

Exhibit M

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.)

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 MATT CLARK

The undersigned, Matt Clark, being first duly sworn, hereby states as follows:

1. I, Matt Clark, 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 for approximately 2 years in approximately the late 1980s. To the best of my recollection I believe I started there in March of 1987.

3. When I worked for Dygert I worked in both correlating and receiving.

4. In connection with my work in correlating, and as a part-time installer, I became familiar with how the installation line worked.

5. The procedure for how the installation line worked involved a correlator such as myself removing a frame from a skid and putting it on a conveyor belt along with the material.

6. If we were slow I would degrease the frames prior to putting them on the conveyor belt.

7. When I degreased frames sometimes I would spray solvent from orange cans of C-60 on a rag and then wipe the rag on the frame and use the solvent to remove the grease.

8. Other times I would just spray the C-60 on the frame as it sat on the conveyor and the excess solvent would drip to the floor.

9. I can remember that sometimes when it would rain water would leak in behind the doors and puddle on the floor and under the conveyor belt.

10. I can remember seeing a sheen form in the puddles because of contamination from solvents like C-60 that dripped on the floor.

11. I can remember the puddles would make the floor slick and people would use squeegees and push brooms to push the puddles out the side door.

12. Sometimes when the line was busy I did not have time to degrease the frames.

13. When that happened, the installers were supposed to degrease the frames themselves.

14. I also remember and personally observed installers cleaning out their glue guns with C-60.

15. When they did that they would clean their glue pot out with C-60 and dump it out the back door.

16. I also remember that over by the glue booth there was an approximately 5-gallon pail and some of the people would spray the solvent into the can.

17. I also remember and personally observed the when the pail would get full people would dump it out the back door.

18. I am familiar with the solvent trichloroethylene and I remember that it was kept in buckets and was one of the solvents that people would use to clean out their glue equipment.

19. I also remember people soaking their glue tips in trichloroethylene in tin cans overnight.

20. When I was in receiving I drove a forklift.

21. One of my jobs was to deliver C-60 to the guys building seats.

22. Depending on how busy we were we would go through between 12 and 24 cases of C-60 per week.

23. When I was in receiving I also was responsible for taking buckets and drums of solvents to other areas of the factory.

24. I remember delivering 5-gallon buckets of trichloroethylene to a couple different areas in the factory.

25. I also delivered 55-gallon drums of trichloroethylene to the proper area of the factory.

FURTHER AFFIANT SAYETH NOT.

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

3/24/12
Date

Matthew R. Cook