

Depositions by David F. Merrion

(David F. Merrion LLC)

(Merrion Expert Consulting LLC)

March 6, 2008, Superior Court of the State of California County of San Francisco-Court of Unlimited Jurisdictions, Case No. 450988. Plaintiffs: Irene Snodgrass & Jimmy Snodgrass (deceased). Plaintiff attorney: Paul & Hanley LLP, (J. Rae Lovko, Esq.). Defense attorney: McKenna Long & Aldridge LLP, (Jennifer J. Lee) and Dykema LLP, (Kyle Dufrane).

August 20, 2008, Civil District Court for the Parish of Orleans, State of Louisiana, Division "N", Section 8, Number 07-7826. Doris Rita Buffone Jambon v. Asbestos Defendants et al. Plaintiffs attorney: Jonathan B. Clement, (Roussel & Clement). Defense attorney: Janika D. Polk, (Abbott, Simses & Kuchler).

August 26, 2008, United States District Court, Eastern District of Michigan, Southern Division. Case No. 04-73404, James W. Jaikins (plaintiff) vs. Caterpillar, Inc.. Plaintiff attorney: Kreindler & Kreindler, (Milton Sincoff & Andrew (Duke) Maloney). Defense attorney: Mayer Brown LLP, (Michael R. Feagley & Beverly J. Klein).

August 28, 2008, The Circuit Court of the First Circuit, State of Hawaii. Civil No. 08-1-0182-01 (EEH), 07-1-2325-12 (EEH), 07-1-2080-10 (EEH), 08-1-0311-02 (EEH), 08-1-A.C.M.-2 (EEH). Various plaintiffs (Almason, Auna, Blackburn, Chu, Craig, Demello, Ene, Hom, Lum, Agena, Yee) vs. General Motors Corp. et al. Plaintiffs attorney: Galiher DeRobert Ono Law Corp: (Ilana K. Waxman & Gary O Galiher). Defense attorney: Dykema LLP and Jerold T. Matayoshi (Fukunaga Matayoshi Hershey & Ching) Robert R. Gillanders (The Gaitan Group).

February 15, 2009, Circuit Court of Cook County, Illinois, County Department, Law Division, No. 03 L 4851. Indeck Power Equipment Company vs. Professional Power Products Inc. Professional Power Products Inc. vs Inland Detroit Diesel Allison, Inc.

Inland Detroit Diesel Allison Inc. vs. Kohler Co. and Detroit Diesel Corporation. Indeck: Freeborn & Peters, (Joseph Fogel); Professional Power: O'Halloran, Kosoff, Geitner & Cook, (Jeffrey Rosenberg); Inland: Whyte, Hirsboeck, Dudek, (Karen Tidwell); Kohler: Novack and Macey (Melissa Pryor); DDC: Swanson, Martin & Bell (John Arranz & Tim Nickels).

February 26, 2009, Superior Court of the State of California for the County of Alameda – Unlimited Jurisdiction. No. RG08-405462. James Ellsworth and Gloria Ellsworth, plaintiffs, vs. AC AND S, Inc. et al. defendants. Plaintiffs attorney: Stephen Tigerman, (Harowitz & Tigerman LLP). Defense attorney: Scott Shepardson (Nixon Peabody) & Kyle Dufrane (Dykema LLP) (note: deposition continued on March 4, 2009).

March 25, 2009, Commonwealth of Massachusetts, Superior Court, Department of the Trial Court, Civil Action No. 08-0718 and No. 06-4637. Franklin D. Holdren and Janice A. Holdren, plaintiffs, v. Alfa Level, Inc. et al. defendants. Cheryl A. Baldwin, Executrix of the Estate of James W. Freeman and Dorothy M. Freeman, plaintiffs, v. A.W. Chesterton Co. et al. defendants. Plaintiffs attorney: Jonathan A. George (Simon, Eddins & Greenstone LLP). Defense attorney: Anthony M. Moccia (Eckert, Seamans, Cherin & Mellott) and Holly M Polglase (Campbell, Campbell, Edwards & Conroy) and Kyle Dufrane (Dykema LLP).

May 26, 2010, United States district Court for the Eastern District of Pennsylvania, MDL Docket No. 875, E.D. Pa Civil Action No. 09-cv-70103. Gerald Hoffeditz, et al. plaintiffs. v. AM General LLC, et al. defendants. Plaintiff attorney: Nathaniel Falda (Levy, Phillips & Konigsberg LLP). Defense attorney: Edward T. Finch (Lavin, O'Neil, Ricci, Cedrone & DiSipio).

October 12, 2010, Superior Court of the State of California for the County of Los Angles, Case No. BC418569. Alana Gonzales, et al. plaintiffs vs. DOES 6-500, defendants. Plaintiff attorney: Douglas Dukelow (Fishback & Jackson LLP). Defense attorney: Charles E. Osthimer, III (LeClair Ryan, LLP) and Edward T. Finch (Lavin, O'Neil, Ricci, Cedrone & DiSipio).

July 12, 2011, The District Court, Harris County, Texas, 61st Judicial District, Cause No. 2008-24797. Ho Ho Ho Express, Inc. plaintiff, vs. Cleveland Mack Sales Inc, D/B/A Performance Kenworth, Kenworth Trucking Company, Caterpillar, Inc., Bendix Commercial Vehicles Systems LLC and PACCAR Inc. Plaintiff attorneys: Stephen R. Smith & Stephen Cagle, (Christian, Smith & Jewell). Defense attorneys: Richard W. Crews (Hartline, Dacus, Barger, Dreyer LLP) for Bendix, Matthew W. Caligur (Baker, Hostetler) for Caterpillar, and Mr. Chris Pearson (Germer, Gertzbeaman & Brown LLP) for PACCAR Inc.

February 6, 2012, General Court of Justice, Superior Court Division, 10-CVS-3491, State of North Carolina, County of Guilford, Salem Leasing Corporation, plaintiff v. Triad Freightliner of Greensboro, Inc. and Caterpillar, Inc. defendants and Triad Freightliner of Greenboro, Inc. third party plaintiff v. Daimler Trucks North America, LLC and Caterpillar Inc. third party defendant. Plaintiff attorney: Drew Brown, Benson & Brown PLLC. Defense attorney, Colvin C. (Woody) Norwood, McGlinchey Stafford PLLC, New Orleans, LA, Nathan Atkinson, Spillman Thomas & Battle PLLC & Ken Waterway, Sedgwick LLP for Caterpillar Inc.

February 17, 2012; Court of Common pleas, Philadelphia County, PA, December Term 2010, No. 001201, Rita Kato and Stephanie Kato-Clark, Estate of Steven Kato, Plaintiffs, vs. Asbestos Corporation Ltd. et al. Plaintiff attorney: Michael Noonan (Cohen, Placitella & Roth PC and Gonen Halaly). Defense attorney: Edward (Ted) Finch (Lavin, O'Neil, Ricci, Cedrone & DiSipio).

May 8, 2012, United States District Court, For The Eastern District of Arkansas, Western Division, Case No. 4-10-CV-1231 WRW. JMAR Express, Inc., and Chriscat Leasing, Inc. Plaintiffs vs. Peterbilt of Memphis, Inc., Caterpillar, Inc., and Cummins, Inc. Defendants. Defense attorneys: Mr. Colvin G. Norwood, Jr. McGlinchey Stafford, PLLC, Mr. J. Banks Sewell, III, Lightfoot Franklin White, LLC & Mr.

Michael J. Emerson, Baker, McCaaskill, Jones and Hale, PA. Plaintiff attorney: Mr. John M. Belew, Belew, Bell & Brissey.

June 25, 2012, continuation of July 12, 2011 deposition in the Ho Ho Ho Express, Inc. case. Represented by Stephan Cagle, deposed by Matt Caligur, Chris Pearson and Richard Crews.

August 22, 2012, trial in the Ho Ho Ho Express case shown in the July 12, 2011 deposition.

October 28, 2013, United States District Court for the Eastern District of Texas Sherman Division, Civil Action No. 4:12-CV-00411, Bulkley & Associates, Inc. D/B/A Bulkley Trucking V. Paccar Inc. D/B/A Peterbilt Motors Company, Paccar Financial Corp., Cummins, Inc. D/B/A Cummins Engine Company, Inc. Defense attorneys: David H. Estes, Hartline Dacus Barger Dreyer LLP, Dallas, TX for Paccar and Kevin M Kuhlman, Lathrop & Gage LLP, Kansas City, MO for Cummins. Plaintiff attorney: Todd C. Feder, Fulkerson, Feder & Wollam LLP, Houston TX for Bulkley Trucking.

February 5, 2014, The Circuit Court of the State of Oregon for The County of Multnomah, Case No. 1307-10088, Michael L. Otis and Cheryl A. Otis vs. Air & Liquid Systems Corp. et al. (includes Detroit Diesel Corp.). Defense attorneys: Edward T. Finch, Lavin O-Neil Ricci Cedrone & DiSipio, Philadelphia PA. Plaintiff attorney: Randall L. Iola, Iola Galerston LLP, Dallas, TX.

June 2, 2014, United States District Court, Southern District of Florida, Miami Division, Case No. 1:12-23927-CIV. Salud Services, Inc., et al., Plaintiffs vs. Caterpillar, Inc., Defendant. Defense attorney, Ms. Kimberly Cook, Sedgwick, LLP, One Biscayne Tower, suite 1500, Two S. Biscayne Blvd. Miami, FL. 33131. Plaintiff attorneys: Richard Burke, Complex Litigation Group, St. Louis, MO., Steven Jaffe, Jaffe, Weissing, Edwards, Fistos & Lehrman PL, Ft. Lauderdale, FL., Theodore J. Leopold, Cohen, Milstein, Sellers & Toll, PLLC

July 11, 2014, United States District Court for the Western District of Oklahoma, Case No. CA NO. CIV-12-732-HE, Passenger Transportation Specialists Inc., D/B/A Red Carpet Charters; and C&J Leasing #1, LLC Plaintiffs vs. Caterpillar Inc.; Caterpillar Financial Services Corp., D/B/A CAT Financial; Warren Power & Machinery, Inc., D/BB/A Warren CAT. Plaintiff attorney: J. Drew Houghton, Foshee & Yaffe, Oklahoma City, OK. Defense attorneys: Brad K. Howell & Matthew W. Caligur, Baker Hoestetler, Houston, TX.

March 26, 2015, United States District Court, Northern District-Texas, Dallas Division, Civil Action No. 3:13-cv-01587-M, Ross Neely Systems, Inc., vs Navistar Inc., and Navistar International Corporation. Plaintiff attorney: Elizabeth Basden, Basden & Ivie, Dallas, Texas. Defense attorneys: Jeffery S. Patterson, Hartline Dacus Barger Dreyer LLP, Dallas, TX and Steven J. Pacini, Latham & Watkins LLP, Boston, MA.

August 6, 2015, United States District Court, Eastern District of Louisiana, Civil Action No. 2:12-cv-001979 Section F, Magistrate 4: Operaciones Techica Marinas S.A.S versus Diversified Marine Services LLC, ABC Insurance Co. Underwriters of DMS et al. Plaintiff attorney: Michael J. Thompson Jr. Fowler Rodriguez, Gulfport, MS. Defense attorneys: Tod J Everage & Bradley J. Scholotterer, Kean Miller LLP, New Orleans, LA.

April 1, 2016, District Court, 33th Judicial District, Harris County, Texas, Cause No. 2014-52745. Service Steel Warehouse, LP vs. Navistar, Inc. and Texas truck Centers of Houston, Ltd. d/b/a International Trucks of Houston. Plaintiff attorney: Clay Miller, Miller Weisbrod LLP. Defense attorney: Jeffrey S. Patterson, Hartline, Dacus, Barger, Dreyer LLP.

May 16, 2017, Trial for case described in August 6, 2015 deposition. (OTM vs. DMS). Plaintiff attorneys: John A Scialdone & John S. Garner, Scialdone Law Firm, PLLC, Gulfport, MS. Defense attorney: Bradley J. Scholotterer, Kean Miller LLP, New Orleans, LA