ESTATE OF
WAYNE ERVIN HOWE, DECEASED, AND JEANETTE HOWE:
8

KASSEL MCVEY
9 BY: THEILE B. MCVEY, ESQUIRE
1330 Laurel Street
10 Columbia, South Carolina 29201
tmcvey@kassellaw.com
11 803.256.4242
12

13 ATTORNEYS FOR THE DEFENDANTS
COVIL CORPORATION AND FLOWSERVE CORPORATION
14 FORMERLY KNOWN AS THE DURIRON COMPANY:
15 GALLIVAN, WHITE & BOYD, P.A.
BY: STEPHANIE G. FLYNN, ESQUIRE
16 -and- ALLYSON TWILLEY, ESQUIRE
55 Beattie Place, Suite 1200
17 Greenville, South Carolina 29601
sflynn@gwblawfirm.com
18 atwilley@gwblawfirm.com
864.271.9580
19

20 ATTORNEYS FOR THE DEFENDANTS
ALBANY INTERNATIONAL CORPORATION
21 VIKING PUMP, INC., AND WARREN PUMPS, LLC:
22 TURNER, PADGET, GRAHAM & LANEY, P.A.
BY: STEVEN W. OUZTS, ESQUIRE
23 1901 Main Street, 17th Floor
Columbia, South Carolina 29201
24 souzts@turnerpadget.com
803.254.2200
25

1 APPEARANCES CONTINUED (HOWE v. AIR & LIQUID SYSTEMS
2 CORP. ET AL.)

3 ATTORNEYS FOR THE DEFENDANTS

4 SPX COOLING TECHNOLOGIES, INC.; YUBA HEAT
5 TRANSFER, LLC; AND GOULDS PUMPS, INC.:
6 NELSON, MULLINS, RILEY & SCARBOROUGH
7 BY: ROBERT O. MERIWETHER, ESQUIRE
8 1320 Main Street, 17th Floor
9 Columbia, South Carolina 29201
10 robert.meriwether@nelsonmullins.com
11 803.255.9469

12 ATTORNEYS FOR THE DEFENDANTS

13 CBS CORPORATION, GENERAL ELECTRIC COMPANY,
14 FOSTER WHEELER ENERGY CORPORATION,
15 INGERSOLL-RAND COMPANY, TRANE US, INC.,
16 AND LINDE, LLC:

17 EVERT WEATHERSBY HOUFF

18 BY: ANDREW S. ROGERS, ESQUIRE
19 3455 Peachtree Road, NE, Suite 1550
20 Atlanta, Georgia 30326
21 asrogers@ewhlaw.com
22 678.651.1200

23 ATTORNEYS FOR THE DEFENDANTS

24 DANIEL INTERNATIONAL CORPORATION; FLUOR
25 DANIEL SERVICES CORPORATION; FLUOR
ENTERPRISES, INC.; STERLING FLUID SYSTEMS
(USA), LLC; AND UNION CARBIDE CORPORATION:

HAYNSWORTH SINKLER BOYD, P.A.

BY: MOFFATT G. MCDONALD, ESQUIRE
ONE North Main Street, 2nd Floor
Greenville, South Carolina 29601
mmcdonald@hsblawfirm.com
864.240.3200

1 APPEARANCES CONTINUED (HOWE v. AIR & LIQUID SYSTEMS
2 CORP. ET AL.)

3 ATTORNEYS FOR THE DEFENDANTS

4 AURORA PUMP COMPANY; DEZURIK, INC.;
5 ZURN INDUSTRIES; AND AIR & LIQUID SYSTEMS:
6 NELSON, MULLINS, RILEY & SCARBOROUGH
7 BY: DAVID G. TRAYLOR, JR., ESQUIRE
8 1320 Main Street, 17th Floor
9 Columbia, South Carolina 29201
10 david.traylor@nelsonmullins.com
11 803.255.9439

12 ATTORNEYS FOR THE DEFENDANTS

13 CNA HOLDINGS, LLC, AND SCAPA DRYER
14 FABRICS, INC.:
15 HAWKINS, PARNELL THACKSTON & YOUNG, LLP
16 BY: S. CHRISTOPHER COLLIER, ESQUIRE
17 303 Peachtree Street NE, Suite 4000
18 Atlanta, Georgia 30308-3243
19 ccollier@hptylaw.com
20 404.614.7479

21 ATTORNEYS FOR THE DEFENDANT

22 RILEY STOKER CORPORATION:

23 HAWKINS, PARNELL THACKSTON & YOUNG, LLP
24 BY: RANDI M. WARREN, ESQUIRE
25 303 Peachtree Street NE, Suite 4000
Atlanta, Georgia 30308-3243
rwarren@hptylaw.com
404.614.7501

26 ATTORNEYS FOR THE DEFENDANT

27 CGR PRODUCTS, INC.:

28 GOLDBERG SEGALLA, LLP
29 BY: BRADY A. YNTEMA, ESQUIRE
30 800 Green Valley Road, Suite 302
31 Greensboro, North Carolina 27408-7030
32 byntema@goldbergsegalla.com
33 336.419.4904

1 APPEARANCES CONTINUED (HOWE v. AIR & LIQUID SYSTEMS
CORP. ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANTS
CROWN CORK & SEAL COMPANY, INC.:

4
LEATH, BOUCH & SEEKINGS, LLP
5 BY: AMY MELVIN MCLEOD, ESQUIRE
92 Broad Street
6 Charleston, South Carolina 29401
amelvin@leathbouchlaw.com
7 843.937.8811
8

9 ATTORNEYS FOR THE DEFENDANT
CRANE CO.:

10
K&L GATES, LLP
11 BY: REBECCA GAUTHIER, ESQUIRE
214 North Tryon Street, 47th Floor
12 Charlotte, North Carolina 28202
rebecca.gauthier@klgates.com
13 704.331.7400
14

15 ATTORNEYS FOR THE DEFENDANT
AIRGAS USA, LLC :

16
DICKIE, MCCAMEY & CHILCOTE, P.C.
17 BY: JOSEPH L. NELSON, ESQUIRE
2115 Rexford Road, Suite 210
18 Charlotte, North Carolina 28211
jnelson@dmclaw.com
19 704.998.5184
20
21
22
23
24
25

1 APPEARANCES CONTINUED (HOWE v. AIR & LIQUID SYSTEMS
CORP. ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANTS

MARSULEX ENVIRONMENTAL TECHNOLOGIES CORPORATION
4 UNITED CONVEYOR CORPORATION, AND VELAN
CORPORATION:

5
SMITH MOORE LEATHERWOOD, LLP
6 BY: TIMOTHY PECK, ESQUIRE
300 North Greene Street, Suite 1400
7 Greensboro, North Carolina 27401
tim.peck@smithmoorelaw.com
8 336.378.5307
9

10 ATTORNEYS FOR THE DEFENDANT

ASTENJOHNSON, INC.:
11 (via telephone)
12 PRATT-THOMAS WALKER
BY: E. DOUGLAS PRATT-THOMAS, ESQUIRE
13 16 Charlotte Street
Charleston, South Carolina 29403
14 dpt@tw.com
843.727.2212
15

16 ATTORNEYS FOR THE DEFENDANT

BOLAND MACHINE AND MANUFACTURING COMPANY:
17 (via telephone)
18 GARRISON, YOUNT, FORTE & MULCAHY, LLC
BY: ANNISSA M. ALARIO, ESQUIRE
19 909 Poydras Street, Suite 1800
New Orleans, Louisiana 70112
20 aalario@garrisonyount.com
504.412.7131
21
22
23
24
25

1 APPEARANCES CONTINUED (HOWE v. AIR & LIQUID SYSTEMS
CORP. ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANT
CLEAVER-BROOKS:

4 RICHARDSON, PLOWDEN & ROBINSON, P.A.

5 BY: JOSEPH E. THOENSEN, ESQUIRE

1900 Barnwell Street

6 Columbia, South Carolina 29201

jthoensen@richardsonplowden.com

7 803.253.8719

8
9 ATTORNEYS FOR THE DEFENDANTS

DAVIS-STANDARD, LLC, AND BLACK CLAWSON:

10 (via telephone)

11 MCANGUS, GOUDELOCK & COURIE, LLC

BY: STERLING DAVIES, ESQUIRE

12 1320 Main Street, 10th Floor

Columbia, South Carolina 29201

13 sdavies@mgclaw.com

803.779.2300

1 APPEARANCES FOR THE CASE OF NORMAN JEFFERSON NOLEN,
INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE FOR
2 THE ESTATE OF LINDA NOLEN, DECEASED, vs.
DANIEL INTERNATIONAL, ET AL.
3 Case No.: 2016-CP-40-04184:
4

5 ATTORNEYS FOR THE PLAINTIFF

NORMAN JEFFERSON NOLEN, INDIVIDUALLY AND
6 AS PERSONAL REPRESENTATIVE FOR
THE ESTATE OF LINDA NOLEN, DECEASED:
7

KASSEL MCVEY

8 BY: THEILE B. MCVEY, ESQUIRE
1330 Laurel Street
9 Columbia, South Carolina 29201
tmcvey@kassellaw.com
10 803.256.4242
11

12 ATTORNEYS FOR THE DEFENDANTS

CARVER PUMP COMPANY, COVIL CORPORATION,
13 AND BW/IP, INC.:
14

GALLIVAN, WHITE & BOYD, P.A.

BY: STEPHANIE G. FLYNN, ESQUIRE

15 -and- ALLYSON TWILLEY, ESQUIRE

55 Beattie Place, Suite 1200

16 Greenville, South Carolina 29601

sflynn@gwblawfirm.com

17 atwilley@gwblawfirm.com

864.271.9580
18

19 ATTORNEYS FOR THE DEFENDANTS

GARDNER DENVER AND WARREN PUMPS, LLC:
20

TURNER, PADGET, GRAHAM & LANEY, P.A.

21 BY: STEVEN W. OUZTS, ESQUIRE

1901 Main Street, 17th Floor

22 Columbia, South Carolina 29201

souzts@turnerpadget.com

23 803.254.2200
24
25

1 APPEARANCES CONTINUED (NOLEN v. DANIEL
INTERNATIONAL, ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANTS

4 GOULDS PUMPS, INC.; ITT CORPORATION; AND
5 INTERNATIONAL TEXTILE GROUP, INC., SUED
6 AS SUCCESSOR TO BURLINGTON INDUSTRIES, INC.:
7 NELSON, MULLINS, RILEY & SCARBOROUGH
8 BY: ROBERT O. MERIWETHER, ESQUIRE
9 1320 Main Street, 17th Floor
10 Columbia, South Carolina 29201
11 robert.meriwether@nelsonmullins.com
12 803.255.9469

13
14 ATTORNEYS FOR THE DEFENDANTS

15 CBS CORPORATION, GENERAL ELECTRIC COMPANY,
16 FOSTER WHEELER ENERGY CORPORATION,
17 INGERSOLL-RAND, INC., AND SPIRAX SARCO, INC.:

18
19 EVERT WEATHERSBY HOUFF

20 BY: ANDREW S. ROGERS, ESQUIRE
21 3455 Peachtree Road, NE, Suite 1550
22 Atlanta, Georgia 30326
23 asrogers@ewhlaw.com
24 678.651.1200

25
26 ATTORNEYS FOR THE DEFENDANTS

27 DANIEL INTERNATIONAL CORPORATION; FLUOR
28 DANIEL SERVICES CORPORATION; FLUOR
29 ENTERPRISES, INC.; FLUOR CONSTRUCTORS
30 INTERNATIONAL, INC.; AND PHILLIP MORRIS
31 USA, INC.:

32
33 HAYNSWORTH SINKLER BOYD, P.A.

34 BY: MOFFATT G. MCDONALD, ESQUIRE
35 ONE North Main Street, 2nd Floor
36 Greenville, South Carolina 29601
37 mmcdonald@hsblawfirm.com
38 864.240.3200

1 APPEARANCES CONTINUED (NOLEN v. DANIEL
2 INTERNATIONAL, ET AL.)

3 ATTORNEYS FOR THE DEFENDANTS

4 AURORA PUMP, HAJOCA, GRINNELL, AIR & LIQUID
5 SYSTEMS, AND WEIR VALVES (ATWOOD & MORRILL):
6 NELSON, MULLINS, RILEY & SCARBOROUGH
7 BY: DAVID G. TRAYLOR, JR., ESQUIRE
8 1320 Main Street, 17th Floor
9 Columbia, South Carolina 29201
10 david.traylor@nelsonmullins.com
11 803.255.9439

12 ATTORNEYS FOR THE DEFENDANTS

13 CNA HOLDINGS, LLC, AND PHARR YARNS, LLC:

14 HAWKINS, PARNELL THACKSTON & YOUNG, LLP
15 BY: S. CHRISTOPHER COLLIER, ESQUIRE
16 303 Peachtree Street NE, Suite 4000
17 Atlanta, Georgia 30308-3243
18 ccollier@hptylaw.com
19 404.614.7479

20 ATTORNEYS FOR THE DEFENDANT

21 3M COMPANY:

22 THOMPSON, COE, COUSINS & IRONS, LLP
23 BY: KEVIN B. BROWN, ESQUIRE
24 700 North Pear Street, Suite 25th Floor
25 Dallas, Texas 75201
mgriffin@bradley.com
704.338.6015

1 APPEARANCES CONTINUED (NOLEN v. DANIEL
INTERNATIONAL, ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANT
CRANE CO.:

4
K&L GATES, LLP
5 BY: REBECCA GAUTHIER, ESQUIRE
214 North Tryon Street, 47th Floor
6 Charlotte, North Carolina 28202
rebecca.gauthier@klgates.com
7 704.331.7400
8

9 ATTORNEYS FOR THE DEFENDANT
EXXON MOBIL CORP.:

10
WOMBLE, CARLYLE, SANDRIDGE & RICE, PLLC
11 BY: TODD W. BILLMIRE, ESQUIRE
One Wells Fargo Center, Suite 3500
12 Charlotte, North Carolina 28202-6037
tbillmire@wcsr.com
13 704.331.4998
14

15 ATTORNEYS FOR THE DEFENDANT
CONTINENTAL TIRE THE AMERICAS, LLC:

16
SMITH MOORE LEATHERWOOD, LLP
17 BY: TIMOTHY PECK, ESQUIRE
300 North Greene Street, Suite 1400
18 Greensboro, North Carolina 27401
tim.peck@smithmoorelaw.com
19 336.378.5307
20
21
22
23
24
25

1 APPEARANCES CONTINUED (NOLEN v. DANIEL
2 INTERNATIONAL, ET AL.)

3 ATTORNEYS FOR THE DEFENDANT
4 RESOLUTE, F.P. U.S., INC.:

5 GOLDBERG SEGALLA, LLP
6 BY: PAUL L. KNOBBE, ESQUIRE
7 8000 Maryland Avenue, Suite 640
8 St. Louis, Missouri 63105-3752
pknobbe@goldbergsegalla.com
314.446.3350

9 ATTORNEYS FOR THE DEFENDANT
10 CIRCOR INSTRUMENTATION D/B/A HOKE, INC.:
(via telephone)

11 KERNODLE COLEMAN
12 BY: STEPHEN M. KOZICK, ESQUIRE
13 914 Folly Road, Suite 2
14 Charleston, South Carolina 29422-3897
skozick@kernodlclaw.com
843.795.3708

15 ATTORNEYS FOR THE DEFENDANT
16 CLARIANT CORPORATION:
(via telephone)

17 GALLIVAN, WHITE & BOYD, P.A.
18 BY: BREON C. M. WALKER, ESQUIRE
19 1201 Main Street, Suite 1200
20 Columbia, South Carolina 29201
21 bwalker@gwblawfirm.com
22 803.779.1833

23 ATTORNEYS FOR THE DEFENDANT
24 CLEAVER-BROOKS:

25 RICHARDSON, PLOWDEN & ROBINSON, P.A.
BY: JOSEPH E. THOENSEN, ESQUIRE
1900 Barnwell Street
Columbia, South Carolina 29201
jthoensen@richardsonplowden.com
803.253.8719

1 APPEARANCES CONTINUED (NOLEN v. DANIEL
INTERNATIONAL, ET AL.)

2
3 ATTORNEYS FOR THE DEFENDANT

CARVER PUMP COMPANY:

4 (via telephone)

5 DOGAN & WILKINSON, PLLC

BY: BARRY C. CAMPBELL, ESQUIRE

6 3900 North Causeway Boulevard, Suite 1200

Metairie, Louisiana 70002

7 bcampbell@dwwattorneys.com

504.648.4135

1
2 APPEARANCES FOR THE CASE OF JAMES CALVIN SIZEMORE vs.
CORPORATION, ET AL. (SOUTH CAROLINA CASE) AND
3 JAMES C. SIZEMORE vs. REILLY-BENTON COMPANY, INC.,
ET AL. (LOUISIANA CASE):

4
5 ATTORNEYS FOR THE PLAINTIFF
JAMES CALVIN SIZEMORE:

6
KASSEL MCVEY
7 BY: THEILE B. MCVEY, ESQUIRE
1330 Laurel Street
8 Columbia, South Carolina 29201
tmcvey@kassellaw.com
9 803.256.4242

10
11 ATTORNEYS FOR THE DEFENDANT
COVIL CORPORATION:

12
GALLIVAN, WHITE & BOYD, P.A.
13 BY: STEPHANIE G. FLYNN, ESQUIRE
-and- ALLYSON TWILLEY, ESQUIRE
14 55 Beattie Place, Suite 1200
Greenville, South Carolina 29601
15 sflynn@gwblawfirm.com
atwilley@gwblawfirm.com
16 864.271.9580

17
18 ATTORNEYS FOR THE DEFENDANTS
HONEYWELL INTERNATIONAL, DUPONT, AND
19 CROSBY VALVE, LLC:
20 NELSON, MULLINS, RILEY & SCARBOROUGH
BY: ROBERT O. MERIWETHER, ESQUIRE
21 1320 Main Street, 17th Floor
Columbia, South Carolina 29201
22 robert.meriwether@nelsonmullins.com
803.255.9469

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

4 ATTORNEYS FOR THE DEFENDANTS

CBS CORPORATION, GENERAL ELECTRIC COMPANY,
5 AND FOSTER WHEELER ENERGY CORPORATION:

6 EVERT WEATHERSBY HOUFF

BY: ANDREW S. ROGERS, ESQUIRE

7 3455 Peachtree Road, NE, Suite 1550

Atlanta, Georgia 30326

8 asrogers@ewhlaw.com

678.651.1200
9

10 ATTORNEYS FOR THE DEFENDANT

ONEBEACON AMERICA INSURANCE COMPANY:

11 LEE FUTRELL & PERLES, LLC

12 BY: KEVIN POWELL, ESQUIRE

201 St. Charles Avenue, Suite 4120

13 New Orleans, Louisiana 70170

kpowell@leefutrell.com

14 504.569.1725
15

16 ATTORNEYS FOR THE DEFENDANT

CNA HOLDINGS, LLC:

17 HAWKINS, PARNELL THACKSTON & YOUNG, LLP

18 BY: S. CHRISTOPHER COLLIER, ESQUIRE

303 Peachtree Street NE, Suite 4000

19 Atlanta, Georgia 30308-3243

ccollier@hptylaw.com

20 404.614.7479
21
22
23
24
25

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

4 ATTORNEYS FOR THE DEFENDANT
RILEY STOKER CORPORATION:

5
HAWKINS, PARNELL THACKSTON & YOUNG, LLP
6 BY: RANDI M. WARREN, ESQUIRE
303 Peachtree Street NE, Suite 4000
7 Atlanta, Georgia 30308-3243
rwarren@hptylaw.com
8 404.614.7501
9

10 ATTORNEYS FOR THE DEFENDANT

SCANA CORPORATION:

11 (via telephone)

12 GALLIVAN, WHITE & BOYD, P.A.
BY: BREON C. M. WALKER, ESQUIRE
13 1201 Main Street, Suite 1200
Columbia, South Carolina 29201
14 bwalker@gwblawfirm.com
803.779.1833
15
16

ATTORNEYS FOR THE DEFENDANTS

17 WARREN PUMPS, LLC, AND BLACKMER PUMP COMPANY:
(Louisiana case only)
18

KUCHLER POLK SCHELL WEINER & RICHESON, LLC
19 BY: THOMAS A. PORTEOUS, ESQUIRE
1615 Poydras Street, Suite 1300
20 New Orleans, Louisiana 70112
tporteous@kuchlerpolk.com
21 504.592.0691
22
23
24
25

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

ATTORNEYS FOR THE DEFENDANT

4 RESOLUTE, F.P. U.S., INC.:
5 GOLDBERG SEGALLA, LLP
BY: PAUL L. KNOBBE, ESQUIRE
6 8000 Maryland Avenue, Suite 640
St. Louis, Missouri 63105-3752
7 pknobbe@goldbergsegalla.com
314.446.3350
8

9 ATTORNEYS FOR THE DEFENDANTS

10 THE MCCARTY CORPORATION, AND ONEBEACON AMERICAN
INSURANCE COMPANY ON THE ISSUE OF DAMAGES AND
THE LIABILITY OF EAGLE, INC. ONLY:
11 (via telephone)
12 SIMON, PERAGINE, SMITH & REDFEARN, LLP
BY: NICOLE M. LOUP, ESQUIRE
13 1100 Poydras Street, 30th Floor
New Orleans, Louisiana 70163
14 nicolel@spsr-law.com
504.569.2030
15

16 ATTORNEYS FOR THE DEFENDANT

EXXON MOBIL CORPORATION:
17 (via telephone)
18 BIENVENU, BONNECAZE, FOCO, VIATOR &
HOLINGA, APLLC
19 BY: KATIE D. CHABERT, ESQUIRE
4210 Bluebonnet Boulevard
20 Baton Rouge, Louisiana 70809
katie.chabert@bblawla.com
21 225.388.5600
22
23
24
25

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

4 ATTORNEYS FOR THE DEFENDANT
CLEAVER-BROOKS:

5
RICHARDSON, PLOWDEN & ROBINSON, P.A.
6 BY: JOSEPH E. THOENSEN, ESQUIRE
1900 Barnwell Street
7 Columbia, South Carolina 29201
jthoensen@richardsonplowden.com
8 803.253.8719
9

10 ATTORNEYS FOR THE DEFENDANTS

CRANE CO. AND CARVER PUMP COMPANY:

11 (via telephone)

12 DOGAN & WILKINSON, PLLC

BY: BARRY C. CAMPBELL, ESQUIRE

13 3900 North Causeway Boulevard, Suite 1200

Metairie, Louisiana 70002

14 bcampbell@dwattorneys.com

504.648.4135

15
16 ATTORNEYS FOR THE DEFENDANT

17 CLARK-RELIANCE CORPORATION:

(via telephone)

18 ADAMS AND REESE, LLP

19 BY: WILLIAM K. WRIGHT, IV, ESQUIRE

701 Poydras Street, Suite 4500

20 New Orleans, Louisiana 70139

billy.wright@arlaw.com

21 504.581.3234
22
23
24
25

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
2 CORPORATION, ET AL. AND SIZEMORE v.
3 REILLY-BENTON COMPANY, ET AL.)

4 ATTORNEYS FOR THE DEFENDANT

5 BORGWARNER MORSE TEC, LLC, AS
6 SUCCESSOR-BY-MERGER TO BORG-WARNER
7 CORPORATION:

8 (via telephone)

9 MANION GAYNOR & MANNING, LLP

10 BY: MEGHAN SENTER, ESQUIRE

11 One Canal Place

365 Canal Street, Suite 3000

New Orleans, Louisiana 70130

msenter@mgmlaw.com

504.535.2879

12 ATTORNEYS FOR THE DEFENDANT

13 VIKING PUMP, INC.:

(via telephone)

14 COURINGTON, KIEFER & SOMMERS, LLC

15 BY: JAMES M. MATHERNE, ESQUIRE

616 Girod Street

New Orleans, Louisiana 70130

jmatherne@courington-law.com

504.524.5510

17 ATTORNEYS FOR THE DEFENDANT

18 INTERNATIONAL PAPER COMPANY:

19 FORMAN, WATKINS & KRUTZ, LLP

20 BY: JASON ELAM, ESQUIRE

701 Poydras Street, Suite 4350

New Orleans, Louisiana 70139

jason.elam@formanwatkins.com

504.799.4383

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

4 ATTORNEYS FOR THE DEFENDANT

BOLAND MACHINE AND MANUFACTURING COMPANY:
5 (via telephone)
6 GARRISON, YOUNT, FORTE & MULCAHY, LLC
BY: ANNISSA M. ALARIO, ESQUIRE
7 909 Poydras Street, Suite 1800
New Orleans, Louisiana 70112
8 aalario@garrisonyount.com
504.412.7131
9

10 ATTORNEYS FOR THE DEFENDANT

BAE SYSTEMS:
11 (via telephone)
12 BLAND & PARTNERS P.L.L.C.
BY: ROBERT P. VINING, ESQUIRE
13 1717 St. James Place, Suite 360
Houston, Texas 77056
14 rvining@blandpartners.com
713.627.7100
15

16 ATTORNEYS FOR THE DEFENDANTS

(Louisiana case only)

17 GENERAL ELECTRIC COMPANY, GEORGIA PACIFIC
CONSUMER PRODUCTS LP, GENUINE PARTS COMPANY,
18 FOSTER WHEELER, FMC CORPORATION, CLEAVER
BROOKS, AND CBS CORPORATION:
19 (via telephone)
20 FRILLOT, L.L.C.
BY: ANGELA M. BOWLIN, ESQUIRE
21 3700 Energy Centre
1100 Poydras Street
22 New Orleans, Louisiana 70163
abowlin@frilot.com
23 504.599.8215
24
25

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
2 CORPORATION, ET AL. AND SIZEMORE v.
3 REILLY-BENTON COMPANY, ET AL.)

4 ATTORNEYS FOR THE DEFENDANTS

5 COLLINS AND AIKMAN PRODUCTS CO. AS A
6 SUCCESSOR-IN-INTEREST TO WICKES COMPANIES
AND WICKES BOILER COMPANY; FLOWSERVE
CORPORATION f/k/a THE DURIRON COMPANY, INC.;

AND BW/IP, INC.:

7 (via telephone)

8 MANION GAYNOR & MANNING, LLP

BY: BRANDIE THIBODEAUX, ESQUIRE

9 One Canal Place

365 Canal Street, Suite 3000

10 New Orleans, Louisiana 70130

bthibodeaux@mgmlaw.com

11 504.799.0505

12
13 ATTORNEYS FOR THE DEFENDANT

THE WILLIAM POWELL COMPANY:

14 (via telephone)

15 TAYLOR WELLONS POLITZ DUHE

BY: MICHELLE L. MARAIST, ESQUIRE

16 1515 Poydras Street, Suite 1900

New Orleans, Louisiana 70112

17 mmaraist@twpdlaw.com

504.525.9888

18
19 ATTORNEYS FOR THE DEFENDANT

NELES-JAMESBURY, INC.:

20 (via telephone)

21 JONES WALKER, LLP

BY: MICHELE W. CROSBY, ESQUIRE

22 8555 United Plaza Boulevard

Baton Rouge, Louisiana 70809

23 mcrosby@joneswalker.com

24 225.248.2000

1 APPEARANCES CONTINUED (SIZEMORE v. CELANESE
CORPORATION, ET AL. AND SIZEMORE v.
2 REILLY-BENTON COMPANY, ET AL.)
3

4 ATTORNEYS FOR THE DEFENDANTS

DANA COMPANIES, LLC; PNEUMO ABEX, LLC;
5 AND RILEY POWER, INC. (Louisiana case only):
(via telephone)
6

DEUTSCH KERRIGAN, L.L.P.

7 BY: WILLIAM C. HARRISON, JR., ESQUIRE
755 Magazine Street
8 New Orleans, Louisiana 70130
wharrison@deutschkerrigan.com
9 504.593.0651
10

11 ATTORNEYS FOR THE DEFENDANTS

SPX CORPORATION, SUCCESSOR-IN-INTEREST TO
12 BEAR AUTOMOTIVE SERVICE EQUIPMENT COMPANY,
AS SUCCEDED BY BOSCH AUTOMOTIVE SERVICE
13 SOLUTIONS, INC.:
(via telephone)
14

MCGLINCHEY STAFFORD

15 BY: MARSHALL T. COX, ESQUIRE
601 Poydras Street, Suite 1200
16 New Orleans, Louisiana 70130
mcox@mcglinchey.com
17 504.596.2767
18
19

20 ALSO PRESENT:

21 BRUCE BALMER, VIDEOGRAPHER
22
23
24
25

1 MR. MCDONALD: We'll go on the record.

2 Basically, I'm going to set forth the same objection
3 that I set forth in the Wayne Grant, so it could be
4 incorporated herein by reference, I suppose.

5 We're taking the deposition today pursuant to
6 the South Carolina rules, and an objection for one is
7 good for all present on the phone or physically here.
8 It's our usual rule.

9 For my clients, and I expect all defendants
10 would join in this, I reserve all rights and defenses,
11 including personal jurisdiction and lack of service of
12 process. Also, as I mentioned in Wayne Grant, I think
13 we should be able to take a discovery deposition of
14 Mr. Neelands, but we are prepared to cooperate and try
15 to go forward today.

16 I do have an objection to the fact that the
17 case -- the deposition is noticed in multiple cases,
18 including a Louisiana case. That creates a problem
19 because none of my clients are in the Louisiana case.
20 The Louisiana lawyers are not admitted in
21 South Carolina, so I reserve all objections to the
22 questions asked by Louisiana lawyers in the
23 South Carolina cases.

24 My appearance today on behalf of any clients
25 should not be taken as an appearance in any Louisiana

1 case or a waiver of any defense of lack of service of
2 process or lack of jurisdiction of a Louisiana court.

3 MR. TRAYLOR: This is David Traylor. And
4 maybe Mott's objection covered this, but as I indicated
5 at the Wayne Grant deposition, I think all defendants
6 would join in Mott's objections unless they opt out.
7 And the other one is we would reserve the right to
8 object to the use of video at trial based on the
9 South Carolina rules of whether he's available and that
10 type of thing within the subpoena power, et cetera.

11 MR. MCDONALD: Sure. I think everybody would
12 join in that.

13 MR. POWELL: This is Kevin Powell on behalf
14 of the Avondale interests. And I agree, except for
15 that part about this being noticed only under the rules
16 of South Carolina. It has been noticed and
17 cross-noticed -- it has been cross-noticed under the
18 rules in Louisiana.

19 In addition, Huntington Ingalls, Incorporated
20 has filed third-party claims in the Louisiana case
21 against those defendants who were dismissed by the
22 plaintiffs in that case and resued in South Carolina.
23 So just put you on notice of that.

24 MR. MCDONALD: Well, I'm just reserving all
25 rights such as lack of service process and

1 jurisdiction, et cetera.

2 MS. MCVEY: Anybody else have anything they
3 need to put on?

4 MR. RAND: If I may.

5 MS. MCVEY: Sure.

6 MR. RAND: Kenan Rand. I'm here only in the
7 Sizemore case, in the Louisiana Sizemore case, to be
8 precise. And in addition to one objection being good
9 for all, may we have the same stipulation we had in the
10 Grant deposition, that all objections, save as to the
11 form of the question or responsiveness of the answer
12 are reserved until such time as the transcript is
13 sought to be introduced at a trial or hearing.

14 MS. MCVEY: Yeah. And just so you all know,
15 the re -- motion to strike nonresponsive is not a thing
16 in South Carolina.

17 MR. RAND: Under the Louisiana rules, we may
18 have to make a few different objections at times.

19 MS. MCVEY: Sure.

20 MR. RAND: We'll try not to slow the train
21 down by doing so.

22 MS. MCVEY: I understand.

23 MR. RAND: Thank you.

24 MS. MCVEY: And just to put on the record, I
25 sent everybody an email and everyone should have gotten

1 it about the work sites that I believe that Mr. Neeland
2 will testify to. And I will stipulate today that he
3 only worked with Fuzz Childers, Lewis Childers, in the
4 Smith case. He does not know Mr. Howe, Mr. Nolen, or
5 Mr. Sizemore. But there is overlap at the plants, and
6 there is overlap both at the plants and the timing that
7 they were there. So but as to who he knows, it's only
8 Fuzz Childers. Okay?

9 Anybody else have any concerns before we go?

10 How about you?

11 THE WITNESS: I'm fine.

12 MS. MCVEY: All right.

13 THE VIDEOGRAPHER: We are going on the record
14 on December 8th, 2016, at 10:10:54.

15 This is media unit one of the video
16 deposition of Harley Neeland. All appearances will be
17 from the official transcript.

18 Will the court reporter please swear in the
19 witness.

20 HARLEY NEELANDS, being first duly
21 sworn, testified as follows:

22 EXAMINATION

23 BY MS. MCVEY:

24 Q. Good morning, Mr. Neeland. How are you?

25 A. Good morning.

1 Q. Thank you for being here with us this
2 morning.

3 Tell us who you are.

4 A. Harley Neelands.

5 Q. Where do you live, Mr. Neeland?

6 A. 3475 Hughes Road, Clover, South Carolina.

7 Q. Okay. And how long have you been at that
8 address?

9 A. Since 1955.

10 Q. Just a few years?

11 A. Yeah.

12 Q. All right. Are you married?

13 A. Was.

14 Q. Okay. And your wife passed away?

15 A. Yeah, 2010.

16 Q. I'm sorry. Do you have any kids?

17 A. I got two kids. A boy and a girl.

18 Q. Where do they live?

19 A. They live there on the same road, a few
20 houses up.

21 Q. Okay. And what are their names?

22 A. Paula and Billy.

23 Q. Last name Neeland?

24 A. Neelands, yes, ma'am.

25 Q. All right. And do you have grandkids?

1 A. Yes, ma'am.

2 Q. What are their names and where do they live?

3 A. Jamie. Jamie Traylor, she lives with my
4 daughter there on the place. And Joseph and Jacob
5 Neelands lives with my son there across the road.

6 Q. So you all live pretty close together?

7 A. Yes, ma'am.

8 Q. You get to see them a good bit?

9 A. Yes, ma'am.

10 Q. We're here today to take your deposition, as
11 you know, in four different cases. In the Nolen case,
12 the Sizemore case, the Howe case, and the Smith case
13 for Fuzz Childers. Do you understand that?

14 A. Yes, ma'am.

15 Q. All right. But as we discussed, the only
16 person that you worked with in that list is Fuzz
17 Childers?

18 A. Yes, ma'am.

19 Q. All right. So when we talk today about the
20 places that you worked and the locations, I'm
21 interested in talking to you about when Fuzz Childers
22 worked with you. Okay?

23 A. Okay.

24 Q. All right. I want to talk a little bit about
25 what you did and when you started working as an

1 insulator. Can we talk about that?

2 A. Yes, ma'am.

3 Q. All right. And did you work as an insulator?

4 A. Yes, ma'am.

5 Q. When did you start doing that work?

6 A. In 1968.

7 Q. Okay. And when you started in 1968, who were

8 you working for?

9 A. Daniel Construction.

10 Q. And what did -- what was your job for Daniel?

11 A. Start off was an insulator helper.

12 Q. Okay. And what does an insulator helper do?

13 A. Well, he gets material, mixes mud and carries

14 it to the people out on the job. The people that's

15 actually doing the work.

16 Q. Okay. And do you help the higher-ups, the

17 actual insulators?

18 A. Oh, yeah. Yeah.

19 Q. All right. And when you started in 1968 as

20 an insulator's helper, was Fuzz Childers working with

21 you?

22 A. Yes, ma'am.

23 Q. Did he also start as an insulator helper?

24 A. Yes, ma'am.

25 Q. All right. Did you know Fuzz before you

1 started working with him?

2 A. No, ma'am.

3 Q. All right. As an insulator's helper at
4 Daniel working for Daniel, what did you all do? Did
5 you all go into other plants? How did you work?

6 A. Well, you're talking about when we started at
7 Bowater or what?

8 Q. Yes. Well, let's do this. When you started
9 with Daniel in 1968, you and Fuzz --

10 A. Yeah.

11 Q. -- where did you all go to work for Daniel?

12 A. At Bowater.

13 Q. Which Bowater plant was that?

14 A. Rock Hill -- Rock Hill, Catawba whatever they
15 call it.

16 Q. Sometimes it's called Bowater Rock Hill and
17 sometimes it's called Bowater Catawba?

18 A. Yeah.

19 Q. All right. But that's the same plant?

20 A. Same thing. Yes, ma'am.

21 Q. All right. And when you went over for
22 Bowater, you were working for Daniel; is that right?

23 A. Yes, ma'am.

24 Q. But Daniel placed you in the Bowater plant?

25 A. Yeah.

1 Q. And what were you guys doing on that job?

2 A. Well, we was insulating pipes and boilers and
3 turbines and such as that.

4 Q. And when we talk about your first time at
5 Bowater working for Daniel in 1968, was Fuzz working
6 with you during those jobs?

7 A. Yeah. He was on the same job.

8 Q. Okay. And so what was going on at Bowater
9 that needed Daniel to come in and do work?

10 A. They was doing a new addition of putting in a
11 new line or something. A new paper machine or whatever
12 they made down there.

13 Q. Okay. And I think you said your job and
14 Fuzz's job, was that to do insulation?

15 A. Yeah.

16 Q. Okay. And were other folks, other trades
17 also working around you?

18 A. Oh, yeah. Always had pipefitters and welders
19 and such as that.

20 Q. Okay. And were you all talking alongside
21 each other?

22 A. Yeah.

23 Q. All right. And so were other folks building
24 the pipes and installing the equipment?

25 A. Yeah.

1 Q. And then were you guys coming along behind
2 them to insulate?

3 A. Right. Yes, ma'am.

4 Q. Would you all be working in close proximity
5 to each other?

6 MR. MCDONALD: Object to the form.

7 THE WITNESS: Oh, yeah.

8 BY MS. MCVEY:

9 Q. How close would you be to somebody who is --
10 how close would you be insulating to somebody who is
11 installing equipment, for example?

12 A. Six to eight feet, ten feet maybe.

13 Q. Pretty close?

14 A. Yeah.

15 Q. All right. When you talk about insulating
16 pipes, why were you insulating pipes at Bowater for
17 Daniel?

18 A. They were either steam lines or something
19 that was going to be hot in the future or maybe some of
20 them even hot when you're working on it.

21 Q. Okay. And so what was the purpose of the
22 insulation, if you know?

23 A. To hold the heat in the pipe.

24 Q. Okay. So were these steam-type pipes?

25 A. Yeah.

1 Q. All right. And so you installed insulation
2 on pipes; is that right?

3 A. Yeah.

4 Q. Okay. Do you know what type of insulation
5 you were installing?

6 A. Well, it was some type of -- something that
7 would hold the heat. There was several different types
8 of it, but mostly you had to have something that was,
9 you know, capable of holding heat. You didn't use
10 something, you know, different. You had different
11 types of insulation for cold pipes than you did from
12 hot pipes.

13 Q. Okay. And do you remember any of the
14 manufacturers and the name brands of insulation you
15 used?

16 A. Well, we -- the chalky-looking stuff, we
17 called it Kaylo. I think it was made by different
18 companies. I'm not sure what companies made it.
19 But -- and sometimes, you know, we may not even -- what
20 we was putting on may not even be in the box that it
21 came in because sometimes they had a warehouse and they
22 had some people maybe would bring you material out of
23 the warehouse. It may not even be in the same box, you
24 know, it came from the manufacturer in.

25 Q. But you all called it Kaylo?

1 A. Yeah.

2 Q. All right. So you insulated pipes, and then
3 did you also put insulation on other equipment at
4 Bowater for Daniel?

5 A. Yeah.

6 Q. What other equipment did you all insulate?

7 A. Well, turbines and boilers and such as that.

8 Q. Okay. Did you ever insulate valves?

9 A. Yeah.

10 Q. How about --

11 A. Went along with the pipe, we call it. You
12 know, insulating the pipe.

13 Q. Okay. So you considered insulating the valve
14 as insulating part of the pipe?

15 A. Yeah.

16 Q. All right. And you said turbines?

17 A. Yeah.

18 Q. And you said boilers?

19 A. Yeah.

20 Q. Anything else that you recall at Bowater at
21 Rock Hill?

22 A. Well, they did some ductwork, but it wasn't,
23 you know, different-type material mostly on the
24 ductwork work than it was on the pipe stuff.

25 Q. Because it wasn't hot?

1 A. Yeah.

2 Q. All right. Do you recall when you were
3 working at Bowater while employed by Daniel who
4 supplied the insulation?

5 A. Well, I'm not sure. But sometimes in this
6 area Covil insulation was -- they were a distributor.
7 But I'm not sure if that's where it came from because I
8 wasn't directly involved with the warehouse, you know,
9 where they kept it at.

10 Q. Okay. All right. And we'll talk more about
11 Covil in a minute.

12 I want to walk through, if I can, if you can
13 help educate us --

14 A. Okay.

15 Q. -- on how is it -- how do you insulate a
16 pipe? Can you take us from start to finish about how
17 you insulate a pipe?

18 A. Well --

19 Q. I'm sorry, let me -- before you go there, how
20 you insulate a steam pipe or a pipe that's hot.

21 A. Okay. To start off with, it comes preformed
22 in two sections, you know, halves like -- and you just
23 put it on there and then wire it on there and then you
24 put the metal over the insulation.

25 Q. Okay. So let me walk you through that a

1 little bit. You said the first thing you do is when
2 you're insulating a pipe -- and how big of pipes were
3 these that you were insulating?

4 A. Well, we had anything from 2-inch up to
5 24-inch pipe.

6 Q. Okay. So some real small and some real big?

7 A. Yeah.

8 Q. And you talked about like a half-moon
9 insulation?

10 A. Yeah. It comes preformed in halves, you
11 know. Well, if it got up to big pipes, it might come
12 in three pieces or four pieces, you know.

13 Q. And did you ever have to cut that insulation?

14 A. Had to cut it with a saw, yes, ma'am.

15 Q. Okay. And when you cut it with a saw, did
16 that -- what did that do?

17 A. Well, that creates dust. Any time you fool
18 with insulation, you got dust.

19 Q. Okay. And could you see the dust?

20 A. Oh, yeah.

21 Q. All right. It was visible in the air?

22 A. Yeah.

23 Q. All right. And would that dust get on your
24 clothes?

25 MR. MCDONALD: Object to the form.

1 THE WITNESS: Oh, yeah.

2 BY MS. MCVEY:

3 Q. Okay. Well, let me ask a better question.

4 Where did that dust go when it went up in the
5 air?

6 A. Who knows?

7 Q. Did some of it land on you?

8 MR. MCDONALD: Object to the form.

9 THE WITNESS: Oh, yeah.

10 BY MS. MCVEY:

11 Q. And could you see it on you?

12 A. Yeah.

13 Q. All right. And so how often would you have
14 to cut this insulation while you were working for
15 Bowater?

16 A. Well, it's according to what you were doing.
17 If you was running a straight line and it went a long
18 ways, you may not cut much. But if you had elbows and
19 valves and stuff, you know, periodically, it's
20 according to how many valves and how many elbows was in
21 the pipe.

22 Q. Okay. Would you say you -- can you give an
23 estimate of how often you would cut that preformed
24 insulation in a given week while you're working for
25 Bowater?

1 A. I really can't say on that because I don't
2 know. I mean, you know, different situations requires
3 different amounts of cutting and whatever, you know.

4 Q. Okay. All right. So when you put that
5 insulation on the pipe --

6 A. Yeah.

7 Q. -- then what did you do next?

8 A. Put metal jacket on over to waterproof it,
9 weatherproof it.

10 Q. Did you -- I'm sorry. I thought you said you
11 put some wire on top of it?

12 A. Oh, yeah. Wire to -- put the insulation on
13 first and then put the metal cover over that to keep
14 it -- for waterproof.

15 Q. And how did you wire the insulation on?

16 A. You put it around there and tie it with nips,
17 twist wire tight with your nips and then beat the wire
18 in so it don't punch a hole in the metal.

19 Q. Okay. So when you're putting the wire -- are
20 you putting it on top of the actual insulation?

21 A. Yeah.

22 Q. And then are you beating that wire in?

23 A. Yeah.

24 Q. What, if any, conditions does that create?

25 A. Any time you -- any time you disturb it, it

1 makes dust. Yeah.

2 Q. And so every time you put that insulation on
3 a pipe, did you have to put that wire on?

4 A. Oh, yeah.

5 Q. And so every time you did that, did that
6 create dust?

7 MR. MCDONALD: Object to the form.

8 MR. COLLIER: Object to the form.

9 THE WITNESS: I want to say when you're doing
10 -- probably create more when you was doing the elbows
11 because when you're doing an elbow, you had to cut
12 miters. Had to cut it in to small pieces to make it go
13 around that elbow. And then you wire that on, and we
14 had what they call a mallet. You take that mallet and
15 beat it down to make it form.

16 BY MS. MCVEY:

17 Q. All right. And I'm going to get to the
18 elbows. I'm going to address that separately. But I
19 just want to talk about the regular pipe for now. And
20 when you put that wire in, and you had to hammer it --
21 did you hammer it in?

22 A. Yeah. Beat it down, yeah.

23 Q. All right. Did that create dust?

24 MR. MCDONALD: Object to the form.

25 THE WITNESS: Oh, yes.

1 BY MS. MCVEY:

2 Q. Let me ask a better question. When you beat
3 that wire into the insulation, what, if any, conditions
4 did that create?

5 A. I couldn't hear you then.

6 Q. I'm sorry. When you had to beat, as you
7 testified, the wire into that insulation --

8 A. Yeah.

9 Q. -- what, if any, conditions did that create?

10 A. Dust.

11 Q. Okay. And did that happen every time you
12 beat the wire in?

13 A. Yeah.

14 MR. MCDONALD: Object to the form.

15 BY MS. MCVEY:

16 Q. Okay. And where did that dust go?

17 A. Up in the air.

18 Q. Okay. And when it came back down, where did
19 it go?

20 MR. COLLIER: Object to the form.

21 THE WITNESS: On your clothes.

22 BY MS. MCVEY:

23 Q. Okay. You would agree that if the dust goes
24 up, it typically comes back down?

25 A. Oh, yeah.

1 Q. Okay. After you put the wire on those pipes,
2 did you ever have to put any mud on them?

3 A. On the elbows.

4 Q. Okay. But not on the regular pipes?

5 A. No. Not unless it had broke or had a hole in
6 it or something.

7 Q. Okay. Come back to patch it or something?

8 A. Yeah.

9 Q. And then you said you put a metal --

10 A. Jacket around the insulation itself.

11 Q. Okay. Did that create any conditions when
12 you put the metal jacket on?

13 A. Oh, yeah.

14 Q. What did it create?

15 A. Dust.

16 Q. And did it do that every time you put the
17 metal jacket on?

18 A. Yeah.

19 MR. COLLIER: Object to the form.

20 BY MS. MCVEY:

21 Q. Okay. And you just testified that when you
22 put that metal jacket on, it created dust; is that
23 right?

24 MR. MCDONALD: Object to the form.

25 MS. MCVEY: Wasn't that his testimony?

1 MR. MCDONALD: Could be, but go ahead.

2 BY MS. MCVEY:

3 Q. All right. Let me just make sure we're
4 clear. When you put those metal jackets on top of the
5 pipe --

6 A. Yes, ma'am.

7 Q. -- what, if any, conditions did that create?

8 A. It created dust.

9 Q. And where did that dust go?

10 A. On your clothes or in the air or wherever.

11 Q. Okay. So that's -- we talked about
12 insulating pipes. Is that the procedure, just the
13 regular straight pipes?

14 A. Yeah.

15 Q. All right. You also insulated, you talked
16 about, valves and elbows?

17 A. Yes.

18 Q. Is that right? Talk to me -- talk to us
19 about how you would insulate an elbow. Can you
20 describe for the jury what an elbow is?

21 A. Well, it's a 90-degree turn in the pipe or a
22 45-degree turn. Whatever degree that -- wherever the
23 pipefitters wanted it to go or, you know, made it to
24 fit.

25 Q. Okay.

1 A. They either had 45s or 90-degree turns. If
2 you had a 90-degree turn, you know, you had to cut
3 miters out of that insulation to fit that turn and then
4 you wired those little miters on the pipe and then you
5 took a mallet or something and beat them down to make
6 them preform the fit the pipe.

7 Q. Okay.

8 A. Then you put a wire on it. And then we
9 mudded the elbow and then you come back with some kind
10 of waterproofing stuff and painted it out to make it
11 waterproof.

12 Q. Okay. So the elbows are where the pipe is
13 going to turn?

14 A. Right.

15 Q. Is that right?

16 A. Yeah.

17 Q. And the elbows, were those more difficult or
18 time consuming to do than the straight pipes?

19 A. Oh, yeah. Yeah.

20 Q. All right. And you talked about you had to
21 make cuts.

22 A. Yeah.

23 Q. And are you making cuts in that half-moon
24 insulation that you talked about?

25 A. That's right, yeah.

1 Q. Okay. How many cuts would you have to make
2 if you were making a 90-degree elbow?

3 A. It's according to how big the pipe was.

4 Q. Okay.

5 A. Normally, say, for an eight-inch pipe, you
6 put eight -- eight miters on it. The bigger the pipe,
7 the more it took to make the turn.

8 Q. So if you had a 20-inch pipe --

9 A. Yeah.

10 Q. -- how many cuts would you have to make?

11 A. Probably ten or so.

12 Q. All right. And what are you using to make
13 that cut?

14 A. A hand saw.

15 Q. All right. And you're actually using a
16 handsaw and you're sawing into that insulation?

17 A. Yes, ma'am.

18 Q. All right. And is Lewis Childers doing this
19 work alongside you?

20 A. Yes, ma'am.

21 MR. MCDONALD: Object to the form.

22 BY MS. MCVEY:

23 Q. Is Lewis Childers doing the same kind of
24 insulation work?

25 A. Yes, ma'am.

1 Q. All right. And could you see him -- were
2 you -- could you look at him while he was working?

3 A. Sometime we did. I could see him when he
4 went home because we rode together.

5 Q. Okay. All right. What did he look like when
6 he went home after a day at Bowater?

7 A. Like a Pillsbury Doughboy. Been rolled in
8 flour.

9 Q. Okay. So you would cut that insulation to
10 make the corner; is that right? To make the elbow?

11 A. Yeah.

12 Q. And when you cut it with a handsaw, cut the
13 insulation, what, if any, conditions did that create?

14 A. It creates dust any time you saw it.

15 Q. Okay. And where would that dust go?

16 A. On you.

17 Q. Okay. So you had to make a series of cuts
18 depending on how big the elbow was, or how big the pipe
19 was; is that right?

20 A. Yeah.

21 Q. And then tell me what the next step was after
22 you made the cuts.

23 A. Wire -- wire those little pieces on and then
24 beat them down and then put mud on the elbow and then
25 you put waterproofing on it.

1 Q. Okay. So I know I'm not trying to wear you
2 out, but I'm going to walk you through those steps.
3 When you had to beat in the wire; is that right?

4 A. Yeah.

5 Q. Did that create dust?

6 A. Yeah.

7 Q. All right. And where did that dust go?

8 A. Went on you and up in the air.

9 Q. And the next thing you talked about is you
10 had to put mud on.

11 A. Yeah.

12 Q. All right. Talk to me about the mud. How
13 does that mud come?

14 A. Comes in a bag and you put it in -- well,
15 sometimes according to how big the job was. Sometimes
16 you mix it in a five-gallon bucket. If you had a big
17 something to do, you might use a wheelbarrow. If it
18 was bigger than that, they had a vat you could stir it
19 with a hoe -- mix it up with a hoe in a vat.

20 Q. Okay. And were you and Lewis Childers, Fuzz,
21 were you all mixing this asbestos?

22 A. No.

23 MS. MCVEY: I'm sorry, let me ask a better
24 question.

25 MR. MCDONALD: Yeah, object to the form.

1 MS. MCVEY: Sorry.

2 BY MS. MCVEY:

3 Q. Were you guys mixing this mud?

4 A. Yeah.

5 Q. Okay. And tell me how you did that. It came
6 in a bag?

7 A. Yeah.

8 Q. Okay.

9 A. Most of the time we used a five-gallon bucket
10 to mix it in. You put water in the bucket and then
11 poured the mud out of the bag into the bucket. And
12 then we had a rubber glove or something you put on your
13 hand and then you stirred it in a bucket with your
14 hand.

15 Q. Okay.

16 A. Until it got to a certain thickness.

17 Q. All right. When you would pour the -- was it
18 powdered?

19 A. Yeah.

20 Q. All right. When you would pour the powdered
21 mud into the five-gallon bucket --

22 A. Yeah.

23 Q. -- did that create any conditions?

24 A. Oh, yeah. It comes straight back up out of
25 there when you poured it in the water.

1 Q. Okay. And what would come straight back out
2 of there?

3 A. The dust.

4 Q. All right. And where would that dust go?

5 A. On your clothes or in the air.

6 Q. All right. Then you guys would have to mix
7 it?

8 A. Yeah.

9 Q. All right. And did that create any
10 conditions when you were mixing it?

11 A. When you was mixing it, it did. Once --
12 until -- until you got it saturated with water.

13 Q. Okay. What conditions did it create when you
14 were mixing it?

15 A. Dust.

16 Q. And where would that dust go?

17 A. On up in the air and on your clothes.

18 Q. Okay. Do you recall the manufacturer or the
19 name brand of that mud?

20 A. I don't know who made -- the actual
21 manufacturer. It might have been the manufacturer.
22 Some of it, they call it One Shot Cement. I remember
23 that. But other than that, I don't know the particular
24 name brands of it. We just called it One Shot Cement
25 or mud.

1 Q. All right. And was -- what color was it?
2 A. The mud itself?
3 Q. Yes, sir.
4 A. Like an old gray. I guess gray, powdery-like
5 stuff.
6 Q. All right. And then once you got it mixed --
7 you all would mix it by hand?
8 A. Yeah.
9 Q. Then what would you do?
10 A. We would take a trowel and trowel it on -- on
11 the elbow.
12 Q. Okay.
13 A. Smooth it out.
14 Q. All right. And then did you have to let it
15 dry?
16 A. Yeah.
17 Q. All right. And then after it dried, did you
18 have to do anything?
19 A. Yeah. We had to go back after it dried and
20 put some cloth on it and paint it out with some kind of
21 waterproofing mastic.
22 Q. Okay. Did you ever have to smooth out that
23 mud after it dried?
24 A. Yeah. Sometimes we would. It's according to
25 how good you was at putting it on there.

1 Q. Right. So you wanted it to be smooth?

2 A. Yeah.

3 Q. So if it wasn't smooth after it dried, you
4 had to smooth it out?

5 A. Yeah.

6 Q. How would you smooth it out?

7 A. Well, we had a raft or sometimes you could
8 take a piece of wire or something and rub it with a
9 piece of, like, screen wire or some type of something
10 that was abrasive.

11 Q. Okay. And did that create any conditions
12 when you smoothed it out?

13 A. Dust. Any time you messed with it, you had
14 dust up until you got it sealed off.

15 Q. All right. And where did that dust go?

16 A. On your clothes and in the air.

17 Q. Okay. After you put the mud on and you got
18 it smooth and it needed to be smoothed, what was the
19 next step on the elbow?

20 A. Put mastic on it and waterproof it.

21 Q. And what is mastic?

22 A. It's just a -- it's a waterproofing material
23 that you can -- it comes in a bucket. It's like
24 liquid. It looks like real thick paint.

25 Q. Okay.

1 A. And you put cloth on there and then you paint
2 that cloth with the mastic in it and it seals it. It
3 waterproofs it.

4 Q. Okay. That came premade --

5 A. Yeah.

6 Q. -- for you?

7 A. It was already mixed.

8 Q. All right. Did you ever have to smooth that
9 out?

10 A. No. We just put your -- put it on with a
11 brush.

12 Q. Okay. And then you put cloth on top of that?

13 A. Put the cloth on it and then --

14 Q. I'm sorry.

15 A. -- paint the cloth.

16 Q. All right. And what kind of cloth was it?

17 A. I really don't know. We call it just fab
18 cloth. We call it fab cloth.

19 Q. All right. And did you ever have to cut that
20 cloth?

21 A. Yeah.

22 Q. All right. And would you cut it to fit the
23 elbow?

24 A. Yeah.

25 Q. All right. And did it create any conditions

1 when you cut it?

2 A. I don't think so. Not in the actual cloth
3 itself.

4 Q. All right. And then would you do anything
5 else with the elbow after you did all those steps?

6 A. No. I painted it. Paint was the last
7 procedure.

8 Q. Okay. Then we talked about insulating
9 valves; is that right --

10 A. Yeah.

11 Q. -- or valve headers?

12 A. Yeah.

13 Q. Tell us how you would do that.

14 A. Well, normally if you -- say, if you're doing
15 a six-inch pipe, the valve is probably two inches
16 bigger. So you had to get bigger pipe insulation to go
17 over the valve than you would the pipe.

18 Q. Okay. And what kind of insulation is that
19 that you're talking about?

20 A. Same thing. It was Kaylo-type stuff.

21 Q. Okay. And is that the premade insulation
22 again?

23 A. Yeah. Pre -- it come in two halves, yeah.

24 Q. And how would you put that on?

25 A. You cut it to fit the valve and saw it and --

1 and just fit it around there.

2 Q. And every time you were insulating the valve,
3 would you have to cut that insulation?

4 A. Yeah. You got to cut out around where the
5 handle and stuff goes such as that. Cut a hole for
6 where the handle come out.

7 Q. Okay. And when you cut where the handled
8 would come out --

9 A. Yeah.

10 Q. -- did that create any conditions?

11 A. Oh, yeah. Dust. Every time -- any time you
12 saw it, you got dust.

13 Q. And where would that dust go?

14 A. Up in the air and on your clothes.

15 Q. Okay. And after you got that insulation on,
16 the premade round insulation, you made those cuts, what
17 was the next step?

18 A. You have to mud the ends to seal it off with
19 the pipe. And then the same procedure like you do an
20 elbow, you had mud the ends and then put the fab cloth
21 on it and then put the metal over the valve.

22 Q. Okay. And so you would use the same mud that
23 you just described for the elbow?

24 A. Yeah.

25 Q. And would you mix it the same way?

1 A. Yeah. Same thing.

2 Q. And then would you -- if it wasn't on smooth,
3 same thing, you have to smooth it down?

4 A. Yeah.

5 Q. Okay. And then you would put the cloth on?

6 A. Yeah.

7 Q. And then you would paint it?

8 A. Yeah.

9 Q. All right. So that's the valve. Is there a
10 valve header, or is that what we're talking about?

11 A. That's -- that's total valve right there.

12 Q. Okay. So in 1968, when you and Fuzz are
13 working for Daniel at Bowater, the Bowater plant in
14 Rock Hill, how often -- were you all insulating every
15 day?

16 A. Yeah.

17 Q. Okay.

18 A. That was our job.

19 Q. All right. That's what you did?

20 A. Yeah.

21 Q. And what kind of hours were you working then?

22 A. I think we worked four tens -- four ten-hour
23 days.

24 Q. Okay.

25 A. Sometimes -- I think when we first started,

1 we worked nine hours a day and then worked four hours
2 on Friday when we first started. And went to -- later
3 on they went to four ten-hour days, I think.

4 Q. Okay. So you would work ten hours for four
5 days?

6 A. Yeah.

7 Q. All right. And during those ten-hour days,
8 what you were doing was insulating?

9 A. Yeah.

10 Q. Okay. And how long were you at that Bowater
11 Rock Hill plant for Daniel, do you recall?

12 A. I think we worked down there about eight
13 months somewhere about that.

14 Q. Okay. All right. And while we're still
15 talking about Bowater, we talked about the pipes,
16 correct?

17 A. Yeah.

18 Q. And we talked about the elbows?

19 A. Yeah.

20 Q. And we talked about the valves?

21 A. Yeah.

22 Q. Did you all also insulate other equipment
23 there?

24 A. Yeah. They did boilers and turbines and such
25 as that.

1 Q. Okay. Do you -- were these new boilers or
2 new turbines?

3 A. I don't know if they were tied in to existing
4 boilers or whether they put in new ones for that
5 particular part that we was working on.

6 Q. Okay. And do you recall the manufacturer or
7 the name brand of the boilers?

8 A. No, ma'am. I wasn't -- we didn't actually
9 work on the boilers. We just insulated them. We
10 didn't install them or nothing.

11 Q. Okay. Do you recall how many boilers you
12 insulated for Daniel at the Bowater plant?

13 A. Probably wasn't but one. But they already
14 had some existing there, and maybe added one more for
15 this new part they was building. Maybe. I don't know.
16 I wasn't familiar with boilers themselves.

17 Q. Okay. How big was the boiler?

18 A. I don't know.

19 Q. Okay.

20 A. I have no idea.

21 Q. All right. Well, tell us how you insulated
22 it. What were the steps to insulate the boiler?

23 A. Well, to start off with, you had to put some
24 kind of -- they had like a welder to weld some kind of
25 pins on it and then they put some kind of mineral fiber

1 board on it. And then they -- some of that mineral
2 fiber board come with -- already had like chicken wire
3 on it and you mudded the chicken wire --

4 Q. Okay.

5 A. -- out and then you went back with your
6 waterproofing there. Once your mud dried, you went
7 back and waterproofed it with the cloth and the mastic
8 again.

9 Q. So when you guys -- when you and Fuzz went to
10 go insulate this boiler, was the chicken wire already
11 on there?

12 A. Some of the material come with it already on
13 there. It come, like, in two-foot-wide by
14 four-foot-wide sheets. And it already had the wire on
15 it.

16 Q. Okay. And so you guys would -- would you mix
17 this mud that you talked about earlier?

18 A. Oh, yeah. Same -- same procedure like on the
19 pipe except got chicken -- putting it on over that
20 chicken wire. The chicken wire was to hold the mud --

21 Q. Okay.

22 A. -- to the stuff itself. But it wouldn't
23 stick to that metal fiber stuff, whatever that stuff
24 was.

25 Q. Okay. And the way you mix the mud for the

1 boiler, was it the same way you describe mixing it for
2 the elbow?

3 A. No. You didn't put it in no bucket because
4 we had to do it big time on that boiler. You had to
5 mix it in a vat or something, you know, with a hoe.

6 Q. Okay. So how big was this vat?

7 A. I'd say four foot wide by eight foot long and
8 maybe a foot deep.

9 Q. So how much of this dry mud would you put in
10 that vat?

11 A. Well, you put, say, five, ten gallon of water
12 in there and then pour a bag or two of mud in there and
13 start stirring it until it got to a thickness that you
14 could use.

15 Q. Okay. And how big were these bags that you
16 were putting in?

17 A. 50-pound bags, I'd say.

18 Q. All right. So you would put 50 to a hundred
19 pounds of this mud in the vat?

20 A. Yeah.

21 Q. And when you all did that, did that create
22 any conditions?

23 MR. TRAYLOR: Object to the form.

24 THE WITNESS: Oh, yeah. Any time you stir
25 it, you got dust.

1 BY MS. MCVEY:

2 Q. Okay. And where would that dust go?

3 A. Up in the air and on your clothes.

4 Q. All right. And then would you all -- when
5 you got into the right consistency, did sometimes you
6 had to add more -- more mud to it?

7 A. Yeah.

8 Q. All right. And, again, that would create
9 dust?

10 A. Yeah.

11 Q. All right. And then how -- would you all --
12 how much of the boiler were you all putting this mud
13 on?

14 A. Well, you put it on the sides of stuff and
15 the top and everything, you know, even on the bottom,
16 you put it on there.

17 Q. So would one vat be enough to cover?

18 A. Oh, no, no.

19 Q. All right. How many vats would you have to
20 use of the mud?

21 A. I have no idea, but it was time consuming,
22 and it went on for days.

23 Q. Okay. So you spent days putting -- mixing
24 this mud and putting it on the boiler?

25 A. Yeah.

1 Q. Do you know how many days?

2 A. No. No way.

3 Q. Okay. If you -- with this mud, when you mix

4 the big old vat of it --

5 A. Yeah.

6 Q. -- if you didn't use all of it that day,

7 could you use it again the next day?

8 A. Not on that -- not on that one shop cemented

9 because it had some kind of, I guess, cement in it. It

10 was set up. But there was some other mud that we used,

11 like a finish coat. They call it blue mud. You could

12 come back the next day and it would still be usable,

13 but --

14 Q. Okay.

15 A. That One Shot Cement, it had something in it

16 that would set up there for a period of time.

17 Q. So you would have to start fresh every day

18 with the mud --

19 A. Yeah.

20 Q. -- on the boiler?

21 A. Yeah.

22 Q. And this blue mud that you talked about, when

23 would you use that?

24 A. That was like a finish coat. If you put

25 something, you know, the other mud was just what you

1 call a rough-in mud. And then it would go back with
2 a -- if you wanted a smooth coat, you would go back and
3 put the blue mud on it for a finish coat. It was a lot
4 smoother than One Shot cement was.

5 Q. Okay. And when -- did you all use that blue
6 mud at Bowater when you worked for Daniel?

7 A. If it was something that they wanted to look
8 good, you would.

9 Q. Okay. And how would you mix that blue mud?

10 A. Same -- same procedure. In a bucket if you
11 wanted a small amount or in a vat if you was doing
12 something big.

13 Q. Okay. And did it come in bags?

14 A. Yeah.

15 Q. All right. And then would you put water in
16 the bucket?

17 A. Same thing. Yeah, same thing.

18 Q. All right. And then dump the bag into the
19 bucket?

20 A. Yes.

21 Q. And what conditions did that create?

22 A. Dust. Any time you fool with insulation, you
23 got dust.

24 Q. All Right. And where did it go?

25 A. In the air.

1 Q. All right.

2 A. In your clothes.

3 Q. All right. How often did you use blue mud,
4 you think, when you were working at the Bowater plant?

5 A. Periodically we -- you know, it's like I say,
6 it's different procedures. They wanted different
7 things, you know. Maybe once a week, sometimes two or
8 three times a week. But sometimes every day of the
9 week. It's according to what you was working on.

10 Q. You use it at least weekly, though?

11 A. Oh, yeah.

12 Q. Okay. All right. So we talked about
13 insulating the boiler.

14 A. Yeah.

15 Q. And did you all insulate any turbines at the
16 Bowater plant?

17 A. Yeah. Yeah.

18 Q. Do you remember the manufacturer or the name
19 brand of any of those turbines?

20 A. No, ma'am.

21 Q. Okay. And how did you all insulate the
22 turbines? Or how many -- let me ask you this, how many
23 did you all insulate?

24 A. I don't think but one was involved in it.
25 One boiler and one turbine on the particular job we

1 worked on.

2 Q. Okay.

3 A. But only thing I can remember, some of them
4 was already hot and they took some kind of mud and just
5 packed it on it to kind of -- you know, so you could
6 work on it. Pack mud on it by hand to hold the heat.

7 Q. Okay. Was Fuzz working with you when you
8 were insulating this turbine?

9 A. Yeah.

10 Q. And so it sounds like, and correct me if I'm
11 wrong, you use mud to insulate the turbine?

12 A. Yeah. Yeah.

13 Q. And what kind of mud were you all using?

14 A. Same thing. Same -- they had some kind of --
15 there was another kin of mud, they called it high-temp
16 mud. I don't know what -- and I think it was made by
17 A.P. Green. It seems that name -- name seems to stand
18 out for some reason. But it was a different type mud
19 that made for to hold higher temperatures, you know,
20 than the other -- like the One Shot Cement stuff we was
21 using on the pipes.

22 Q. Okay.

23 A. It would stick better, too, for some reason.
24 It had a sticking agent to it. You would pack it on
25 there and it would stick.

1 Q. All right. And is that the mud that -- the
2 high-temp mud, is that mud that you would use on the
3 turbine?

4 A. Yeah.

5 Q. Did you use that mud on the boiler too?

6 A. No. We didn't use it on the boiler because
7 it already had some kind of insulation on it. You
8 know, put other mud on the outside of the insulation.
9 This mud that we used on turbine was the insulation.

10 Q. Okay. And so you used high-temp mud on the
11 -- on the --

12 A. Turbine.

13 Q. -- turbine?

14 A. Yeah.

15 Q. And can you work us through, again -- did
16 that high-temp mud, did it come in a bag?

17 A. Yeah.

18 Q. And tell us how you would mix that.

19 A. Same procedure. Most time if you're doing
20 something with that -- to that big of a thing, you
21 would mix it in a batch, you know, if you was going to
22 be using a good bit of it.

23 Q. Okay.

24 A. You put your water in a vat, pour the mud in
25 there and take a hoe and stir it up.

1 Q. All right. And what kind of conditions did
2 it create when you mixed that mud?

3 A. Dust.

4 Q. I'm sorry?

5 A. Dust.

6 Q. And where did that dust go?

7 A. On your clothes and into the air.

8 Q. How many bags of this high-temp mud do think
9 you all used in insulating that turbine?

10 A. Probably three or four bags a day.

11 Q. Okay. Three or four bags a day?

12 A. Yeah.

13 Q. All right. And those were 50-pound bags?

14 A. Yeah.

15 Q. And how many days did you all -- did it take
16 you all to insulate this turbine?

17 A. Sometimes take a week.

18 Q. Okay. Did you all ever insulate any
19 digestors at Bowater?

20 A. I don't -- that name don't ring no bell for
21 some reason.

22 Q. Do you recall any other equipment you
23 insulated -- you and Fuzz would have insulated at
24 Bowater?

25 A. They call it a precipitator. But I think it

1 was a part of the boiler, I think. I don't really know
2 that. Like I say, I worked in insulation. I wasn't in
3 the mechanical part of it.

4 Q. Did you all insulate the precipitator?

5 A. Yes, ma'am.

6 Q. And how do you insulate the precipitator?

7 A. Same way the boiler. Put that metal fiber
8 board on it and then mudded it and waterproofed it when
9 it was all said and done.

10 Q. All right. And the precipitator that you all
11 insulated, was that at the Bowater plant as well?

12 A. Yeah.

13 Q. Okay. And same procedure in terms of mixing
14 the mud?

15 A. Yeah, same thing.

16 Q. All right. How many bags of that mud do you
17 all think you used to insulate that precipitator?

18 A. I have no idea, but it was a bunch.

19 Q. Okay. Was it more than it took to insulate
20 the boiler?

21 A. No, not really. But it was a lot.

22 Q. Okay. And was Fuzz working with you all on
23 that job?

24 A. Yeah.

25 Q. All right. So when you mix that mud, like

1 you described earlier, did it create the same type of
2 conditions?

3 A. Same thing.

4 Q. And after you put that mud on the
5 precipitator, did you have to do anything else to it?

6 A. You had to go back and waterproof it.
7 Anywhere you had mud and stuff, you had to waterproof
8 it.

9 Q. Okay. So you let that mud dry?

10 A. Yeah.

11 Q. And then would you put a cloth on it?

12 A. Yeah.

13 Q. Okay. And then waterproof it?

14 A. Yeah.

15 Q. Did you ever have to smooth out that mud
16 before you put the cloth on it?

17 A. Not really. Not on those things, not much.

18 Q. All right. All these jobs we talked about
19 where you all are insulating pipes and the elbows and
20 the valves and the boiler and the turbine and the
21 precipitator --

22 A. Yes, ma'am.

23 Q. -- when you all were doing that work and it
24 created these conditions in the air, did you all have
25 to clean up after you were finished?

1 A. Oh, yeah. Yeah.

2 Q. Okay. How would you clean up?

3 A. Sometimes you just take the broom and sweep
4 it up or whatever. We used to take the air hose and
5 blow it way back before we knew it was, you know --
6 take air hose and scatter it and making it worse,
7 really.

8 Q. Right. So you would take an air hose that
9 would push air out?

10 A. Yeah.

11 Q. All right. And what were you blowing?

12 A. Blowing that dust up out of the floor and
13 sweeping it up and putting it in trash cans and stuff.

14 Q. Okay. And when you blew that dust, what
15 conditions did it create?

16 A. It just when airborne. It went everywhere
17 then.

18 Q. And where did that dust go?

19 A. On your clothes and into the air.

20 Q. All right. And then if you didn't blow it,
21 would you sweep it?

22 A. Sweep it up, yeah.

23 Q. All right. And did that create any
24 conditions when you were sweeping it up?

25 A. When you sweep, you had to take a dustpan and

1 scoop it up and put it in the trash.

2 Q. And when you put it in the trash can, did
3 that create any condition in the air?

4 A. Oh, yeah.

5 Q. What kind of conditions did it create?

6 A. It come right back out when you -- throw in
7 there -- dump a shovelful in there, and the dust come
8 up in your face.

9 Q. Okay. And would you guys clean up every day
10 after you worked?

11 A. Yeah. Yeah.

12 Q. All right. So you were at least doing some
13 type of cleanup of this insulation materials every day?

14 A. That was the last thing you do before you got
15 ready to go home. Make sure you didn't leave no mess.

16 Q. Okay. Did you and Fuzz do any other jobs at
17 Bowater other than what we've talked about?

18 A. No.

19 Q. Okay. And you talked about sometimes -- did
20 you guys carpool together?

21 A. Yeah.

22 Q. All right. And when you both left Bowater
23 for the day, what did you all look like?

24 A. White with dust, and you could see it on your
25 clothes and stuff.

1 Q. Okay. Were your clothes white when you
2 started?

3 A. No.

4 Q. All right. And did anybody at Daniel ever
5 talk to you about changing clothes before you went home
6 or anything like that?

7 MR. MCDONALD: Object to the form.

8 THE WITNESS: No.

9 BY MS. MCVEY:

10 Q. No. Did anybody at Bowater ever tell you,
11 "Change clothes before you go home"?

12 DEFENSE COUNSEL: Object to the form.

13 THE WITNESS: No.

14 BY MS. MCVEY:

15 Q. Did anybody at Bowater ever warn you guys
16 about the dangers of asbestos?

17 A. No.

18 Q. Did anybody at Daniel ever warn you about the
19 dangers of asbestos?

20 MR. MCDONALD: Object to the form. Can you
21 limit it to a time period?

22 BY MS. MCVEY:

23 Q. I'm talking about this first -- first job at
24 Bowater at Rock Hill. All this time that we're talking
25 about when you all insulated the pipes, elbows,

1 turbines, boilers, during this time period, did Daniel
2 ever warn you about the dangers of asbestos?

3 A. No, ma'am.

4 MR. MCDONALD: Object to the form.

5 BY MS. MCVEY:

6 Q. And -- and did Bowater ever warn you about
7 dangers of asbestos?

8 A. No, ma'am.

9 Q. Did anybody ever provide you, either Daniel
10 or Bowater, did they provide you with any type of
11 protective equipment?

12 MR. MCDONALD: Object to the form.

13 THE WITNESS: The people that worked in the
14 shop where they actually cut the little miters and
15 little stuff that worked in the fab shop all the time,
16 they had a little cloth mask that they wore sometimes.

17 BY MS. MCVEY:

18 Q. Okay. All right. Did anybody ever tell you
19 you should be wearing any kind of mask?

20 MR. MCDONALD: Object to the form.

21 THE WITNESS: No.

22 BY MS. MCVEY:

23 Q. All right. Where did you guys go next? Did
24 you and Fuzz continue to work together?

25 A. Yeah.

1 Q. Okay.

2 A. We went to Salisbury Fiber. Salisbury.

3 Q. And that's Fiber Industries?

4 A. Yes, ma'am.

5 Q. All right. And what year do you think that

6 was? I know you started at '68 in Bo--- at Bowater.

7 A. The very next year, about '69 probably.

8 First part of '69, somewhere along in that.

9 Q. Okay. 1969, you went to Fiber Industries in

10 Salisbury, North Carolina?

11 A. Yes, ma'am.

12 Q. Okay. And who were you -- were you still

13 employed by Daniel?

14 A. Yes, ma'am.

15 Q. You and Fuzz both were?

16 A. Yeah.

17 Q. All right. And what were you all doing at

18 Fiber Industries in Salisbury?

19 A. Basically same thing at Bowater but just on a

20 different system. It was, you know, totally different.

21 The fiber plant was totally different, you know.

22 Smaller pipes, different type things, but it's still

23 basic insulation is what we was doing.

24 Q. All right. And let me go back. That's a

25 good point. What kind of plant was Bowater?

1 A. They -- they made paper.

2 Q. Okay.

3 A. There was a paper mill, and they was putting
4 in a new line. What we was working on at the time when
5 we was down there. They was adding and doing an
6 addition to what -- they make some kind of paper. I
7 don't know what kind of paper they make, but, anyway,
8 that's what it was about. Making them -- putting in a
9 new line that made paper.

10 Q. Okay. And the Daniel employees, what you and
11 Fuzz were doing, was that different than what the
12 Bowater employees were doing?

13 A. Oh, yeah. Yeah. They was on -- they was on
14 production and stuff. The people that actually work
15 for Bowater.

16 Q. Okay. So the Bowater employees were making
17 paper?

18 A. That's right.

19 DEFENSE COUNSEL: Object to the form.

20 BY MS. MCVEY:

21 Q. And the Daniel employees, were you all doing
22 construction and maintenance-type stuff?

23 A. Construction, yeah, and maintenance, yeah.

24 Q. All right. So you weren't working
25 necessarily with the Bowater employees?

1 A. No, ma'am.

2 Q. All right. I'm sorry. So next we went to
3 Fiber Industries in Salisbury.

4 A. Yes, ma'am.

5 Q. Are you good? You need a break or anything?

6 A. No, I'm fine.

7 Q. And tell me what you did for them. What --
8 what was Celanese making at the time or Fiber
9 Industries making at the time?

10 A. They made some kind of fiber that went into
11 tires and stuff, I think, at that time.

12 Q. Okay.

13 A. With the polyester core or some kind of
14 something that went in automobile tires, I think.

15 Q. Okay. And tell me what you all were -- what
16 were you all doing at Fiber Industries?

17 A. We was covering pipes up there of stuff that
18 had to keep -- they had some type of chemical that had
19 to stay hot, you know, from -- it would circulate
20 through the machines or whatever. The chemical had to
21 stay hot, and we had to insulate the pipe to keep
22 whatever the material was hot when it was going through
23 production or whatever they was doing with it.

24 Q. Okay. So was this new construction that you
25 all were insulating, or were you all --

1 A. Yeah.

2 Q. All right. So when you all came in to do
3 your work, was it during a shutdown?

4 A. No. They were already running but just
5 adding -- building a new part.

6 Q. Okay. All right. And Fuzz was working with
7 you during this time period?

8 A. Yeah.

9 Q. All right. And how long do you think you and
10 Fuzz were at Fiber Industries in Salisbury?

11 A. I think seven, eight months, I think. I
12 think.

13 Q. Okay. And you said that you guys were
14 insulating pipe?

15 A. Yeah.

16 Q. And let me go -- I'm sorry to jump around,
17 but let me go back one minute just to Bowater.

18 Where did you guys get the supplies, your
19 insulation supplies when you were working at Bowater?

20 A. Where did we get it?

21 Q. Yes, sir.

22 A. It come out of a warehouse that they had down
23 there. And sometimes we went to the warehouse and got
24 it. Sometimes they had people that brought it out on
25 the job where we was working at.

1 Q. All right. And was that a Bowater warehouse?

2 A. It was at that time.

3 Q. Okay.

4 A. I mean, something Daniels was able to use or
5 some place they had to store the material and stuff.

6 Q. Okay. And so I just want to clarify that on
7 Bowater. I'm going to go back to the Fiber Industries
8 again.

9 What were you all building that was new or
10 what were you insulating that was new at the Fiber
11 Industries plant?

12 A. Pipes, stuff, machines, some type of machines
13 they call it. I don't know what the machines were.
14 Something to use in the -- to make that fiber that
15 made -- that went in the tires.

16 Q. Okay. And so the pipe that you were
17 insulating, was that hot pipe or steam?

18 A. Yes, it's hot. Yeah.

19 Q. All right. And what materials were you using
20 to insulate at the Fiber Industries plant?

21 A. That Kaylo-type stuff, powder stuff.

22 Q. Okay. When we talked to -- when we talked
23 about insulating pipe at Fiber Industries, did you do
24 it the same way as you did at Bowater?

25 MR. COLLIER: Object to the form.

1 THE WITNESS: Same place, the same thing.
2 Most of them were smaller scale. It wasn't as big --
3 most wasn't as big a pipe and stuff as there.

4 BY MS. MCVEY:

5 Q. Okay.

6 A. There were some of those machines that had
7 some type of headers and stuff, you know, was built.
8 One pipe and then a bunch of little pipes come off of
9 it that went to headers and stuff before it went to
10 those chemical lines or whatever.

11 Q. Okay. So when you were insulating pipe at
12 Fiber Industries and -- well, all right. Let me --

13 MS. MCVEY: Do you want me to go through
14 every step with him again?

15 MR. COLLIER: I didn't object to any of the
16 questions at Bowater, but I'm going to object to all
17 the questions here.

18 MS. MCVEY: Okay. I'm happy to go through
19 it, I just didn't know if you all wanted to make this
20 process. All right.

21 BY MS. MCVEY:

22 Q. When you were insulating the pipes at Fiber
23 Industries --

24 A. Yeah.

25 Q. -- can you walk us through the process again

1 about how you did that. What was the first step?

2 A. Well, the first thing, you know, they had the
3 same type insulation that come in two halves most of
4 the time and you just put those two halves around the
5 pipe and wire it on there and beat the wires in and
6 such as that. And sometimes -- certain situations,
7 sometimes you fix it where you put metal on certain --
8 in certain areas. You fabbed it out, like I talked
9 about before, you know, with the cloth and -- and
10 stuff. It's according -- according to what the
11 situation called for.

12 Q. Okay. And so would you have to make cuts in
13 that insulation?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: Yeah.

16 BY MS. MCVEY:

17 Q. Okay. And when you made those cuts, what, if
18 any, conditions did that create?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: It creates dust. Any time you
21 saw insulation, you got dust.

22 BY MS. MCVEY:

23 Q. Okay. And where did that dust go?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: In the air and on your clothes.

1 BY MS. MCVEY:

2 Q. And then -- so that's the first step. You
3 need to make the cut to put the two halves on the pipe;
4 is that right?

5 A. Yeah.

6 Q. And then the next step would be to put that
7 air on that we talked about?

8 A. Put the wire on and beat it in.

9 Q. All right. And when you beat that wire into
10 the insulation, what, if any, conditions did that
11 create?

12 MR. COLLIER: Object to the form.

13 THE WITNESS: Creates dust.

14 BY MS. MCVEY:

15 Q. And where does that dust go?

16 MR. COLLIER: Object to the form.

17 THE WITNESS: On your clothes.

18 BY MS. MCVEY:

19 Q. All right. And then the next step would be
20 what?

21 A. To either, like I say, put the metal on the
22 metal jacket, whatever it called for, or either
23 sometimes they put cloth on it. It's according to
24 where it was and who was going to be exposed to it.

25 Q. Okay. So when you put the metal sheet on top

1 of the insulation --

2 A. Yes, ma'am.

3 Q. -- did that create any conditions?

4 MR. COLLIER: Object to the form.

5 THE WITNESS: Oh, yes.

6 BY MS. MCVEY:

7 Q. What kind of conditions did that create?

8 A. Dust.

9 Q. And where did that dust go?

10 MR. COLLIER: Object to the form.

11 THE WITNESS: On your clothes.

12 BY MS. MCVEY:

13 Q. All right. If you -- when you -- and if
14 didn't use the metal sheet but you used the cloth --

15 A. Yeah.

16 Q. -- did that create any conditions?

17 A. Oh, yeah.

18 Q. What kind of conditions did that create?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: Dust. Any time you fool with
21 insulation, you got dust.

22 BY MS. MCVEY:

23 Q. All right. And where would that dust go?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: On your clothes.

1 BY MS. MCVEY:

2 Q. And then -- so that's just the straight pipe;
3 is that right?

4 A. Yeah.

5 Q. All right. Any other steps to insulating
6 that pipe?

7 A. Not on the straight stuff, no, ma'am.

8 Q. All right. And then did you have elbows at
9 the --

10 A. Yeah.

11 Q. -- Fiber Industries plants as well?

12 A. Yeah, plenty of them. Yeah.

13 Q. All right. And can you walk us through,
14 again, how you insulated those elbows.

15 A. Well, some of them we cut -- it's according
16 to where it was at. Some of them we cut the miters and
17 actually wired them on there. And sometimes up there
18 at Salisbury, they had a fab shop that made those
19 things and brought them out on the job. But, still,
20 you had to wire them on there and beat the wires in.

21 Q. Okay. So sometimes at the Fiber Industries
22 plant, you guys would make the cuts; is that right?
23 For the elbow?

24 A. Yeah.

25 Q. All right. And sometimes they would have

1 already made the cuts for you?

2 A. They would have them glued together, and you
3 just wire them on there and bring them out on the job.
4 See, if you had a job, say, it had -- some of those
5 machines had a hundred elbows on it.

6 Q. Okay.

7 A. They would cut them maybe in the shop and
8 bring them out. All you did was wire them on there and
9 smooth them up and then put the mud on them and then
10 put the cloth on them and paint the cloth out.

11 Q. Okay. All right. So the times that you had
12 to actually make -- you or Fuzz had to make the actual
13 cuts in the elbow --

14 A. Yeah.

15 Q. -- did that create any conditions?

16 MR. COLLIER: Objection.

17 THE WITNESS: Oh, yeah. Any time you saw
18 them, you create dust.

19 BY MS. MCVEY:

20 Q. Okay. And where does that dust go?

21 MR. COLLIER: Object to the form.

22 THE WITNESS: On your clothes.

23 BY MS. MCVEY:

24 Q. And then if -- even if -- if the fab shop
25 made the cuts for you --

1 A. Yeah.

2 Q. -- you guys still had to put the wire on?

3 A. Still got to smooth -- put the wire on and
4 then smooth them out and then mud -- put the cloth on.

5 Q. Okay. And I know I'm making you crazy to go
6 through all these steps, but I've got to do it. So
7 when you put the wire on, when you would beat it into
8 the insulation --

9 A. Yes, ma'am.

10 Q. -- did that create any conditions?

11 MR. COLLIER: Object to the form.

12 THE WITNESS: Created dust. Yes, ma'am.

13 BY MS. MCVEY:

14 Q. All right. And you would have to beat that
15 wire into the elbow no matter if you made the cut or if
16 the fab shop made the cut?

17 A. That's right, yeah.

18 Q. All right. And then after you beat the wire
19 in, what was the next step, was it mud?

20 A. Yeah, mud. Yes, ma'am.

21 Q. And tell us about that mud. Which kind of
22 mud were you using at the Fiber Industries plant?

23 A. Same type mud. You just take, like I say, on
24 the smaller jobs like that, you mix it most of the time
25 in a bucket. Instead of mixing it in a big volume like

1 we did on some of the turbines and boilers and stuff,
2 you mix it in a bucket most of the time if you didn't
3 need much.

4 Q. All right. And when you -- did it come in
5 the same 50-pound bags?

6 MR. COLLIER: Object to the form.

7 BY MS. MCVEY:

8 Q. All right. Let me ask a better question.
9 What kind of bag -- did it come in a bag?

10 A. Yeah.

11 Q. All right. And how big were the bags?

12 A. 50 pounds, I'm assuming.

13 Q. All right. And this is, again, at the Fiber
14 Industries plant?

15 A. Yeah. Yeah.

16 Q. All right. And so when you would take the
17 bag and would you pour it into a bucket?

18 A. Dump it over in the bucket, yeah. When you
19 poured mud in the water, dust would come up.

20 MS. MCVEY: Okay.

21 MR. COLLIER: Object to the nonresponsive
22 portion.

23 BY MS. MCVEY:

24 Q. And where would that dust go?

25 MR. COLLIER: Objection.

1 THE WITNESS: On your clothes.

2 BY MS. MCVEY:

3 Q. All right. And then you take a trough (sic)

4 -- what would you do, I'm sorry, to put the mud on?

5 A. Take a trowel and put it on there with a
6 trowel and to let it dry and spread it out, paint it
7 out. Put the cloth on it and paint it out.

8 Q. All right. And if you had to smooth out that
9 mud after it dried, what kind of tools did you use for
10 that?

11 A. Well, we had a little rasp or a piece of wire
12 or something, really, with a piece of wire or anything
13 to take the rough edgings off it. Just get it a little
14 bit smoother.

15 Q. Okay. And would that create any conditions
16 when you were smoothing it out?

17 MR. COLLIER: Object to the form.

18 THE WITNESS: Any time you rub insulation,
19 you got dust. Unless it's wet.

20 BY MS. MCVEY:

21 Q. And where would it go?

22 MR. COLLIER: Object to the form.

23 THE WITNESS: In the air.

24 BY MS. MCVEY:

25 Q. All right. And then the next step would be

1 to put that cloth on?

2 A. Yeah. Paint it out.

3 Q. All right. And would you have to cut that
4 cloth?

5 A. Yeah.

6 Q. All right. And then tell me what you would
7 do after you put the cloth on?

8 A. Paint it.

9 Q. All right.

10 A. Mast it.

11 Q. All right.

12 A. Waterproof it.

13 Q. All right. And that's the same type of
14 product you talked about using at Bowater; is that
15 right?

16 A. Same thing.

17 Q. All right. So that's the elbow. Did we
18 cover that process?

19 A. Yes.

20 Q. All right. So we covered the pipe, we
21 covered the elbow.

22 A. Yeah.

23 Q. And then you said you guys insulated some
24 other equipment?

25 A. Yeah. But I don't really know what they call

1 the machines and stuff we was doing, but it's just --
2 it's basically the same thing. All of it was the same
3 thing. Before you insulate the pipes and the elbows
4 the valves --

5 Q. Okay.

6 A. -- just basic insulation.

7 Q. All right. So I'm going to talk to you a
8 little bit about the valves as well.

9 A. Yeah.

10 Q. I'm sorry. We're talking, again, about the
11 valves at Fiber Industries?

12 A. Yeah.

13 Q. All right. And the size pipes that you
14 use -- that you guys were insulating at Fiber
15 Industries, were they different than the size pipes you
16 were using -- you were insulating at Bowater?

17 A. Basically the same thing.

18 Q. Okay. About the same different sizes?

19 A. Yeah. On a smaller scale mostly at Fiber
20 than was at Bowater.

21 Q. Okay. How -- can you describe the range of
22 the size of pipe at Fiber?

23 A. Well, mostly it went from probably a two-inch
24 pipe to maybe a six- or eight-inch pipe, you know.

25 Q. Okay. So a little bit -- you didn't --

1 A. As a whole at Fiber, we use thicker material
2 and more of it because the pipes were hotter.

3 Q. Okay.

4 A. They had some kind of -- instead of the way
5 we was doing steam lines at Bowater, they use something
6 they call DOWTHERM. It was a product that run through
7 there that would withstand more heat than steam would
8 and the pipes got hotter.

9 MS. MCVEY: Okay.

10 MR. COLLIER: I'm going to object to the
11 nonresponsive portion.

12 THE WITNESS: So you had to put thicker
13 insulation or more of it.

14 MR. COLLIER: I'm going to object to the
15 nonresponsive portion.

16 BY MS. MCVEY:

17 Q. And the thicker insulation, are you talking
18 about that half-moon insulation?

19 A. Yeah. The thickness, yeah. Say, for
20 instance, you might at Bowater, you might put two
21 inches of insulation on some of it. Up there, you
22 might use four inches thick.

23 Q. Okay.

24 A. Because the pipes was hotter.

25 Q. Okay. At Fiber?

1 A. Yeah.

2 Q. All right. When you were insulating, did you
3 insulate valves at Fiber Industries?

4 A. Yes, ma'am.

5 Q. All right. And tell us how you insulated
6 those valves.

7 A. Same procedure you did with the pipe. Just
8 took, like, say, if you used a bigger material.

9 Q. Okay. So you would have to take that
10 preformed?

11 A. Preformed and cut it, yeah.

12 Q. All right. And when you made those cuts,
13 what, if any, conditions did that create?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: Dust.

16 BY MS. MCVEY:

17 Q. All right. And where did that dust go?

18 MR. COLLIER: Object to the form.

19 THE WITNESS: On your clothes. On your
20 clothes.

21 BY MS. MCVEY:

22 Q. Okay. And would you -- what would you do
23 next? Would you have to take that wire again?

24 A. Yeah, and put wires on there.

25 Q. All right. And did you have to beat the wire

1 in?

2 MR. COLLIER: Object to the form.

3 THE WITNESS: Beat the wire in and you would
4 have to mud the ends to fill in the cracks, you know,
5 to make it fit the pipe and seal it off.

6 BY MS. MCVEY:

7 Q. Okay. So when you beat that wire in for the
8 valves, did that create any conditions?

9 MR. COLLIER: Object to the form.

10 THE WITNESS: It created dust.

11 BY MS. MCVEY:

12 Q. All right. And where did that dust go?

13 MR. COLLIER: Object to the form.

14 THE WITNESS: On your clothes.

15 BY MS. MCVEY:

16 Q. All right. And so you did the pre--- prefab
17 insulation?

18 A. Yeah.

19 Q. Then you did the wire?

20 A. Yeah.

21 Q. An then what was the next step?

22 A. You mud the ends of the valves and stuff and
23 then put the cloth on them and put metal on the
24 straight parts of it.

25 Q. Okay. So you had to mix mud. Did you have

1 to mix the mud again?

2 A. Yeah.

3 Q. All right. And tell us again how you mix the
4 mud for the valve.

5 A. Put water in a five-gallon bucket and dumped
6 the mud in there and stirred it with your hand.

7 Q. Okay. And what, if any, conditions did that
8 create when you dumped the mud into the five-gallon
9 bucket?

10 MR. COLLIER: Object to the form.

11 THE WITNESS: Dumped the mud on the water,
12 you got dust.

13 BY MS. MCVEY:

14 Q. Okay. And where did that dust go?

15 MR. COLLIER: Object to the form.

16 THE WITNESS: On your clothes.

17 BY MS. MCVEY:

18 Q. All right. And when you were mixing the mud
19 into the water, did that create any conditions?

20 A. Yes, ma'am.

21 MR. COLLIER: Object to the form.

22 BY MS. MCVEY:

23 Q. What conditions did which create?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: It creates dust any time you

1 handle it.

2 BY MS. MCVEY:

3 Q. All right. And where did that dust go?

4 MR. COLLIER: Object to the form.

5 THE WITNESS: On your clothes.

6 BY MS. MCVEY:

7 Q. All right. And after you put the mud on, did
8 you have to smooth that out after it dried?

9 A. Yeah.

10 Q. All right. And when you smoothed that out,
11 did that create any condition?

12 A. Yes, ma'am. Creates dust.

13 MR. COLLIER: Object to the form.

14 BY MS. MCVEY:

15 Q. Okay. And where did the dust go?

16 A. On your clothes.

17 MR. COLLIER: Object to the form.

18 BY MS. MCVEY:

19 Q. All right. So we talked about pipes. We've
20 talked about valves. We talked about elbows that Fiber
21 Industries used Salisbury.

22 A. Yeah.

23 Q. And then you talked about other equipment
24 that you all insulated; is that right?

25 A. Yeah.

1 Q. All right. And you don't know what that
2 equipment was?

3 A. I don't know what you call the machines. No,
4 ma'am.

5 Q. Okay. Can you describe the size of the
6 machines that you were insulating?

7 A. Well, it was something that was probably a
8 hundred feet long, and it had 50 pipes coming out of
9 it. Like a big header, you know. And ever where one
10 of those pipes come out, it made some type of yarn or
11 string or some kind of fiber --

12 Q. Okay.

13 A. -- that come out of that machine.

14 Q. All right. So were you all insulating all
15 the pipes going into that machine?

16 A. Yeah. Yeah.

17 Q. All right. And then did you actually
18 insulate the machine itself?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: We didn't. No, ma'am.

21 BY MS. MCVEY:

22 Q. Okay. That wasn't -- did you -- were you --
23 you and Fuzz around anybody who was insulating that
24 machine?

25 MR. COLLIER: Object to the form.

1 THE WITNESS: They had some kind of people
2 that was doing that. They put some kind of a board on
3 it. I don't know it what that stuff was. It was some
4 kind of a -- looked like a white-looking board.

5 BY MS. MCVEY:

6 Q. Okay. And did they put any other materials
7 on it that you could see?

8 A. Metal over that -- over whatever that board
9 was they was putting on.

10 Q. Okay. You didn't -- there was no mud put on
11 that particular machine?

12 A. No. Not that part of it, no.

13 Q. All right. Did you insulate any other
14 equipment at Fiber Industries in Salisbury?

15 A. Not as I can remember, no, ma'am.

16 Q. All right. And I think you testified that
17 you were there for, what, seven or eight months?

18 A. Yes.

19 Q. Was Fuzz with you that whole time?

20 A. Yes, ma'am.

21 Q. All right. And what hours were you all
22 working then?

23 A. Ten-hour days. Four ten-hour days.

24 Q. Okay. And during your ten-hour days, were
25 you all insulating every day?

1 A. Yes, ma'am.

2 Q. All right. And so whether you were
3 insulating the pipe or the elbow or the valves, would
4 you all have to clean up after yourselves?

5 A. That's right. Yes, ma'am.

6 Q. And talk to us about how you cleaned up at
7 Fiber Industries.

8 A. Take a broom, sweep it up. And then take a
9 dustpan or a piece of metal and scoop it up and dump it
10 in the trash can.

11 Q. Okay. And when you were sweeping up, were
12 you all sweeping up insulation?

13 A. Yes, ma'am.

14 Q. All right. Did that create any conditions?

15 MR. COLLIER: Object to the form.

16 THE WITNESS: Yes, ma'am. It created dust.

17 BY MS. MCVEY:

18 Q. All right. And where did that dust go?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: On your clothes and in the air.

21 BY MS. MCVEY:

22 Q. And when you scooped it up and you put it in
23 the trash can, did that create any conditions?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: Oh, yeah. When you dump it

1 over in there, the dust came back out.

2 BY MS. MCVEY:

3 Q. And where did that dust go?

4 MR. COLLIER: Object to the form.

5 THE WITNESS: On your clothes.

6 BY MS. MCVEY:

7 Q. All right. And would you all clean up every
8 day?

9 A. Yes, ma'am. That was a part of it. You had
10 to clean up before you leave.

11 Q. All right. So for seven or eight months,
12 however long you all were at Salisbury, you and Fuzz
13 were insulating every day?

14 A. Yes, ma'am.

15 Q. And you were cleaning up every day?

16 A. Yeah.

17 Q. And where did you all get your insulation
18 supplies at -- at Fiber Industries?

19 A. You mean where did they get it, or where did
20 we get it at?

21 Q. Well, did you get it onsite or did you --

22 A. Yeah. They had it there, brought it in. And
23 sometimes, though, we'd go to the warehouse and pick it
24 up. Sometimes they had helpers would bring it out to
25 you.

1 Q. Okay. Was it a Fiber Industries' warehouse?

2 MR. COLLIER: Object to the form.

3 THE WITNESS: Yes, ma'am.

4 BY MS. MCVEY:

5 Q. Okay. And were you working for Daniel at
6 that time?

7 A. Yes, ma'am.

8 Q. All right. Were there other Daniel employees
9 around?

10 A. Oh, yeah.

11 Q. And were they doing different things than you
12 and Fuzz were doing?

13 A. Yeah. They was pipefitters, welders,
14 electricians, whatever.

15 Q. Okay. And were you all working near each
16 other?

17 DEFENSE COUNSEL: Object to the form.

18 THE WITNESS: Oh, yeah.

19 BY MS. MCVEY:

20 Q. Okay. How close were you?

21 A. Six, eight feet.

22 Q. All right. Were the Fiber Industries
23 employees, were they doing different tasks than the
24 Daniel employees?

25 A. Yes, ma'am.

1 Q. What were they doing?

2 A. See, we might -- I don't know. We might be
3 in a part, you know, on new construction. Well, there
4 wasn't no Fiber Industry people, except maybe people
5 that was walking through. But, see, they would have
6 been in a different area. Maybe up on a machine or
7 something that was already running.

8 Q. Okay. So the Fiber Industries weren't --
9 they weren't doing construction like you all were
10 doing?

11 A. No, ma'am.

12 Q. They were doing Fiber Industries' work?

13 A. Right. Yes.

14 Q. Okay. Did Daniel, when you were ever working
15 at Fiber Industries, did they ever warn you about the
16 dangers of asbestos?

17 DEFENSE COUNSEL: Object to the form.

18 THE WITNESS: No, ma'am.

19 BY MS. MCVEY:

20 Q. Okay. And I forgot to ask you this. When
21 you and Fuzz would leave for the day after working at
22 Fiber Industries, what did your clothes look like, if
23 anything?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: Powder. White powder.

1 BY MS. MCVEY:

2 Q. Okay. All over you?

3 A. Oh, yeah.

4 DEFENSE COUNSEL: Object to the form.

5 BY MS. MCVEY:

6 Q. Okay. Did Daniel ever tell you to change
7 clothes before you went home?

8 MR. MCDONALD: Object to the form.

9 THE WITNESS: No.

10 BY MS. MCVEY:

11 Q. Okay. Did they ever warn you about the
12 dangers of asbestos?

13 MR. MCDONALD: Object to the form.

14 THE WITNESS: No, ma'am.

15 BY MS. MCVEY:

16 Q. Okay. Did they ever provide you with a
17 respirator or any other protective equipment.

18 MR. MCDONALD: Object to the form.

19 THE WITNESS: No, ma'am.

20 BY MS. MCVEY:

21 Q. And the same question as to Fiber Industries.
22 Did Fiber -- anybody from Fiber Industries ever tell
23 you to change your clothes before you went home?

24 MR. COLLIER: Object to the form.

25 THE WITNESS: No.

1 BY MS. MCVEY:

2 Q. Did they ever tell you about the dangers of
3 asbestos?

4 MR. COLLIER: Object to the form.

5 THE WITNESS: No ma'am.

6 BY MS. MCVEY:

7 Q. Did they ever provide you any protective
8 equipment?

9 MR. COLLIER: Object to the form.

10 THE WITNESS: No.

11 BY MS. MCVEY:

12 Q. Where did you guys go next?

13 A. Westinghouse, I think.

14 Q. Okay. And who were you all working for when
15 you went to work for Westinghouse?

16 A. Starr Davis Insulation Company.

17 Q. All right. And the Westinghouse plant, where
18 was that?

19 A. Over here -- there near Shaw.

20 Q. Okay. And what kind of plant was that? What
21 did they make?

22 A. They make turbines. Generator -- power
23 generators or whatever you call them.

24 Q. Okay. And what -- you all were working for
25 Starr Davis?

1 A. Yeah.

2 Q. And what was the business of Starr Davis?

3 What did they do?

4 A. They was an insulator company.

5 Q. And so when you went to work for Starr Davis,
6 did they assign you to a plant?

7 A. Yes. No. They -- the job was already there
8 going on, and we hired on to work at Westinghouse with
9 Starr Davis.

10 Q. Okay. All right. And how long did you and
11 Fuzz work for Starr Davis at Westinghouse?

12 A. I think about -- around six months or
13 something like that maybe. Until -- until that -- that
14 part of the job was finished.

15 Q. Okay. Were you all doing new construction at
16 the Westinghouse plant?

17 A. Yes, ma'am.

18 Q. All right. And this Westinghouse, they made
19 turbines; is that right?

20 A. Yeah.

21 Q. For plants?

22 A. Yeah.

23 Q. All right. And so tell us what -- let me ask
24 you this. Do you need a break?

25 A. No. I'm fine.

1 Q. Okay. What was -- what were you all doing at
2 the Westinghouse plant?

3 A. We was insulating pipes and some kind of
4 little old tanks. I don't know what that -- some kind
5 of tanks that they put -- like to put those Kaylo
6 blocks on it and mud it out and put some kind of cloth
7 on it. They call it A cloth. I guess -- I'm assuming
8 it was asbestos cloth. I don't know. We always called
9 it A cloth.

10 MS. MCVEY: Okay.

11 MR. COLLIER: Object to the nonresponsive
12 portion.

13 BY MS. MCVEY:

14 Q. So at the Westinghouse plant, were you
15 insulating pipe?

16 A. Yeah.

17 Q. All right. And what kind of insulation were
18 you using at the Westinghouse plant?

19 A. Well, a lot of stuff we used at Westinghouse
20 was -- was fiberglass insulation.

21 Q. Okay.

22 A. Because it was waterlines and such as that.
23 It wasn't just hot stuff. The only thing I remember
24 about the -- those tanks and stuff, we put those -- put
25 that Kaylo block on those tanks and mudded them and

1 then put some kind of heavy-gauge cloth on it.

2 Q. Okay. So did you insulate any hot pipe or
3 steam pipe at Westinghouse?

4 MR. ROGERS: Object to the form.

5 THE WITNESS: Some but not much. Not as
6 much.

7 BY MS. MCVEY:

8 Q. Okay. So at Westinghouse, you had a lot of
9 cold water pipe?

10 A. Yeah.

11 Q. All right. And so that --

12 A. Or something that wasn't as hot. Something
13 that they could use fiberglass on.

14 Q. So you guys did a lot of fiberglass
15 insulation at Westinghouse?

16 A. Yeah.

17 Q. Okay. And do you remember the manufacturer
18 of the fiberglass insulation?

19 A. No, ma'am.

20 Q. Okay. That stuff itch if it got on you?

21 A. Oh, yeah.

22 Q. All right. When -- did you insulate, though,
23 any hot pipe at Westinghouse?

24 A. Yeah, some.

25 Q. All right.

1 A. Whatever went to that -- them tanks --
2 particular tanks I was talking about. It was some kind
3 of something went to it that was hot.

4 Q. Okay. And if you were -- could you give us a
5 percentage of how much of the pipe you insulated with
6 fiberglass at Westinghouse versus how much you
7 insulated with --

8 A. 90 percent of it was fiberglass. Probably 10
9 percent was other stuff --

10 Q. Okay.

11 A. -- like Kaylo and whatever the hot -- the
12 real hot stuff was.

13 Q. Okay. And do you think it was Kaylo that you
14 would use the 10 percent at Westinghouse?

15 A. Yeah.

16 Q. All right. And can you describe, again, not
17 to wear you out, but describe for us, again, the
18 procedure for insulating the hot pipe at Westinghouse.

19 A. Yeah. We was doing some kind of tanks and
20 stuff over there. And you put the -- we took, put a
21 rubber band -- a big rubber band around it and put that
22 Kaylo block on it.

23 Q. Okay.

24 A. And then you band it around there and you,
25 like I say, take -- beat it down to get the bands and

1 stuff beat down, you know, level with the insulation
2 and stuff. And then you go through the same procedure
3 like I told you about the other stuff. You mud it and
4 then you put the cloth on it and paint it out, the
5 cloth.

6 Q. Okay. So would you have to make any cuts in
7 that Kaylo insulation?

8 A. Oh, yeah.

9 Q. All right.

10 A. You got to score in the block to make them
11 fit around the tank. They come in flat -- they're flat
12 when you get them.

13 Q. Okay. Let's talk -- I'm going to separate it
14 out for you. First, let me talk about the pipes --

15 A. Yeah.

16 Q. -- then elbows, and then the tank; is that
17 okay?

18 A. Okay.

19 Q. All right. So when we talk about the pipe,
20 did you have to make any cuts?

21 A. Oh, yeah. Any time you deal with insulation,
22 you got to make cuts.

23 Q. All right. And what kind of tools were you
24 using to make those cuts?

25 A. Hand saw.

1 Q. All right. And when you use the hand saw to
2 make cuts in the insulation at Westinghouse, did that
3 create any conditions?

4 A. Oh, yeah. Any time you saw a pipe, you get
5 dust.

6 Q. All right. And where did that dust go?

7 A. On your clothes and in the air.

8 Q. All right. And when you took that wire or
9 rubber band and you beat it in the insulation --

10 A. Yeah.

11 Q. -- did that create any conditions?

12 MR. ROGERS: Object to the form.

13 THE WITNESS: Oh, yeah. It created dust.

14 BY MS. MCVEY:

15 Q. Okay. And then tell me what you did after
16 you put the band on.

17 A. We put a -- put mud on it and then we put the
18 cloth on it. Like I say, we used -- on that particular
19 thing, whatever it was, we use a heavier cloth some
20 kind of. They call it A cloth. I'm assuming it was
21 asbestos cloth. I don't know whether it was or wasn't,
22 but that's what you call it.

23 Q. And was that on the pipe?

24 A. No. On the tank itself.

25 Q. Okay. So I'm going to focus just on the pipe

1 for a minute. I'm sorry.

2 A. Yeah.

3 Q. So you hammered in the bands?

4 A. Yeah.

5 Q. And then did you -- what did you put on top
6 of that, if anything?

7 A. Metal.

8 Q. Metal.

9 A. Right.

10 Q. And when you put that metal on top of the
11 pipe, did it create any condition?

12 A. When you put metal, it creates dust.

13 Q. Okay. And where that dust go?

14 A. On your clothes.

15 Q. All right. And then did you have -- did you
16 insulate elbows at Westinghouse?

17 A. Yeah.

18 Q. All right. And can you walk us through how
19 you do that job as well?

20 A. Same thing. You wire the miters on there.
21 You beat them down with your nips. Then you smooth it
22 out with something. And then you put the mud on it and
23 then you put the fab cloth on it and then you bang the
24 cloth out.

25 Q. Okay. When you made the cuts for the

1 elbow --

2 A. Yeah.

3 Q. -- did that create dust?

4 A. Oh, yeah.

5 Q. All right. And where did that dust go?

6 A. On your clothes.

7 Q. All right. And when you -- did you have to
8 mix mud?

9 A. Oh, yeah.

10 Q. All right. And how did you mix the mud at
11 Westinghouse?

12 A. In a bucket. Put water in a bucket and stir
13 it with your hand.

14 Q. And do you remember the manufacturer of the
15 mud you were using at Westinghouse?

16 A. No.

17 Q. All right. Did it look the same as the mud
18 you were using --

19 A. Same thing, yes.

20 Q. -- at Bowater and at Fiber?

21 A. Yeah.

22 Q. All right. And -- and when you poured the
23 mud into the bucket, did that create any conditions?

24 A. It comes straight up when you pour it in
25 there. When you pour the mud in on that water, the

1 dust comes straight up.

2 Q. Okay. And where would that dust go?

3 A. On your clothes.

4 Q. All right. And you guys would apply the mud
5 to the elbow?

6 A. Yeah.

7 Q. And would you have to smooth it out?

8 A. Yeah.

9 Q. All right. And did that create any
10 conditions?

11 A. It would create dust, yeah.

12 Q. All right. And then would you, again,
13 waterproof --

14 A. Yeah.

15 Q. -- it after that?

16 A. Yeah.

17 Q. All right. And then so we talked about the
18 pipe. We talked about the elbow. Did you insulate
19 valves at Westinghouse?

20 A. Yes, ma'am.

21 Q. All right. Can you talk about that procedure
22 for us?

23 A. Same thing. You wire it on there, and then
24 you cut it around the handle on the valve. You wire it
25 on there. And you mud the ends, and then you put the

1 metal on the valve.

2 Q. Okay. And were you using the same materials
3 and procedures when you were insulating the valve as
4 you did when you were insulating the elbow?

5 A. Same thing, yeah.

6 Q. Okay. And did it create the same conditions?

7 A. Same type mud, same everything.

8 Q. Okay. And the same conditions?

9 A. Same conditions, yeah.

10 Q. Okay. And if it created the same conditions,
11 did the dust get on your clothes when you were doing
12 the elbow?

13 A. Yes, ma'am.

14 Q. All right. And then when we talk about the
15 vessel, that was the other thing you did at
16 Westinghouse; is that right?

17 A. Yeah.

18 Q. Talk to us about how much you insulated the
19 vessel.

20 A. Well, it was a -- all I can tell you is some
21 kind of a tank.

22 Q. Okay.

23 A. It was probably maybe four feet in diameter.
24 And we put a band around it and put -- took blocks and
25 put on it. Kaylo blocks. And then you put bands on

1 the blocks to hold them on there. You beat the bands
2 in and stuff, and then you mud the tank out. And then
3 we put cloth on it and painted the cloth out.

4 Q. All right. So the method you described for
5 putting the block insulation on --

6 A. Yeah.

7 Q. -- was that the same as when you were putting
8 it on an elbow?

9 A. No. It's a different type material. When
10 you're putting it on a elbow, you got the two pieces
11 that looks halves put together.

12 Q. Right.

13 A. When you're doing a tank, you use flat block.

14 Q. Okay. So how do you put that on?

15 A. You put -- it's like I tell, you put a rubber
16 band around the tank and you slide the blocks in and
17 then you band -- put a band around the blocks and you
18 beat the band in to hold them on there.

19 Q. I got you. So you put the band on first,
20 slide the insulation underneath the band?

21 A. Yeah, the rubber band.

22 Q. Got it.

23 A. Put a stainless band on it to hold the blocks
24 on the tank itself.

25 Q. Okay. Did you have to make any cuts in the

1 block insulation?

2 A. Oh, yeah.

3 Q. And when you did that, did that create any
4 conditions?

5 A. Oh, yeah. Create dust.

6 Q. All right. And when you had to put the metal
7 band around it?

8 A. Yeah.

9 Q. Did you to have to hammer that in?

10 A. Had to beat them in, yes, ma'am.

11 Q. And did that create any condition?

12 A. Created dust, yes.

13 Q. And where would that dust go?

14 A. On your clothes.

15 Q. And then after you got the block on and the
16 metal band on --

17 A. Yeah.

18 Q. -- what did you put on next?

19 A. Put mud on it and put some type of cloth over
20 it.

21 Q. Okay. And what kind of mud was it?

22 A. It was just, like I said, One Shot Cement.

23 Q. Okay. And did you have to mix that cement?

24 A. In the bucket.

25 Q. All right. And was it the same way you

1 describe mixing it?

2 A. Same thing. Yes, ma'am.

3 Q. All right. And when you mix that or poured
4 the mud into the bucket, did that create any
5 conditions?

6 A. Poured dust on the water and it comes up,
7 yeah.

8 Q. And where did that dust go?

9 A. On your clothes.

10 Q. Okay. How many bags of mud do you think you
11 all used to insulate this vessel?

12 A. Probably 10 or 12.

13 Q. And how long did it take you to do it?

14 A. About a week maybe.

15 Q. All right. Of just using the mud on that
16 vessel?

17 A. Oh, maybe one or two days on the mud.

18 Q. Okay. To do the while process, it took a
19 week or so?

20 A. Probably a week.

21 Q. All right. And then after you put the mud
22 on, did you have to smooth it out after it dried?

23 A. Had to smooth it out and put some type of
24 cloth on it.

25 Q. Okay. And when you smooth it out, did that

1 create any conditions?

2 A. It created dust, yes, ma'am.

3 Q. Okay. And where did that dust go?

4 A. On your clothes.

5 Q. All right. And then you said you used -- was
6 it A cloth, is that what you said?

7 A. That's what they call it, A cloth. I don't
8 know if it was asbestos or not. That's the name of it,
9 was an A cloth.

10 Q. All right. And did you have to cut the
11 cloth?

12 A. Yes, ma'am.

13 Q. All right. And when you cut that cloth, did
14 it create any conditions?

15 MR. ROGERS: Object to the form.

16 THE WITNESS: I don't think so.

17 BY MS. MCVEY:

18 Q. Okay. And so you put that cloth on?

19 A. Yeah.

20 Q. And then how did you get it to stay on?

21 A. They use some type of mastic or something to
22 paint it and make it stick. Some type of gluelike
23 stuff.

24 Q. All right. And was that stuff already
25 premixed?

1 A. Yeah.

2 Q. All right. Did you do any other work with
3 Fuzz at the Westinghouse plant in Charlotte?

4 A. No, ma'am.

5 Q. All right. And you -- how long do you think
6 you all were there working?

7 A. I'm thinking about five months, I think.

8 Q. Okay. And when you were working at
9 Westinghouse, you were working for Starr Davis; is that
10 right?

11 A. Yes, ma'am.

12 Q. All right. When you and Fuzz would leave the
13 Westinghouse plant, what did your clothes look like?

14 A. White powder.

15 MR. ROGERS: Object to the form.

16 THE WITNESS: Chalky-looking stuff.

17 BY MS. MCVEY:

18 Q. Okay. Were your clothes white when you
19 started in the morning?

20 A. No, ma'am.

21 Q. And were you, again, working the four
22 ten-hour days?

23 A. Yes, ma'am.

24 Q. All right. Did Starr Davis ever tell you to
25 change your clothes before you went home?

1 A. No, ma'am.

2 Q. Did they ever warn you about the dangers of
3 asbestos?

4 A. No, ma'am.

5 Q. Did they ever provide you any kind of
6 respirator or other protective equipment?

7 A. No, ma'am.

8 Q. And did Westinghouse ever tell you to change
9 your clothes before you went home?

10 MR. ROGERS: Object to the form.

11 THE WITNESS: No, ma'am.

12 BY MS. MCVEY:

13 Q. Did they ever warn you about the dangers of
14 asbestos?

15 A. No, ma'am.

16 MR. ROGERS: Object to the form.

17 BY MS. MCVEY:

18 Q. Did they ever provide you with any kind of
19 protective equipment?

20 A. No, ma'am.

21 MR. ROGERS: Object to the form.

22 MS. MCVEY: You want to take a break?

23 MR. TRAYLOR: Yeah.

24 MS. MCVEY: Let's take a ten-minute break or
25 so.

1 (A recess transpired.)

2 (PLF. EXH. 1, Photograph, was marked for
3 identification.)

4 (PLF. EXH. 2, Photograph, was marked for
5 identification.)

6 (PLF. EXH. 3, Photograph, was marked for
7 identification.)

8 (PLF. EXH. 4, Photograph, was marked for
9 identification.)

10 (PLF. EXH. 5, Photograph, was marked for
11 identification.)

12 (PLF. EXH. 6, Photograph, was marked for
13 identification.)

14 (PLF. EXH. 7, Photograph, was marked for
15 identification.)

16 (PLF. EXH. 8, Photograph, was marked for
17 identification.)

18 (PLF. EXH. 9, Photograph, was marked for
19 identification.)

20 (PLF. EXH. 10, Photograph, was marked for
21 identification.)

22 (PLF. EXH. 11, Photograph, was marked for
23 identification.)

24 (PLF. EXH. 12, Photograph, was marked for
25 identification.)

1 BY MS. MCVEY:

2 Q. Harley, are you okay?

3 A. Yes, ma'am.

4 Q. All right. I'm sorry this is taking so long.

5 I'll try to move a little quicker now. Okay?

6 A. Okay.

7 Q. I just wanted to clarify when the time period
8 that you worked with Fuzz Childers. And it seems that
9 you worked with him, I think you testified that you
10 started in 1968; is that right?

11 A. Yes, ma'am.

12 Q. All right. And then you think you worked
13 with him through the mid '70s, '74?

14 A. Somewhere the mid '70s, yes, ma'am.

15 Q. Okay. So all the jobs that we're talking
16 about today and that we'll continue talking about
17 occurred between 1968 and 1974 or '75?

18 A. Somewhere in that range, yes, ma'am.

19 Q. Okay. All right. So we have talked about
20 Bowater Rock Hill; is that right?

21 A. Yes, ma'am.

22 Q. And we have talked about Fiber Industries in
23 Salisbury?

24 A. Yes, ma'am.

25 Q. And we talked about Westinghouse; is that

1 right?

2 A. Yes, ma'am.

3 Q. Okay. Did you guys work in other plants
4 together during that time period?

5 A. Yes, ma'am.

6 Q. Did you work together at the Celanese
7 Spartanburg plant?

8 A. Yes, ma'am.

9 Q. Okay. And who were you employed by when you
10 were working at the Celanese Spartanburg?

11 A. Daniel Construction.

12 Q. All right. And what were you all doing at
13 the Celanese Spartanburg plant?

14 A. Basically the same thing we talked about at
15 Salisbury. Basically the same type plant, just
16 different -- different organization.

17 Q. Okay. So were you all doing new
18 construction?

19 A. Yeah.

20 Q. In Spartanburg?

21 A. Yeah.

22 Q. Okay. And were you guys insulating straight
23 pipe?

24 A. Pipes, yeah. Pipes and headers such as that,
25 yes, ma'am.

1 Q. And at the Spartanburg Celanese plant, was it
2 the same size pipes as we discussed at Fiber
3 Industries?

4 DEFENSE COUNSEL: Object to the form.

5 THE WITNESS: Basically the same thing, yes,
6 ma'am.

7 BY MS. MCVEY:

8 Q. Okay. So it ranged from, I think you
9 testified, two- to about eight-inch pipe?

10 A. Yes, ma'am.

11 Q. All right. And the way that you insulated
12 the pipe at Celanese, did you use the same materials
13 you used at Fiber Industries?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: Yes, ma'am. Same thing.

16 MS. MCVEY: Is that you, Chris?

17 MR. COLLIER: It was.

18 MS. MCVEY: Are we good on -- do you want me
19 to go through all this?

20 MR. COLLIER: You don't have to go through
21 the process and do it all again.

22 BY MS. MCVEY:

23 Q. Okay. All right. Let me ask you, what
24 material -- what insulation material were you all using
25 on the pipe at Celanese Spartanburg?

1 A. Mostly that Kaylo-type stuff.

2 Q. Okay. And that was the half-moon insulation
3 we talked about?

4 A. Yes, ma'am. Yeah.

5 Q. All right. And the way you put that
6 insulation on, was it the same at Celanese Spartanburg
7 as it was at Fiber Industries?

8 A. Same procedure. You wired it on. Same
9 thing.

10 Q. Okay. And did it create the same type of
11 condition that --

12 A. Same dust. Same thing, yes, ma'am.

13 Q. All right. And did you also insulate elbows
14 at Celanese Spartanburg?

15 A. Elbows, valves, tees, same thing.

16 Q. Okay. And when -- was it the same process
17 and same materials?

18 A. Yes, ma'am. Same thing.

19 Q. Okay. So did you have to use the block
20 insulation at Celanese Spartanburg as you did at Fiber
21 Industries?

22 MR. COLLIER: Object to the form.

23 THE WITNESS: Basically the same thing, yes,
24 ma'am. Same type stuff.

25 BY MS. MCVEY:

1 Q. All right. Was it the Kaylo insulation?

2 A. Yeah.

3 Q. And do you have to apply mud on those elbows?

4 A. Yes, ma'am.

5 Q. And was it the same type of mud as you used

6 at Fiber Industries?

7 A. Same thing, yes, ma'am.

8 Q. And did it create the same conditions?

9 A. Same dust, yes.

10 Q. And the same procedure?

11 A. Same procedure, yes, ma'am.

12 Q. All right. And did you also insulate valves?

13 A. Yes. Valves, tees, elbows.

14 Q. And what's a tee?

15 A. That's where two pipes goes together like

16 that. Where one tees into the other.

17 Q. Okay. You insulated those at Celanese

18 Spartanburg?

19 A. Yeah. Everywhere. Same thing, yeah.

20 Q. And you did those at Bowater and you did it

21 at Fiber Industries?

22 A. Yeah.

23 Q. All right.

24 A. Any time you tie one pipe into another one,

25 they call it a tee.

1 Q. Okay. And the tee, were you using the same
2 type of insulation?

3 A. Same thing. Cut it to fit it.

4 Q. All right. And did you have to mud the tee?

5 A. If you good enough at cutting it, you didn't
6 have to.

7 Q. Were you good enough at cutting it?

8 A. Yeah.

9 Q. All right. Did sometimes you have to mud the
10 tee?

11 A. Sometimes you have a hole or something you'd
12 fill it with mud, yeah.

13 Q. Okay. And was the -- did you use the same
14 type of mud at Cela---

15 A. Same thing, yeah.

16 Q. And let me get my question out just to make
17 the court reporter's life a little bit easier.

18 A. Okay.

19 Q. Same type of mud that you used at Celanese as
20 you did --

21 A. Same thing, yeah.

22 Q. -- at Fiber Industries?

23 A. Yeah.

24 Q. Okay. And the way you mix it was the same?

25 A. Same thing, yeah.

1 Q. All right. And the conditions created were
2 the same?

3 A. Same thing.

4 MR. COLLIER: Same objections as with
5 Salisbury.

6 MS. MCVEY: Okay. All right.

7 BY MS. MCVEY:

8 Q. And so you did elbows the same or similar as
9 you did at Fiber Industries in Salisbury?

10 A. Yes, ma'am.

11 Q. And you did the pipes the same or similar as
12 you did at Fiber Industries?

13 A. Yes, ma'am.

14 Q. And the valves, you did them the same?

15 A. Same thing.

16 Q. All right. And it was the same type of
17 materials?

18 A. Yes. All basic insulation, yeah.

19 Q. All right. Did you insulate any other
20 equipment at Celanese Spartanburg that you can recall?

21 A. No, ma'am.

22 Q. All right. So you just did pipes, elbows,
23 valves?

24 A. Yeah.

25 Q. How long were you all at the Spartanburg

1 plant?

2 A. I don't know. I'm saying six or eight
3 months. I know it sounds odd that you're at a plant so
4 long, but, see, they did these things in phases. And
5 that's as long as you -- when you finish a project, you
6 move on to another job or something. I know it sounds
7 odd that you don't work but six or eight months in a
8 place. But it goes through phases and construction
9 phases. When the job runs out, you either get laid off
10 or they move you to another place.

11 Q. Okay. So for those six or eight months that
12 you were at Celanese Spartanburg, what were your hours
13 like?

14 A. Well, we worked four, ten-hour days there.

15 Q. Okay. And were you doing insulation work all
16 those ten hours?

17 A. Oh, yeah. Yeah.

18 Q. Okay. And the way you described cleaning up
19 every day at Fiber Industries in Salisbury, was that
20 the same way you did it at Celanese?

21 A. Same thing. Yes, ma'am.

22 Q. Okay. And did it create the same conditions?

23 MR. COLLIER: Same objection as Salisbury.

24 THE WITNESS: Yeah. That was a part of the
25 job, clean up every day before you went home.

1 BY MS. MCVEY:

2 Q. Okay. And when you would leave the Celanese
3 plant in Spartanburg, you and Fuzz -- you all worked
4 together at that plant; is that right?

5 A. Yes.

6 Q. Okay. You were near each other doing the
7 same work?

8 A. Yeah.

9 Q. When you all would leave the plant at the end
10 of the day, what did your clothes look like?

11 A. White.

12 Q. Okay. Covered with what?

13 A. Chalky. White chalky dust, yes.

14 MR. COLLIER: Object to the form.

15 BY MS. MCVEY:

16 Q. All right. And was it the same dust that was
17 created when you were insulating?

18 A. Same thing.

19 Q. All right. And you were employed by Daniel
20 at the Spartanburg plant; is that right?

21 A. Yes, ma'am.

22 Q. All right. Was it the same at Fiber
23 Industries where Daniel was doing new construction?

24 A. Yeah.

25 Q. All right. And the Celanese employees were

1 not doing new construction; is that right?

2 A. No, ma'am.

3 Q. They were doing Celanese work?

4 A. Celanese work, yeah.

5 Q. All right. Did Daniel ever tell you when you
6 were working at the Celanese Spartanburg plant to
7 change your clothes before you went home?

8 MR. MCDONALD: Object to the form.

9 THE WITNESS: No, ma'am.

10 BY MS. MCVEY:

11 Q. Did they ever warn you about the dangers of
12 asbestos?

13 A. No.

14 MR. MCDONALD: Object to the form.

15 BY MS. MCVEY:

16 Q. Did they ever provide you any protective
17 equipment?

18 A. No.

19 MR. MCDONALD: Object to the form.

20 BY MS. MCVEY:

21 Q. And the same thing with Celanese, did
22 Celanese ever tell you to change your clothes before
23 you went home?

24 A. No, ma'am.

25 MR. COLLIER: Object to the form.

1 BY MS. MCVEY:

2 Q. All right. Did they ever tell you to -- warn
3 you about the dangers of asbestos?

4 THE WITNESS: No, ma'am.

5 MR. COLLIER: Object to the form.

6 BY MS. MCVEY:

7 Q. Okay. Did they ever provide you with any
8 protective equipment?

9 A. No.

10 MR. COLLIER: Object to the form.

11 BY MS. MCVEY:

12 Q. When you guys were insulating with the Kaylo
13 block and the mud, where did you get those materials?

14 A. Sometimes helpers bought it out, and
15 sometimes you go to a warehouse and get it --

16 Q. Okay.

17 A. -- or a supply room and get it.

18 Q. All right. And was the supply room on the
19 Celanese plant?

20 A. Yes, ma'am.

21 Q. And so you would get the materials from
22 Celanese?

23 A. Yes.

24 MR. COLLIER: Object to the form.

25 MS. MCVEY: Okay.

1 THE WITNESS: Or either if you work for
2 Daniels, they had their own supply.

3 BY MS. MCVEY:

4 Q. Daniel had their own supply?

5 A. Yeah.

6 Q. Okay. So if you were working for Daniel at
7 the Celanese Spartanburg plant --

8 A. Yeah.

9 Q. -- who provided you with those materials?

10 A. I think they brought -- bought it from Covil
11 Insulation, and they brought it in there. I think.

12 Q. Okay. "They" being Daniel?

13 A. Yeah.

14 Q. Okay. And Covil was what?

15 A. They was like an insulation supplier.

16 Q. Okay.

17 A. And they was also a insulating company.

18 Q. Okay. And -- all right.

19 When did you work -- did you work for Covil?

20 A. Yes.

21 Q. When did you work for Covil?

22 A. I don't remember. I know I worked with Covil
23 at McGuire nuclear plant and out at Catawba nuclear
24 plant.

25 Q. Okay. And that was sometime in the '80s?

1 A. Yes, ma'am.

2 Q. All right.

3 A. Early '80s.

4 Q. Early '80s.

5 A. Yeah.

6 Q. And was Fuzz working for you when you were
7 working for Covil?

8 A. No, ma'am.

9 Q. Okay. Did he ever work for Covil?

10 A. Yes, ma'am, he did. But I'm not sure when or
11 where.

12 Q. Okay. You guys didn't work together there?

13 A. No.

14 Q. All right. And so they -- did they supply
15 insulation to the jobs when you were working for
16 Bowater?

17 A. I'm not sure about that.

18 Q. Okay. How about when you were working for
19 Fiber Industries or at Fiber Industries?

20 A. Yeah. They -- I knew they brought it when we
21 was working for Fiber in Spartanburg.

22 Q. Okay. At the Celanese Spartanburg plant?

23 A. Yes, ma'am.

24 Q. Covil supplied that insulation?

25 A. Yeah.

1 Q. All right. Okay. After you guys left
2 Celanese Spartanburg, do you recall where you went
3 next?

4 A. Maybe to Cook Insulation.

5 Q. Okay.

6 A. Out of Gaffney, I think.

7 Q. What did you all do for Cook Insulation?

8 A. Same thing. Same type work.

9 Q. Okay. Were you working in a particular plant
10 for Cook?

11 A. They -- we worked in a bunch of plants for
12 Cook. And because of a lot of these cotton mills had
13 went out of business and Milliken had bought them out
14 and they was redoing them and remodeling them and
15 stuff.

16 Q. Okay.

17 A. We worked at a bunch of different places.

18 Q. All right. And was that in the same time
19 period, '68 to '74?

20 A. Yeah.

21 Q. And do you recall specifically the plants
22 that you all worked in?

23 A. Magnolia plant in Blacksburg. We did some
24 plant down in Abbeville, South Carolina. One in
25 McCormick. Some down LaGrange, Georgia. I thought he

1 bought out 12 plants in LaGrange, Georgia.

2 Q. Milliken did?

3 A. Yeah.

4 Q. Okay. And did you all work at -- how many
5 plants do you think you worked at Milliken-type plants?

6 A. Oh, I don't know.

7 Q. All right.

8 A. Six or eight or ten maybe. I don't know. He
9 had them scattered all over the country.

10 Q. All right. And were you doing the same type
11 of work?

12 A. Same thing, yeah.

13 Q. Okay. As you described at Bowater and at
14 Fiber Industries?

15 A. Yes, ma'am, same type work.

16 Q. Did you and Fuzz ever work together at the
17 Celanese Rock Hill plant?

18 MR. COLLIER: Object to the form.

19 THE WITNESS: Yes, ma'am.

20 BY MS. MCVEY:

21 Q. Okay. When did you all do that? Is it in
22 that '68 to '74 time period?

23 A. It's in that range, yes, ma'am. I think we
24 were working for Presnell Insulation. Is that on
25 there? You see that on there? Presnell Insulation.

1 Q. Presnell. You and Fuzz were working for
2 Presnell?

3 A. Yeah, at Celanese in Rock Hill.

4 Q. Okay. All right. And what kind of work were
5 you all doing there?

6 A. Insulating pipes and stuff. Same type stuff.

7 Q. All right. And was it new construction?

8 A. Some of it was pipes that's been put in, yes.
9 New pipes, yes.

10 Q. All right. And when you were working at
11 Celanese in Rock Hill, you and Fuzz worked together?

12 A. Yeah.

13 Q. Okay. And when you were insulating the pipe,
14 did you use the same type of materials you used at
15 Celanese Spartanburg and Fiber Industries?

16 A. Same thing. Yes, ma'am. Basic insulation,
17 yes, ma'am. Same thing.

18 Q. You used the Kaylo insulation?

19 A. Yeah.

20 Q. All right. And then for the elbows, did you
21 use the same type of mud?

22 A. Yeah.

23 Q. Okay. And the way you mixed it and applied
24 it, did it create the same type of conditions?

25 MR. COLLIER: Same objection as Salisbury.

1 THE WITNESS: Same thing. Yes, ma'am.

2 BY MS. MCVEY:

3 Q. And the cuts you made in the block
4 insulation, did it create the same conditions?

5 A. Same thing.

6 MR. COLLIER: Same objection as to Salisbury.

7 BY MS. MCVEY:

8 Q. And those are the conditions you described at
9 Fiber Industries?

10 A. Same thing.

11 MR. COLLIER: Same objection.

12 BY MS. MCVEY:

13 Q. All right. And did you insulate valves at
14 the Rock Hill plant?

15 A. Yes, ma'am.

16 Q. All right. And the way you did that and the
17 materials that you used, was it the same as you
18 described at Fiber Industries?

19 A. Yes, ma'am. Same thing.

20 MR. COLLIER: Same objections.

21 BY MS. MCVEY:

22 Q. Okay. And you use the same -- same
23 materials?

24 A. Same material.

25 Q. Okay. And it created the same type of

1 conditions?

2 MR. COLLIER: Same objection.

3 THE WITNESS: Same basic insulation, yes,
4 ma'am.

5 BY MS. MCVEY:

6 Q. Okay. So you did -- like you described at
7 Fiber Industries in Salisbury, you did pipes, you did
8 elbows, you did valves?

9 A. Yes, ma'am.

10 Q. Did you insulate any other equipment at
11 Celanese Rock Hill?

12 A. Seemed like it was a boiler involved in that,
13 too, at Celanese at Rock Hill.

14 Q. Okay. And do you recall the name or the
15 manufacturer of the boiler that you all insulated?

16 A. If I said anything, I would just be guessing.

17 Q. Okay. Was it a new boiler?

18 A. Yeah.

19 Q. Okay. And were there pipes coming into the
20 boiler?

21 A. Yes, ma'am.

22 Q. All right. And did you all insulate all
23 those pipes?

24 A. Yes.

25 Q. And you insulated them the same way you've

1 already described?

2 A. Same thing, yeah.

3 Q. Okay. And did you insulate the boiler?

4 A. Yes, ma'am.

5 MR. COLLIER: Object to the form.

6 BY MS. MCVEY:

7 Q. And can you describe how you insulated the
8 boiler?

9 A. We put some kind of mineral fiber on it, some
10 kind of Rockwool-type insulation. And then they put
11 metal -- sheet metal on the top of it.

12 Q. Okay. Did you put mud on the boiler?

13 MR. COLLIER: Object to the form.

14 THE WITNESS: No, ma'am.

15 BY MS. MCVEY:

16 Q. Okay. So the one at the Celanese Rock Hill
17 plant, you didn't put the mud on the boiler?

18 A. Certain places you know you did. If you had
19 cracks or something, fill in the cracks. But mainly
20 the outside finish of it was metal.

21 Q. Okay. And the insulation that was on it was
22 what?

23 A. Some kind of mineral fiber, Rockwool-type
24 stuff.

25 Q. Okay. Do you know the manufacturer of that

1 wool?

2 A. Huh-uh. No.

3 Q. And did you all put that on?

4 A. Yeah.

5 Q. All right. And did you have to cut it to put
6 it on?

7 A. Oh, yeah.

8 Q. And did it create any dust when you cut it?

9 MR. COLLIER: Object to the form.

10 THE WITNESS: It was as bad, but it wasn't as
11 bad as the Kaylo-type stuff.

12 BY MS. MCVEY:

13 Q. Okay. But it did create some stuff?

14 A. Yeah. It created a lot of itch.

15 Q. A lot of itch?

16 A. Yeah.

17 Q. And when it created dust, where did that dust
18 go?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: On your clothes.

21 BY MS. MCVEY:

22 Q. Okay. So other than the boiler and the pipes
23 and the elbow and the valves, did you all insulate
24 anything else at Celanese?

25 A. Not as I can remember, no, ma'am.

1 Q. Okay. And that was at the Rock Hill plant;
2 is that right?

3 A. Yeah.

4 Q. And you said you were there, you think, six
5 to eight months?

6 A. Yeah. Something like that, yeah.

7 Q. All right. And were you working again the
8 four ten-hour days?

9 A. Yes, ma'am. That was basic hours back then.

10 Q. All right. And during that whole time period
11 for those ten hours, four days of work, when you're
12 working at the Celanese Rock Hill plant, were you all
13 doing insulation work?

14 A. Yes, ma'am. That's all we did was
15 insulation.

16 Q. Okay. And did you have to clean up your work
17 every day?

18 A. Yes, ma'am.

19 MR. COLLIER: Object to the form.

20 BY MS. MCVEY:

21 Q. And did you do the cleanup the same way you
22 described doing it at Fiber Industries?

23 MR. COLLIER: Same objection as Salisbury.

24 THE WITNESS: Yes, ma'am. Same thing.

25 BY MS. MCVEY:

1 Q. Okay. And the conditions it created when you
2 cleaned up, were those the same?

3 A. Same. Exact same, yes, ma'am.

4 MR. COLLIER: Same objection as Salisbury.

5 BY MS. MCVEY:

6 Q. And the conditions created, was that dust?

7 A. Yes ma'am.

8 MR. COLLIER: Same objection as Salisbury.

9 BY MS. MCVEY:

10 Q. All right. And where would that dust go?

11 MR. COLLIER: Same objection.

12 THE WITNESS: On your clothes and in the air,
13 if you use air hose to clean it up with.

14 BY MS. MCVEY:

15 Q. Okay. So you use an air -- air hose at
16 Celanese Rock Hill as well?

17 MR. COLLIER: Object to the form.

18 THE WITNESS: Sometimes if -- if it was
19 available.

20 BY MS. MCVEY:

21 Q. Okay. Was that your preferred method?

22 A. Yeah. That was the preferred method. That
23 was easy.

24 Q. Okay. It was a little quicker than sweeping
25 it?

1 A. Yeah.

2 Q. And during this time period, when you were
3 working at Celanese Spartanburg, you were employed by
4 Presnell; is that right?

5 MR. COLLIER: Object to the form.

6 THE WITNESS: That was at Celanese Rock Hill.

7 BY MS. MCVEY:

8 Q. I'm sorry. Celanese Rock Hill, you were
9 employed by Presnell?

10 A. Yeah.

11 Q. Okay. Did Presnell ever -- well, let me ask
12 you this. When you and Fuzz left the plant every day
13 together at the Rock Hill plant, what did you all look
14 like?

15 MR. COLLIER: Object to the form.

16 THE WITNESS: Clothes with white, chalky
17 looking.

18 BY MS. MCVEY:

19 Q. All right. Did they look like that when you
20 arrived in the morning?

21 A. No, ma'am.

22 Q. All right. When you -- did Presnell ever
23 tell you to change your clothes before you went home?

24 A. No, ma'am.

25 Q. Did they ever warn you about the dangers of

1 asbestos?

2 A. No, ma'am.

3 Q. Did they ever provide you with any protective
4 equipment?

5 A. No, ma'am.

6 Q. Same type of questions for Celanese Rock
7 Hill, did they ever tell you to change your clothes
8 before you went home?

9 A. No, ma'am.

10 MR. COLLIER: Object to the form.

11 BY MS. MCVEY:

12 Q. Did they ever warn you about the dangers of
13 asbestos?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: No, ma'am.

16 BY MS. MCVEY:

17 Q. Did they ever provide you with any protective
18 equipment?

19 MR. COLLIER: Object to the form.

20 THE WITNESS: No, ma'am.

21 BY MS. MCVEY:

22 Q. Did they ever tell you to take a shower
23 before you go home?

24 A. No.

25 MR. COLLIER: Object to the form.

1 BY MS. MCVEY:

2 Q. I understand that -- and this is not
3 necessarily while you were working with Fuzz Childers,
4 that you went back to work at Celanese; is that right?

5 A. Yes, ma'am.

6 Q. And you worked in that Rock Hill plant?

7 A. Yes, ma'am.

8 Q. Okay. And when did you -- how long did you
9 work there?

10 A. I went back to work there in -- went to work
11 for Celanese in 1982, and I worked up to almost 2000.
12 Until they started shutting it down and moving it to
13 Mexico and China.

14 Q. Okay. So you went -- and you were a direct
15 employee of Celanese?

16 A. Yes, ma'am.

17 Q. Starting in 1982?

18 A. Yeah.

19 Q. All right. And you worked continuously at
20 the Rock Hill plant until 2000 -- 2002?

21 A. No, until about 2000.

22 Q. Oh, about 2000. So about 18 years?

23 A. Yeah.

24 Q. All right. What were you doing during that
25 time period?

1 A. I was working mostly in insulation then with
2 Celanese.

3 Q. Okay. And were you taking out old
4 insulation?

5 A. Yeah.

6 Q. And were you putting in new insulation?

7 A. Yeah.

8 Q. All right. And I know you took some
9 photographs.

10 A. Yeah.

11 Q. All right. And the photographs I'm going to
12 show you, do you recall the timing of when you took
13 them? What year it was?

14 A. It was in the mid to late '90s.

15 Q. Okay. So '95-'96, somewhere in there?

16 A. In that range, yes, ma'am.

17 Q. Okay. And so I want to show you some of
18 these pictures. I'm going to put them up and you
19 should be able to see it on your screen.

20 MR. COLLIER: Can I get a running objection
21 to the use of all of these photographs and the
22 questions that you're going to ask about them?

23 MS. MCVEY: Just in general?

24 MR. COLLIER: Form, lack of foundation, any
25 other --

1 MS. MCVEY: Yes. If it's a question I can
2 fix with the form, object so I can fix it if that's the
3 issue. If you think it's leading. If it's
4 foundational, I can understand that too.

5 MR. COLLIER: Okay.

6 MS. MCVEY: Okay.

7 BY MS. MCVEY:

8 Q. All right. Harley, can you see that picture?

9 A. Yes, ma'am.

10 Q. Is this a picture that you took in the late
11 '90s at the Celanese Rock Hill plant?

12 A. Yes, ma'am.

13 Q. And is that a fair and accurate picture of
14 what you observed when you were there?

15 A. Yes, ma'am.

16 Q. Okay. And what is it that we're looking at
17 there?

18 A. That is a steam line in some type -- that
19 green-type tank is some type of vessel.

20 Q. Okay.

21 A. And you see those labels on there where that
22 yellow label's on it is -- they had some summer help to
23 come in there, kids in between -- I don't know whether
24 they was high school or between high school and
25 college. They brought that those kids in there as

1 summer help and put those labels on those pipes.

2 Q. Okay. And those labels that you describe --

3 MR. COLLIER: I'm going to object to the
4 nonresponsive portion.

5 THE WITNESS: Huh?

6 MS. MCVEY: He's making objections.

7 THE WITNESS: Okay.

8 MS. MCVEY: But just -- don't -- he's going
9 to make them, that's his job. But don't worry about
10 it. We're going to keep going.

11 THE WITNESS: Okay.

12 BY MS. MCVEY:

13 Q. And these labels that are on there, it says
14 right here, it says, "Steam"; is that right?

15 A. Yeah. Yeah.

16 Q. And then down here, does that say
17 "Contain --"

18 A. That's -- contains asbestos.

19 Q. Okay. And I think did you just testify that
20 folks at the Celanese plant in Rock Hill were putting
21 these labels?

22 A. Kids were putting them on there for them.

23 MR. COLLIER: Object to the form.

24 THE WITNESS: Summer help.

25 BY MS. MCVEY:

1 Q. All right. And you saw them doing it?

2 A. Yeah.

3 Q. All right. And you knew -- did you know that
4 they were summer help?

5 MR. COLLIER: Object to the form.

6 THE WITNESS: Yeah.

7 BY MS. MCVEY:

8 Q. And when they were putting these labels on
9 here, were they wearing any protective equipment?

10 A. No, ma'am.

11 Q. Okay. Did you see anybody testing these
12 pipes to see what was what?

13 A. No, ma'am.

14 Q. All right. And when we talked earlier about
15 the jobs that you were doing and the way you insulated,
16 this is a steam pipe; is that right?

17 A. Yes, ma'am.

18 Q. All right. And then what's this?

19 A. That's the mud on the elbow.

20 Q. Okay. So that's the elbow you talked about?

21 A. Yeah. Yeah.

22 Q. And then that's the mud?

23 A. Yeah.

24 Q. All right. So in the mid to late '90s,
25 Celanese is labeling this elbows and steam pipes as

1 containing asbestos?

2 MR. COLLIER: Object to the form.

3 THE WITNESS: Yes, ma'am.

4 BY MS. MCVEY:

5 Q. All right. And this vessel over here, do you
6 know what it was?

7 A. All I know is some type of tank, yes.

8 Q. Okay.

9 A. Some type of vessel.

10 Q. All right. Was it was insulated?

11 A. Yes, ma'am.

12 Q. What was it insulated with?

13 MR. COLLIER: Object to the form.

14 THE WITNESS: I think some type of foam
15 glass, but that stuff on the outside is some type of
16 coating that they put on it. Some kind of, like I
17 said, the mud and the cloth and then it was probably
18 painted --

19 BY MS. MCVEY:

20 Q. Okay.

21 A. -- that green color. Whatever it -- some
22 kind of paint.

23 Q. All right. Let me show you a few more
24 photographs. Would that be okay?

25 A. Okay.

1 Q. Can you see that?

2 A. Yeah, I can see it. Yes, ma'am.

3 MR. COLLIER: I'm going to object to the use
4 of this photograph as well. Go ahead.

5 BY MS. MCVEY:

6 Q. Okay. Is that a photograph that you took?

7 A. Yes, ma'am.

8 Q. All right. And when do you think you took
9 that photograph?

10 A. All them was took at the same time. Same
11 time period.

12 Q. All right. All these photographs that you've
13 given me were taken in the mid to late '90s?

14 A. Yeah.

15 Q. All right. And is this, again, a fair and
16 accurate representation of the conditions you observed
17 at Celanese Rock Hill?

18 MR. COLLIER: Object to the form.

19 THE WITNESS: That is a -- laying in the
20 floor is the elbow that fell off in the floor.

21 BY MS. MCVEY:

22 Q. Okay. And so is this the elbow right here?

23 A. Yeah.

24 Q. Okay. And what's this around the elbow?

25 A. That is the material that was made out of.

1 And the mud and the whatever -- whatever was on there,
2 it's all fell off in the floor.

3 Q. Okay. So you think that's the mud?

4 A. Mud and the material, too. The miters, the
5 material -- the Kaylo stuff that was on it and the
6 whole -- the whole thing fell off.

7 Q. Okay. And that was just on the floor?

8 A. Yeah.

9 Q. All right. Let me show you another one. And
10 can you tell us what that one is.

11 A. That was a valve that had been insulated, and
12 it had fell off. And the elbow where it went into the
13 valve, you could see the insulation and stuff frayed
14 and torn up. And the sealant is gone off of it. Yes,
15 ma'am.

16 MR. COLLIER: I'm going to object to the use
17 of this photograph as well.

18 BY MS. MCVEY:

19 Q. Okay. And, again, this is a photograph that
20 you personally took --

21 A. Yes, ma'am.

22 Q. -- in the 1990s? Is that right?

23 And, again, this -- is this a fair and
24 accurate representation of the conditions you observed
25 in the '90s?

1 A. Yes, ma'am.

2 MR. COLLIER: Object to the form.

3 BY MS. MCVEY:

4 Q. An this -- this is the valve. Is that what
5 you're talking about?

6 A. Yes, ma'am.

7 Q. Okay. And then this, what is this?

8 A. That's the insulation -- the part of the
9 elbow that went into the valve.

10 Q. Okay. And this label right here, what did
11 that say?

12 A. Asbestos insulation.

13 Q. Okay. And is that -- who put that label on?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: I guess those same kids put it
16 on there, I guess.

17 BY MS. MCVEY:

18 Q. Okay. You didn't see them put it on this
19 particular picture?

20 A. No, ma'am. I wasn't with them all the time.
21 They worked several months during the summer putting
22 them on all over the whole plant.

23 BY MS. MCVEY:

24 Q. All right. And you saw them putting them on
25 -- putting labels on?

1 A. Yeah.

2 MR. COLLIER: Object to the form.

3 BY MS. MCVEY:

4 Q. All right. And this right here, tell me what
5 is the condition of that insulation. Is it intact?

6 A. It's just -- no. It's just where it's torn
7 and all and where the valve was out over the edge of
8 it. And then when the valve fell off, the insulation
9 was just bare insulation there. There's no sealant or
10 nothing over it.

11 MS. MCVEY: Okay. All right.

12 MR. COLLIER: I'm going to object to the use
13 of this photograph as well.

14 BY MS. MCVEY:

15 Q. Okay. And again, Harley, this is another
16 photograph that you took in the mid to late '90s at the
17 Celanese Rock Hill plant; is that right?

18 A. Yes, ma'am.

19 Q. Okay. And -- and is this a fair and
20 accurate -- accurate representation of the conditions
21 you observed at the Celanese Rock Hill plant in the mid
22 to late '90s?

23 MR. COLLIER: Object to the form.

24 THE WITNESS: Yes, ma'am. That's another
25 valve that has been torn off or fell off on the floor.

1 BY MS. MCVEY:

2 Q. Okay. Is this on the floor?

3 A. Yeah.

4 Q. All right. And this is the valve?

5 A. Yeah.

6 Q. And what's this?

7 A. That's the steam line it's attached to.

8 Q. Is that steam line insulated?

9 A. Yeah.

10 Q. All right. And what does this label say
11 right here?

12 A. "Asbestos insulation." Any time -- most of
13 the time when you had a yellow one, it was asbestos.
14 If it was blue, it was supposed to not be.

15 Q. Okay. All right. I'm going to show you just
16 a couple more. I'm not going to go through a ton of
17 them, but I wanted to show you this one.

18 MR. COLLIER: I'm going to object to the use
19 of this one as well.

20 BY MS. MCVEY:

21 Q. And you personally took this photograph?

22 A. Yes, ma'am.

23 Q. All right. And is that a fair and accurate
24 representation of the conditions you observed at the
25 Rock Hill plant?

1 A. Yes, ma'am.

2 MR. COLLIER: Object to the form.

3 BY MS. MCVEY:

4 Q. All right. And can you just describe what
5 this is?

6 A. That was some type of vessel and the
7 insulation was torn off of it around that flange or
8 whatever pipe went into it. It had been torn off or
9 fell off over the years.

10 Q. Okay.

11 A. And that was just the condition it was in.
12 It should have had some kind of sealer or something on
13 it to contain it.

14 MR. COLLIER: Object. Move to strike the
15 nonresponsive portion.

16 BY MS. MCVEY:

17 Q. And this -- it looks like -- is that the
18 chicken wire you were talking about?

19 A. That's the chicken wire, yes, ma'am.

20 Q. All right. So that was the chicken wire that
21 you would put --

22 A. Chicken wire to hold the mud on there.

23 Q. Okay. So the chicken wire would go down, and
24 then you all would put the mud on top of it?

25 A. Yeah.

1 Q. So it looks like here the chicken wire has
2 come up, which means, I guess, the mud has come up?

3 A. The mud's gone, yeah.

4 MR. COLLIER: Object to the form.

5 BY MS. MCVEY:

6 Q. All right. And is there still some mud
7 hanging on there?

8 A. There's still some mud on there. Some
9 insulation on there.

10 MS. MCVEY: Okay. All right.

11 MR. COLLIER: I'll object to the use of this
12 one as well.

13 BY MS. MCVEY:

14 Q. Harley, again, this is the photograph that
15 you took?

16 A. Yes, ma'am.

17 Q. All right. And it is a fair and accurate
18 representation of the conditions that you observed at
19 the Celanese Rock Hill plant?

20 A. Yes, ma'am.

21 MR. COLLIER: Object to the form.

22 BY MS. MCVEY:

23 Q. And this is in the mid to late '90s; is that
24 right?

25 A. Yes, ma'am.

1 Q. And what are we looking at here?

2 A. That's another vessel and where that
3 shiny-looking pipe is, something new they've tied in to
4 it and it's tore off there where the -- on the other
5 tank. And you can see the yellow label on the other
6 tank where it says it's asbestos material.

7 Q. Okay.

8 A. And there's a hole torn in it there where
9 the -- whether somebody tore it off or it fell off.

10 Q. Okay. And has this got -- well, it says it's
11 asbestos, right?

12 A. Yeah.

13 Q. And is that what kind of -- is that the block
14 insulation?

15 A. That's the block insulation, yes, ma'am, with
16 some kind of mastic or some kind of thing over it. But
17 over there where that new line is tied in to it,
18 there's nothing but frayed insulation and torn
19 insulation there where the new line goes into it.

20 MS. MCVEY: Okay.

21 MR. COLLIER: I'm going to object to the
22 nonresponsive portion and move to strike.

23 BY MS. MCVEY:

24 Q. And this one, did you take this photograph as
25 well?

1 A. Yes, ma'am.

2 MS. MCVEY: All right.

3 MR. COLLIER: I'll object to the use of this
4 picture as well.

5 BY MS. MCVEY:

6 Q. And is this a fair and accurate
7 representation of the conditions you observed in the
8 mid to late '90s at the Rock Hill Celanese plant?

9 A. Yes, ma'am.

10 Q. All right. And this one, it looks like it's
11 got a blue label.

12 A. That -- on the bottom it has, but look at the
13 material that's on top.

14 Q. Okay.

15 A. The elbow that's on top and how it's torn and
16 insulation has fell -- fell off of it.

17 Q. All right. So this -- you think this
18 elbow --

19 A. See, that's misleading, too, because you've
20 got a blue label down on the bottom. And then once you
21 pass that flange that's on that pipe, you got asbestos
22 on top --

23 Q. Okay.

24 A. -- on that elbow.

25 MR. COLLIER: Object to the nonresponsive

1 portion and move to strike.

2 BY MS. MCVEY:

3 Q. So while this pipe is labeled "asbestos free"
4 or "nonasbestos --"

5 A. Yeah.

6 Q. -- there's asbestos right above this flange;
7 is that right?

8 A Yes.

9 MR. COLLIER: Object to the form.

10 BY MS. MCVEY:

11 Q. All right. And, again, is that the block
12 insulation?

13 A. No. That's the pipe insulation.

14 Q. Okay. That's the pipe insulation?

15 A. Yeah.

16 Q. All right. Does that look like the Kaylo
17 materials that you all were using?

18 A. Yeah.

19 MR. COLLIER: Object to the form.

20 MS. MCVEY: All right. One more.

21 MR. COLLIER: I'll object to the use of this
22 one as well.

23 BY MS. MCVEY:

24 Q. All right. Harley, is that a photograph that
25 you took, again, at the Rock Hill plant?

1 A. Yes, ma'am.

2 Q. All right. And is this a fair and accurate
3 representation of the conditions you observed at the
4 Celanese plant in the mid to late '90s?

5 A. Yes, ma'am.

6 MR. COLLIER: Object to the form.

7 BY MS. MCVEY:

8 Q. And tell us what this is.

9 A. Some type of vessel with a hole torn in it
10 and where the insulation is torn up on the side and
11 it's fallen off in the floor.

12 Q. Okay. And what kind of insulation is on
13 that?

14 MR. COLLIER: Object to the form.

15 THE WITNESS: That block insulation on it and
16 then mud and then fab cloth stuff on the outside.

17 BY MS. MCVEY:

18 Q. Okay. And so parts of it are missing; is
19 that right?

20 A. Yeah. Where that hole is.

21 Q. All right. And were parts of this on the
22 floor?

23 A. Yeah.

24 Q. The insulation?

25 A. Yeah.

1 Q. And, again, there's another label over here;
2 is that right?

3 A. Yes. It's another label that's saying it's
4 asbestos.

5 Q. Okay. And, again, this was at the Celanese
6 plant in Rock Hill in the mid to late '90s?

7 A. Yes, ma'am.

8 Q. All right. Have we covered the plants that
9 you and Fuzz worked together?

10 A. I think so, yeah. I think we got everything.

11 Q. Okay. The work that you described doing when
12 you were working alongside Fuzz, were you all doing the
13 same kind of work?

14 A. Oh, yeah.

15 Q. Okay. And were you all working together or
16 near each other?

17 MR. COLLIER: Object to the form.

18 THE WITNESS: On the same jobs, yes.

19 BY MS. MCVEY:

20 Q. Okay. Did you know Fuzz's ex-wife, Gaye?

21 A. Yeah.

22 Q. Okay. Did you keep up with her after they
23 divorced?

24 A. No, not really.

25 Q. Okay. Have you talked to her or the kids?

1 A. Talk to the kids sometime, yeah.

2 Q. Okay. Do you still keep up with Fuzz?

3 A. Yeah.

4 Q. All right. And so you've seen Roxanne and
5 Brent?

6 A. Yeah.

7 MS. MCVEY: Thank you. Those are my
8 questions.

9 THE WITNESS: Okay.

10 MS. MCVEY: Let's go off for just a minute.

11 (Off the record.)

12 EXAMINATION

13 BY MR. MCDONALD:

14 Q. Mr. Neeland.

15 A. Yes.

16 Q. My name is Mott McDonald.

17 A. Yeah.

18 Q. We met earlier today.

19 A. Yeah.

20 Q. I'm here for Daniel International from over
21 in Greenville.

22 A. Yeah.

23 Q. And I've got some other clients, too, that
24 you really haven't talked about. But I'm going to ask
25 you some questions, if that's all right with you.

1 A. That's fine.

2 Q. The -- of course, you remember Daniel back in
3 the era you're talking about, right?

4 A. Yeah.

5 Q. Did you ever meet Charlie Daniel from over in
6 Greenville?

7 A. No, sir.

8 Q. Okay. Just tell me a little background
9 information. What is your date of birth?

10 A. 2-18-41.

11 Q. '41. Okay. So you were born right after --
12 before Pearl Harbor?

13 A. Yeah.

14 Q. You were born before. We've all been talking
15 about Pearl Harbor lately.

16 And how old are your children?

17 A. My daughter is 48, and my son's 51.

18 Q. Okay. And do you have grandchildren?

19 A. Yes, sir.

20 Q. Okay. How old are your grandchildren?

21 A. Oh, that's a good question. I got a grandson
22 that's 18. I got one that's 15. I got a --

23 Q. Okay.

24 A. -- granddaughter that's 16.

25 Q. Okay. So you're a grandfather here --