

# **Exhibit K**

STATE OF INDIANA )  
 )  
 ) SS:  
COUNTY OF ELKHART )

IN THE ELKHART SUPERIOR COURT 2  
CAUSE No. 20D02-1106-PL-00037

LEO VANNORMAN, et al., )  
 )  
 ) Plaintiffs, )  
 )  
 ) v. )  
 )  
 ) FLEXSTEEL INDUSTRIES, INC., )  
 ) LDL REALTY COMPANY, LLC, )  
 ) DAVID L. DYGERT, and )  
 ) PHYLLIS B. DYGERT, )  
 )  
 ) Defendants. )

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FLEXSTEEL INDUSTRIES, INC., )  
 )  
 ) Third-Party Plaintiff, )

v. )  
 )  
 ) TRAVELERS PROPERTY CASUALTY )  
 ) COMPANY OF AMERICA, NATIONAL )  
 ) UNION FIRE INSURANCE COMPANY )  
 ) OF PITTSBURGH, PA, ILLINOIS )  
 ) NATIONAL INSURANCE COMPANY, )  
 ) CONTINENTAL CASUALTY )  
 ) COMPANY, SENTRY CASUALTY )  
 ) COMPANY, UNITED STATES FIRE )  
 ) INSURANCE COMPANY, AMERICAN )  
 ) GUARANTEE AND LIABILITY )  
 ) INSURANCE COMPANY, HARTFORD )  
 ) FIRE INSURANCE COMPANY, and )  
 ) INDIANA INSURANCE, )  
 )  
 ) Third-Party Defendants. )

**AFFIDAVIT OF AMY REPLOGLE**

The undersigned, Amy Replogle, being first duly sworn, hereby states as follows:

1. I, Amy Replogle, am over the age of 18, am of sound mind, and have personal knowledge of the matters set forth in this affidavit.
2. I worked for Dygert Seating at the manufacturing plant on Marina Drive in Elkhart, IN ("Seat Shop") for approximately thirteen years.
3. During my employment at the Seat Shop I worked primarily in stuffing and gluing, final inspection, and clean-up.
4. In connection with my work in the stuffing and gluing department of the Seat Shop, I would use trichloroethylene ("TCE") to clean out my glue pot, the tip of my glue gun, and sometime to clean glue off of my hands.
5. I specifically remember that the solvent we were using at Dygert Seating was TCE because I can remember having conversations with other employees about how long the name was.
6. When I would use TCE to clean out my glue gun, I would spray the TCE along the back wall of the glue booth.
7. The excess TCE would soak into cardboard, padding, or whatever we were using at the bottom of the glue booth.
8. I remember changing out the cardboard in the glue booth, which contained glue residue and excess TCE, and throwing it in the trash.
9. I also remember putting TCE in a plastic cap and using it to clean my glue tip.
10. I also remember and personally observed the employees on the installation line degreasing frames with C-60.
11. When I worked in the stuffing department I remember using silicone spray in aerosol cans to pull the fabric over the foam.
12. In connection with the stuffing operations I would use about a case of silicone spray a day.
13. When I worked in the glue booth I remember the glue being green.
14. At one point in time when I was working in the glue booth, the glue made me nauseous and Terry Littell helped me.
15. I recall trash containers placed outside on the south and south-west corners of the building.

16. I remember seeing trash barrels sometimes overflowing, and seeing trash including rags and aerosol cans lying on the ground on the south and southwest sides of the Seat Shop property.

FURTHER AFFIANT SAYETH NOT.

I affirm, under the penalties of perjury, that the foregoing statements are true and correct.

3-7-2012  
Date

Amy Replogle  
Amy Replogle