

CURRICULUM VITAE

DR. ANTOINE CHAMSI

EDUCATION: Ph.D. in Analytical Chemistry, 1986.
Loughborough University of Technology, United Kingdom

M.S. in Analytical Chemistry and Instrumentation, 1982.
Loughborough University of Technology, United Kingdom

B.S. in Chemistry, 1980.
Lebanese University, Lebanon

CERTIFICATES: Diplomat Status, #21009
& American Board of Forensic Engineering and Technology,
AWARDS: American College of Forensic Examiners

EXPERIENCE:

April 1995-
present *Vice President, Materials Chemistry*
Calcoast Analytical Laboratories
Emeryville, California

January 1992-
March 1995 *Analytical Chemistry Project Coordinator*
Calcoast Analytical Laboratories
Emeryville, California

Coordinate and supervise analytical chemistry and failure analysis projects. Evaluate chemical and physical properties of coatings and materials. Data interpretation of chemical, mechanical and exposure testing using a fully equipped laboratory including: Gas Chromatography-Mass Spectrometry, Fourier Transform Infrared Spectroscopy, Ultra-Violet/Visible Spectroscopy, Microscopy and Scanning Electron Microscopy (SEM), SEM Energy Dispersive X-ray Spectroscopy, Differential Scanning Calorimetry, Thermal Conductivity and Resistivity, Electroanalytical instruments, Wet Chemical and Colorimetric Analysis, Tensile Strength & Elongation testing instruments, Corrosion Salt Spray ASTM B117, Accelerated

EXPERIENCE: (continued)

Xenon Arc ASTM G26, Twin Carbon Arc ASTM G23, QUV ASTM G53, and Humidity Chambers. Perform statistical data analysis and predictability of continuing failure.

1986 - 1991 *Associate Professor*, Chemistry Department
Lebanese University, El-Fanar, El-Metn Lebanon.

Instructed the following courses:

- Analytical Chemistry
- Instrumental Methods of Chemical Analysis
- Electrochemistry
- Industrial Chemical Analysis

1985 - 1986 *Research Associate*, Inorganic Chemistry Laboratory, Oxford University, South Parks Road, Oxford OX1 3QR United Kingdom.

Responsibilities included collaborative research work on the modification of the edge and basal planes of pyrolytic graphite electrode.

1983 - 1985 *Part-Time Demonstrator*, Chemistry Department, Loughborough University of Technology, Loughborough LE11 3TU, United Kingdom.

PROFESSIONAL AFFILIATIONS:

- American Chemical Society (ACS)
- American College of Forensic Examiners (ACFE)
- American Society for Testing & Materials (ASTM)
- National Society of Professional Engineers (NSPE)
- National Association of Corrosion Engineers (NACE)
- Golden Gate Society for Coatings & Technology (GGSCT)

HONORS:

- A five year scholarship award from Lebanese University for graduate studies in the United Kingdom.

PUBLICATIONS:

- * R.N. Smith, A. Abdul Ghani, D.G. Harvey, G.S. Bament, A.Y. Chamsi and A.G. Fogg: Derivatization of Amines with O-Acetylsalicyloyl-Chloride to Enhance Electrochemical Detection in High Performance Liquid Chromatography.
Journal of Chromatography, 1988, Vol. 455, pg. 349.
- * A.Y. Chamsi and A.G. Fogg:
Oxidative Flow Injection Amperometric Determination of Nitrite at an Electrochemically Pretreated Glassy Carbon Electrode.
Analyst, 1988, Vol. 113, pg. 1723.
- * A.G. Fogg, C.W. Guta and A.Y. Chamsi:
Iodometric and Bromimetric Flow Injection Amperometric Methods of Determining Sulphite in which Iodine or Bromine is Monitored at a Glassy Carbon Electrode.
Analyst, 1987, Vol. 112, pg. 253.
- * A.Y. Chamsi and A.G. Fogg:
Application of the Reductive Flow Injection Amperometric Determination of Iodine at a Glassy Carbon Electrode to the Iodometric Determination of Hypochlorite and Hydrogen Peroxide.
Analyst, 1986, Vol. 111, pg. 879.
- * A.Y. Chamsi:
Voltametric Determination of Antioxidants and Other Species.
Ph.D. Thesis, Chemistry Department, Loughborough University of Technology, Loughborough, United Kingdom, 1986.
- * A.G. Fogg, A.Y. Chamsi, A.A. Barros and I.O. Cabral:
Flow Injection Voltametric Determination of Hypochlorite and Hypobromite as Bromine by Injection into Acidic Bromide Eluent and Indirect Determination of Ammonia and Hydrazine by Reaction with an Excess of Hypochlorite.
Analyst, 1984, Vol. 109, pg. 901.
- * A.G. Fogg, A.Y. Chamsi and A.G. Abdalla:
Flow Injection Voltametric Determination of Nitrate after Reduction to Nitrite.
Analyst, 1983, Vol. 108, pg. 464.
- * A. Y. Chamsi: Voltametric Determination of Nitrate after Reduction to Nitrite.
Masters Thesis, Chemistry Department, Loughborough University of Technology, Loughborough, United Kingdom, 1982.

EXPERT TESTIMONY:

1. Butterfield/Lucy/Rempfer vs. Household, et al.
5/92 Deposition
Blackman & Blackman – Peter A. Blackman

Failure of plastic plumbing fixtures. Chemical analysis, data interpretation, Fourier Transform Infrared Spectroscopy, Differential Scanning Calorimetry, Energy Dispersive X-ray Spectroscopy, Scanning Electron Microscopy, Borescopic analysis.
2. Sheffield vs. Worthen et al.
9/92 Deposition
Gudmundson, Siggins, Stone & Skinner – Jeffrey A. Skinner

Personal injury on a stairway.
3. Abbes-Atkins vs. Costco Inc., et al.
12/93 TRIAL TESTIMONY, Contra Costa Superior Court, California
Law Offices of Alton Chambliss – Dean L. Flint

Personal injury in a parking garage. Chemical analysis, identification of brake, antifreeze and oil fluids.
4. J.W. Thompson vs. BCCI, et al.
12/93 Arbitration
Barry & Tong – James G. Smith

Failure of carpet/adhesive system. Performance properties of adhesives used. Tensile Strength and Elongation of various carpets. Chemical analysis of the carpet and adhesives system.
5. Nancy Skinner vs. AURO, et al.
4/94 Arbitration
Hardin, Cook, Loper, Engel & Bergez, LLP – Chris P. Lavdiotis

Personal injury complaint involving exposure to volatile organic compounds from "environmentally safe" international coating.
6. Safeco Insurance Co. v. Mantovan, et al.
4/94 Deposition
Maloney & Mullen – Dennis M. Mullen

Spontaneous combustion of boiled linseed oil. Chemistry of drying oils.

EXPERT TESTIMONY: (continued)

7. Citation Northern v. Briggs Industries
 9/94 Mediation
 7/95 Mediation
 Wolkin & Timpane – James D. Curran
 McCutchen, Doyle, Brown & Enersen – Geoffrey L. Robinson

 Early corrosion failure of porcelain enameled steel plumbing fixtures (lavatory) in Northern California. Analysis of design, manufacturing process and materials leading to failure. Statistical modeling and predictability of continuing failure.

8. O'Donnell vs. Kaiser Center, Inc.
 10/94 Deposition
3/95 TRIAL TESTIMONY, Alameda Superior Court, California
 Law Offices of Jeffrey D. Trowbridge – Jeffrey D. Trowbridge

 Slip and fall personal injury on a concrete floor in a parking garage. Chemical Identification of polyurethane heel material. Coefficient of friction and lighting testing. Effect of hardness of materials on coefficient of friction.

9. LaSalle Fund vs. Al Cohen Construction, et al.
 10/94 Deposition
 Neal, Haushalter & O'Neill – John Haushalter

 Determination of causes of discoloration of Spandrel Glass System in a high-rise building in Southern California. Chemical analysis of gaskets, metallic coatings adhesives and opacifiers.

10. Richmond, et al. vs. United States, et al./Richmond, et al. vs. Kaiser (Marina Bay)
 1/95 Deposition
 Skadden, Arps, Slate, Meagher & Flom – Robert P. Doty

 Chemical analysis of dried paints. Identification of hazardous inorganic pigments and types of resin in paints. Chemistry of red lead and zinc chromate based paints.

11. Alton vs. K & B and Louisiana-Pacific Corporation
 5/95 Mediation
 Cooper, White & Cooper – Peter Sibley
 Louisiana Pacific Corporation – Kit Keyes

 Site inspection and evaluation of exterior siding, sealants and coatings.

 Examined installation and maintenance of siding. Evaluated workmanship relating to moisture diversion, penetration and waterproofing failure. Performed chemical and physical analysis on siding, coatings and sealants.

12. Rosewalk vs. Greenbriar
9/95 Mediation
Hoge, Fenton, Jones & Appel – Josh Shinnick

Sagging of butyl rubber window sealant causing misalignment of muntins between panes. Chemical and physical testing. Mechanism of failures.
13. Garcia vs. California Center Partners, et al.
9/95 Arbitration
Robert R. Reyff, Attorney at Law – Robert R. Reyff

Personal injury on a roof deck coated with a high solids, single component, moisture curing polyurethane basecoat and topcoat. Curing mechanism of moisture curing polyurethane. Effect of temperature and humidity on curing time.
14. Gans vs. Skylonda Fitness Center, Inc. et al.
9/95 Arbitration
William H. Bachrach, Attorney at Law – William H. Bachrach

Personal injury on a stairway. Coefficient of friction testing on new and worn carpets. Stairs and steps geometry. Effect of slope on static coefficient of friction.
15. Home Savings of America vs. Johnson Fain and Pereira Associates, Inc.
3/97 Mediation
4/97 Mediation
Neal, Haushalter & O’Neill – Jim Kirkhill

Epoxidized polyurethane sealant failure on a highrise building in Pasadena, California. Adhesive and cohesive failures of sealant. Mathematical predictability of progressive rate of surface weathering degradation.
16. Casperson et al. vs. Amos and Andrews, et al.
10/97 Mediation
Lawrence G. Smith, Attorney at Law – Lawrence G. Smith

Determination of causes of cracking of ABS plastic plumbing fixture in an air condition system. Chemical analysis. Effect of solvent based pipe joint compound on the ABS plastic fixture.

EXPERT TESTIMONY: (continued)

17. Fireman’s Fund Insurance Co. vs. Samuel Cabot, Inc. et al.
2/98 Deposition
Law Offices of Archer, McComas, Breslin, McMahan & Chritton –
Joseph C. Wright

Spontaneous combustion of oil based stains. Chemistry of drying oils and alkyd resins. Characteristics of penetrating oil based stains, alkyd stains and water based stains.

18. Northlake Cabinets Corps. vs. Akzo Nobel Coatings, Inc.
5/98 TRIAL TESTIMONY, Superior Court, Seattle, Washington
Hannoch Weissmann–Lee Henig-Elona Burgess-Fitzer, Leighton & Phillips-Sally Leighton

Testimony related to causes of discoloration of stain and conversion varnish clear coating on Oak and Maple cabinets. Effects of overcatalyzation, dry film thickness and environmental conditions on the coating system. Examination of various clear coating systems. Performance properties of coatings including moisture vapor transmission, gloss and hardness.

19. Shasta County Department of Education v. Douppnik Manufacturing
10/98 Deposition
Greve, Clifford, Wengel, & Paras – Gary L. Vinson

Corrosion of electrogalvanized nails used on exterior plywood siding in modular school buildings. Effect of the presence of chloride ions in the plywood siding and the acidic nature of the wood on the corrosion rate.

20. O’Keeffe’s, Inc. v. Calsak/ICI Acrylics
10/98 Deposition
5/99 Deposition
6/99 TRIAL TESTIMONY, San Francisco Superior Court, California
Cooper, White & Cooper – Mark Schickman

Determination of the causes of cracking of Acrylic plastic skylight domes. effect of ultra-violet light on acrylic materials. Effectiveness of the UV-A and UV-B absorbers in acrylic skylight domes. Investigate dimensional changes associated with heat and moisture. Perform molecular weight analysis and physical strength testing on extruded and cast acrylic plastic materials.

21. Mercado Apartments, L.P. v. Valley Casework, Inc.
8/99 Deposition
Jaroszek, Roth & Kennedy – Brian Frary

EXPERT TESTIMONY: (continued)

Staining and delamination of laminated cabinets. Chemistry of hot melt adhesives and polyurethane coatings. Effect of high temperature and various chemicals on the ethylene vinyl acetate (EVA) hot melt adhesive and polyurethane topcoat.

22. The Whiting-Turner Contracting Co. v. Dynaguard and Euclid Chemical Co.
12/99 Deposition

Neal, Haushalter & O'Neill – John Haushalter

Cracking and delamination of a cement based self leveling flooring underlayment overcoated with solvent based sealer. Chemical and physical characteristics of the underlayment and toppings. Incompatibility of the sealer and the underlayment primer. Segregation of the underlayment.

23. City of Emeryville & The Emeryville Redevelopment Agency v. Elementis Pigments, Inc., The Sherwin Williams Company, Pfizer, Inc., A & J Trucking Company, Inc. and Baker Hughes, Inc., A.M. Sepulveda et al.
01/01 and 03/01 Depositions

Cox, Castle & Nicholson – Robert Doty

Opinions regarding environmental arsenic pollution from iron oxide pigments manufacturing and natural iron oxide processing and distributing plant. Quantify arsenic content in various raw materials (scrap steel, pickle liquor, sulfuric acid and natural iron oxide). Mobility of arsenic in soil, in presence of sulfates, carbonates, acids and bases. Chemistry of iron oxide pigments and various arsenic species. Investigate the pathways of arsenic and sulfates in the iron oxide pigment plant's process.

24. Hurd Millwork Company vs. Southwall Technologies
10/01 and 11/01 Depositions
Burnham and Brown – Richard Finn

Determination of causes of sealant disbondment and heat mirror film discoloration in prematurely failed heat mirror insulated glass units (HMIGUs). Mechanism of the photochemical (ultra violet) degradation of polyurethane under aerobic and anaerobic conditions. Evaluate the water vapor permeance of the sealant as a function of its thickness.

25. Lawrence Kates and Arthur Burdorf v. Sidney Young d/b/a Young's Maintenance Limited
7/02 Deposition
Law Offices Of Robert I. Long – Robert I. Long

EXPERT TESTIMONY: (continued)

Failure of elastomeric coating on troweled and blown stucco. Coating chemical composition, mixing of Sonneborn elastomeric coating with a Sherwin Williams exterior paint. Compliance with paint specification. Surface preparation and workmanship issues. Cracking of the coating and water intrusion. Evaluate the dry film thickness and physical properties of the coatings.

26. Cal-Waii Moulding Co., Inc. v. Tehnical Coatings Co. et al.
2/03 Deposition
4/03 TRIAL TESTIMONY, US District Court, North California
Burnham and Brown – Raymond A. Greene and Richard Finn

Adhesive failure of an industrial acrylic water based primer on finger jointed Radiata Pine wood trim. Evaluation of primer formulation with respect to raw materials. Effect of pigment volume concentration (PVC), critical pigment volume concentration (CPVC) and oil absorption value/binder demand on the performance of the primer. Chemistry of acid rain degradation of coatings containing calcium carbonate (CaCO₃). Opinions regarding analytical and physical property testing of exterior primers for wood substrates performed by others.

27. Baypointe at Ardenwood H.O.A v. J.F. Shea Co., Inc., et al.
Deposition 5/2003
Lynch, Gilardi & Grummer – Randel J. Campbell

Examination and evaluation of coatings on Forestex hardboard siding. Dry film thickness (DFT) measurements. Identification of coatings by FTIR. Evaluate the pigment to binder ratio and pigment volume concentration (PVC) of the topcoat and intermediate coat. Paint specification and maintenance cycles.

28. Oak Hollow/Diablo Ridge HOA v. Prestley Company et al.
Deposition 1/2004
Russell & Mallett – Larry Russell

Evaluate coatings on exterior Masonite hardboard siding. Dry Film Thickness measurements of coating layers. Identification of coatings by Fourier Transform Infrared Spectroscopy (FTIR). Opinions regarding paint specification and maintenance cycles.

29. Davis v. Louisiana Pacific Corp.
Class Action v. Louisiana Pacific Corp.
Deposition 6/2004
Bingham McCutchen – Michael I. Begert/David Cannon

EXPERT TESTIMONY: (continued)

Composite cement wood roofing shakes. Testing of paint; performance and properties of coatings used for fiber/cement roofing material.

30. Hathaway Dinwiddie v. Tectonics, et al.
Mediation 7/2004
Bustamante & O'Hara – Robert Gagliasso
Mediator: Daniel F. Quinn

Blistering and wrinkling of a flooring consisting of an ESD 100% solid epoxy based system over a moisture barrier system on concrete slab. Chemical characteristics of each system. Effect of high boiling point solvents (benzyl alcohol and hexylene glycol) on styrenated butadiene resins. Evaluate the moisture emission rate of the concrete slab. Evaluate the compatibility of the two systems.

CURRICULUM VITAE

D. PATRICK FAIRLEY

ADDRESS: Calcoast Analytical Laboratory
4072 Watts Street, P.O. Box 8702
Emeryville, CA 94608

EDUCATION: B. Sc. University of Alberta, Edmonton, Canada
Honors Chemistry (1965)

M.S. State University of New York, Buffalo, N.Y. USA
Chemistry (1967)

Teaching Credential, State of California, Technical Coatings (1971)

SCHOLARSHIPS: Queen Elizabeth Academic Scholarships 1962-1965

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|-------------|-------------------------------|-------------------------------|
| EMPLOYMENT: | July 1981-Present: | October 1999-Present: |
| | <i>Lab Director/President</i> | <i>Lab Director/President</i> |
| | Calcoast Analytical - ITL | DL Labs |
| | Emeryville, California | New York, New York |

Chemical and physical analysis of materials, chemicals and paint/coatings products. Specialty consultation, formulation and conformance testing of trade, federal and military government paint specification coatings. Supervision of fully equipped laboratory with complete analytical capabilities including; Microbiological Testing, Thermogravimetric Analysis, Differential Scanning Calorimetry, Thermo Resistivity and Conductivity, Gas Liquid Chromatography, G.C. Mass Spectroscopy, X-ray Fluorescence Spectroscopy, Microscopy, Fourier Transform and Dispersive Infra-Red Transmittance and Surface Spectroscopy, Ultra-violet/Visible Transmittance and Surface Spectroscopy, Atomic Absorption Spectroscopy, Scanning Electron Microscopy and SEM Energy Dispersive X-ray Spectroscopy. Supervisor and director of the ITL division photometrics department. Director of exposure facilities including Accelerated Exposure Apparatus, Xenon Arc ASTM G236 and Twin Carbon Arc ASTM G 23, QUV ASTM G 56, Corrosion Salt Spray Evaluation and Testing ASTM B117, Ozone Resistance Testing ASTM D1171, Materials Testing (Instron) Wet Chemical Analysis, Surface Coating Development and Physical Testing, Colorimetric Analysis.

EMPLOYMENT: (continued)

June 1994-March 2000: *Director/Supervisor of the ITL Division Photometrics Department*
Calcoast-ITL
Emeryville, California

Complete computer actuated radiometric and photometric instrumentation for the measurement of light devices / sources and retroreflective materials. Supervise SAE (Society of Automotive Engineers) specified tests on vehicle lighting and traffic control devices and equipment covered by federal and state safety standards and requirements. Tests include, but are not limited to, luminous intensity, test point analysis, isoscan, failure analysis, retroreflective performance, trichromatic coordinates as well as environmental, mechanical, electrical and lamp performance analysis.

July 1976-July 1981: *Technical Director/Vice President*
Davlin Paint Company
Berkeley, California

Chemical and physical analysis of trade government and military specification coatings. Research and development of new resin polymers and pigmented systems for conformance with Aerospace Technology. Developed coatings for U.S. Space Shuttle fire resistant, heat insulating and heat dissipating systems. Developed new formula for Naval ship silicone coatings. Developed high temperature silicone resin/ceramic coatings for Aerospace and Military vehicles. Formulation and development of Infra-Red reflecting coatings for Military including Spectrophotometric Surface Analysis Techniques. Developed new Emulsion Polymer Coating System for Airfield and Road Striping and Marking Coating TTP1952. Created specification parameters, conformance data and composition formulation requirements. Participated in revision of State of California testing program to replace existing solvent based traffic marking paint with emulsion systems.

March 1974-July 1976: *Technical Director/President*
Unicorn Chemical Coatings
Berkeley, California

Chemical and physical analysis and formulation of trade and Government and Military specification coatings. Industrial and specification paint formulation including specialty coatings for Military and Aerospace application. Formulation of specialty elastomer coatings both solvent and water based. Development of elastomers for high build corrosion inhibiting systems. Development of asphalt modified elastomer coatings for above and below grade waterproofing. Development of polymers and coating systems for Middle East (Saudi Arabia, Kuwait) roof, wall and below grade waterproofing.

Oct. 1971-March 1974: *Chemist Research & Development*

Emulsion Coatings and Polymers
Kelly-Moore Paint Company
San Carlos, California

Formulation of trade-sales paints emulsion and solvent based for new products and modification of existing products. Evaluation of new raw materials, assistance with production problems and support to sales on product complaints. Developed new emulsion polymers and alkyd resins. Research and development of surfactants for emulsion polymerization.

Feb. 1971-Sept. 1971: *Instructor, Coatings Technology*
San Jose Regional Vocational School
San Jose, California

Instructing a course in Coatings Technology including theoretical lecture and laboratory sections for Adult Education. The course objective was the education of technicians for the paint and coatings industries.

1968-1971: *Chemist, Research and Development*
National Lead Company
Dutch Boy Paints Division
San Francisco, California

Formulation of trade-sales paints, both alkyd and emulsion type. Responsibility included product development, product improvement, and raw material evaluation with emphasis on new product design.

1967-1968: *Chemist, Research and Development*
Allied Chemical Corporation
Pigments and Dyes Division
Buffalo, New York

Research and development of new processes and improvement of existing methods for higher quality and yield of dyes and pigments including inorganic and metallic complexes, phthalocyanine derivatives, vat dyes, toluidine derivatives, etc.

PROFESSIONAL AFFILIATIONS:

American Chemical Society

American Society for Testing and Materials

Federation of Societies for Coatings Technology
(Golden Gate Society)

Steel Structures Painting Council

MILITARY SERVICE:

Canadian Army Officer Training
Corps. 1-Lieutenant
Royal Canadian Intelligence Corps.

PUBLICATIONS:

Properties of Pigmented Alkyds with Controlled
Hydroxyl Value
Journal of Paint Technology
Volume 43, No. 553 (1970)

Testing and Evaluation of Specialty
Architectural Coatings
California Air Resources Board 1987

Testing of Low-Solvent Air-Dried Coatings for
Miscellaneous Metal Parts and Products
California Air Resources Board 1988

Evaluation of Low Solvent Automotive Refinishing
Coatings
California Air Resources Board 1991

Development of a Universally Accepted Test Method
for Volatile Organic Compound Analysis
California Air Resources Board 1991

PATENTS:

Process for Coemulsification of Bituminous Resins
with Polymer Emulsions #553229 1984

EXPERT TESTIMONY:

1. State of California
5/80 Deposition

Toxicology of Caltrans compositional coating specification

2. Norwood Painting vs. Fuller O'Brien Paint Co.
3/81 Deposition

Performance of exterior stain coating on plywood construction.

3. Whitley Painting vs. Sacramento Bee Newspaper
7/81 Deposition
Thierman, Simpson & Cook - Phillip Jaret

Coating system specified and application for waterproofing housing tract.

4. Burdeck vs. Martin
11/83 Deposition

Adhesion of emulsion systems, substrate preparation and specific coating properties of manufactured material.

5. Royal Towers vs. Zelinsky Painting
12/83 Arbitration
Hall, Henry, Oliver & McReavy - W. Martin Tellegen

Properties of elastomeric coatings and surface preparation criteria.

6. Sterling Marine vs. Cal Steel Coating
11/84 Deposition
Law Offices of Bruce A. Lieberman - Bruce A. Lieberman

Coating failure on structural steel - military specifications.

7. Batres vs. R.T. French Co.
1/85 Deposition, 4/85 Arbitration

Belkin & Carcione - Joseph W. Carcione

Personal injury case involving explosion of glass food container.

8. Advance Installations vs. Thermocon
2/85 Trial Testimony, Superior Court, Reno, Nevada
Law Offices of Paul W. Freitag - Paul W. Freitag

Paint failure on fire resistant thermal insulation.

9. Abadir vs. United States Gypsum
3/85 Trial Testimony, Superior Court Salinas, California
Law Offices of John J. Murray - John J. Murray

Coating failure on interior joint compound.

10. Stone Boat Yard vs. Lon Morris et al.
4/85 Deposition, 6/85 Trial Testimony
Federal Court, San Francisco
Law Offices of Robert G. Partridge - Robert G. Partridge

Failure of marine coatings and patching compounds on steel hulled boat.

11. Aervoe Pacific Co. vs. U.S. Government
6/85 Deposition, 7/85 Trial Testimony
Federal Court, San Francisco
Fabian, Graham & Englese - Patrick H. Fabian

Color evaluation of paints visual and instrumental.

12. Wickland Oil vs. Clark Painting et al.
7/85 Deposition
Law Offices of Robert G. Partridge - Robert E. Hayden

Failure of acrylic urethane coating over high build epoxy on zinc rich primed steel tanks.

13. Sklarski vs. Morton et al.
10/85 Trial Testimony, Superior Court, San Francisco
Carnes & Aune - Robert Aune

EXPERT TESTIMONY: (continued)

Coefficient of friction test on polyvinyl chloride (PVC) roofing in a personal injury slip and fall case.

14. Tibetan Nyingma Meditation Center vs. Maas and Waldstein et al.
2/86 Deposition
Browne & Kahn - Ann Rankin

Failure of acrylic coating on silver plated copper. Chemistry of Benzotriazole.

15. United States Coast Guard Investigation-Licensing/Manning Violations of Larry Angel,
5/86 Trial Testimony

USCG Gov. Island, Alameda
Finan, White & Morrison - Raymond M. Paetzold

Paint transfer from vessel to dock, identification of coating.

16. Graves vs. Harbor Carriers, Inc., et al.
5/86 Deposition
Ernst & Coyle - James Ernst

Slip and fall personal injury on non-skid marine deck coatings.

17. Tri-City Sporting Goods, Inc. vs. Clyne
9/86 Arbitration
Arbitration Office of W. Gustafson, San Jose
Ropers, Majeski, Kohn, Bentley, Wagner & Kane - Gary Nagle

Deterioration of floor covering and adhesive on concrete.

18. Hicks vs. Smith Chevrolet, et al.
12/86 Deposition, 1/87 Trial Testimony, Superior Court, Modesto
McCormick, Barstow, Sheppard et al. - Michael F. Ball

Personal injury involving slip and fall on a painted floor in an automobile service area.

19. John Theisen vs. Sommer & Maca Industries Inc. et al.
5/87 Deposition, 5/87 Trial Testimony, Superior Court, San Francisco

EXPERT TESTIMONY: (continued)

Law Offices of Joseph W. Carcione - Joseph W. Carcione, Jr.

Testimony related to explosion and person injury; solvent for cutting safety glass.

20. Soghomonian vs. Jebian
11/87 Arbitration
Baker, Manock & Jensen - Anthony Taketa

Exterior redwood stains and clear wood preservatives quality comparison and exterior durability in Sacramento Valley environment.

21. U.S. Government (Air Force) vs. A.C.A. Construction Inc.
11/87 Trial Testimony, Federal Court, Cal Osha Bldg. Sacramento
Attorney for Beale Air Force Base - Captain Barry Maddix

Testimony related to failure of Federal Specification polyurethane coating on steel storage tanks.

22. Paschen Contractors vs. Central Marin Sanitation Agency
12/87 Deposition
Thelen, Marrin, Johnson & Bridges - Stephen V. O'Neal

Epoxy-amine coating failure on metal equipment/tanks use for sewage water processing.

23. Wolffe vs. Weidenmuller Co. et al.
2/88 Deposition, 3/88 Trial Testimony
Superior Court, San Francisco
Buckley, Sperling & Frey - Dennis L. Buckley

Personal injury, slip and fall on asphalt parking lot striping paint.

24. Fireman's Fund vs. Ken Ewing Painting
5/88 Deposition
Pandell & Novich - Jeffrey L. Borsuk

Paint adhesive failure on new cedar siding

EXPERT TESTIMONY: (continued)

25. Glenwood Springs Homeowner's Association vs. McMillan Dev. Co.
5/88 Deposition
Edwards, White & Sooley - John A. Simpson

Paint failure on hardboard exterior siding.

26. Enzor Savage vs. Golden Gate Bridge et al.
7/88 Deposition
Derby, Cook, Quinby & Tweedt - Mitch Griffin

Slip and fall personal injury case on deck of passenger ferry boat.

27. Consolidated Systems, Inc. vs. Sharpe Construction Inc.
8/88 Deposition
Monteleone & McCrory - Darrel P. McCrory

Paint failure of waterbased rollcoat primer on steel roofing components and corrugated metal roofing.

28. Tutor-Saliba Corporation vs. Port of Oakland
1/89 Arbitration
Martin, Ryan & Andrada - Joseph D. Ryan

Corrosion failure of shop coated ferrous metal components for the construction of the Oakland Airport.

29. Wentz Co. vs. Don Herauf Construction Specialties, Inc.
4/89 Deposition, 9/89 Trial Testimony, San Mateo Superior Court
Thelen, Marrin, Johnson & Bridges - Mr. S. O'Neal

Failure of concrete bond breaker in tilt-up concrete construction.

30. Onan vs. V.I.P.
9/89 Deposition
Law Offices of Theodore Poehlmann - Theodore Poehlmann

Clear acrylic coating failure on gold plated steel exterior panels. Examination of various polymer systems and components effect on acrylic coating cracking and

EXPERT TESTIMONY: (continued)

disbondment.(Chicago, Illinois)

31. Kaiser Aluminum vs. Cook Paint Co.
10/89 Deposition
Thelen, Marrin, Johnson & Bridges - Kennedy P. Richardson

Failure of coating on rollcoated (coilcoat) aluminum used for exterior roofing shingles and siding.

32. South McDowell vs. Don Williams Painting
12/89 Deposition
Pandell, Novich & Borsuk - Jim Curran

Failure of elastomeric coating on tilt-up concrete structure. Effect of high pH patching compound. Design effects.

33. Jesse W. Flurry vs. San Francisco Unified School District
12/89 Deposition, 4/90 Trial Testimony
San Francisco City Attorney's Office - Pauline Terrelonge

Slip and fall on concrete handicap exit ramp at public school.
Lighting and coefficient of friction issues.

34. City of Pocatello / Harper & Associates et al. vs. Hydrostorage et al.
1/90 Deposition
City of Pocatello Attorney's Office - Ivan Legler

Failure of vinyl (VR3) coating on the interior of a steel potable water storage reservoir.

35. Polteco Inc. vs. Richards Medical Co., Dale Glazer and Smith & Nephew Richards, Inc.
2/90 Deposition

EXPERT TESTIMONY: (continued)

Brown & Bain - Marlan Ann Stark, David Henderson

Tensile Strength and Elongation of Ultra High Molecular Weight Polyethylene product.

36. Allstate Homecraft Inc. and Classic Product vs. Kaiser Aluminum and Chemical Sales Inc.
3/90 Deposition
Susman Godfrey - H. Lee Godfrey

Failure of Fluorocarbon solvent borne and Acrylic Solvent and water based Coatings on Aluminum coil coated roof shingles.

37. Heritage of Claremont vs. CAWC et al.
5/90 Arbitration
Law Offices of Steven H. Cornet - Steven H. Cornet

Elastomeric coating failure on concrete/stucco structure. Color fading, sealant and patching compound bleeding. Application defects.

38. Paris vs. Sloughhouse Inn
5/90 Arbitration
Ginder, Belkin, Foster & Ducey - Harry Ducey

Slip and fall on steel cover plate in an asphalt/concrete area.

39. Shimizu Corporation vs. Glidden and North Pacific Lumber
8/90 Deposition

Elastomeric and Polyurethane coating failure on concrete in Marianas Islands (Pacific) - alkaline hydrolysis.

40. Fireman's Fund Insurance Co. vs. Pacific Coast Chemicals
10/90 Arbitration
Bragg & Dzieszinski - Kenneth L. Dzieszinski

Spontaneous combustion of boiled linseed oil.

41. Rossmoor vs. Aervoe Pacific
10/90 Arbitration
Winningham Roberts - Roland Nichols

Slip and fall personal injury on traffic line marking and striping paint
- coefficient of friction testing.

42. Brochsteins vs. Whittaker Corp.
2/91 Deposition, 1/92 Deposition
Susman Godfrey - F. Eric Fryar

Performance properties of coatings formed from cellulose acetate butyrate
cross-linked with isocyanate used as clear finishes on various types of wood
veneers for interior furniture. Effects of ultra-violet light on the cured coating.

43. B. Angeli vs. City of San Francisco and New Pisa Partners
4/91 Deposition
City & County of San Francisco - Jim Woods

Slip and fall on a city sidewalk wheelchair access ramp. Coefficient of
friction testing.

44. Bradford Park H.O.A. vs. Weyerhaeuser et al.
4/91 Deposition
Law Offices of Haesloop & Kent - Adam C. Kent

Hardboard siding waterproofing failure. Buckling and warping of
hardboard exterior siding.

45. Suttee, Inc. vs. City of Long Beach
12/91 Deposition, 2/92 Deposition, 3/92 Deposition
Wize, Wize, Timmons & Wise - Richard Dieffenbach

Analysis and testing of high build polyurethane elastomers/systems used
for corrosion protection of steel in sea water.

46. Carrasco, et. al. vs. Block 230 Associates, et. al. (Bode Gravel)
3/92 Deposition, 12/92 Arbitration
Ropers, Majeski, Kohn, Bentley, Wagner & Kane - Jeffrey W. Allen

EXPERT TESTIMONY: (continued)

Personal injury due to the failure of a concrete pumping rubber / nylon reinforced hose. Abrasion, erosion tensile rupture.

47. NCCUCC vs. A & B Painting West, Inc.
3/92 Deposition
Law Offices of Daniel F. Reidy - Daniel F. Reidy

Testimony related to hazardous waste disposal and designation of hazardous paint and coating product materials, storage, paint donation by painting industry.

48. P.T. Hutchins vs. 4901 East 12th Street Association
8/92 Deposition

Lerner & Veit - Kathryn Brown

Hazardous materials testing, sampling protocols, data interpretation, FTIR, X-ray Fluorescence, Atomic Absorption paint / adhesives and hydrocarbon solvent storage tank.

49. Skyline Homeowner's Association vs. Forest City, South Park
2/93 Deposition
Duke, Gerstel, Shearer & Breganty - David Pursiano

Damage to paint, coatings, fabrics due to inadequate air filtration. Ambient air sampling, residue identification, damage factors.

50. S.B.M.A., Ltd. vs. Rudolph & Sletten, et al.
12/93 Arbitration
Severson & Werson - Loraine P. Eber

Sealant failure on EIFS panel / window system in San Francisco.

51. Kosich vs. Safeco
1/94 Deposition
Haims, Johnson, MacGowan & McInerney - Robert J. Frassetto

Volatile organic compounds in air and solid building materials outgassing,

EXPERT TESTIMONY: (continued)

analysis of concentration levels and toxicity. Personal injury complaint.

52. Lazaro vs. Nehalem Dredging, Inc. et al.
9/94 Deposition
Douglas & Kneisler - James Douglas

Material transfer from a submerged polyethylene based pipe onto a glass reinforced polyester boat hull. Personal injury complaint.

53. Citation Northern vs. Briggs Industries, et al.
9/94 Mediation
Knecht, Haley, Lawrence & Smith - James D. Curran
McCutchen, Doyle, Brown & Enersen - Mr. Geoffrey L. Robinson

Early corrosion of porcelain enameled steel plumbing fixtures(lavatory) in Northern California. Analysis of design, manufacturing process and materials leading to failure. Statistical modeling and predictability of continuing failure.

54. Howe vs. Barratt, et al.
9/94 Deposition
Adams, Nye, Sinunu & Walker

Personal injury claim resulting from air borne contaminants in home ventilation system.

55. LaSalle vs. Al Cohen Construction, et al.
10/94 Deposition
Neal, Haushalter & O'Neill - John Haushalter

Determination of causes of discoloration of Spandrel Glass System in a high-rise building in Southern California. Chemical analysis of gaskets, metallic coatings, adhesives and opacifiers.

56. Alton vs. K & B and Louisiana-Pacific Corporation
5/95 Mediation
Cooper, White & Cooper-Peter Sibley
Louisiana Pacific Corporation - Kit Keys

Failure of siding/coating/waterproofing due to moisture intrusion and mildew/fungal
EXPERT TESTIMONY: (continued)

growth. Disfigurement of siding and structural deterioration.

Site inspection and evaluation of exterior siding, sealants and coatings. Examined installation and maintenance of siding. Evaluated workmanship relating to moisture diversion, Penetration and waterproofing failure. Performed chemical and physical analysis on siding, coatings and sealants. Participated in the design of a fungus resistant siding product and superior coating/waterproofing system.

57. Lake Merritt Plaza vs. Turner Construction Co., et al.
6/95 Deposition
Lempres & Wulfsberg - Stephen Cali

Testimony regarding polyurethane-epoxy sealant failure on a highrise building in Oakland, California. Installation procedures, sealant joint design, product integrity. Failure mechanism.

58. Gold Creek HOA vs. Stoneson, et al.
7/95 Deposition
Bjork, Lawrence, Poeschl & Kohn - Dorine R. Kohn

Paint on hardboard siding, contract and specification conformance, standard of care in paint application.

59. Touchstone HOA v. American Cemwood Corp.
7/96 Arbitration: Arbitrator Prof. Rovane Younger
West Sacramento, CA.
Abend, Jacobson & Patten Ken Jacobson

Physical properties of American Cemwood Corp

EXPERT TESTIMONY: (continued)

Fibre-cement shake, conformance testing to ICBO Specification AC07 for special roofing systems.

60. Baywood Plaza Homeowners Association vs. Third Avenue Ltd, et al.
1/96 Mediation
Low, Ball & Lynch - David Blinn

Paint and waterproofing of a stucco and wood condominium building in San Mateo, California.

61. Fillmore Center vs. Aire Sheet Metal, et al.
7/96 Mediation
Larson & Burnham - John Bevan

Evaluation of paint system on galvanized and ferrous metal components of hi-rise building in San Francisco, California.

62. Pacific Commodities vs. Snow Family Trust
11/96 Deposition
Peter M. Stanwyck - Richard Osman

Corrosion of galvanized and painted metal roofing in a cocoa bean storage facility.

63. Aetna/Ganley Construction vs. Akzo Coatings
1/97 Mediation
Fortune, Drevlow, et al. - Pat Turnage

Clear exterior wood finish on cedar siding in Marin, California.

64. Akzo Nobel Coatings, Inc. vs. Northlake Cabinets Corp.
4/98 Deposition
Burgess, Fitzer, Leighton & Phillips - Sally Leighton
Hannoch Weisman - Lee Henig-Elona

Discoloration of stain and conversion varnish clear coating on oak and maple cabinets.

EXPERT TESTIMONY: (continued)

65. Interstate Hotels (Holiday Inn Golden Gateway) vs. Traditional Painting & Decorating, Ltd.
1/99 Deposition
Archer, McComas, Breslin, McMahan & Chritton - Elizabeth S. Kim/Rand L. Chritton

Cement plaster (stucco) coating and sealing on high rise building - Holiday Inn, S.F.
66. Oliver, et al. vs. Hope's Architectural Products, Inc., et al.
1/99 Deposition
Fortune, Drevlow, Schmidt & Nakano - Douglas K. Nakano

Early corrosion of steel framed windows in San Francisco
67. Custom Wood Creations, Inc., v. Crossco America Corporation and Lanco Manufacturing Corp. (Puerto Rico)
5/99 Trial Testimony, Broward County Court, Fort. Lauderdale, FL
Luks, Koleos & Santaniello - Donald E. Fucik/Thomas J. McCausland, Esq.

Clear lacquer coating cracking and crazing on interior wood furniture
68. Association of Graphic Communications, Inc., v. Oce-USA, Inc.
6/99 Deposition, 5/00 Deposition
Marshack Shulman & Hodges LLP - Robert N. Ives, Attorney at Law

Cracking and shrinkage of coatings on canvas, Gesso (base coat), ink jet receptor coating, ink jet inks and clear polymer overlays
69. Napa Valley Club HOA vs. Valley Club Properties
10/99 Deposition
Berding & Weil LLP - Eugene Haydu, Attorney at Law

Forestex, Composite Wood , Siding, Paint and Sealant field evaluation and testing
70. Whiting - Turner v. Dynaguard and Euclid Chemical Co.
12/99 Deposition
Neal, Haushalter, O'Neill & Ray - James Kurkhill, Attorney at Law

Failure of a cement based flooring underlayment over coated with various organic polymer based sealers

EXPERT TESTIMONY: (continued)

71. SK Chemicals v. Advanced Polymer Sciences
2/00 Arbitration
Graham & James LLP - T. Garnett, A. Kim

Failure of epoxy based inorganic silica modified products used for chemical and heat resistance

72. Smith v. Behr Process Corp.
2/00 Deposition
Edwards & Hagen/Stritmatter Kessler Whelan Withey-David Edwards/Paul Stritmatter

Failure of exterior clear wood finish in Pacific Northwest. Fungal growth on/in clear coatings. Class action lawsuit.

73. Today's Hotel Corp. (Holiday Inn Golden Gateway) v. Traditional Painting & Decorating, et al.
3/00 Arbitration, 10/00 Deposition, 10/00 Trial Testimony, Superior Court, S.F.
Archer, McComas, Breslin McMahon & Chritton/Archer, Norris-Todd Jones

Waterproofing issues of a 30-story hotel: water leakage through stucco wall, failure of an elastomeric coating system on cement plaster (stucco) substrate deterioration, deferred maintenance, control joint treatment, wall structural integrity, standard of care for specification writing, coating application & related issues

74. ATCO of Nevada, Inc., and Donald R. Atkinson, III, v. Omega Products Corp.
7/00 Arbitration
Ellsworth, Moody & Bennion, Chtd.-Keen Ellsworth & Charles W. Bennion, Esq.

Failure of a formulated polymer modified cement plaster exterior finishing system in Utah

75. West Court Village HOA v. Bank of America, et al.
9/00 Deposition
Clapp, Moroney, Bellagamba, Davis & Vucinich-Leigh Goldstein

Exterior vinyl acrylic paint on hardboard siding, warpage of hardboard siding

EXPERT TESTIMONY: (continued)

76. Scarpa v. The Randall Group et al.

01/01, Deposition

DeMartini & Walker, Vincent DeMartini

Paint and primer used on condominium project. Hardboard (Masonite) siding, Total dry film thickness of paint and primer.

77. City of Emeryville & The Emeryville Redevelopment Agency v. Elementis Pigments, Inc., The Sherwin Williams Company, Pfizer, Inc., A & J Trucking Company, Inc. and Baker Hughes, Inc., A.M. Sepulveda et al.

01/01 Deposition

Cox, Castle & Nicholson – Robert Doty

Opinions regarding environmental pollution from iron oxide pigments manufacturing and natural iron oxide processing and distribution plant Historical use of iron oxide pigments. Arsenic content of natural iron oxides. Levels of bioaccumulative metal contamination of soils from iron oxide processing.

78. Ruscilli Construction & Columbus Zoo v. Martin Painting

03/01 Deposition Thompson Hine & Flory - Blair Lewis

Failure of Hi Solids Polyurethane system on Columbus Zoo Manatee concrete Exhibit pools and miscellaneous salt water tanks. Application issues, specification, properties of epoxy / geofabric / polyurethane system - curing, adhesion and permeability.

79. Live Oak HOA v. Braddock & Logan Ass.

04/01 Deposition Case #C99-03896

Low Ball & Lynch, David Blynn

Stucco cracking, waterproofing repair procedures, installation of stucco, control joints, repair costs, maintenance of exterior wall surfaces, physical properties of stucco.

80. Brantley Construction v. The United States

6/01 Arbitration Case #99-785C

U.S. Department of Justice, civil Division

Joseph Trautwein, Esq.

Dispute involving early epoxy coating (MIL-P-24441) failure on galvanized sheet metal roofing and other steel components on the superstructure (ceiling & roof)

EXPERT TESTIMONY: (continued)

of an airplane hangar occupied by the U.S. Air Force in Charleston, S.C. Standard of care of preparation of galvanized steel for painting, specification review, corrosion, coating delamination, cost of and methods of repair.

81. Joe Stipic and Shelley Stipic v. Behr Process Corporation
8/01 Deposition Case #00-2-1105-5
Superior Court of Washington for Gray's Harbor County
Stritmatter, Kessler et al - Paul Stritmatter
Edwards & Hagen - David Edwards
Cotchet, Pitre & Simon - Bruce Simon

Failure of clear and pigmented linseed oil based exterior wood coatings due to early and rampant mildew/fungus growth. Compositional analysis of product components such as ultra violet light stabilizers and mildew inhibitors.

82. Brantley Construction v. United States
6/01 Mediation Case #99-785C
1/ 02 Trial- Federal Court, Judge Miller
Charleston, South Carolina
Department Of Justice, Civil Division
Joseph Trautwein Esq
United States Air Force- John Lauro Esq

Preparation and coating of galvanized steel corrugated roofing panels used for an airplane hangar. Phosphoric acid etching, media blasting, epoxy polyamide coating MIL-P-24441 system. Dry film thickness and adhesion failure- Remediation of damaged coating, costs, standard of care in use of coating, storage of finished panels and preparation of substrate.

83. Hilton et. al. v. The Sherwin Williams Company
5/02 Deposition Case No. A375027
5/02 Trial - United States District Court, Judge Mark R. Denton
Jay R. Hampton Esq
Jay Hampton & Associates
Dennis M. Prince Esq
Prince and Keating, Los Vegas, NV.

Testimony regarding a Maaco automotive refinishing center using Sherwin Williams paints: Western Hi Glo synthetic acrylic enamel, Phoenix Flare Polyurethane basecoat/ clearcoat and U7000 polyurethane basecoat/ clearcoat. Failure of coatings due primarily

EXPERT TESTIMONY: (continued)

to crawling and fisheye development in finish. Cross contamination of coating systems, polysiloxane and fluorocarbon additives effect on surface tension. Technical assistance issues and problem solving by paint manufacturer.

84. Lawrence Kates and Arthur Burdore v. Sidney Young d/b/a Young's Maintenance Limited
5/02 Deposition Case No. SC 030217
Superior Court For The County of Ventura
Law Offices Of Robert I. Long - Robert I. Long

Failure of elastomeric coating on troweled and blown cement plaster (stucco). Crack bridging, coating composition, mixing of elastomeric coating with architectural paint product- Sherwin Williams exterior paint and Sonneborne elastomeric coating. Cracking and water intrusion, consequential damages due to water infiltration.

85. Cal-Waii Moulding Co., Inc. dba Windsor Mill vs. Technical Coating Co. and Benjamin Moore & Co.
Case No. C001674 MJJ ARB
Deposition February 2003/Trial Testimony April 2003
U.S. District Court, North California
Judge: Hon. Martin J. Jenkins
Richard Finn
Ray A. Greene
Karyne Ghantons
Burnham and Brown

Adhesive Failure of industrial primer for finger jointed radiate pine wood trim. Opinions regarding analytical work performed by others, Fourier transform infrared spectroscopy (FTIR) and scanning electron microscopy/Energy Dispersive Xray (EDX) with respect to precision/accuracy. Evaluation of primer formulation with respect to raw materials, pigment volume concentration (PVC) Critical Pigment Volume Concentration (CPVC) oil absorption/binder demand effects on coating film. Opinions regarding physical property testing of exterior primers for wood substrates, Acid Rain degradation theory of coatings containing Calcium Carbonate (CaCO₃). Review of various experts opinions/reports.

86. Roland v. Greystone (AKA Roland II)
Deposition February 2003
Last, Harrelson & Faoro
Dennis Faoro
Michele R. Stafford

EXPERT TESTIMONY: (continued)

Hardboard Siding (Weyerhaeuser) cottage lap and self aligning lap siding paint/primer dry film thickness (DFT). Drip edge deterioration due to inadequate topcoat DFT. Swelling of siding, waterproofing, back priming. Proximity to large water mass (San Francisco Bay) moisture effects on hardboard. Coating identification by FTIR.

87. Richison, et al., vs. American Cemwood Corp.
Class Action v. American Cemwood Corp.
Deposition June 2003
Law Offices of David Birka-White
David Birka-White

Testimony regarding roofing products composed of cement and wood fibre dimensional stability, water absorption, flexural strength and various other physical properties of the wood/cement matrix. Surface coating analysis, evaluation of coating manufacture, application method, and formulation.

88. Donna A. Moutes v. The Glidden Company D/B/A ICI Paints
Case No 02 CIV 0618
Trial Testimony November 2003
Medina County Court of Common Pleas, Ohio
Judge: Collier
Calfee, Halter & Griswold LLP
Joseph A. Castrodale, Esq.
William Michael Esq.

Personal injury complaint involving adverse physiological reaction to the use of a solvent based alkyd floor coating. Issues involved product misuse, label instructions, ventilation, application, film thickness, solvent entrapment, physical and chemical properties of alkyd v latex emulsion paints.

89. Davis v. Louisiana Pacific Corp.
Class Action v. Louisiana Pacific Corp.
Deposition December 2003
Bingham McCutchen
Michael I. Begert

EXPERT TESTIMONY: (continued)

Composite cement wood roofing shakes. Testing of paint, properties of coatings used for fiber/cement roofing material. Application, maintenance cycles for coating.

90. Majoulet v. Toyota Motor Sales, et., al
Case No. 1-02-CV811475
Deposition May 2004
Santa Clara Superior Court
Law Offices of Susan Johnson Bates
Susan Johnson Bates

Coatings failure on a Toyota LEXUS SC430 rear bumper assembly at the rear tire wheel wells. Analysis of coatings system on the polypropylene substrate. Primer system and polyurethane intermediate (color coat) and clear polyurethane topcoat analysis opinions regarding paint system failure.

BIOGRAPHICAL:

Pat Fairley has been a chemist and consultant to the coatings and building industry for over 30 years. He holds a State of California teaching credential for Coatings Technology and has taught at Technical Colleges and Adult Re-education Programs. Mr. Fairley has traveled extensively in Europe, the Mid-East and Asia acting as a coatings and waterproofing consultant and expert for the coatings industry. He has held various research and development positions in the field of organic coatings, including pigment and resin synthesis. Mr. Fairley has participated as an expert in over 1000 cases involving coatings and materials disputes and has testified on over 100 occasions. He is currently Laboratory Director of Calcoast Analytical of California and DL Laboratories of New York, coating, sealants, analytical and materials chemistry testing laboratories.

SCHEDULE OF FEES*

MR. D. PATRICK FAIRLEY

CONSULTATION: \$250.00 PER HOUR

EXPERT TESTIMONY SERVICES

DEPOSITION AND ARBITRATION

Four (4) hours or less.....**\$1,000.00**
Over four (4) hours, up to eight (8) hours.....**\$2,000.00**
- Fees must be received at least 1/2 day prior to deposition or arbitration.

Retainer:

- A non-refundable retainer of \$2,000.00 is required prior to being listed as an expert witness. The retainer will be applied to consultation and testing services performed.

Travel:

- Less than 300 miles: **\$150.00/hour**
- More than 300 miles the following **maximum** costs apply
(expenses will be billed at cost):

- A) Meals - 3 per 8 hour day **\$80.00**
- B) Accommodations per night **\$180.00**
- C) Travel expenses (auto rental, parking, etc.) **at cost**
- D) Travel time expense **negotiable**

TRIAL TESTIMONY

Four (4) hours or less.....**\$1,000.00**
Over four (4) hours up to eight (8) hours**\$2,000.00**
Travel - as above

**Fees subject to change without notice*

SCHEDULE OF FEES*

DR. ANTOINE CHAMSI

CONSULTATION: \$220.00 PER HOUR

EXPERT TESTIMONY SERVICES

DEPOSITION AND ARBITRATION

Four (4) hours or less**\$1,000.00**
Over four (4) hours, up to eight (8) hours**\$2,000.00**

- Fees must be received at least 1/2 day prior to deposition or arbitration.

Retainer:

- A non-refundable retainer fee of \$2,000.00 is required prior to being listed as an EXPERT.

Travel:

- **\$180.00/hour**

- When distance exceeds 300 miles the following **maximum** costs apply

A) Meals - 3 per 8 hour day **\$ 80.00**
B) Accommodations per night **\$180.00**
C) Travel expenses (auto rental, parking, etc.) **at cost plus 15%**

TRIAL TESTIMONY

Four (4) hours or less**\$1,000.00**
Over four (4) hours up to eight (8) hours**\$2,000.00**

Travel - as above

- *Fees subject to change without notice.*

CURRICULUM VITAE

THOMAS J. SLIVA Vice President / Technical Director

Educational Background

- A.A.S. - Westchester Community College
Chemistry (1966)
B.S. - University of North Dakota
Chemistry (1969)
Graduate courses at the University of Utah (1973)

Professional Experience

1973 – Present *DL/Calcoast Laboratories*

Technical Director, Vice President

Formulation, testing and evaluation of all types of paints, chemical coatings, allied products and raw materials. Testing of paints and sealants for conformance to Federal, ASTM and other specifications. Evaluation of waterproofing materials, adhesives, corrosion inhibitors, surfactants, paint removers, wood finishes, coatings for concrete and plastics. Training and supervision of laboratory personnel, specification writing, quality assurance manager.

1964 – 1966 *Geigy Chemical Corp.*

Quantitative evaluation of inorganic compounds. Quality control and testing of new raw materials.

Professional Activities

- Member** - New York Society for Coatings Technology
Chair – Technical Committee
- Federation of Societies For Coatings Technology
- American Society For Testing and Materials
- 2nd Vice Chair - Committee D.01.90
 - 3rd Vice Chair - Committee D01
 - Chair - Subcommittee D01.09 – ISO TAG
 - Chair - Subcommittee D01.94 – Awards & Memorials
 - Member - Executive Committee
 - Vice Chair - Subcommittee D-1.23
 - Physical Properties of Applied Films

2. Joe Stipic and Shelley Stipic v. Behr Process Corporation
Superior Court of Washington for Gray's Harbor County
Stritmatter, IKessler et al – Paul Stritmatter
Edwards & Hagen – David Edwards
August 2001

Failure of clear and pigmented linseed oil based exterior wood coatings due to early and rampant mildew/fungus growth. Review of experts opinions/reports.

3. Armor-Deck v. Seamco v. Dyco Paints
Snell & Wilmer LLP
Phoenix, Arizona
Timothy J. Casey
October 2004

Failure of clear waterproofing sealer for concrete. Review of various experts' opinions and reports. Review of formulation changes made in sealer and evaluate of adhesion properties of both sealers.

4. Henry Company and Charter Roofing v Oakdale Correctional Facility
Henry Company
John Seymour
Charley Reese
April 2 04

Discoloration of elastomeric coating applied to correctional facility. Inspection and review of expert opinions and reports. Site inspection and development of position to address and maintain coating system.